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Part 1

EUROPEAN COMMISSION FOR THE EFFICIENCY OF JUSTICE (CEPEJ)

HFIII: Towards a better evaluation of the results of judicial reform efforts in the Western Balkans – phase II
"Dashboard Western Balkans II"

Data collection 2025

Report prepared by the CEPEJ for the attention of the European Commission

Part 1 – Comparative tables and graphs for all Western Balkans beneficiaries with summary overview per indicator

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Methodological Note

The methodology used for this report is fully based on the methodology used by the CEPEJ for its evaluation cycles. The data is collected by using a questionnaire, which is filled out by the CEPEJ's Dashboard correspondents (the main contact points within the judicial systems of the beneficiaries for this exercise). Their responses are statistically processed, analysed, and validated under the supervision of the CEPEJ Evaluation Working Group (CEPEJ-GT-EVAL). The CEPEJ works in full transparency with all beneficiaries during the whole process.

Data collection, validation and analysis

The CEPEJ Secretariat collects quantitative and qualitative data. Comments are also collected to provide additional information on the specificities of the beneficiaries' judicial system and to better contextualise the data.

From a methodological point of view, and with a commitment to quality, consistency and comparability of the supplied data, data collection is primarily assigned to the CEPEJ's Dashboard correspondents. The Dashboard correspondents are the unique interlocutors of the CEPEJ Secretariat when collecting and controlling data. The beneficiaries are liable for the quality of data provided in the survey.

According to the CEPEJ methodology, an extensive work is carried out by the CEPEJ Secretariat to verify the quality of the data submitted by the correspondents. This quality check process requires a certain amount of time in order to guarantee the reliability of the quantitative and qualitative data, which will eventually be presented to the European Commission (EC).

The data validation process has been implemented according to the CEPEJ's methodology. Nevertheless, the Beneficiary correspondent is responsible for the reliability and quality of the provided.

The first year of data collection for the Dashboard Western Balkans is 2019. This is considered as the base year to be presented in each consecutive cycle. The reference year for the current report's data is 2025. Evolutions/trends and variations using previous data collection are presented where relevant. CEPEJ will focus on up to 5 cycles (including the base year) in all the deliverables throughout the duration of the project.

The report is composed of two parts:

- Part 1- Comparative tables and graphs for all Western Balkans beneficiaries with summary overviews and comments per indicator (1 files)
-Part 2- Beneficiary profiles, with one profile per beneficiary (6 files).

This structure was discussed and agreed upon with the EC during previous cycles. Following discussions with the EC, the beneficiary profiles have been revised in the current cycle. In previous editions, the profiles were divided into two separate sections (Parts A and B). As agreed with the EC, and in order to streamline and optimise the profiles, the information previously presented in Part B has now been integrated into Part A. The profiles have also been redesigned to provide an improved visual presentation of the findings. The delivery date is 31 May for Part 1 and 30 June for Part 2.The delivery date is 31 May for Part 1, and 30 June for Part 2.

It should be noted that the content of the Beneficiary profiles was elaborated by the CEPEJ Secretariat based on the comments provided by the beneficiaries alongside the data. AI-assisted tools were used, where appropriate, to support the summarisation of lengthy comments

The quality of data

The reader should always interpret the presented statistical figures together with the respective narrative comments.

The CEPEJ has chosen to process and show only the data which offered a high level of quality and accountability. Hence, it decided to disregard those replies that significantly varied between exercises and for which there was no relevant explanation provided by the Dashboard correspondent, to give sufficient guarantees of quality and reliability. For some issues covered by this study, no data could be provided. When a data is shown as “NA” (i.e., “Not available”), it means that the data was not available, the data could not be collected as such or no data meeting the quality and reliability requirements was provided by the deadline. As a consequence, there might be some instances where data are shown as “NA” while there was data presented in the previous CEPEJ exercises. This is critical to ensure a high level of data quality.

Definitions and abbreviations

- **NA**: data not available.
- **NAP**: data non applicable.
- **CR**: Clearance Rate. The Clearance rate is the ratio obtained by dividing the number of resolved cases by the number of incoming cases in a given period, expressed as a percentage. It demonstrates how the court, or the judicial system is coping with the in-flow of cases and allows comparison between systems regardless of their differences and individual characteristics.
- **DT**: Disposition Time. The Disposition Time is the calculated time necessary for a pending case to be resolved, considering the current pace of work. It is reached by dividing the number of pending cases at the end of a particular period by the number of resolved cases within that period, multiplied by 365.The Disposition Time is the ratio between pending cases and resolved cases (in days). It shows the theoretical duration for a court to solve all the pending cases.

- **ICT Indices**: The six ICT indices (CMS, Courts decisions DB, Statistical tools, Writing assistance tools, Electronic submission and Online consultation) range from 0 to 10 points. Their calculation is based on the features and deployment rates of each beneficiary. The methodology for calculation provides points for each feature in each case matter. They are summarised and multiplied by the deployment rate as a weight. In this way, if the system is not fully deployed, the value is decreased even if all features are included.

Numbers indicated between brackets following the letter Q (for example Q12) refer to the questions of the CEPEJ Dashboard Western Balkans questionnaire.

Methodological disclaimer

1) Since data are standardised based on the population and GDP per capita, it should be noted that the provided figures for the population, Bosnia and Herzegovina, North Macedonia and Kosovo* refer to the previous year, while the population data for Montenegro are based on the 2023 census. The provided figures for the GDP per capita for Bosnia and Herzegovina, Montenegro, and North Macedonia and Kosovo also refer to the previous year.

2) The comparisons of data between beneficiaries with various size, economic and legal situations is a delicate task and should be approached with great caution. Indeed, the specificities of each system, which might explain differences in the data, should be taken into account (e.g., different judicial structures, the approach of the courts organisation, use of statistical tools to evaluate the systems, etc.). This is especially true when a particular region like the Western Balkans is compared to the European Union. Since the Western Balkans region presents its own peculiarities (e.g., per capita GDP, budget distribution, litigiousness rate, number of tasks handled by the judges, number of judges etc.), the comparison with the European Union region might be misleading. As requested by the European Commission, this report presents the EU median, where relevant. However, the EU median should not be considered as a benchmark for the Western Balkans region, but it should rather be considered as a "reference only".

Furthermore, it is crucial to notice that the data for calculating the 2025 EU median have not been collected yet. Hence, the 2024 EU median is included in this report. Yet, the reference year for the Dashboard Western Balkans is 2025. These statistics should be referred to for orientation only since they are not for the same reference year. For this reason, they are not comparable and should not be jointly analysed.

3) Some of the data might be updated or changed after each delivery (31 May and 30 June), in case of comments provided by the beneficiaries. According to the CEPEJ methodology, only the final version of the report can be disseminated, i.e., after considering the comments by the beneficiaries. Before then, all the collected data remain confidential.

4) Changes requested by beneficiaries after the delivery of this report may appear in future reports, since the CEPEJ's database is regularly updated. For this reason, previous cycles' data presented in this report might be different from data presented in the reports for the previous cycles.

5) It should also be noted that the summary statistics (minimum, maximum, average and median values) are presented in this report as an orientation only. Kosovo is not included in these summary statistics. Indeed, the group of beneficiaries is too small for the summary to be statistically meaningful. These statistics are calculated by using quantitative data, hence excluding the "NA" or "NAP" answers. Furthermore, in case data are available only for one or two beneficiaries, the summary statistics would not be useful even as an orientation. Consequently, they are shown as "-".

6) When using the data provided by the CEPEJ in public reports, EC should always mention "Source: CEPEJ data". CEPEJ will only be able to produce comparison data tables and graphs between member States of the Council of Europe. If the EC wants to compare data between the six beneficiaries by constructing new charts and tables adding Kosovo, it should be made clear that it is of its responsibility even if the source of the data is the CEPEJ. This should be mentioned under each relevant table and/or graph.

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

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Table 0.0.1 General information (Q1, Q2, Q3, Q4 and Q5)

Beneficiaries	Population						Total government expenditure as % of GDP	GDP per capita						Exchange rate Local currency vs Euro					Average gross annual salary					
	2019	2022	2023	2024	2025	Variation 2019 - 2025 (%)	2025	2019	2022	2023	2024	2025	Variation 2019 - 2025 (%)	2019	2022	2023	2024	2025	2019	2022	2023	2024	2025	Variation 2019 - 2025 (%)
Albania	2 845 955	2 793 592	2 761 785	2 390 942	2 363 314	-17,0%	31%	4 780 €	5 489 €	7 700 €	7 700 €	10 230 €	114,0%	123,43	120,87	116,00	104,00	96,77	5 097 €	6 888 €	7 395 €	8 954 €	10 787 €	111,6%
Bosnia and Herzegovina	3 496 121	3 453 000	3 434 000	3 420 000	3 412 000	-2,4%	43%	5 168 €	5 724 €	6 781 €	7 459 €	8 055 €	55,9%	1,96	1,96	1,96	1,96	1,96	8 724 €	10 571 €	11 946 €	13 116 €	15 260 €	74,9%
Montenegro	620 029	620 029	633 158	623 633	623 633	0,6%	NA	7 959 €	8 002 €	9 598 €	10 998 €	13 113 €	64,8%	1,00	1,00	1,00	1,00	1,00	9 276 €	10 596 €	11 844 €	12 996 €	14 472 €	56,0%
North Macedonia	2 077 132	1 837 114	1 829 954	1 826 247	1 822 612	-12,3%	36%	5 463 €	6 365 €	7 115 €	7 978 €	8 588 €	57,2%	61,50	61,49	61,50	61,50	61,50	7 469 €	9 297 €	10 717 €	12 096 €	13 259 €	77,5%
Serbia	6 963 764	6 797 105	6 641 197	6 605 168	6 567 783	-5,7%	43%	6 593 €	8 876 €	10 497 €	12 508 €	13 408 €	103,4%	117,59	118,00	117,32	117,20	117,30	7 737 €	10 504 €	13 317 €	13 885 €	15 469 €	99,9%
Kosovo*	1 782 115	1 812 577	1 762 220	1 602 515	1 585 590	-10,1%	NA	3 746 €	4 486 €	5 037 €	6 584 €	6 584 €	75,8%	1,00	1,00	1,00	1,00	1,00	6 696 €	5 808 €	6 252 €	6 840 €	7 668 €	2,2%
Average	3 200 600	3 100 168	3 060 019	2 973 198	2 957 868	-7,3%	38,3%	5 993 €	6 891 €	8 338 €	9 329 €	10 679 €	79,0%						7 661 €	9 571 €	11 044 €	12 209 €	13 849 €	84,0%
Median	2 845 955	2 793 592	2 761 785	2 390 942	2 363 314	-5,7%	39,5%	5 463 €	6 365 €	7 700 €	7 978 €	10 230 €	64,8%						7 737 €	10 504 €	11 844 €	12 996 €	14 472 €	77,5%
Minimum	620 029	620 029	633 158	623 633	623 633	-17,0%	31,0%	4 780 €	5 489 €	6 781 €	7 459 €	8 055 €	55,9%						5 097 €	6 888 €	7 395 €	8 954 €	10 787 €	56,0%
Maximum	6 963 764	6 797 105	6 641 197	6 605 168	6 567 783	0,6%	43,0%	7 959 €	8 876 €	10 497 €	12 508 €	13 408 €	114,0%						9 276 €	10 596 €	13 317 €	13 885 €	15 469 €	111,6%

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Bosnia and Herzegovina, Kosovo* and North Macedonia the population figures refer to the year preceding the reference year. **Montenegro**: the population figures 2023, 2024 and 2025 are based on the 2023 census

Bosnia and Herzegovina, **Kosovo***, **Montenegro and North Macedonia**: the GDP per capita refers to the year preceding the reference year.

North Macedonia: a census was conducted in 2021; as a result, the population figure is lower than in previous cycles. **Albania**: a census was conducted in 2023; as a result, the population figure is lower than in previous cycles.

1.Budget - Overview

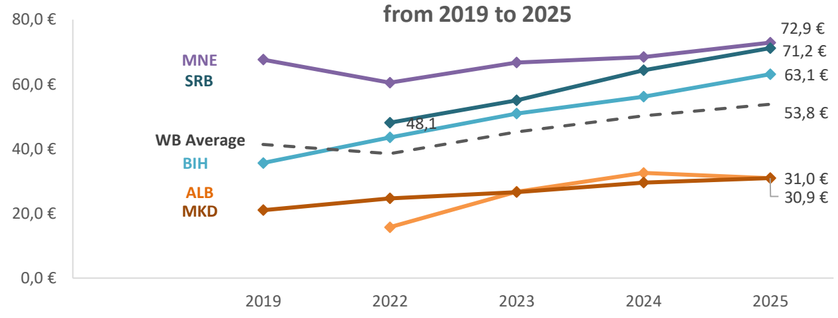
Implemented budget allocated to the judicial system (courts, prosecution services and legal aid)

Implemented Judicial system budget per inhabitant (Tables 1.1.5 and 1.1.6)

Beneficiaries	2019	2022	2023	2024	2025	% variation 2019 - 2025	% variation 2024 - 2025
Albania	NA	15,8 €	26,7 €	32,6 €	30,9 €	NA	-5,0%
Bosnia and Herzegovina	35,6 €	43,6 €	51,0 €	56,1 €	63,1 €	77,0%	12,4%
Montenegro	67,6 €	60,5 €	66,7 €	68,4 €	72,9 €	7,8%	6,5%
North Macedonia	21,0 €	24,6 €	26,6 €	29,6 €	31,0 €	47,3%	4,6%
Serbia	NA	48,1 €	55,0 €	64,3 €	71,2 €	NA	10,7%
Kosovo*	24,6 €	23,9 €	25,5 €	31,2 €	34,5 €	0,4 €	10,4%
WB Average	41,4 €	38,5 €	45,2 €	50,2 €	53,8 €	44,0%	5,8%

North Macedonia: because of the 2021 census, the number of inhabitants changed significantly between 2020 and 2021. **Albania**: because of the 2023 census, the number of inhabitants changed significantly between 2023 and 2024. As a result, variations in indicators standardised by the number of inhabitants may be partly due to the change in population figures.
In **Albania** and **Montenegro**, mandatory representation in court is not counted under the legal aid budget. Since 2023, **Serbia** has included mandatory representation in court under its legal aid budget, which explains the increase in the budget.

Figure 1.1 Implemented Judicial system budget per inhabitant from 2019 to 2025



Implemented Judicial system budget as % of GDP (Table 1.1.4)

Beneficiaries	2019	2022	2023	2024	2025	% variation 2019 - 2025 (percentage points)	% variation 2024 - 2025 (percentage points)
Albania	NA	0,29%	0,35%	0,42%	0,30%	NA	-0,12
Bosnia and Herzegovina	0,69%	0,76%	0,75%	0,75%	0,78%	0,09	0,03
Montenegro	0,85%	0,76%	0,70%	0,62%	0,56%	-0,29	-0,07
North Macedonia	0,38%	0,39%	0,37%	0,37%	0,36%	-0,02	-0,01
Serbia	NA	0,54%	0,52%	0,51%	0,53%	NA	0,02
Kosovo*	0,66%	0,53%	0,51%	0,47%	0,52%	-13%	0,05
WB Average	0,64%	0,55%	0,54%	0,54%	0,51%	-0,07	-0,03

Figure 1.2 Implemented Judicial system budget as % of GDP from 2019 to 2025

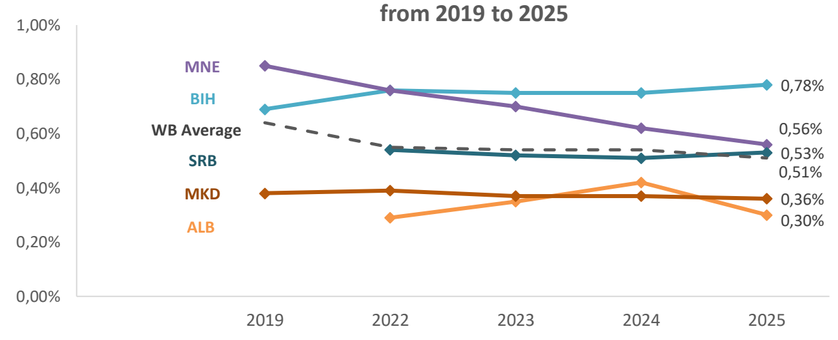
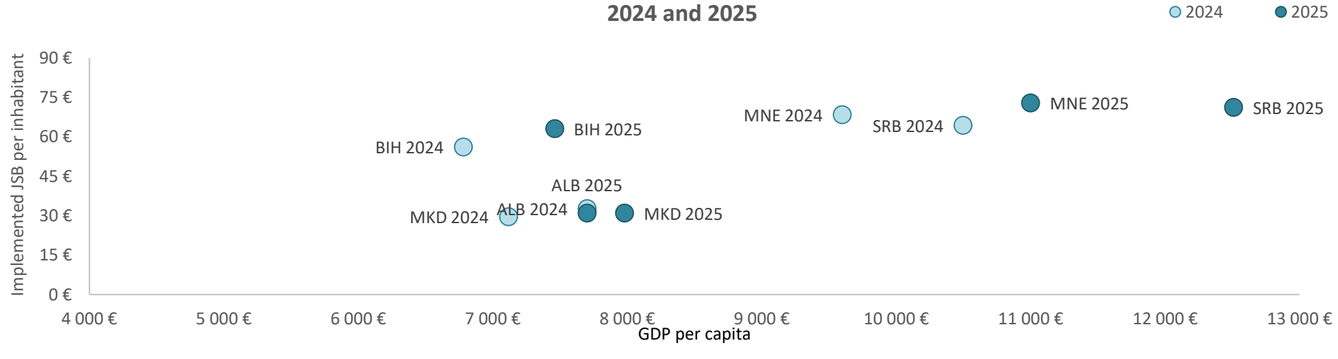


Figure 1.3 Implemented Judicial System Budget (JSB) per inhabitant in relation with the GPD per capita in 2024 and 2025



* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Distribution of Implemented Judicial System Budget

Distribution of implemented Judicial System Budget allocated to courts, public prosecution services and legal aid in 2025 and variation compared to 2024 (Table 1.1.4 and 1.1.6)

	Implemented budget in 2025			% Variation 2024 - 2025		
	Courts	Legal aid	Prosecution services	Courts	Legal Aid	Prosecution Services
Albania	44 760 443 €	907 374 €	27 446 143 €	1,1%	34,8%	-14,2%
Bosnia and Herzegovina	158 140 955 €	9 862 360 €	47 250 721 €	12,1%	20,2%	11,8%
Montenegro	31 722 154 €	90 357 €	13 631 684 €	4,9%	-1,6%	10,5%
North Macedonia	43 165 059 €	533 952 €	12 724 246 €	4,7%	45,7%	3,3%
Serbia	351 993 395 €	15 730 240 €	99 674 692 €	10,8%	-1,7%	12,4%
Kosovo*	35 325 704 €	2 953 499 €	16 367 741 €	8,5%	17,4%	13,6%
WB Median	44 760 443 €	907 374 €	27 446 143 €	4,9%	20,2%	10,5%

Figure 1.4 Distribution of implemented Judicial System Budget allocated to courts, public prosecution services and legal aid in 2025

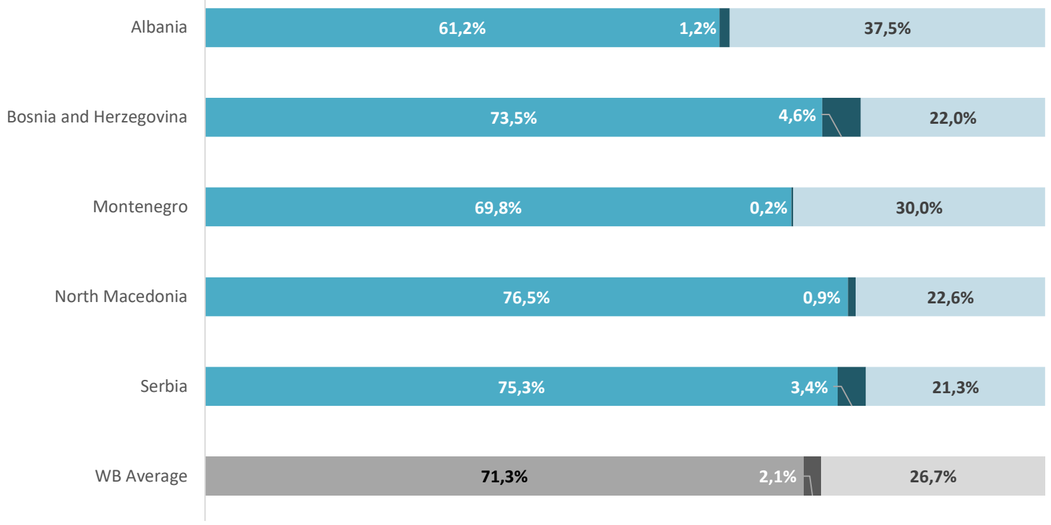
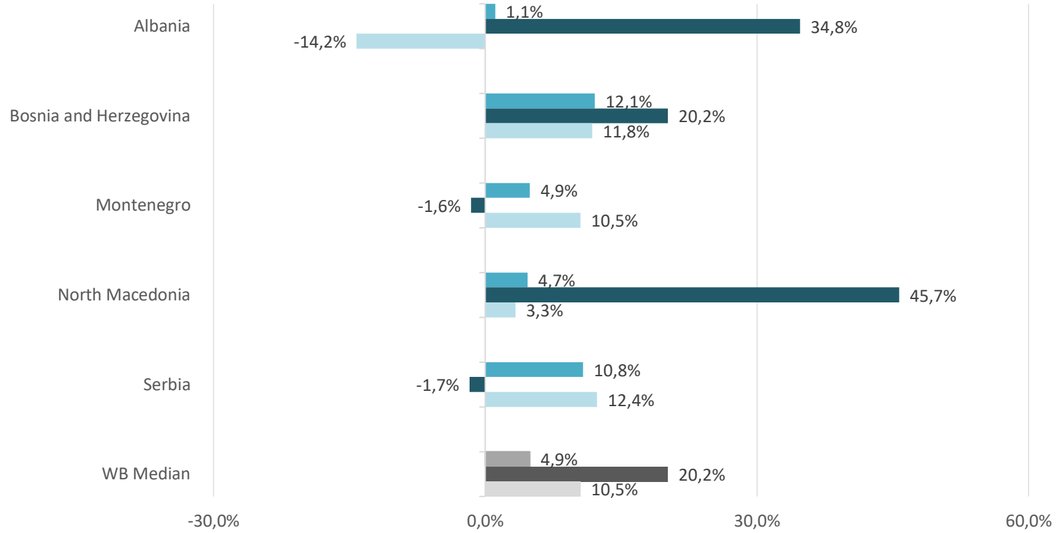


Figure 1.5 Variation of the implemented budget allocated to courts, Legal Aid and Prosecution Services between 2024 - 2025 (%)



* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

1.Budget - List of tables

1.1 Judicial System Budget (Courts Budget, Public Prosecution Services Budget, Legal Aid Budget)
Please note the Legal Aid Budget will separately be shown in Indicator 4)

Table 1.1.1 Approved budget of the judicial system in € (budget allocated to courts, legal aid and public prosecution services) in 2025 (Q1, Q3, Q6, Q7, Q8, Q9-0)

Table 1.1.2 Evolution of the approved budget of the judicial system and its components in € per capita from 2019 to 2025 (budget allocated to courts, legal aid and public prosecution services) (Q1, Q3, Q6, Q7, Q8, Q9-0)

Table 1.1.3 Variation in % of the annual approved budget of the judicial system (budget allocated to courts, legal aid and public prosecution services) between 2019 and 2025 and between 2024 and 2025 (Q1, Q3, Q6, Q7, Q8, Q9-0)

Table 1.1.4 Implemented budget of the judicial system in € (budget allocated to courts, legal aid and public prosecution services) in 2025 (Q1, Q3, Q6, Q7, Q8, Q9-0)

Table 1.1.5 Evolution of the implemented budget of the judicial system and its components in € per capita from 2019 to 2025 (budget allocated to courts, legal aid and public prosecution services) (Q1, Q3, Q6, Q7, Q8, Q9-0)

Table 1.1.6 Variation in % of the annual implemented budget of the judicial system per inhabitant (budget allocated to courts, legal aid and public prosecution services) between 2019 and 2025 and between 2024 and 2025 (Q1, Q3, Q6, Q7, Q8, Q9-0)

1.2 Courts' Budget - Categories

Table 1.2.1 Categories of the approved court budget in 2025 - Absolute values in € (Q7)

Table 1.2.2 Categories of the implemented court budget in 2025 - Absolute values in € (Q7)

Table 1.2.3 Distribution of the implemented court budget by categories in 2025 (Q7)

1.3 Public Prosecution Services Budget - Categories

Table 1.3.1 Categories of the approved budget for all public prosecution services in 2025 - Absolute values in € (Q8)

Table 1.3.2 Categories of the implemented budget for all public prosecution services in 2025 - Absolute values in € (Q8)

Table 1.3.3 Distribution of the implemented budget in all public prosecution services by categories in 2025 (Q7)

1.4 Donors' Contributions

1.1 Judicial System Budget (Courts Budget, Public Prosecution Services Budget, Legal Aid Budget)

Please note the Legal Aid Budget will separately be shown in Indicator 4)

Table 1.1.1 Approved budget of the judicial system in € (budget allocated to courts, legal aid and public prosecution services) in 2025 (Q1, Q3, Q6, Q7, Q8, Q9-0)

Beneficiaries	2025							
	Annual approved budget (absolute values)				Annual approved budget (standardised values)			
	Judicial system (1) + (2) + (3)	(1) Courts	(2) Legal aid	(3) Public prosecution system	Judicial system per capita	Judicial system as % of GDP	Courts per capita	Courts as % of GDP
Albania	78 034 685 €	49 215 932 €	1 057 184 €	27 761 569 €	33,0 €	0,32%	20,8 €	0,20%
Bosnia and Herzegovina	NA	159 661 782 €	NA	50 227 515 €	NA	NA	46,8 €	0,58%
Montenegro	45 202 852 €	29 660 157 €	144 617 €	15 398 078 €	72,5 €	0,55%	47,6 €	0,36%
North Macedonia	60 024 927 €	44 945 348 €	533 434 €	14 546 145 €	32,9 €	0,38%	24,7 €	0,29%
Serbia	476 328 324 €	359 626 214 €	15 839 772 €	100 862 338 €	72,5 €	0,54%	54,8 €	0,41%
Kosovo*	56 084 648 €	36 171 338 €	3 017 355 €	16 895 955 €	35,4 €	0,54%	22,8 €	0,35%
Average	164 897 697 €	128 621 887 €	4 393 752 €	41 759 129 €	52,7 €	0,45%	38,9 €	0,37%
Median	69 029 806 €	49 215 932 €	795 309 €	27 761 569 €	52,8 €	0,46%	46,8 €	0,36%
Minimum	45 202 852 €	29 660 157 €	144 617 €	14 546 145 €	32,9 €	0,32%	20,8 €	0,20%
Maximum	476 328 324 €	359 626 214 €	15 839 772 €	100 862 338 €	72,5 €	0,55%	54,8 €	0,58%

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

In **Albania** and **Montenegro**, mandatory representation in court is not included in the legal aid budget.

Table 1.1.2 Evolution of the approved budget of the judicial system and its components in € per capita from 2019 to 2025 (budget allocated to courts, legal aid and public prosecution services) (Q1, Q3, Q6, Q7, Q8, Q9-0)

Beneficiaries	Evolution of the approved budget of the judicial system and its components																			
	Judicial system (1) + (2) + (3) per capita					(1) Courts per capita					(2) Legal aid per capita					(3) Public prosecution system per capita				
	2019	2022	2023	2024	2025	2019	2022	2023	2024	2025	2019	2022	2023	2024	2025	2019	2022	2023	2024	2025
Albania	NA	16,7 €	26,9 €	34,9 €	33,0 €	7,8 €	10,0 €	15,6 €	19,3 €	20,8 €	0,05 €	0,15 €	0,22 €	0,31 €	0,45 €	NA	6,6 €	11,0 €	15,3 €	11,7 €
Bosnia and Herzegovina	NA	NA	NA	NA	NA	27,8 €	34,4 €	41,4 €	44,2 €	46,8 €	NA	NA	NA	NA	NA	8,6 €	9,9 €	11,6 €	12,7 €	14,7 €
Montenegro	NA	NA	NA	NA	72,5 €	50,6 €	42,0 €	44,4 €	47,2 €	47,6 €	NA	NA	NA	NA	0,23 €	14,8 €	14,9 €	18,0 €	21,9 €	24,7 €
North Macedonia	22,9 €	25,0 €	28,2 €	30,0 €	32,9 €	16,1 €	19,3 €	21,4 €	22,6 €	24,7 €	0,24 €	0,34 €	0,29 €	0,20 €	0,29 €	6,6 €	5,4 €	6,5 €	7,2 €	8,0 €
Serbia	NA	NA	55,5 €	65,2 €	72,5 €	NA	42,3 €	44,2 €	49,0 €	54,8 €	NA	NA	1,75 €	2,45 €	2,41 €	8,0 €	6,9 €	9,6 €	13,7 €	15,4 €
Kosovo*	25,5 €	27,0 €	27,7 €	33,6 €	35,4 €	16,3 €	16,7 €	17,7 €	21,5 €	22,8 €	1,23 €	1,04 €	1,30 €	1,69 €	1,90 €	8,0 €	9,2 €	8,7 €	10,4 €	10,7 €
Average	-	-	36,9 €	43,4 €	52,7 €	25,6 €	29,6 €	33,4 €	36,5 €	38,9 €	-	-	0,75 €	0,98 €	0,85 €	9,5 €	8,7 €	11,3 €	14,2 €	14,9 €
Median	-	-	28,2 €	34,9 €	52,8 €	21,9 €	34,4 €	41,4 €	44,2 €	46,8 €	-	-	0,29 €	0,31 €	0,37 €	8,3 €	6,9 €	11,0 €	13,7 €	14,7 €
Minimum	-	-	26,9 €	30,0 €	32,9 €	7,8 €	10,0 €	15,6 €	19,3 €	20,8 €	-	-	0,22 €	0,20 €	0,23 €	6,6 €	5,4 €	6,5 €	7,2 €	8,0 €
Maximum	-	-	55,5 €	65,2 €	72,5 €	50,6 €	42,3 €	44,4 €	49,0 €	54,8 €	-	-	1,75 €	2,45 €	2,41 €	14,8 €	14,9 €	18,0 €	21,9 €	24,7 €

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Kosovo is not included in the calculation of summary statistics*

North Macedonia: because of the 2021 census, the number of inhabitants changed significantly between 2020 and 2021. **Albania**: because of the 2023 census, the number of inhabitants changed significantly between 2023 and 2024. As a result, variations in indicators standardised by the number of inhabitants may be partly due to the change in population figures.

In **Albania** and **Montenegro**, mandatory representation in court is not included in the legal aid budget. Since 2023, **Serbia** has included it, explaining the increase in the budget.

Table 1.1.3 Variation in % of the annual approved budget of the judicial system (budget allocated to courts, legal aid and public prosecution services) between 2019 and 2025 and between 2024 and 2025 (Q1, Q3, Q6, Q7, Q8, Q9-0)

Beneficiaries	% Variation of the annual approved budget per inhabitant							
	Judicial system (1) + (2) + (3)		(1) Courts		(2) Legal aid		(3) Public prosecution system	
	2019 - 2025	2024 - 2025	2019 - 2025	2024 - 2025	2019 - 2025	2024 - 2025	2019 - 2025	2024 - 2025
Albania	NA	-5,3%	166,8%	7,9%	736,1%	45,2%	NA	-23,0%
Bosnia and Herzegovina	NA	NA	68,1%	5,9%	NA	NA	71,6%	15,9%
Montenegro	NA	NA	-6,0%	0,7%	NA	NA	67,0%	12,5%
North Macedonia	43,6%	9,6%	53,6%	9,0%	22,9%	48,0%	20,3%	10,4%
Serbia	NA	11,3%	NA	11,6%	NA	-1,4%	92,5%	12,4%
Kosovo*	39,0%	5,2%	40,2%	5,9%	54,4%	12,4%	34,0%	2,5%
Average	-	5,2%	70,6%	7,0%	-	30,6%	62,9%	5,6%
Median	-	9,6%	60,8%	7,9%	-	45,2%	69,3%	12,4%
Minimum	-	-5,3%	-6,0%	0,7%	-	-1,4%	20,3%	-23,0%
Maximum	-	11,3%	166,8%	11,6%	-	48,0%	92,5%	15,9%

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Kosovo is not included in the calculation of summary statistics*

In **Albania** and **Montenegro**, mandatory representation in court is not included in the legal aid budget. Since 2023, **Serbia** has included it, explaining the increase in the budget.

Table 1.1.4 Implemented budget of the judicial system in € (budget allocated to courts, legal aid and public prosecution services) in 2025 (Q1, Q3, Q6, Q7, Q8, Q9-0)

Beneficiaries	2025							
	Annual implemented budget (absolute values)				Annual implemented budget (standardised values)			
	Judicial system (1) + (2) + (3)	(1) Courts	(2) Legal aid	(3) Public prosecution system	Judicial system per capita	Judicial system as % of GDP	Courts per capita	Courts as % of GDP
Albania	73 113 960 €	44 760 443 €	907 374 €	27 446 143 €	30,9 €	0,30%	18,9 €	0,19%
Bosnia and Herzegovina	215 254 036 €	158 140 955 €	9 862 360 €	47 250 721 €	63,1 €	0,78%	46,3 €	0,58%
Montenegro	45 444 195 €	31 722 154 €	90 357 €	13 631 684 €	72,9 €	0,56%	50,9 €	0,39%
North Macedonia	56 423 257 €	43 165 059 €	533 952 €	12 724 246 €	31,0 €	0,36%	23,7 €	0,28%
Serbia	467 398 327 €	351 993 395 €	15 730 240 €	99 674 692 €	71,2 €	0,53%	53,6 €	0,40%
Kosovo*	54 646 944 €	35 325 704 €	2 953 499 €	16 367 741 €	34,5 €	0,52%	22,3 €	0,34%
Average	171 526 755 €	125 956 401 €	5 424 857 €	40 145 497 €	53,8 €	0,51%	53,8 €	0,36%
Median	73 113 960 €	44 760 443 €	907 374 €	27 446 143 €	63,1 €	0,53%	63,1 €	0,39%
Minimum	45 444 195 €	31 722 154 €	90 357 €	12 724 246 €	30,9 €	0,30%	30,9 €	0,19%
Maximum	467 398 327 €	351 993 395 €	15 730 240 €	99 674 692 €	72,9 €	0,78%	72,9 €	0,58%

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Kosovo is not included in the calculation of summary statistics*

In **Albania** and **Montenegro**, mandatory representation in court is not included in the legal aid budget.

Table 1.1.5 Evolution of the implemented budget of the judicial system and its components in € per capita from 2019 to 2025 (budget allocated to courts, legal aid and public prosecution services) (Q1, Q3, Q6, Q7, Q8, Q9-0)

Beneficiaries	Evolution of the implemented budget of the judicial system and its components																			
	Judicial system (1) + (2) + (3) per capita					(1) Courts per capita					(2) Legal aid per capita					(3) Public prosecution system per capita				
	2019	2022	2023	2024	2025	2019	2022	2023	2024	2025	2019	2022	2023	2024	2025	2019	2022	2023	2024	2025
Albania	NA	15,8 €	26,7 €	32,6 €	30,9 €	7,5 €	9,2 €	15,1 €	18,7 €	18,9 €	0,02 €	0,11 €	0,17 €	0,28 €	0,38 €	NA	6,4 €	11,4 €	13,5 €	11,6 €
Bosnia and Herzegovina	35,6 €	43,6 €	51,0 €	56,1 €	63,1 €	26,2 €	31,6 €	37,6 €	41,3 €	46,3 €	2,27 €	2,44 €	2,55 €	2,41 €	2,89 €	7,1 €	9,5 €	10,8 €	12,4 €	13,8 €
Montenegro	67,6 €	60,5 €	66,7 €	68,4 €	72,9 €	52,1 €	44,6 €	48,1 €	48,5 €	50,9 €	0,33 €	0,18 €	0,17 €	0,15 €	0,14 €	15,2 €	15,7 €	18,5 €	19,8 €	21,9 €
North Macedonia	21,0 €	24,6 €	26,6 €	29,6 €	31,0 €	15,2 €	19,2 €	20,5 €	22,6 €	23,7 €	0,19 €	0,28 €	0,28 €	0,20 €	0,29 €	5,6 €	5,1 €	5,8 €	6,8 €	7,0 €
Serbia	NA	48,1 €	55,0 €	64,3 €	71,2 €	NA	41,3 €	43,8 €	48,4 €	53,6 €	NA	0,01 €	1,73 €	2,44 €	2,40 €	7,7 €	6,8 €	9,5 €	13,5 €	15,2 €
Kosovo*	24,6 €	23,9 €	25,5 €	31,2 €	34,5 €	15,7 €	15,7 €	16,5 €	20,5 €	22,3 €	1,19 €	0,93 €	1,35 €	1,59 €	1,86 €	7,7 €	7,2 €	7,7 €	9,1 €	10,3 €
Average	41,4 €	38,5 €	45,2 €	50,2 €	53,8 €	25,3 €	29,2 €	33,0 €	35,9 €	38,7 €	0,70 €	0,61 €	0,98 €	1,10 €	1,22 €	8,9 €	8,7 €	11,2 €	13,2 €	13,9 €
Median	35,6 €	43,6 €	51,0 €	56,1 €	63,1 €	20,7 €	31,6 €	37,6 €	41,3 €	46,3 €	0,26 €	0,18 €	0,28 €	0,28 €	0,38 €	7,4 €	6,8 €	10,8 €	13,5 €	13,8 €
Minimum	21,0 €	15,8 €	26,6 €	29,6 €	30,9 €	7,5 €	9,2 €	15,1 €	18,7 €	18,9 €	0,02 €	0,01 €	0,17 €	0,15 €	0,14 €	5,6 €	5,1 €	5,8 €	6,8 €	7,0 €
Maximum	67,6 €	60,5 €	66,7 €	68,4 €	72,9 €	52,1 €	44,6 €	48,1 €	48,5 €	53,6 €	2,27 €	2,44 €	2,55 €	2,44 €	2,89 €	15,2 €	15,7 €	18,5 €	19,8 €	21,9 €

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Kosovo is not included in the calculation of summary statistics*

North Macedonia: because of the 2021 census, the number of inhabitants changed significantly between 2020 and 2021. **Albania**: because of the 2023 census, the number of inhabitants changed significantly between 2023 and 2024. As a result, variations in indicators standardised by the number of inhabitants may be partly due to the change in population figures.

In **Albania** and **Montenegro**, mandatory representation in court is not included in the legal aid budget. Since 2023, **Serbia** has included it, explaining the increase in the budget.

Table 1.1.6 Variation in % of the annual implemented budget of the judicial system per inhabitant (budget allocated to courts, legal aid and public prosecution services) between 2019 and 2025 and between 2024 and 2025 (Q1, Q3, Q6, Q7, Q8, Q9-0)

Beneficiaries	% Variation of the annual implemented budget per inhabitant							
	Judicial system (1) + (2) + (3)		(1) Courts		(2) Legal aid		(3) Public prosecution system	
	2019 - 2025	2024 - 2025	2019 - 2025	2024 - 2025	2019 - 2025	2024 - 2025	2019 - 2025	2024 - 2025
Albania	NA	-5,0%	152,7%	1,1%	1532,1%	34,8%	NA	-14,2%
Bosnia and Herzegovina	77,0%	12,4%	76,7%	12,1%	27,4%	20,2%	93,9%	11,8%
Montenegro	7,8%	6,5%	-2,4%	4,9%	-55,8%	-1,6%	44,2%	10,5%
North Macedonia	47,3%	4,6%	55,8%	4,7%	51,7%	45,7%	24,3%	3,3%
Serbia	NA	10,7%	NA	10,8%	NA	-1,7%	96,1%	12,4%
Kosovo*	40,0%	10,4%	41,5%	8,5%	56,6%	17,4%	34,1%	13,6%
Average	44,0%	5,8%	70,7%	6,7%	388,8%	19,5%	64,6%	4,8%
Median	47,3%	6,5%	66,2%	4,9%	39,5%	20,2%	69,0%	10,5%
Minimum	7,8%	-5,0%	-2,4%	1,1%	-55,8%	-1,7%	24,3%	-14,2%
Maximum	77,0%	12,4%	152,7%	12,1%	1532,1%	45,7%	96,1%	12,4%

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Kosovo is not included in the calculation of summary statistics*

In **Albania** and **Montenegro**, mandatory representation in court is not included in the legal aid budget. Since 2023, **Serbia** has included it, explaining the increase in the budget.

1.2 Courts' Budget - Categories

Table 1.2.1 Categories of the approved court budget in 2025 - Absolute values in € (Q7)

Beneficiaries	Categories of the annual approved court budget in 2025 - Absolute values										
	Total	Salaries				Computerisation	Justice expenses	Maintenance and operational costs of court buildings	Investments in new (court) buildings	Training	Other
		Gross salaries (a+b+c)	Salaries of professional judges (a)	Salaries of non-judge staff (b)	Salaries/remunerations of other judges (c)						
Albania	49 215 932 €	33 516 848 €	NA	NA	NA	NA	NA	NA	NAP	NA	NA
Bosnia and Herzegovina	159 661 782 €	139 856 078 €	74 026 839 €	61 180 937 €	4 648 302 €	NA	NA	NA	NA	NA	NA
Montenegro	29 660 157 €	22 965 659 €	NA	NA	NA	334 907 €	NA	114 296 €	76 827 €	13 754 €	6 154 714 €
North Macedonia	44 945 348 €	35 671 197 €	13 954 793 €	21 716 404 €	NAP	901 937 €	1 314 360 €	2 023 535 €	381 056 €	NAP	4 653 263 €
Serbia	359 626 214 €	258 036 428 €	NA	NA	NA	7 964 917 €	24 090 496 €	21 983 003 €	1 326 899 €	582 884 €	45 641 586 €
Kosovo*	36 171 338 €	28 003 840 €	NA	NA	NA	300 000 €	472 832 €	320 000 €	1 714 948 €	32 000 €	5 327 717 €
Average	128 621 887 €	98 009 242 €	-	-	-	3 067 254 €	-	8 040 278 €	594 927 €	-	18 816 521 €
Median	49 215 932 €	35 671 197 €	-	-	-	901 937 €	-	2 023 535 €	381 056 €	-	6 154 714 €
Minimum	29 660 157 €	22 965 659 €	-	-	-	334 907 €	-	114 296 €	76 827 €	-	4 653 263 €
Maximum	359 626 214 €	258 036 428 €	-	-	-	7 964 917 €	-	21 983 003 €	1 326 899 €	-	45 641 586 €

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Kosovo is not included in the calculation of summary statistics*

Table 1.2.2 Categories of the implemented court budget in 2025 - Absolute values in € (Q7)

Beneficiaries	Categories of the annual implemented court budget in 2025 - Absolute values										
	Total	Salaries				Computerisation	Justice expenses	Maintenance and operational costs of court buildings	Investments in new (court) buildings	Training (excluding the training institution budget of Q10)	Other
		Gross salaries (a+b+c)	Salaries of professional judges (a)	Salaries of non-judge staff (b)	Salaries/ remunerations of other judges (c)						
Albania	44 760 443 €	33 120 098 €	NA	NA	NA	3 662 235 €	1 365 410 €	2 043 200 €	NAP	366 477 €	4 203 023 €
Bosnia and Herzegovina	158 140 955 €	130 880 442 €	69 275 969 €	57 254 488 €	4 349 985 €	2 557 125 €	779 629 €	10 450 350 €	54 170 €	133 974 €	13 285 265 €
Montenegro	31 722 154 €	22 703 522 €	NA	NA	NA	216 128 €	NA	62 521 €	33 781 €	650 €	8 705 553 €
North Macedonia	43 165 059 €	34 695 587 €	12 979 183 €	21 716 404 €	NAP	896 900 €	1 208 772 €	2 023 535 €	356 526 €	NAP	3 983 739 €
Serbia	351 993 395 €	255 421 450 €	NA	NA	NA	7 521 875 €	23 939 736 €	21 070 450 €	1 274 294 €	521 277 €	42 244 313 €
Kosovo*	35 325 704 €	28 003 460 €	NA	NA	NA	299 061 €	455 705 €	316 514 €	1 147 780 €	24 360 €	5 078 822 €
Average	125 956 401 €	95 364 220 €	-	-	-	2 970 853 €	6 823 387 €	7 130 011 €	429 693 €	255 595 €	14 484 379 €
Median	44 760 443 €	34 695 587 €	-	-	-	2 557 125 €	1 287 091 €	2 043 200 €	205 348 €	250 226 €	8 705 553 €
Minimum	31 722 154 €	22 703 522 €	-	-	-	216 128 €	779 629 €	62 521 €	33 781 €	650 €	3 983 739 €
Maximum	351 993 395 €	255 421 450 €	-	-	-	7 521 875 €	23 939 736 €	21 070 450 €	1 274 294 €	521 277 €	42 244 313 €

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Kosovo is not included in the calculation of summary statistics*

Table 1.2.3 Distribution of the implemented court budget by categories in 2025 (Q7)

Beneficiaries	Distribution of the implemented court budget by categories in 2025 - Absolute values									
	Salaries				Computerisation	Justice expenses	Maintenance and operational costs of court buildings	Investments in new (court) buildings	Training (excluding the training institution budget of Q10)	Other
	Gross salaries (a+b+c)	Salaries of professional judges (a)	Salaries of non-judge staff (b)	Salaries/ remunerations of other judges (c)						
Albania	74,0%	NA	NA	NA	8,2%	3,1%	4,6%	NAP	0,8%	9,4%
Bosnia and Herzegovina	82,8%	43,8%	36,2%	2,8%	1,6%	0,5%	6,6%	0,0%	0,1%	8,4%
Montenegro	71,6%	NA	NA	NA	0,7%	NA	0,2%	0,1%	0,0%	27,4%
North Macedonia	80,4%	30,1%	50,3%	NAP	2,1%	2,8%	4,7%	0,8%	NAP	9,2%
Serbia	72,6%	NA	NA	NA	2,1%	6,8%	6,0%	0,4%	0,1%	12,0%
Kosovo*	79,3%	NA	NA	NA	0,8%	1,3%	0,9%	3,2%	0,1%	14,4%
Average	76,3%	-	-	-	2,9%	3,3%	4,4%	0,3%	0,3%	13,3%
Median	74,0%	-	-	-	2,1%	2,9%	4,7%	0,2%	0,1%	9,4%
Minimum	71,6%	-	-	-	0,7%	0,5%	0,2%	0,0%	0,0%	8,4%
Maximum	82,8%	-	-	-	8,2%	6,8%	6,6%	0,8%	0,8%	27,4%

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Kosovo is not included in the calculation of summary statistics*

1.3 Public Prosecution Services Budget - Categories

Table 1.3.1 Categories of the approved budget for all public prosecution services in 2025 - Absolute values in € (Q8)

Beneficiaries	Categories of the annual approved budget for all public prosecution services in 2025 - Absolute values										
	Total	Salaries				Computerisation	Prosecution expenses	Maintenance and operating costs of the premisses	Investments in new buildings	Training (excluding the training institution budget of Q10)	Other
		Gross salaries (a+b+c)	Salaries of public prosecutors (a)	Salaries of non-public prosecutor staff (b)	Salaries/ remunerations of professionals with similar duties to those of public prosecutors (c)						
Albania	27 761 569 €	21 746 764 €	11 062 323 €	10 684 442 €	NAP	NA	NA	NA	NA	NAP	NA
Bosnia and Herzegovina	50 227 515 €	41 719 904 €	NA	NA	NA	NA	4 708 577 €	1 179 090 €	22 200 €	NA	2 597 744 €
Montenegro	15 398 078 €	11 478 476 €	NA	NA	NAP	NA	3 919 601 €	NA	NA	NAP	NAP
North Macedonia	14 546 145 €	10 466 545 €	7 326 582 €	3 139 964 €	NAP	45 871 €	2 133 851 €	341 773 €	3 355 €	NAP	1 554 750 €
Serbia	100 862 338 €	66 999 319 €	NA	NA	NA	3 255 854 €	24 904 016 €	2 531 129 €	0 €	5 697 €	3 166 324 €
Kosovo*	16 895 955 €	13 153 157 €	NA	NA	NAP	619 678 €	1 026 558 €	1 139 083 €	868 878 €	88 600 €	NAP
Average	41 759 129 €	30 482 202 €	-	-	-	-	8 916 511 €	1 350 664 €	8 518 €	-	2 439 606 €
Median	27 761 569 €	21 746 764 €	-	-	-	-	4 314 089 €	1 179 090 €	3 355 €	-	2 597 744 €
Minimum	14 546 145 €	10 466 545 €	-	-	-	-	2 133 851 €	341 773 €	0 €	-	1 554 750 €
Maximum	100 862 338 €	66 999 319 €	-	-	-	-	24 904 016 €	2 531 129 €	22 200 €	-	3 166 324 €

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 1.3.2 Categories of the implemented budget for all public prosecution services in 2025 - Absolute values in € (Q8)

Beneficiaries	Categories of the annual implemented budget for all public prosecution services in 2025 - Absolute values										
	Total	Salaries				Computerisation	Prosecution expenses	Maintenance and operating costs of the premisses	Investments in new buildings	Training (excluding the training institution budget of Q10)	Other
		Gross salaries (a+b+c)	Salaries of public prosecutors (a)	Salaries of non-public prosecutor staff (b)	Salaries/ remunerations of professionals with similar duties to those of public prosecutors (c)						
Albania	27 446 143 €	21 481 426 €	10 886 365 €	10 595 061 €	NAP	275 461 €	2 195 805 €	1 545 301 €	375 171 €	NAP	1 572 979 €
Bosnia and Herzegovina	47 250 721 €	38 829 107 €	NA	NA	NA	359 986 €	4 660 558 €	1 261 846 €	18 762 €	20 684 €	2 099 777 €
Montenegro	13 631 684 €	9 419 424 €	NA	NA	NAP	NA	4 212 259 €	NA	NA	NAP	NAP
North Macedonia	12 724 246 €	9 812 106 €	6 868 474 €	2 943 631 €	NAP	26 643 €	1 735 486 €	150 372 €	0 €	NAP	999 639 €
Serbia	99 674 692 €	66 326 942 €	NA	NA	NA	3 179 401 €	24 705 229 €	2 437 951 €	0 €	3 757 €	3 021 413 €
Kosovo*	16 367 741 €	13 152 715 €	NA	NA	NAP	335 882 €	1 026 558 €	1 139 083 €	625 573 €	87 928 €	NAP
Average	40 145 497 €	29 173 801 €	-	-	-	960 373 €	7 501 867 €	1 348 868 €	98 483 €	-	1 923 452 €
Median	27 446 143 €	21 481 426 €	-	-	-	317 724 €	4 212 259 €	1 403 574 €	9 381 €	-	1 836 378 €
Minimum	12 724 246 €	9 419 424 €	-	-	-	26 643 €	1 735 486 €	150 372 €	0 €	-	999 639 €
Maximum	99 674 692 €	66 326 942 €	-	-	-	3 179 401 €	24 705 229 €	2 437 951 €	375 171 €	-	3 021 413 €

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 1.3.3 Distribution of the implemented budget in all public prosecution services by categories in 2025 (Q7)

Beneficiaries	Distribution of the implemented budget in all public prosecution services by categories in 2025 - Absolute values									
	Salaries				Computerisation	Prosecution expenses	Maintenance and operating costs of the premisses	Investments in new buildings	Training (excluding the training institution budget of Q10)	Other
	Gross salaries (a+b+c)	Salaries of public prosecutors (a)	Salaries of non-public prosecutor staff (b)	Salaries/ remunerations of professionals with similar duties to those of public prosecutors (c)						
Albania	78,3%	39,7%	38,6%	NAP	1,0%	8,0%	5,6%	1,4%	NAP	5,7%
Bosnia and Herzegovina	82,2%	NA	NA	NA	0,8%	9,9%	2,7%	0,0%	0,0%	4,4%
Montenegro	69,1%	NA	NA	NAP	NA	30,9%	NA	NA	NAP	NAP
North Macedonia	77,1%	54,0%	23,1%	NAP	0,2%	13,6%	1,2%	0,0%	NAP	7,9%
Serbia	66,5%	NA	NA	NA	3,2%	24,8%	2,4%	0,0%	0,0%	3,0%
Kosovo*	80,4%	NA	NA	NAP	2,1%	6,3%	7,0%	3,8%	0,5%	NAP
Average	74,6%	-	-	-	1,3%	17,4%	3,0%	0,4%	-	5,3%
Median	77,1%	-	-	-	0,9%	13,6%	2,6%	0,0%	-	5,1%
Minimum	66,5%	-	-	-	0,2%	8,0%	1,2%	0,0%	-	3,0%
Maximum	82,2%	-	-	-	3,2%	30,9%	5,6%	1,4%	-	7,9%

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

1.4 Donors' Contributions

Table 1.4.1 Estimated percentage of the external donor's contribution compared with the components of implemented judicial system between 2019 and 2025 (Q11)

Beneficiaries	Estimated percentage of the external donor's contribution compared with the components of implemented judicial system														
	2019			2022			2023			2024			2025		
	Courts	Legal aid	Public prosecution system	Courts	Legal aid	Public prosecution system	Courts	Legal aid	Public prosecution system	Courts	Legal aid	Public prosecution system	Courts	Legal aid	Public prosecution system
Albania	NA	NA	NA	0,0%	0,0%	0,0%	NAP	NAP	NAP	NAP	92,0%	NAP	NAP	NAP	NAP
Bosnia and Herzegovina	NA	NA	NA	2,0%	5,0%	5,0%	2,0%	5,0%	3,0%	2,0%	9,0%	3,0%	2,0%	7,0%	3,0%
Montenegro	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
North Macedonia	NA	NA	NA	2,0%	20,0%	11,0%	NA	NA	NA	NA	NA	NA	NA	49,6%	NA
Serbia	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Kosovo*	NAP	NAP	NAP	-	-	-	0,11%	2,80%	6,24%	0,6%	NA	0,3%	0,9%	NA	NA
Average	-	-	-	1%	8%	5%	-	-	-	-	-	-	-	-	-
Median	-	-	-	2%	5%	5%	-	-	-	-	-	-	-	-	-
Minimum	-	-	-	0%	0%	0%	-	-	-	-	-	-	-	-	-
Maximum	-	-	-	2%	20%	11%	-	-	-	-	-	-	-	-	-

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Indicator 1 - Budget

by country

Question 06. Could you please indicate the approved and implemented "judicial system budget", including courts (Q7), public prosecution services (Q8), and legal aid (Q9-0 and Q9) budgets?
Question 07. Annual approved and implemented public budget for the functioning of all courts in €.
Question 08. Annual approved and implemented public budget for the functioning of all public prosecution services, in €.
Question 09-0. Annual approved public budget for legal aid in €.
Question 09. Annual implemented public budget for legal aid in €.
Question 09-1. If external donor funds contribute to the budget of courts, prosecution services, legal aid (see previous questions), please indicate the implemented amount. If you cannot provide an amount, please indicate NA and reply to question 9-2.
Question 09-2. If you cannot provide the amount of external donor's contribution (specified in question 9-1), please provide an estimation of the ratio of this amount within the total implemented budget:

Albania

Q07 (2025): The amount reported in justice expenses has increased compared to the previous cycle, due to the inclusion of more items that were included in the previous cycle (costs of services for experts, psychologists and lawyers). This amount includes travel and subsistence expenses, expenses for notifications, expenses for experts, psychologists, lawyers, translators.
Other expenses are:
Office service costs (Letter, Office, toners, etc.), 659,369.
Transportation services, 454,136
Other maintenance and operating costs (execution of court decisions, payment of taxes and duties, banking commission, diplomatic service passport, transfers to individuals for assistance, other expenses), 1,495,647
Other investment expenses (reconstruction of existing buildings, purchase of office furniture, purchase of transport vehicles), 1,593,871

Q07 (2024): 6. The budget for the training of magistrates is part of the budget of the School of Magistrates.
7. This figure is specifically relevant:
Office service costs (Letter, Office, toners, etc.), 642,535
Diet Travel Expenses, 177,698
Transportation services, 463,269
Other maintenance and operating costs (execution of court decisions, payment of taxes and duties, banking commission, diplomatic service passport, transfers to individuals for assistance, other expenses), 2,379,415
Other investment expenses (reconstruction of existing buildings, purchase of office furniture, purchase of transport vehicles), 1,121,779

Q07 (2023): Office service costs (Letter, Office, toners, etc.)NA 478,436
Diet Travel ExpensesNA120,312
Transportation servicesNA 418,063
Expenditure on security guardsNA941,832
Software programNA1,235,676
Other maintenance and operating costsNA3,828,514
Annual public budget allocated to the HJC 3,405,004 3,085,103
Annual public budget allocated to the CIT 125,144150,341 Total - Annual public budget allocated to the judicial system46,668,824 44,900,772 The budget for the training of magistrates is part of the budget of the School of Magistrates.
Annual public budget allocated to the HJC figure is relevant for the budget of the HJC which is separate from the budget of the courts.
Annual public budget allocated to the CIT figure is relevant for the budget of the CIT as a special program.
Total - Annual public budget allocated to the judicial system figure is relevant for the entire budget of judicial system, which consists of three programs (courts, CIT and HJC)
The exchange rate is 1 Eur = 103.88 ALL, resource Bank of Albania 29.12.2023
Explanations for the variations:
Salaries + 74%
Changes and increases in salaries budget come as a result of changes in legislation on salary specifically:
Law no. 33/2023 “For a change in the law no. 96/2016 on the status of judges and prosecutors in the Republic of Albania", changed, which changed the salaries of magistrates.
Decision no. 325, dated 31.5.2023 “For the approval of the structure of wages, salary levels and other allowances above salary of deputy minister, cabinet officers, prefect, sub-prefect, civil employees and employees in some institutions of Public Administration” and Decision no. 326, dated 31.5.2023” For employees' salaries supporters and employees of other specialties of different in some institutions of public administration”, of the Council of Ministers.
The change in the official exchange rate, which from 1 euro = 115 lek in 2022, became 1 euro = 103.8 lek in 2023.
Investments in computerisation + 884%
IT maintenance +252%
In the framework of the implementation of new software systems, the High Judicial Council has focused its investments in the purchase of electronic equipment.
The change in the official exchange rate, which from 1 euro = 115 lek in 2022, became 1 euro = 103.8 lek in 2023.
Court building maintenance -50%
As part of the implementation of the new judicial map, which ended in 2023, the courts have been in the process of restructuring, which has led to a decrease in funds for building

Q07 (2022): Total - Annual public budget allocated to the judicial system = TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7) + Annual public budget allocated to the HJC + Annual public budget allocated to the CIT regarding the specific figures there is a discrepancy of 1 Euro. ;Total Annual public budget allocated to the judicial system: 27,824,922+ 2,385,360 +39,509 = 30,249,791
The training in courts is divided in 2 different parts, the training of magistrates is done by the School of Magistrates with their own budge, while the training of all non-magistrate staff is done by the HJC, for different reasons the budget this year has been planned as 0.
7. Other (please specify): Office service costs (Letter, Office, toners, etc.) 651,478
Diet Travel Expenses: Implemented budget 69,635
Transportation services: Implemented budget 361,252
Expenditure on security guards: Implemented budget 700,670
Software program Implemented budget 2,683,887
Other maintenance and operating costs Implemented budget 1,784,801
Annual public budget allocated to the HJC Approved budget (in €) 2,385,360; Implemented budget (in €) 2,153,634
Annual public budget allocated to the CIT 39,509 18,226
Total - Annual public budget allocated to the judicial system:
Approved budget (in €) 30,249,790
Implemented budget (in €) 27,879,965

Q08 (2025): In the others section 7 are included: (Office supplies and stationery; Transportation expenses; Per diem allowances; Other operational expenses;Taxes and duties; Membership fees in international prosecutors' organizations; Economic assistance for employees; Other investments such as Purchase of vehicles; Air conditioners; Office furniture etc).
The legal amendments undertaken during 2023, implemented pursuant to the Constitutional Court Decision, No. 35, resulted in additional financial obligations for the General Prosecution Office, which were primarily reflected in the 2024 budget. These obligations relate to the settlement of salary-related liabilities for magistrates and judicial police officers. Therefore, a temporary increase in the budget was recorded in 2024, attributable to the incorporation of these accumulated liabilities from previous years. Accordingly, the percentage decrease in the budget from 2024 to 2025 does not constitute an actual reduction in salaries, but rather reflects the normalization of expenditure following the elevated level recorded in 2024, which was influenced by the implementation of the Constitutional Court decision.
Q08 (2023): The data for the implemented budget "Implemented budget" for the year 2023 are approximate and were obtained from the AFMIS system until 22.01.2024. This figure is not final as the Treasury Office responsible for confirming this data will publish this figure in February 2024.
In the first column, we planned the budget at the beginning of the year.
In the second column, we have the actual realization of budget funds during the year 2023.
The revised budget during the year is 32,016,181 euros due to institutional needs.
The increase in this budget has come as a result of additions during the year 2023 of funds for personnel expenses for the payments of magistrates and officers in implementation of the Decision
no. 35 of the Constitutional Court for wrongly calculated salaries.

Q09-0 (2025): The increase in the Approved and Implemented Legal Aid (LA) budget is mainly due to the increase in the salaries of the employees working within the system of state-guaranteed free legal aid. This adjustment was made in line with the broader public administration salary policy and has directly affected the overall budget allocated and implemented for legal aid.
Q09-0 (2024): The legal aid implemented budget has increased by 8.6% compared to the previous year.
Cases brought to the court, we have referred to cases of secondary legal assistance (payment of lawyers, experts who have provided secondary legal services). The rest is considered as providing advice and any other financial commitment in function of the institution's activity. The further increase is related to the fact of the opening of the primary legal aid service provision centers throughout the Republic of Albania and the changes in the legislation on employee salaries.
Q09 (2025): The increase in the Approved and Implemented Legal Aid (LA) budget is mainly due to the increase in the salaries of the employees working within the system of state-guaranteed free legal aid. This adjustment was made in line with the broader public administration salary policy and has directly affected the overall budget allocated and implemented for legal aid.
The budget related to mandatory representation in court (ex officio lawyers) is not included in the figures reported under Q09.
Q09 (2023): We emphasize that the planning of funds is done based on the number of decisions received by the court, while the liquidation of payments is done after all the procedural steps of judicial representation have been completed. Trials take time, especially in the nowadays conditions regarding the absence of judges due to the vetting process. This is reflected in the delays until the arrival of the liquidation practice in the Directorate.
Q09-1 (2024): The answer is NAP (Not Applicable) since no donor funds were directly allocated to prosecution offices of general jurisdiction for the year 2024 as part of prosecution annual budget.
Q09-1 (2022): During 2022 there have been no external donor’s contributions, included in courts’ budgets.
Q09-2 (2024): The answer is NAP (Not Applicable) since no donor funds were directly allocated to prosecution offices of general jurisdiction for the year 2024 as part of prosecution annual budget.
Q09-2 (2022): The exact answer is NAP we have not had any external donor fund.

Bosnia and Herzegovina
Q06 (2025): It is not possible to indicate the approved budget for the judicial system because data on the approved budget for legal aid is not available.
Q07 (General Comment): Data on the approved budget are classified according to the economic classification adopted by the ministries of finance. The data regarding the approved budget is classified in a way that allows obtaining data only on the following elements that relate to question 7:
-TOTAL - Annual budget allocated to the functioning of all courts, and -1. Annual public budget allocated to (gross) salaries. The classification used for budget approval does not allow to obtain data on other elements referred to in question 7.
The reports on execution budgets make it possible to distinguish budget figures for all the elements in the table. The amounts of all items are calculated using the budget execution reports as the best possible estimation.
Other
The budget allocated for other purposes includes funds allocated for employee benefits such as sick leave, maternity leave and various other benefits. Also, the budget allocated for other purposes includes provisions for deposits. Provisions for retained bails and deposits are reported as long-term provisions for costs that will occur with great certainty in the coming years on the basis of retained bails and deposits. All of these costs can vary significantly from year to year.

Q07 (2025): 2. Computerization: In 2025, all courts in Bosnia and Herzegovina had to acquire new licenses for the Microsoft Windows operating system because support for the old operating system had ended. The significant deviation in this budget item is due to the significant expenditures on licenses for the new operating system, as well as investments in new computers that are needed to make the new operating system work.
7. Other:
Due to the introduction of new operating systems, old computers were replaced in 2025 in all courts, which significantly increased depreciation costs in courts that fall into this "other" category.

Q07 (2024): 7. Other
The budget allocated for other purposes includes funds allocated for employee benefits such as sick leave, maternity leave and various other benefits. Also, the budget allocated for other purposes includes provisions for deposits. Provisions for retained bails and deposits are reported as long-term provisions for costs that will occur with great certainty in the coming years on the basis of retained bails and deposits. All of these costs can vary significantly from year to year.
Q07 (2023): Q4.
5. Annual public budget allocated to investments in new (court) buildings.
In 2023, a large investment in court buildings in the area of the Posavina Canton was realized. Since no investments in new buildings were recorded in other courts in Bosnia and Herzegovina, there was a significant increase in the allocated budget for this purpose compared to 2022.
7. Other
The budget allocated for other purposes includes funds allocated for employee benefits such as sick leave, maternity leave and various other benefits. Also, the budget allocated for other purposes includes provisions for deposits. Provisions for retained bails and deposits are reported as long-term provisions for costs that will occur with great certainty in the coming years on the basis of retained bails and deposits. All of these costs can vary significantly from year to year.

Q07 (2022): There are two reasons why the amounts allocated for judicial expenses and training in 2022 are higher compared to the amounts allocated in 2021. First, after operating at a limited capacity in 2021 due to the COVID-19 pandemic, the courts continued to operate at full capacity in 2022. Secondly, due to inflation, a significant increase in the prices of services was recorded in 2022, and therefore the services of expertise, interpretation and training have become more expensive. In several courts, the amount of funds allocated for these purposes increased by more than 100% in 2022 compared to 2021
As regards investment in new buildings, the amount of funds allocated for the construction of new court buildings fluctuates from year to year, because it directly depends on the amount of funds donated for this purpose.

Q08 (General Comment): Gross salaries (1.1., 1.2, 1.3):
Data on gross salaries broken down by categories (e.g., prosecutors versus other staff – 1.1, 1.2, 1.3) cannot be presented because the structure of budget accounts in prosecutor's offices in Bosnia and Herzegovina does not allow the separation of the requested categories.
Computerization:
Currently, it is not possible to provide comprehensive and reliable information for this category.
Training:
The annual public budget used for training of public prosecution services was calculated on the basis of the data of the prosecutor's offices on the funds spent in the reporting year for the procurement of professional literature and the like. These amounts can vary significantly from year to year. This figure does not include the funds spent by judicial training centers and international donors for prosecutors' trainings.
Other:
The amount entered into the questionnaire does not represent additional or undefined costs, but rather a technical difference arising from limitations between the budget systems of prosecutor's offices in Bosnia and Herzegovina and the CEPEJ methodology. Certain budget items in the budgets of prosecutor's offices include different types of costs which, under the CEPEJ classification, fall into multiple categories, while part of the capital and operational costs cannot be clearly separated between categories.

Q08 (2024): The annual public budget allocated to training of public prosecution services was calculated on the basis of the data of the prosecutor's offices on the funds spent in the reporting year for the procurement of professional literature and the like. These amounts can vary significantly from year to year. This figure does not include the funds spent by judicial training centers and international donors for prosecutors' trainings.
Q08 (2022): Some prosecution offices allocated a smaller amount of funding in connection with the training in the reporting year. However, the disparities in training funding for 2022 compared to 2021 are not significant considering the small value of absolute amounts the prosecution offices generally allocate for this purpose.
Q09-0 (General Comment): The legal aid is financed through the budgets of individual courts (e.g. funds for legal aid are mainly used to pay for the services of ex officio appointed attorneys in criminal cases) and the budgets of legal aid institutions that are government bodies independent from the courts. The accounting methodology does not make it possible to distinguish the amount of budget funds earmarked by the courts for legal aid from other funds, which are planned within the same line in the court budget. However, it is possible to differentiate the amount of funds spent for legal aid in the implemented court budget. On the other hand, the lawyers employed by the government legal aid institutions provide legal aid in different legal fields (i.e. representation in criminal, civil, administrative court proceedings; provision of legal advice outside of court or other proceedings), therefore it is not possible to split the planned or implemented budget funds of the legal aid institutions between different legal fields. In conclusion, it is only possible to make the calculation of the annual implemented public budget allocated to legal aid without dividing it among criminal and other than criminal cases.

Q09 (General Comment): The legal aid is financed through the budgets of individual courts (e.g. funds for legal aid are mainly used to pay for the services of ex officio appointed attorneys in criminal cases) and the budgets of legal aid institutions that are government bodies independent from the courts. The accounting methodology does not make it possible to distinguish the amount of budget funds earmarked by the courts for legal aid from other funds, which are planned within the same line in the court budget. However, it is possible to differentiate the amount of funds spent for legal aid in the implemented court budget. On the other hand, the lawyers employed by the government legal aid institutions provide legal aid in different legal fields (i.e. representation in criminal, civil, administrative court proceedings; provision of legal advice outside of court or other proceedings), therefore it is not possible to split the planned or implemented budget funds of the legal aid institutions between different legal fields. In conclusion, it is only possible to make the calculation of the annual implemented public budget allocated to legal aid without dividing it among criminal and other than criminal cases.

Q09-2 (2025): Donor funds are not included in the budgets of the courts, public prosecution services and legal aid institutions; the external funds are implemented in addition to the budgets within the projects financed by the donors or by a nongovernmental organization that provides legal aid in Bosnia and Herzegovina. The most important donors are the European Commission, Sweden, Norway, and Switzerland.
Q09-2 (2024): Donor funds are not included in the budgets of the courts, public prosecution services and legal aid institutions; the external funds are implemented in addition to the budgets within the projects financed by the donors or by a nongovernmental organization that provides legal aid in Bosnia and Herzegovina. The most important donors are the European Commission, UN, Sweden, Norway, and Switzerland.
Q09-2 (2023): Donor funds are not included in the budgets of courts, public prosecution services and legal aid institutions; the external funds are implemented in addition to the budgets within the projects financed by the donors or by a nongovernmental organization that provides legal aid in Bosnia and Herzegovina. The most important donors are: the European Commission, USAID, Sweden, Norway, and Switzerland.
Q09-2 (2022): Donor funds are not included in the budgets of courts, public prosecution services and legal aid institutions; the external funds are implemented in addition to the budgets within the projects financed by the donors or by a nongovernmental organization that provides legal aid in Bosnia and Herzegovina. The most important donors are: the European Commission, USAID, Sweden, Norway, and Switzerland.

Montenegro
Q07 (2025): 1. Regarding total gross salaries, this is the amount of the current budget and spent on that position for salaries. We cannot provide separately how much money was allocated and spent separately for judges' salaries and separately for administration salaries, because we cannot divide this data exactly
The difference refers to executions through the Ministry of Finance (experts and lawyers), which are collected by force.
7. Other includes: other personal income, anniversary awards, severance pay, assistance, separate living, administrative materials, fuel, energy, communication services, legal services, consulting, banking services, insurance, labor law, utilities...
An amount of €33,781.00 was additionally spent on investments in court buildings, including certain renovation works carried out at the High Court in Podgorica, the Basic Court in Bijelo Polje, the Basic Court in Podgorica, and the Basic Court in Plav.
7. Other also includes justice expenses and can not be differentiated separately
Q07 (2024): The difference is related to executions through the Ministry of Finance (experts and lawyers), which are charged by compulsory means.
7. THE OTHER INCLUDES: OTHER PERSONAL INCOME, JUBILEE AWARDS, severance pay, AID, SEPARATE LIFE, ADMINISTRATIVE MATERIAL, FUEL, ENERGY, COMMUNICATION SERVICES, LAWYER SERVICES, CONSULTING, BANKING SERVICES, INSURANCE,EMPLOYMENT CONTRACT, UTILITY SERVICES..

Q07 (2023): Other includes: other personal income, jubilee awards, separation, aid, separate life, administrative material, fuel, energy, communication services, lawyer services, consulting, banking services, insurance, contract of work, utility services
Q07 (2022): -Differences relate to the enforcements via the Ministry of Finance (court experts and lawyers expenses) payed through enforcement procedures (e.g. baillifs etc.)
- Other costs are other personal incomes, jubilee awards, severance payments, one time assistance payments, separate family life bonus, administrative/office material, fuel costs, energy bills, communication services, lawyer services, consulting services, banking services, licenses, insurances, employment contracts, utilities etc.

Q08 (2025): The total amount of funds allocated for gross salaries of employees in the State Prosecutor's Offices and the Secretariat of the Prosecutorial Council amounted to €9,419,424.98, of which €7,528,256.54 was allocated for net salaries.
Q08 (2024): The Law on the Budget of Montenegro has allocated €13,685,205.86 to the spending unit of the Prosecutorial Council for 2024, for the implementation of activities through two programs:
*Program 12005- Work of the Prosecutor's Office – €12,585,902.90 (17 activities, i.e. 17 state prosecutor's offices)
*Program 12024- Regulation and management in the justice system – €1,099,302.96 (2 activities, i.e. the Secretariat of the Prosecutorial Council and the Prosecutorial Council).
After the transfer of funds from the current budget reserve and the redirection of funds by the Ministry of Finance, the current budget amounted to €14,478,380.05. Namely, by the decision of the Government of Montenegro, €42,000.00 was redirected from the current budget reserve to the Special State Prosecutor's Office, €14,000.00 for fuel and €28,000.00 for vehicle maintenance costs. The Ministry of Finance diverted €751,174.19, which was the amount of expenses based on the court collection of creditors.

Q08 (2023): difference between approved and implemented is because there were additional transfers from state budget to Prosecution during a budget year
Q09-0 (2025): Regarding the issue of free legal aid, the allocated budget amounted to €144,617.00, of which €90,357.30 was spent in 2025, while the remaining amount was returned to the Budget of Montenegro.
Q09-0 (2022): in 2022 no separate amount for legal aid for courts was allocated, but that was a part of the budget section 4146 - lawyer services. In 2022 for legal aid the amount implemented is 108.776 Eur
Q09 (2025): In 2025, the courts had an individually allocated amount for the provision of free legal aid, which is contained within account 4146-lawyer services and amounted to €144,617.02
Q09 (2024): Courts in 2024 had an individually determined amount for providing BPP, it is contained within account 4146-advocate services and it amounted to €145,517.85. In 2024, €91,801.16 was realized for free legal aid. The remaining funds in the amount of €53,716.69 were returned to the State Treasury.
Q09 (2023): Not including ex officio mandatory representation. Legal aid is different specific category
Q09 (2022): in 2022 no separate amount for legal aid for courts was allocated, but that was a part of the budget section 4146 - lawyer services. In 2022 for legal aid the amount implemented is 108.776 Eur

North Macedonia

Q07 (2025): For computerisation - This decrease is result of decreased expenses from 2024 for servicing of software FEMIDA
For Justice expenses - This increase is result of increased expenses for translation in court procedures and increased expenses for post services
For other -This increase is result of not possibility to classify some expenses on categories from 1 - 6 Concerning Other expenses, the decrease is attributed to the reduction of budget lines for payments related to final decisions on labor disputes initiated by employees in the judiciary and a decrease in travel expenses.
Q07 (2024): Investments in new court buildings are expenses for renovating a few existing courts(new facades, replacement of windows, reconstruction of installations, etc.). For Investments in new court buildings, the observed discrepancy is due to a smaller number of reconstructions of courts in 2024 compared to 2023. Regarding the Investments in computerisation, the increase is the result of the introduction of a new system for audio recording in courtrooms and the procurement of 365 PC units. Concerning Other expenses, the decrease is attributed to the reduction of budget lines for payments related to final decisions on labour disputes initiated by employees in the judiciary and a decrease in travel expenses.
Q07 (2023): After the investments in ICT made in the previous year, additional resources were allocated to maintain the new system. Regarding investments in new court buildings, the increase is attributable to expenses for renovating a few existing courts.
Q07 (2022): The court budget includes only the budget of all courts.
2. North Macedonia in 2022 allocated huge budget to investments in computerization (replacement of all old servers in all the courts and in the Judicial Council with new servers, 308 new computers, new laptops, 212 new printers, 64 new scanners, new softwares (for example: for evaluation of judges).
4. Maintenance of the court buildings and operating costs in 2022 are higher due to new prices of gas and electricity in our country and on the world level, as a consequences from COVID-19 and war in Ukraine.
5. In 2022, the renovation of the new building of Administrative court was finished. That was the second phase of the plan with smaller allocated budget for finishing the project, since the budget of first phase of the plan was larger and implemented in 2021.
7. All the prices and costs in 2022 are higher due to inflation. Please, see also explanation for category 4.
Q08 (2025): Other - travel expenses, per diem etc.
Q08 (2023): The increase in the total budget is due to increased salaries
Q09-0 (2025): The increase in the budget is due to the increase of the costs for mandatory legal representation in criminal proceedings
Q09-0 (2024): This discrepancy is result of decrease of budget within of Ministry of Justice dedicated to free legal aid
Q09 (2025): The increase in the budget is due to the increase of the costs for mandatory legal representation in criminal proceedings
Q09 (2024): The amount of the approved budget was exceeded due to an increased number of requests and amounts, and payments were made from other lines of the budget of the Ministry, through repurposing.
Q09 (2023): In 2023, more criminal cases brought to court were concluded. The rise in the budget allocated to criminal cases may also be attributed to the complexity of these cases and their longer durations, resulting in higher expenses for lawyers.
Q09 (2022): Implementation of the new Law on free legal aid was one of the strategic goals. Campaigns in 2022 through the whole country to raise awareness of beneficiaries about their rights to free legal aid were very successful. These Numbers are the proof for improvement of usage of free legal aid system in our country.
Q09-1 (2025): For budget to courts and public prosecution services the total amount of external donor fund is 718.697 euro. The Project for the courts and public prosecution services is „EU Support for Rule of Law“ and for the legal aid is HF III „Towards a Consolidated and More Efficient Free Legal Aid (FLA) System in North Macedonia“ - Council of Europe

Q09-1 (2024): We have a lot of international projects supporting whole justice system with special emphasize of the judiciary. Taking into account that all of the projects are planned for two or more years and they cover different areas, it is not possible to answer specific subcategories defined in the question. Some projects are planned to finance defined activities for more countries. Presented figure is for all above mentioned categories. Methodology used: absolute amount of each project is divided by number of years of implementation of each project. Total amount is 33 015 175 euro, covering multiple projects.
Q09-1 (2023): We have a lot of international projects supporting whole justice system with special emphasize of the judiciary. Taking into account that all of the projects are planned for two or more years and they cover different areas, it is not possible to answer specific subcatregories defined in the question. Also some projects cover judiciary and justice system, but also institutions that not belog to judiciary and justice systems. Some projects are planned to finance defined activities for more countries. Presented fugure is for all above mentioned categories. Methodology used: absolute ammount of each project is divided by number of years of implementation of each project. Please find attached details for each project:
Q09-1 (2022): The external donor funds are provided to the Justice sector through implementation of relevant projects. Contribution of external donors is not a direct part of the national budget. In the table are given numbers from the projects which were realized in 2022, calculated according to the formula given in the Explanation note. In order to ensure a full integration and synergy between national policies and the use of foreign assistance by donors and creditors in North Macedonia was established Sector Working Group for Justice with a mandate for coordination and monitoring of the use of donor assistance in general and the European Union’s IPA programe in particular. Regional projects are included in the total amount.
Q09-2 (2022): Contribution of external donors is not a direct part of the national budget. That is budget of the external donors. The percent is a number of the project budget from the Q10 divided with the implemented budget from Q 4, 6, 13 and 7 multiplied by 100.
Budget allocated to the whole justice system is 0,7

Serbia
Q06 (2025): The total budget was calculated based on the estimated total budget for free legal aid from questions 09-0 and 9 of the questionnaire.
Q07 (2025): There are significant discrepancies compared to the 2024 budget, given that in the current year the reporting process also included direct beneficiaries of budget funds, namely: the Administrative Court, the Commercial Appellate Court, and the Misdemeanor Appellate Court.
Q07 (2024): point 7. - Comment by the High Judicial Council: Includes expenses for personal salaries of judges (compensation of expenses for judges, solidarity assistance, jubilee awards and severance pay for retirement), expenses for mandatory taxes, fines and penalties pursuant to court decisions, compensation for damage caused by state authorities, collective insurance of property and employees in courts, financial compensation for non-property damage caused by violation of the right to a trial within a reasonable time based on agreements concluded with the attorney's office.
We did not include donations, this is the information provided to us by the Supreme Court (31,406 euros approved and 12,990 euros implemented)
Q07 (2023): High judicial Council budget + MoJ budget
Q07 (2022): Other: Seminars of judges, transportation, accommodation, solidarity aid, anniversary award, severance payments, new furniture, etc.
Q08 (General Comment): The budget was collected by the following institutions:
1. Ministry of Justice
2. High Prosecutorial Council
3. Supreme Public Prosecutor's Office
4. Public Prosecutor's Office for War Crimes 5. Public Prosecutor's Office for Organized Crime

Q08 (2025): In line 6, travel costs, registration fees, and per diems related to training attendance are reported.
Q08 (2023): Regarding the question annual public budget allocated to training of public prosecution services please note that this funds is provided through the Judicial Academy budget, due to the judicial Academy jurisdiction which is training in the whole Serbian Judiciary.

Q09-0 (2025): The stated amount of EUR 15,746,664 (approved budget) refers to the costs of lawyers appointed ex officio.
The exact total amount of expenditures for free legal aid (column other than criminal cases) is not centrally available. The presented figures are only partially based on the amounts reimbursed by the Ministry of Justice and therefore do not reflect the full financial scope of the system.
Article 41 of the Law on Free Legal Aid ("Official Gazette of the Republic of Serbia", No. 87/2018) stipulates that, upon completion of the provision of free legal aid, the drafting of a notarial document, or mediation in dispute resolution, a request for payment shall be submitted together with supporting evidence and a final calculation (paragraph 1).
Furthermore, in cases where the costs are jointly borne by the Republic of Serbia and a local self-government unit, the local self-government unit pays the full amount of the fee to the service provider and subsequently claims reimbursement of 50% from the competent ministry (paragraph 2).
Accordingly, while the actual direct expenditure from the budget of the Ministry of Justice amounted to EUR 46,554, the amount of EUR 93,108 was reported in line with the recommendation of CEPEJ evaluators, who suggested that the reported figure should reflect the estimated total cost of the system rather than only the Ministry's reimbursed share. For this reason, and by recommendation of CEPEJ evaluators, the reimbursed amount was doubled in order to present the overall estimated expenditure corresponding to both the Ministry's contribution and the participation of local self-government units.
At the same time, the reported data still does not capture the total nationwide costs of the free legal aid system. It should therefore be emphasized that the actual overall expenditures are likely significantly higher due to the substantial financial participation of local self-government units.
Q09-0 (2023): Annual approved public budget for the High Judicial Council for mandatory defense 11536009 EUR.
In question 012 we counted only free legal aid. I see now we made a mistake.
Q09 (2025): The stated amount of EUR 15,652,468 (implemented budget) refers to the costs of lawyers appointed ex officio.
The exact total amount of expenditures for free legal aid (column other than criminal cases) is not centrally available. The presented figures are only partially based on the amounts reimbursed by the Ministry of Justice and therefore do not reflect the full financial scope of the system.
Article 41 of the Law on Free Legal Aid ("Official Gazette of the Republic of Serbia", No. 87/2018) stipulates that, upon completion of the provision of free legal aid, the drafting of a notarial document, or mediation in dispute resolution, a request for payment shall be submitted together with supporting evidence and a final calculation (paragraph 1).
Furthermore, in cases where the costs are jointly borne by the Republic of Serbia and a local self-government unit, the local self-government unit pays the full amount of the fee to the service provider and subsequently claims reimbursement of 50% from the competent ministry (paragraph 2).
Accordingly, while the actual direct expenditure from the budget of the Ministry of Justice amounted to EUR 38,886, the amount of EUR 77,772 was reported in line with the recommendation of CEPEJ evaluators, who suggested that the reported figure should reflect the estimated total cost of the system rather than only the Ministry's reimbursed share. For this reason, and by recommendation of CEPEJ evaluators, the reimbursed amount was doubled in order to present the overall estimated expenditure corresponding to both the Ministry's contribution and the participation of local self-government units.
At the same time, the reported data still does not capture the total nationwide costs of the free legal aid system. It should therefore be emphasized that the actual overall expenditures are likely significantly higher due to the substantial financial participation of local self-government units.
Q09 (2024): We received all the information from the relevant institutions.

Q09 (2023): Official data obtained from the Sector for financial affairs in the MOJ
Annual implemented public budget for the High Judicial Council for mandatory defense 11469009 EUR.
In question 012 we counted only free legal aid. I see now we made a mistake.
Q09 (2022): Please note that the total amount refers only to the cases of granted free legal aid according the Law on free legal aid. This amount does not cover the free legal aid that was provided according to the Criminal Procedure Code (mandatory defense, etc.)
Q013: TOTAL - Annual implemented public budget allocated to legal aid (1 + 2) - 92056 euros. A greater number of cases of free legal aid in 2022 resulted in a greater amount of money spent on the provided free legal aid. The amount for 2022 is higher compared to the previous two years, taking into account that during 2022 all measures against covid-19 were canceled.
Q09-1 (2023): The budget allocated for co-financing reconstruction of the Judicial Academy building is 3.969.561,44 EUR
The budget allocated for co-financing the building for courts and prosecutors offices (criminal departments) in the city of Novi Sad - is 13.078.394,00

Kosovo*
Q06 (2023): It is specified in question 4.
Q07 (2025): Regarding the category investments in new (court) buildings: During 2025, the Kosovo Judicial Council (KJC), under the category of Capital Investments, implemented several projects mainly related to construction.
Work continued on the project for the construction of the court building in Prizren. In 2025, €602,315.72 were spent.
Work also continued on the project for the design and renovation of the Basic Court in South Mitrovica. In 2025, €395,480.17 were spent.
Work continued on the project for the construction of the Basic Court building in Gjilan – Viti Branch. In 2025, €89,984.67 were spent.
The project “Design and Construction of the Basic Court in Peja” was paid in the amount of €60,000.00.
In addition to the above-mentioned expenditures, the KJC has other expenses under the category of Goods and Services, as presented in the attached table. These include expenses for official travel, office supplies, heating fuel, IT-related expenses, equipment maintenance costs, and other expenditures.
Donations
UNDP – Carryover from 2024 to salaries: €22,124.48; revenue in 2025: €27,430.00.
GIZ – Carryover from 2024 to salaries: €1,718.82; revenue in 2025: €0.00.
GIZ – Carryover to goods and services: €16.80; revenue in 2025: €0.00.
SMIL – Carryover to salaries: €15,784.84; revenue in 2025: €166,741.00.
SMIL – Carryover to goods and services: €51,304.28; revenue in 2025: €30,146.90.
In the category other are included other costs that include official travel, office supplies, heating fuel, IT, equipment maintenance, and other related expenses.
Other costs also include utilities, subsidies and transfers, and capital expenses that are not related to renovations or new construction.

Q07 (2024): During 2024, due to budget constraints, KJC has not funded training programs.
During 2024, KJC received a donation from UNDP in the amount of €70,519.84 for anti-corruption efforts in Kosovo.
During 2024, KJC received a donation from the Norwegian Government in the amount of €241,435.10 for the Case Management Information System (SMIL).
During 2024, KGJK has implemented several projects under the Capital Investments category, primarily related to construction.
The construction of the court building in Prizren has begun, with €1,150.00 spent in 2024.
Work has continued on the design and renovation project of the Basic Court in South Mitrovica, with €438,504.50 spent in 2024.
Work has continued on the construction project of the Basic Court building in Pristina – Gllogoc branch, with €93,163.70 spent in 2024.
Work has continued on the construction project of the Basic Court building in Gjilan – Viti branch, with €69,150.63 spent in 2024.
A total of €328,562.50 has been spent on vehicle purchases.
For the project "Security Camera Monitoring Centers in Courts," €72,685.86 has been spent.
For the project "Purchase and Supply of Firewall Equipment," €54,300.00 has been spent.
In the category other are included office expenses, fuel, maintenance of vehicles and other supplies.
Q07 (2023): In row 7. Other: In 2023, KJC received a donation from UNDP in amount of 76,990.00 € for the implementation of the Project For fight against anti-corruption and for implementation of the Case Management Information System (CMIS) Project, in 2023 KJC received a donation from the Government of Norway in amount of 235,274.23 €.
In the category other are included office expenses, fuel, maintenance of vehicles and other supplies.

Q07 (2022): Digitalization of services;
New courts to be build;
No financing trainings for 2022 due to budget cut.
Q08 (2025): In Training we included travel expenses within and outside the country.
Q08 (2024): The approved budget for KPC for 2024 was 17,265,867 €.
The sum in the table 16,656,715.5 € does not include the amount approved for lawyers (609,151.5€). In our budget categories we don’t have separate category for budget for lawyers, but the budget code is named “legal representation cost” which include lawyers and experts. The total budget approved for this category was 1,218,303€ which we divided in 2 and the budget approved for lawyers being 609,151.5€.
The total implemented budget for KPC was 15,130,313.38€ however the sum in the table does not include the budget implemented for lawyers (570,325.79€).

Q08 (2023): The approved budget for KPC for 2023 was 15,913,983 €.
The sum in the table 15,364,979.5 € does not include the amount approved for lawyers (549,003.5€). In our budget categories we don’t have separate category for budget for lawyers, but the budget code is named “legal representation cost” which include lawyers and experts. The total budget approved for this category was 1,098,007€ which we divided in 2 and the budget approved for lawyers being 549,003.5€.
The total implemented budget for KPC was 14,143,931.65 however the sum in the table does not include the budget implemented for lawyers (659,409.04€).

Q08 (2022): The initial approved budget for KPC was 17,144,178 € however, with budget reviews it was approved in the value of 14,596,934€ in total. The sum in the table 16,665,948.5 does not include the amount approved for lawyers (478,229.5€). In our budget categories we don't have separate category for budget for lawyers, but the budget code is named "legal representation cost" which include lawyers and experts. The total budget approved for this category was 956,459€.

Q09-0 (2025): FLAA comment: Based on the Law No. 08/L-332 on Budgetary Allocations for the Budget of The Republic of Kosovo for the year 2025, a budget of €563,418.0 was allocated to the Free Legal Aid Agency, while by the end of the year the final budget was €621,237.86, of which €611,654.43 were implemented. The budget was allocated in the following categories: Salaries and allowances 374,278.29 € goods and services 236,959.57 €; and utilities 10,000.00 €.
Q09-0 (2024): KPC COMMENT: In our budget categories we don't have separate category for budget for lawyers, but the budget code is named "legal representation cost" which include lawyers and experts. The total budget approved for this category was 1,218,303€ which we divided in 2 and the budget approved for lawyers being 609,151.5€.
FREE LEGAL AID AGENCY COMMENT: Based on the budget law No. 08/L-260, a budget of 537,831.00 € was allocated to the Free Legal Aid Agency in the following categories: Salaries and allowances 307,831.00 € goods and services 220,000.00 €;, and utilities 10,000.00 €.

Q09-0 (2022): Budget increased
Q09 (2025): The Free Legal Aid Agency has spent a total budget of 611,654.43 €, according to these categories: Salaries and allowances 374,278.29 €, Goods and services 230,426.41 € and Municipal services 6,949.73 €.
The budget of the Free Legal Aid Agency is not divided for criminal cases and for other cases, but legal aid is offered in all legal fields; Civil, Administrative, Criminal and Misdemeanor, to all citizens who fulfill the criteria based on Law no. 04 / L-017 on Free Legal Aid or if they are one of the special beneficiary categories of free legal aid based on Law no. 08/L- 035 on amending and supplementing the Law no. 04/l-017 for free legal aid.
During 2025, the agency provided free legal aid to 6797 citizens. In the administrative procedure free legal aid was offered to 4254 citizens, in the civil procedure to 2194 citizens, in the criminal procedure to 280 citizens and in the misdemeanor procedure to 69 citizens.
Out of 4797 cases, the FLAA, through its officials, handled 4064 cases.
While 733 cases were referred to the lawyers who took actions for the parties, 651 of them in civil procedure, 26 in administrative procedure and 56 in criminal procedure.
In 2025 in the economic category, the expenses of representation and advocacy have been paid a total of €143,814.50, as well as about €1654.00 are debts from the year 2025, which have been processed for payment in the budget of the year 2026. These expenses of the lawyers are expenses of the lawyers who are engaged over the years, not just in 2025.
Additionally for cases not brought to court the same amount is provided for the approved and implemented budget because the data for the approved budget was not available.

Q09 (2024): The Free Legal Aid Agency has spent a total budget of €476,000.14, according to these categories: Salaries and allowances 264,271.70 €, Goods and services 203,873.54 € and Municipal services 7,854.90 €.
The reason why the budget was not spent in full is due to the non-recruitment of the anticipated positions.
The budget of the Free Legal Aid Agency is not divided into separate parts for criminal cases and for other cases, but legal aid is offered in all legal fields; Civil, Administrative, Criminal and Misdemeanor, to all those citizens who fulfil the criteria based on law no. 04 / L-017 on Free Legal Aid or if they one of the special beneficiary categories of free legal aid based on law no. 08/L- 035 for the amendment and completion of the law no. 04/l-017 for free legal aid.
During 2024, the agency provided free legal aid to 8049 citizens. In the administrative procedure free legal aid was offered to 5853 citizens, in the civil procedure to 1887 citizens, in the criminal procedure to 270 citizens and in the misdemeanor procedure to 39 citizens.
Out of 8049 cases, the FLAA, through its officials, handled 7428 cases.
While 621 cases were referred to the lawyers who took actions for the parties, 562 of them in civil procedure, 12 in administrative procedure and 47 in criminal procedure).
In 2024 in the economic category, the expenses of representation and advocacy have been paid a total of €145,620.00, as well as about €1,145.00 are debts from the year 2025, which have been processed for payment in the budget of the year 2025. These expenses of the lawyers are expenses of the lawyers who are engaged over the years, not just in 2024.

Q09-1 (2024): FREE LEGAL AID AGENCY COMMENT: The agency for free legal aid has had a genuine cooperation with international organizations over the years. During the year 2024, we had close cooperation with GIZ, USAID, OSCE and UNHCR, cooperation which has also resulted in support to FLAA in different activities such as: realization of workshops for the drafting of by-laws, trainings, organization of awareness campaigns, preparation and printing of brochures, holding workshops, info legal sessions and meetings, realization of focus groups with citizens, drafting and publishing of analyses, manuals and other documents etc.
However, they have supported the activities but have not transferred the budget to FLAA.
The budget received by external donor to KJC is 311,954.94. Whereas the implemented budget is provided in the table.
1. KJK during 2024 has received a donation from UNDP in the amount of €70,519.84 for Anti-Corruption Efforts in Kosovo
2. KJK during 2024 has received a donation from the Norwegian Government in the amount of €241,435.10 for the Case Management Information System (CMIS)
Q09-1 (2023): The agency for free legal aid has had a genuine cooperation with international organizations over the years. During the year 2023, we can single out the close cooperation with GIZ, USAID, EUKOJUST, OSCE and UNHCR, cooperation which has also resulted in support to FLAA in different activities such as: realization of workshops for the drafting of by-laws, trainings, organization of awareness campaigns, preparation and printing of brochures, holding workshops, info legal sessions and meetings, realization of focus groups with citizens, drafting and publishing of analyses, manuals and other documents etc.
However, they have supported the activities but have not transferred the budget to FLAA, except for GIZ, which has supported the salaries of 4 (four) officials in 6 (six) mobile offices for free legal aid for 6 (six) months - January to June and the amount is included in the table above.

Q09-1 (2022): -KJC during 2022 had donations in the amount of €350,783.24 and that from UNDP and GIZ mainly for the support of the administrative staff in some courts of Kosovo (€48,627.95) and from the Norwegian Government for the SMIL project (€302,155.29).
-Prosecutorial system is constantly being supported by international partners, donors and projects through trainings, events, roundtables and donations. The sum in the table includes all of these activities.
-For FLAA funds have been allocated for the extension of free legal aid in municipalities where there is no regional office and mobile office for providing free legal aid and raising the professional capacities of officials.
During 2022, FLAA was also supported by the donor USAID - JAK through these activities:
• Publication of the Manual of Legal Aid Practitioners in Kosovo in civil, family and property legal matters;
• Training for 5 trainers trained in the use of the Manual of Legal Aid Practitioners in Kosovo in civil, family and property legal matters and the realization of trainings;
• Drafting of the report Mapping the Needs of Communities for Justice 2022;
• Organization of training on Mediation for 24 officials of ANJF;
• ANJF Communication Strategy 2022 - 2025;
• Support in the organization of the Free Legal Aid Week (23 – 27 May)
• Organization of 3 thematic roundtables with the participation of representatives from ANJF and NGOs that offer free legal assistance;
• Setting up the Info stand and distributing brochures with information about the ANJF, in Prizren during the Dokufest festival;
• Placement of permanent information shelves with brochures for the ANJF in the Basic Court in Mitrovica (in the south and north);
• Preparation and publication of the Video with information on the Agency for Free Legal Aid in sign language - dedicated to deaf people;
• Preparation, promotion and distribution of brochures in Braille with information on the Agency for Free Legal Aid and services, dedicated to blind people;
• Distribution of 1,100 questionnaires in 11 branches of the association HANDIKOS throughout Kosovo and summary of data from the respondents.
The donor USAID - JAK has implemented the budget, so we have no knowledge about the amount spent for the above activities.

Indicator 1 - Budget

by question No.

Question 06. Could you please indicate the approved and implemented "judicial system budget", including courts (Q7), public prosecution services (Q8), and legal aid (Q9-0 and Q9) budgets?
Question 07. Annual approved and implemented public budget for the functioning of all courts in €.
Question 08. Annual approved and implemented public budget for the functioning of all public prosecution services, in €.
Question 09-0. Annual approved public budget for legal aid in €.
Question 09. Annual implemented public budget for legal aid in €.
Question 09-1. If external donor funds contribute to the budget of courts, prosecution services, legal aid (see previous questions), please indicate the implemented amount. If you cannot provide an amount, please indicate NA and reply to question 9-2.
Question 09-2. If you cannot provide the amount of external donor's contribution (specified in question 9-1), please provide an estimation of the ratio of this amount within the total implemented budget:

Question 06

Bosnia and Herzegovina
(2025): It is not possible to indicate the approved budget for the judicial system because data on the approved budget for legal aid is not available.

Serbia
(2025): The total budget was calculated based on the estimated total budget for free legal aid from questions 09-0 and 9 of the questionnaire.

Kosovo*
(2023): It is specified in question 4.

Question 07

Albania

(2025): The amount reported in justice expenses has increased compared to the previous cycle, due to the inclusion of more items that were included in the previous cycle (costs of services for experts, psychologists and lawyers). This amount includes travel and subsistence expenses, expenses for notifications, expenses for experts, psychologists, lawyers, translators.

Other expenses are:

Office service costs (Letter, Office, toners, etc.), 659,369.

Transportation services, 454,136

Other maintenance and operating costs (execution of court decisions, payment of taxes and duties, banking commission, diplomatic service passport, transfers to individuals for assistance, other expenses), 1,495,647

Other investment expenses (reconstruction of existing buildings, purchase of office furniture, purchase of transport vehicles), 1,593,871

(2024): 6. The budget for the training of magistrates is part of the budget of the School of Magistrates.

7. This figure is specifically relevant:

Office service costs (Letter, Office, toners, etc.), 642,535

Diet Travel Expenses, 177,698

Transportation services, 463,269

Other maintenance and operating costs (execution of court decisions, payment of taxes and duties, banking commission, diplomatic service passport, transfers to individuals for assistance, other expenses), 2,379,415

Other investment expenses (reconstruction of existing buildings, purchase of office furniture, purchase of transport vehicles), 1,121,779

(2023): Office service costs (Letter, Office, toners, etc.)NA 478,436
Diet Travel ExpensesNA120,312
Transportation servicesNA 418,063
Expenditure on security guardsNA941,832
Software programNA1,235,676
Other maintenance and operating costsNA3,828,514
Annual public budget allocated to the HJC 3,405,004 3,085,103
Annual public budget allocated to the CIT 125,144450,341 Total - Annual public budget allocated to the judicial system46,668,824 44,900,772 The budget for the training of magistrates is part of the budget of the School of Magistrates.
Annual public budget allocated to the HJC figure is relevant for the budget of the HJC which is separate from the budget of the courts.
Annual public budget allocated to the CIT figure is relevant for the budget of the CIT as a special program.
Total - Annual public budget allocated to the judicial system figure is relevant for the entire budget of judicial system, which consists of three programs (courts, CIT and HJC)
The exchange rate is 1 Eur = 103.88 ALL, resource Bank of Albania 29.12.2023
Explanations for the variations:
Salaries + 74%
Changes and increases in salaries budget come as a result of changes in legislation on salary specifically:
Law no. 33/2023 “For a change in the law no. 96/2016 on the status of judges and prosecutors in the Republic of Albania", changed, which changed the salaries of magistrates.
Decision no. 325, dated 31.5.2023 “For the approval of the structure of wages, salary levels and other allowances above salary of deputy minister, cabinet officers, prefect, sub-prefect, civil employees and employees in some institutions of Public Administration” and Decision no. 326, dated 31.5.2023” For employees' salaries supporters and employees of other specialties of different in some institutions of public administration”, of the Council of Ministers.
The change in the official exchange rate, which from 1 euro = 115 lek in 2022, became 1 euro = 103.8 lek in 2023.
Investments in computerisation + 884%
IT maintenance +252%
In the framework of the implementation of new software systems, the High Judicial Council has focused its investments in the purchase of electronic equipment.
The change in the official exchange rate, which from 1 euro = 115 lek in 2022, became 1 euro = 103.8 lek in 2023.
Court building maintenance -50%
As part of the implementation of the new judicial map, which ended in 2023, the courts have been in the process of restructuring, which has led to a decrease in funds for building

(2022): Total - Annual public budget allocated to the judicial system = TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7) + Annual public budget allocated to the HJC + Annual public budget allocated to the CIT regarding the specific figures there is a discrepancy of 1 Euro. ;Total Annual public budget allocated to the judicial system: 27,824,922+ 2,385,360 +39,509 = 30,249,791
The training in courts is divided in 2 different parts, the training of magistrates is done by the School of Magistrates with their own budge, while the training of all non-magistrate staff is done by the HJC, for different reasons the budget this year has been planned as 0.
7. Other (please specify): Office service costs (Letter, Office, toners, etc.) 651,478
Diet Travel Expenses: Implemented budget 69,635
Transportation services: Implemented budget 361,252
Expenditure on security guards: Implemented budget 700,670
Software program Implemented budget 2,683,887
Other maintenance and operating costs Implemented budget 1,784,801
Annual public budget allocated to the HJC Approved budget (in €) 2,385,360; Implemented budget (in €) 2,153,634
Annual public budget allocated to the CIT 39,509 18,226
Total - Annual public budget allocated to the judicial system:
Approved budget (in €) 30,249,790
Implemented budget (in €) 27,879,965

Bosnia and Herzegovina
(General Comment): Data on the approved budget are classified according to the economic classification adopted by the ministries of finance. The data regarding the approved budget is classified in a way that allows obtaining data only on the following elements that relate to question 7:
-TOTAL - Annual budget allocated to the functioning of all courts, and -1. Annual public budget allocated to (gross) salaries. The classification used for budget approval does not allow to obtain data on other elements referred to in question 7.
The reports on execution budgets make it possible to distinguish budget figures for all the elements in the table. The amounts of all items are calculated using the budget execution reports as the best possible estimation.
Other
The budget allocated for other purposes includes funds allocated for employee benefits such as sick leave, maternity leave and various other benefits. Also, the budget allocated for other purposes includes provisions for deposits. Provisions for retained bails and deposits are reported as long-term provisions for costs that will occur with great certainty in the coming years on the basis of retained bails and deposits. All of these costs can vary significantly from year to year.

(2025): 2. Computerization: In 2025, all courts in Bosnia and Herzegovina had to acquire new licenses for the Microsoft Windows operating system because support for the old operating system had ended. The significant deviation in this budget item is due to the significant expenditures on licenses for the new operating system, as well as investments in new computers that are needed to make the new operating system work.
7. Other:
Due to the introduction of new operating systems, old computers were replaced in 2025 in all courts, which significantly increased depreciation costs in courts that fall into this "other" category.

(2024): 7. Other
The budget allocated for other purposes includes funds allocated for employee benefits such as sick leave, maternity leave and various other benefits. Also, the budget allocated for other purposes includes provisions for deposits. Provisions for retained bails and deposits are reported as long-term provisions for costs that will occur with great certainty in the coming years on the basis of retained bails and deposits. All of these costs can vary significantly from year to year.

(2023): Q4.
5. Annual public budget allocated to investments in new (court) buildings.
In 2023, a large investment in court buildings in the area of the Posavina Canton was realized. Since no investments in new buildings were recorded in other courts in Bosnia and Herzegovina, there was a significant increase in the allocated budget for this purpose compared to 2022.
7. Other
The budget allocated for other purposes includes funds allocated for employee benefits such as sick leave, maternity leave and various other benefits. Also, the budget allocated for other purposes includes provisions for deposits. Provisions for retained bails and deposits are reported as long-term provisions for costs that will occur with great certainty in the coming years on the basis of retained bails and deposits. All of these costs can vary significantly from year to year.

(2022): There are two reasons why the amounts allocated for judicial expenses and training in 2022 are higher compared to the amounts allocated in 2021. First, after operating at a limited capacity in 2021 due to the COVID-19 pandemic, the courts continued to operate at full capacity in 2022. Secondly, due to inflation, a significant increase in the prices of services was recorded in 2022, and therefore the services of expertise, interpretation and training have become more expensive. In several courts, the amount of funds allocated for these purposes increased by more than 100% in 2022 compared to 2021
As regards investment in new buildings, the amount of funds allocated for the construction of new court buildings fluctuates from year to year, because it directly depends on the amount of funds donated for this purpose.

Montenegro

(2025): 1. Regarding total gross salaries, this is the amount of the current budget and spent on that position for salaries. We cannot provide separately how much money was allocated and spent separately for judges' salaries and separately for administration salaries, because we cannot divide this data exactly
The difference refers to executions through the Ministry of Finance (experts and lawyers), which are collected by force.
7. Other includes: other personal income, anniversary awards, severance pay, assistance, separate living, administrative materials, fuel, energy, communication services, legal services, consulting, banking services, insurance, labor law, utilities...
An amount of €33,781.00 was additionally spent on investments in court buildings, including certain renovation works carried out at the High Court in Podgorica, the Basic Court in Bijelo Polje, the Basic Court in Podgorica, and the Basic Court in Plav.
7. Other also includes justice expenses and can not be differentiated separately

(2024): The difference is related to executions through the Ministry of Finance (experts and lawyers), which are charged by compulsory means.
7. THE OTHER INCLUDES: OTHER PERSONAL INCOME, JUBILEE AWARDS, severance pay, AID, SEPARATE LIFE, ADMINISTRATIVE MATERIAL, FUEL, ENERGY, COMMUNICATION SERVICES, LAWYER SERVICES, CONSULTING, BANKING SERVICES, INSURANCE,EMPLOYMENT CONTRACT, UTILITY SERVICES..

(2023): Other includes: other personal income, jubilee awards, separation, aid, separate life, administrative material, fuel, energy, communication services, lawyer services, consulting, banking services, insurance, contract of work, utility services

(2022): -Differences relate to the enforcements via the Ministry of Finance (court experts and lawyers expenses) payed through enforcement procedures (e.g. baillifs etc.)
- Other costs are other personal incomes, jubilee awards, severance payments, one time assistance payments, separate family life bonus, administrative/office material, fuel costs, energy bills, communication services, lawyer services, consulting services, banking services, licenses, insurances, employment contracts, utilities etc.

North Macedonia
(2025): For computerisation - This decrease is result of decreased expenses from 2024 for servicing of software FEMIDA
For Justice expenses - This increase is result of increased expenses for translation in court procedures and increased expenses for post services
For other -This increase is result of not possibility to classify some expenses on categories from 1 - 6 Concerning Other expenses, the decrease is attributed to the reduction of budget lines for payments related to final decisions on labor disputes initiated by employees in the judiciary and a decrease in travel expenses.

(2024): Investments in new court buildings are expenses for renovating a few existing courts(new facades, replacement of windows, reconstruction of installations, etc.). For Investments in new court buildings, the observed discrepancy is due to a smaller number of reconstructions of courts in 2024 compared to 2023. Regarding the Investments in computerisation, the increase is the result of the introduction of a new system for audio recording in courtrooms and the procurement of 365 PC units. Concerning Other expenses, the decrease is attributed to the reduction of budget lines for payments related to final decisions on labour disputes initiated by employees in the judiciary and a decrease in travel expenses.

(2023): After the investments in ICT made in the previous year, additional resources were allocated to maintain the new system. Regarding investments in new court buildings, the increase is attributable to expenses for renovating a few existing courts.

(2022): The court budget includes only the budget of all courts.
2. North Macedonia in 2022 allocated huge budget to investments in computerization (replacement of all old servers in all the courts and in the Judicial Council with new servers, 308 new computers, new laptops, 212 new printers, 64 new scanners, new softwares (for example: for evaluation of judges).
4. Maintenance of the court buildings and operating costs in 2022 are higher due to new prices of gas and electricity in our country and on the world level, as a consequences from COVID-19 and war in Ukraine.
5. In 2022, the renovation of the new building of Administrative court was finished. That was the second phase of the plan with smaller allocated budget for finishing the project, since the budget of first phase of the plan was larger and implemented in 2021.
7. All the prices and costs in 2022 are higher due to inflation. Please, see also explanation for category 4.

Serbia

(2025): There are significant discrepancies compared to the 2024 budget, given that in the current year the reporting process also included direct beneficiaries of budget funds, namely: the Administrative Court, the Commercial Appellate Court, and the Misdemeanor Appellate Court.

(2024): point 7. - Comment by the High Judicial Council: Includes expenses for personal salaries of judges (compensation of expenses for judges, solidarity assistance, jubilee awards and severance pay for retirement), expenses for mandatory taxes, fines and penalties pursuant to court decisions, compensation for damage caused by state authorities, collective insurance of property and employees in courts, financial compensation for non-property damage caused by violation of the right to a trial within a reasonable time based on agreements concluded with the attorney's office.
We did not include donations, this is the information provided to us by the Supreme Court (31,406 euros approved and 12,990 euros implemented)

(2023): High judicial Council budget + MoJ budget

(2022): Other: Seminars of judges, transportation, accommodation, solidarity aid, anniversary award, severance payments, new furniture, etc.

Kosovo*

(2025): Regarding the category investments in new (court) buildings: During 2025, the Kosovo Judicial Council (KJC), under the category of Capital Investments, implemented several projects mainly related to construction.
Work continued on the project for the construction of the court building in Prizren. In 2025, €602,315.72 were spent.
Work also continued on the project for the design and renovation of the Basic Court in South Mitrovica. In 2025, €395,480.17 were spent.
Work continued on the project for the construction of the Basic Court building in Gjilan – Viti Branch. In 2025, €89,984.67 were spent.
The project “Design and Construction of the Basic Court in Peja” was paid in the amount of €60,000.00.
In addition to the above-mentioned expenditures, the KJC has other expenses under the category of Goods and Services, as presented in the attached table. These include expenses for official travel, office supplies, heating fuel, IT-related expenses, equipment maintenance costs, and other expenditures.
Donations
UNDP – Carryover from 2024 to salaries: €22,124.48; revenue in 2025: €27,430.00.
GIZ – Carryover from 2024 to salaries: €1,718.82; revenue in 2025: €0.00.
GIZ – Carryover to goods and services: €16.80; revenue in 2025: €0.00.
SMIL – Carryover to salaries: €15,784.84; revenue in 2025: €166,741.00.
SMIL – Carryover to goods and services: €51,304.28; revenue in 2025: €30,146.90.
In the category other are included other costs that include official travel, office supplies, heating fuel, IT, equipment maintenance, and other related expenses.
Other costs also include utilities, subsidies and transfers, and capital expenses that are not related to renovations or new construction.

(2024): During 2024, due to budget constraints, KJC has not funded training programs.
During 2024, KJC received a donation from UNDP in the amount of €70,519.84 for anti-corruption efforts in Kosovo.
During 2024, KJC received a donation from the Norwegian Government in the amount of €241,435.10 for the Case Management Information System (SMIL).
During 2024, KGJK has implemented several projects under the Capital Investments category, primarily related to construction.
The construction of the court building in Prizren has begun, with €1,150.00 spent in 2024.
Work has continued on the design and renovation project of the Basic Court in South Mitrovica, with €438,504.50 spent in 2024.
Work has continued on the construction project of the Basic Court building in Pristina – Gllogoc branch, with €93,163.70 spent in 2024.
Work has continued on the construction project of the Basic Court building in Gjilan – Viti branch, with €69,150.63 spent in 2024.
A total of €328,562.50 has been spent on vehicle purchases.
For the project "Security Camera Monitoring Centers in Courts," €72,685.86 has been spent.
For the project "Purchase and Supply of Firewall Equipment," €54,300.00 has been spent.
In the category other are included office expenses, fuel, maintenance of vehicles and other supplies.

(2023): In row 7. Other: In 2023, KJC received a donation from UNDP in amount of 76,990.00 € for the implementation of the Project For fight against anti-corruption and for implementation of the Case Management Information System (CMIS) Project, in 2023 KJC received a donation from the Government of Norway in amount of 235,274.23 €.
In the category other are included office expenses, fuel, maintenance of vehicles and other supplies.

(2022): Digitalization of services;
New courts to be build;
No financing trainings for 2022 due to budget cut.

Question 08

Albania

(2025): In the others section 7 are included: (Office supplies and stationery; Transportation expenses; Per diem allowances; Other operational expenses;Taxes and duties; Membership fees in international prosecutors' organizations; Economic assistance for employees; Other investments such as Purchase of vehicles; Air conditioners; Office furniture etc).
The legal amendments undertaken during 2023, implemented pursuant to the Constitutional Court Decision, No. 35, resulted in additional financial obligations for the General Prosecution Office, which were primarily reflected in the 2024 budget. These obligations relate to the settlement of salary-related liabilities for magistrates and judicial police officers. Therefore, a temporary increase in the budget was recorded in 2024, attributable to the incorporation of these accumulated liabilities from previous years. Accordingly, the percentage decrease in the budget from 2024 to 2025 does not constitute an actual reduction in salaries, but rather reflects the normalization of expenditure following the elevated level recorded in 2024, which was influenced by the implementation of the Constitutional Court decision.

(2023): The data for the implemented budget "Implemented budget" for the year 2023 are approximate and were obtained from the AFMIS system until 22.01.2024. This figure is not final as the Treasury Office responsible for confirming this data will publish this figure in February 2024.
In the first column, we planned the budget at the beginning of the year.
In the second column, we have the actual realization of budget funds during the year 2023.
The revised budget during the year is 32,016,181 euros due to institutional needs.
The increase in this budget has come as a result of additions during the year 2023 of funds for personnel expenses for the payments of magistrates and officers in implementation of the Decision
no. 35 of the Constitutional Court for wrongly calculated salaries.

Bosnia and Herzegovina

(General Comment): Gross salaries (1.1., 1.2, 1.3):
Data on gross salaries broken down by categories (e.g., prosecutors versus other staff – 1.1, 1.2, 1.3) cannot be presented because the structure of budget accounts in prosecutor's offices in Bosnia and Herzegovina does not allow the separation of the requested categories.
Computerization:
Currently, it is not possible to provide comprehensive and reliable information for this category.
Training:
The annual public budget used for training of public prosecution services was calculated on the basis of the data of the prosecutor's offices on the funds spent in the reporting year for the procurement of professional literature and the like. These amounts can vary significantly from year to year. This figure does not include the funds spent by judicial training centers and international donors for prosecutors' trainings.
Other:
The amount entered into the questionnaire does not represent additional or undefined costs, but rather a technical difference arising from limitations between the budget systems of prosecutor's offices in Bosnia and Herzegovina and the CEPEJ methodology. Certain budget items in the budgets of prosecutor's offices include different types of costs which, under the CEPEJ classification, fall into multiple categories, while part of the capital and operational costs cannot be clearly separated between categories.

(2024): The annual public budget allocated to training of public prosecution services was calculated on the basis of the data of the prosecutor's offices on the funds spent in the reporting year for the procurement of professional literature and the like. These amounts can vary significantly from year to year. This figure does not include the funds spent by judicial training centers and international donors for prosecutors' trainings.

(2022): Some prosecution offices allocated a smaller amount of funding in connection with the training in the reporting year. However, the disparities in training funding for 2022 compared to 2021 are not significant considering the small value of absolute amounts the prosecution offices generally allocate for this purpose.

Montenegro
(2025): The total amount of funds allocated for gross salaries of employees in the State Prosecutor's Offices and the Secretariat of the Prosecutorial Council amounted to €9,419,424.98, of which €7,528,256.54 was allocated for net salaries.

(2024): The Law on the Budget of Montenegro has allocated €13,685,205.86 to the spending unit of the Prosecutorial Council for 2024, for the implementation of activities through two programs:
*Program 12005- Work of the Prosecutor's Office – €12,585,902.90 (17 activities, i.e. 17 state prosecutor's offices)
*Program 12024- Regulation and management in the justice system – €1,099,302.96 (2 activities, i.e. the Secretariat of the Prosecutorial Council and the Prosecutorial Council).
After the transfer of funds from the current budget reserve and the redirection of funds by the Ministry of Finance, the current budget amounted to €14,478,380.05. Namely, by the decision of the Government of Montenegro, €42,000.00 was redirected from the current budget reserve to the Special State Prosecutor's Office, €14,000.00 for fuel and €28,000.00 for vehicle maintenance costs. The Ministry of Finance diverted €751,174.19, which was the amount of expenses based on the court collection of creditors.

(2023): difference between approved and implemented is because there were additional transfers from state budget to Prosecution during a budget year

North Macedonia
(2025): Other - travel expenses, per diem etc.

(2023): The increase in the total budget is due to increased salaries

Serbia
(General Comment): The budget was collected by the following institutions:
1. Ministry of Justice
2. High Prosecutorial Council
3. Supreme Public Prosecutor's Office
4. Public Prosecutor's Office for War Crimes 5. Public Prosecutor's Office for Organized Crime

(2025): In line 6, travel costs, registration fees, and per diems related to training attendance are reported.

(2023): Regarding the question annual public budget allocated to training of public prosecution services please note that this funds is provided through the Judicial Academy budget, due to the judicial Academy jurisdiction which is training in the whole Serbian Judiciary.

Kosovo*

(2025): In Training we included travel expenses within and outside the country.

(2024): The approved budget for KPC for 2024 was 17,265,867 €.
The sum in the table 16,656,715.5 € does not include the amount approved for lawyers (609,151.5€). In our budget categories we don't have separate category for budget for lawyers, but the budget code is named "legal representation cost" which include lawyers and experts. The total budget approved for this category was 1,218,303€ which we divided in 2 and the budget approved for lawyers being 609,151.5€.
The total implemented budget for KPC was 15,130,313.38€ however the sum in the table does not include the budget implemented for lawyers (570,325.79€).

(2023): The approved budget for KPC for 2023 was 15,913,983 €.
The sum in the table 15,364,979.5 € does not include the amount approved for lawyers (549,003.5€). In our budget categories we don't have separate category for budget for lawyers, but the budget code is named "legal representation cost" which include lawyers and experts. The total budget approved for this category was 1,098,007€ which we divided in 2 and the budget approved for lawyers being 549,003.5€.
The total implemented budget for KPC was 14,143,931.65 however the sum in the table does not include the budget implemented for lawyers (659,409.04€).

(2022): The initial approved budget for KPC was 17,144,178 € however, with budget reviews it was approved in the value of 14,596,934€ in total. The sum in the table 16,665,948.5 does not include the amount approved for lawyers (478,229.5€). In our budget categories we don't have separate category for budget for lawyers, but the budget code is named "legal representation cost" which include lawyers and experts. The total budget approved for this category was 956,459€.

Question 09-0

Albania
(2025): The increase in the Approved and Implemented Legal Aid (LA) budget is mainly due to the increase in the salaries of the employees working within the system of state-guaranteed free legal aid. This adjustment was made in line with the broader public administration salary policy and has directly affected the overall budget allocated and implemented for legal aid.

(2024): The legal aid implemented budget has increased by 8.6% compared to the previous year.
Cases brought to the court, we have referred to cases of secondary legal assistance (payment of lawyers, experts who have provided secondary legal services). The rest is considered as providing advice and any other financial commitment in function of the institution's activity. The further increase is related to the fact of the opening of the primary legal aid service provision centers throughout the Republic of Albania and the changes in the legislation on employee salaries.

Bosnia and Herzegovina

(General Comment): The legal aid is financed through the budgets of individual courts (e.g. funds for legal aid are mainly used to pay for the services of ex officio appointed attorneys in criminal cases) and the budgets of legal aid institutions that are government bodies independent from the courts. The accounting methodology does not make it possible to distinguish the amount of budget funds earmarked by the courts for legal aid from other funds, which are planned within the same line in the court budget. However, it is possible to differentiate the amount of funds spent for legal aid in the implemented court budget. On the other hand, the lawyers employed by the government legal aid institutions provide legal aid in different legal fields (i.e. representation in criminal, civil, administrative court proceedings; provision of legal advice outside of court or other proceedings), therefore it is not possible to split the planned or implemented budget funds of the legal aid institutions between different legal fields. In conclusion, it is only possible to make the calculation of the annual implemented public budget allocated to legal aid without dividing it among criminal and other than criminal cases.

Montenegro

(2025): Regarding the issue of free legal aid, the allocated budget amounted to €144,617.00, of which €90,357.30 was spent in 2025, while the remaining amount was returned to the Budget of Montenegro.

(2022): in 2022 no separate amount for legal aid for courts was allocated, but that was a part of the budget section 4146 - lawyer services. In 2022 for legal aid the amount implemented is 108.776 Eur

North Macedonia

(2025): The increase in the budget is due to the increase of the costs for mandatory legal representation in criminal proceedings

(2024): This discrepancy is result of decrease of budget within of Ministry of Justice dedicated to free legal aid

Serbia

(2025): The stated amount of EUR 15,746,664 (approved budget) refers to the costs of lawyers appointed ex officio.
The exact total amount of expenditures for free legal aid (column other than criminal cases) is not centrally available. The presented figures are only partially based on the amounts reimbursed by the Ministry of Justice and therefore do not reflect the full financial scope of the system.
Article 41 of the Law on Free Legal Aid ("Official Gazette of the Republic of Serbia", No. 87/2018) stipulates that, upon completion of the provision of free legal aid, the drafting of a notarial document, or mediation in dispute resolution, a request for payment shall be submitted together with supporting evidence and a final calculation (paragraph 1).
Furthermore, in cases where the costs are jointly borne by the Republic of Serbia and a local self-government unit, the local self-government unit pays the full amount of the fee to the service provider and subsequently claims reimbursement of 50% from the competent ministry (paragraph 2).
Accordingly, while the actual direct expenditure from the budget of the Ministry of Justice amounted to EUR 46,554, the amount of EUR 93,108 was reported in line with the recommendation of CEPEJ evaluators, who suggested that the reported figure should reflect the estimated total cost of the system rather than only the Ministry's reimbursed share. For this reason, and by recommendation of CEPEJ evaluators, the reimbursed amount was doubled in order to present the overall estimated expenditure corresponding to both the Ministry's contribution and the participation of local self-government units.
At the same time, the reported data still does not capture the total nationwide costs of the free legal aid system. It should therefore be emphasized that the actual overall expenditures are likely significantly higher due to the substantial financial participation of local self-government units.

(2023): Annual approved public budget for the High Judicial Council for mandatory defense 11536009 EUR.
In question 012 we counted only free legal aid. I see now we made a mistake.

Kosovo*
(2025): FLAA comment: Based on the Law No. 08/L-332 on Budgetary Allocations for the Budget of The Republic of Kosovo for the year 2025, a budget of €563,418.0 was allocated to the Free Legal Aid Agency, while by the end of the year the final budget was €621,237.86, of which €611,654.43 were implemented. The budget was allocated in the following categories: Salaries and allowances 374,278.29 € goods and services 236,959.57 €; and utilities 10,000.00 €.

(2024): KPC COMMENT: In our budget categories we don't have separate category for budget for lawyers, but the budget code is named "legal representation cost" which include lawyers and experts. The total budget approved for this category was 1,218,303€ which we divided in 2 and the budget approved for lawyers being 609,151.5€.
FREE LEGAL AID AGENCY COMMENT: Based on the budget law No. 08/L-260, a budget of 537,831.00 € was allocated to the Free Legal Aid Agency in the following categories: Salaries and allowances 307,831.00 € goods and services 220,000.00 €;, and utilities 10,000.00 €.

(2022): Budget increased

Question 09

Albania

(2025): The increase in the Approved and Implemented Legal Aid (LA) budget is mainly due to the increase in the salaries of the employees working within the system of state-guaranteed free legal aid. This adjustment was made in line with the broader public administration salary policy and has directly affected the overall budget allocated and implemented for legal aid.
The budget related to mandatory representation in court (ex officio lawyers) is not included in the figures reported under Q09.

(2023): We emphasize that the planning of funds is done based on the number of decisions received by the court, while the liquidation of payments is done after all the procedural steps of judicial representation have been completed. Trials take time, especially in the nowadays conditions regarding the absence of judges due to the vetting process. This is reflected in the delays until the arrival of the liquidation practice in the Directorate.

Bosnia and Herzegovina

(General Comment): The legal aid is financed through the budgets of individual courts (e.g. funds for legal aid are mainly used to pay for the services of ex officio appointed attorneys in criminal cases) and the budgets of legal aid institutions that are government bodies independent from the courts. The accounting methodology does not make it possible to distinguish the amount of budget funds earmarked by the courts for legal aid from other funds, which are planned within the same line in the court budget. However, it is possible to differentiate the amount of funds spent for legal aid in the implemented court budget. On the other hand, the lawyers employed by the government legal aid institutions provide legal aid in different legal fields (i.e. representation in criminal, civil, administrative court proceedings; provision of legal advice outside of court or other proceedings), therefore it is not possible to split the planned or implemented budget funds of the legal aid institutions between different legal fields. In conclusion, it is only possible to make the calculation of the annual implemented public budget allocated to legal aid without dividing it among criminal and other than criminal cases.

Montenegro

(2025): In 2025, the courts had an individually allocated amount for the provision of free legal aid, which is contained within account 4146-lawyer services and amounted to €144,617.02

(2024): Courts in 2024 had an individually determined amount for providing BPP, it is contained within account 4146-advocate services and it amounted to €145,517.85. In 2024, €91,801.16 was realized for free legal aid. The remaining funds in the amount of €53,716.69 were returned to the State Treasury.

(2023): Not including ex officio mandatory representation. Legal aid is different specific category

(2022): in 2022 no separate amount for legal aid for courts was allocated, but that was a part of the budget section 4146 - lawyer services. In 2022 for legal aid the amount implemented is 108.776 Eur

North Macedonia

(2025): The increase in the budget is due to the increase of the costs for mandatory legal representation in criminal proceedings

(2024): The amount of the approved budget was exceeded due to an increased number of requests and amounts, and payments were made from other lines of the budget of the Ministry, through repurposing.

(2023): In 2023, more criminal cases brought to court were concluded. The rise in the budget allocated to criminal cases may also be attributed to the complexity of these cases and their longer durations, resulting in higher expenses for lawyers.

(2022): Implementation of the new Law on free legal aid was one of the strategic goals. Campaigns in 2022 through the whole country to raise awareness of beneficiaries about their rights to free legal aid were very successful. These Numbers are the proof for improvement of usage of free legal aid system in our country.

Serbia

(2025): The stated amount of EUR 15,652,468 (implemented budget) refers to the costs of lawyers appointed ex officio.
The exact total amount of expenditures for free legal aid (column other than criminal cases) is not centrally available. The presented figures are only partially based on the amounts reimbursed by the Ministry of Justice and therefore do not reflect the full financial scope of the system.
Article 41 of the Law on Free Legal Aid ("Official Gazette of the Republic of Serbia", No. 87/2018) stipulates that, upon completion of the provision of free legal aid, the drafting of a notarial document, or mediation in dispute resolution, a request for payment shall be submitted together with supporting evidence and a final calculation (paragraph 1).
Furthermore, in cases where the costs are jointly borne by the Republic of Serbia and a local self-government unit, the local self-government unit pays the full amount of the fee to the service provider and subsequently claims reimbursement of 50% from the competent ministry (paragraph 2).
Accordingly, while the actual direct expenditure from the budget of the Ministry of Justice amounted to EUR 38,886, the amount of EUR 77,772 was reported in line with the recommendation of CEPEJ evaluators, who suggested that the reported figure should reflect the estimated total cost of the system rather than only the Ministry's reimbursed share. For this reason, and by recommendation of CEPEJ evaluators, the reimbursed amount was doubled in order to present the overall estimated expenditure corresponding to both the Ministry's contribution and the participation of local self-government units.
At the same time, the reported data still does not capture the total nationwide costs of the free legal aid system. It should therefore be emphasized that the actual overall expenditures are likely significantly higher due to the substantial financial participation of local self-government units.

(2024): We received all the information from the relevant institutions.

(2023): Official data obtained from the Sector for financial affairs in the MOJ
Annual implemented public budget for the High Judicial Council for mandatory defense 11469009 EUR.
In question 012 we counted only free legal aid. I see now we made a mistake.

(2022): Please note that the total amount refers only to the cases of granted free legal aid according the Law on free legal aid. This amount does not cover the free legal aid that was provided according to the Criminal Procedure Code (mandatory defense, etc.)
Q013: TOTAL - Annual implemented public budget allocated to legal aid (1 + 2) - 92056 euros. A greater number of cases of free legal aid in 2022 resulted in a greater amount of money spent on the provided free legal aid. The amount for 2022 is higher compared to the previous two years, taking into account that during 2022 all measures against covid-19 were canceled.

Kosovo*

(2025): The Free Legal Aid Agency has spent a total budget of 611,654.43 €, according to these categories: Salaries and allowances 374,278.29 €, Goods and services 230,426.41 € and Municipal services 6,949.73 €.
The budget of the Free Legal Aid Agency is not divided for criminal cases and for other cases, but legal aid is offered in all legal fields; Civil, Administrative, Criminal and Misdemeanor, to all citizens who fulfill the criteria based on Law no. 04 / L-017 on Free Legal Aid or if they are one of the special beneficiary categories of free legal aid based on Law no. 08/L- 035 on amending and supplementing the Law no. 04/l-017 for free legal aid.
During 2025, the agency provided free legal aid to 6797 citizens. In the administrative procedure free legal aid was offered to 4254 citizens, in the civil procedure to 2194 citizens, in the criminal procedure to 280 citizens and in the misdemeanor procedure to 69 citizens.
Out of 4797 cases, the FLAA, through its officials, handled 4064 cases.
While 733 cases were referred to the lawyers who took actions for the parties, 651 of them in civil procedure, 26 in administrative procedure and 56 in criminal procedure.
In 2025 in the economic category, the expenses of representation and advocacy have been paid a total of €143,814.50, as well as about €1654.00 are debts from the year 2025, which have been processed for payment in the budget of the year 2026. These expenses of the lawyers are expenses of the lawyers who are engaged over the years, not just in 2025.
Additionally for cases not brought to court the same amount is provided for the approved and implemented budget because the data for the approved budget was not available.

(2024): The Free Legal Aid Agency has spent a total budget of €476,000.14, according to these categories: Salaries and allowances 264,271.70 €, Goods and services 203,873.54 € and Municipal services 7,854.90 €.
The reason why the budget was not spent in full is due to the non-recruitment of the anticipated positions.
The budget of the Free Legal Aid Agency is not divided into separate parts for criminal cases and for other cases, but legal aid is offered in all legal fields; Civil, Administrative, Criminal and Misdemeanor, to all those citizens who fulfil the criteria based on law no. 04 / L-017 on Free Legal Aid or if they one of the special beneficiary categories of free legal aid based on law no. 08/L- 035 for the amendment and completion of the law no. 04/l-017 for free legal aid.
During 2024, the agency provided free legal aid to 8049 citizens. In the administrative procedure free legal aid was offered to 5853 citizens, in the civil procedure to 1887 citizens, in the criminal procedure to 270 citizens and in the misdemeanor procedure to 39 citizens.
Out of 8049 cases, the FLAA, through its officials, handled 7428 cases.
While 621 cases were referred to the lawyers who took actions for the parties, 562 of them in civil procedure, 12 in administrative procedure and 47 in criminal procedure).
In 2024 in the economic category, the expenses of representation and advocacy have been paid a total of €145,620.00, as well as about €1,145.00 are debts from the year 2025, which have been processed for payment in the budget of the year 2025. These expenses of the lawyers are expenses of the lawyers who are engaged over the years, not just in 2024.

Question 09-1

Albania
(2024): The answer is NAP (Not Applicable) since no donor funds were directly allocated to prosecution offices of general jurisdiction for the year 2024 as part of prosecution annual budget.

(2022): During 2022 there have been no external donor's contributions, included in courts' budgets.

North Macedonia
(2025): For budget to courts and public prosecution services the total amount of external donor fund is 718.697 euro. The Project for the courts and public prosecution services is „EU Support for Rule of Law" and for the legal aid is HF III „Towards a Consolidated and More Efficient Free Legal Aid (FLA) System in North Macedonia" - Council of Europe

(2024): We have a lot of international projects supporting whole justice system with special emphasize of the judiciary. Taking into account that all of the projects are planned for two or more years and they cover different areas, it is not possible to answer specific subcategories defined in the question. Some projects are planned to finance defined activities for more countries. Presented figure is for all above mentioned categories. Methodology used: absolute amount of each project is divided by number of years of implementation of each project. Total amount is 33 015 175 euro, covering multiple projects.

(2023): We have a lot of international projects supporting whole justice system with special emphasize of the judiciary. Taking into account that all of the projects are planned for two or more years and they cover different areas, it is not possible to answer specific subcatregories defined in the question. Also some projects cover judiciary and justice system, but also institutions that not belog to judiciary and justice systems. Some projects are planned to finance defined activities for more countries. Presented fugure is for all above mentioned categories. Methodology used: absolute ammount of each project is divided by number of years of implementation of each project. Please find attached details for each project:

(2022): The external donor funds are provided to the Justice sector through implementation of relevant projects. Contribution of external donors is not a direct part of the national budget. In the table are given numbers from the projects which were realized in 2022, calculated according to the formula given in the Explanation note. In order to ensure a full integration and synergy between national policies and the use of foreign assistance by donors and creditors in North Macedonia was established Sector Working Group for Justice with a mandate for coordination and monitoring of the use of donor assistance in general and the European Union's IPA programe in particular. Regional projects are included in the total amount.

Serbia

(2023): The budget allocated for co-financing reconstruction of the Judicial Academy building is 3.969.561,44 EUR
The budget allocated for co-financing the building for courts and prosecutors offices (criminal departments) in the city of Novi Sad - is 13.078.394,00

Kosovo*

(2024): FREE LEGAL AID AGENCY COMMENT: The agency for free legal aid has had a genuine cooperation with international organizations over the years. During the year 2024, we had close cooperation with GIZ, USAID, OSCE and UNHCR, cooperation which has also resulted in support to FLAA in different activities such as: realization of workshops for the drafting of by-laws, trainings, organization of awareness campaigns, preparation and printing of brochures, holding workshops, info legal sessions and meetings, realization of focus groups with citizens, drafting and publishing of analyses, manuals and other documents etc.
However, they have supported the activities but have not transferred the budget to FLAA.
The budget received by external donor to KJC is 311,954.94. Whereas the implemented budget is provided in the table.
1. KJK during 2024 has received a donation from UNDP in the amount of €70,519.84 for Anti-Corruption Efforts in Kosovo
2. KJK during 2024 has received a donation from the Norwegian Government in the amount of €241,435.10 for the Case Management Information System (CMIS)

(2023): The agency for free legal aid has had a genuine cooperation with international organizations over the years. During the year 2023, we can single out the close cooperation with GIZ, USAID, EUKOJUST, OSCE and UNHCR, cooperation which has also resulted in support to FLAA in different activities such as: realization of workshops for the drafting of by-laws, trainings, organization of awareness campaigns, preparation and printing of brochures, holding workshops, info legal sessions and meetings, realization of focus groups with citizens, drafting and publishing of analyses, manuals and other documents etc.
However, they have supported the activities but have not transferred the budget to FLAA, except for GIZ, which has supported the salaries of 4 (four) officials in 6 (six) mobile offices for free legal aid for 6 (six) months - January to June and the amount is included in the table above.

(2022): -KJC during 2022 had donations in the amount of €350,783.24 and that from UNDP and GIZ mainly for the support of the administrative staff in some courts of Kosovo (€48,627.95) and from the Norwegian Government for the SMIL project (€302,155.29).
-Prosecutorial system is constantly being supported by international partners, donors and projects through trainings, events, roundtables and donations. The sum in the table includes all of these activities.
-For FLAA funds have been allocated for the extension of free legal aid in municipalities where there is no regional office and mobile office for providing free legal aid and raising the professional capacities of officials.
During 2022, FLAA was also supported by the donor USAID - JAK through these activities:
• Publication of the Manual of Legal Aid Practitioners in Kosovo in civil, family and property legal matters;
• Training for 5 trainers trained in the use of the Manual of Legal Aid Practitioners in Kosovo in civil, family and property legal matters and the realization of trainings;
• Drafting of the report Mapping the Needs of Communities for Justice 2022;
• Organization of training on Mediation for 24 officials of ANJF;
• ANJF Communication Strategy 2022 - 2025;
• Support in the organization of the Free Legal Aid Week (23 – 27 May)
• Organization of 3 thematic roundtables with the participation of representatives from ANJF and NGOs that offer free legal assistance;
• Setting up the Info stand and distributing brochures with information about the ANJF, in Prizren during the Dokufest festival;
• Placement of permanent information shelves with brochures for the ANJF in the Basic Court in Mitrovica (in the south and north);
• Preparation and publication of the Video with information on the Agency for Free Legal Aid in sign language - dedicated to deaf people;
• Preparation, promotion and distribution of brochures in Braille with information on the Agency for Free Legal Aid and services, dedicated to blind people;
• Distribution of 1,100 questionnaires in 11 branches of the association HANDIKOS throughout Kosovo and summary of data from the respondents.
The donor USAID - JAK has implemented the budget, so we have no knowledge about the amount spent for the above activities.

Question 09-2

Albania
(2024): The answer is NAP (Not Applicable) since no donor funds were directly allocated to prosecution offices of general jurisdiction for the year 2024 as part of prosecution annual budget.

(2022): The exact answer is NAP we have not had any external donor fund.

Bosnia and Herzegovina

(2025): Donor funds are not included in the budgets of the courts, public prosecution services and legal aid institutions; the external funds are implemented in addition to the budgets within the projects financed by the donors or by a nongovernmental organization that provides legal aid in Bosnia and Herzegovina. The most important donors are the European Commission, Sweden, Norway, and Switzerland.

(2024): Donor funds are not included in the budgets of the courts, public prosecution services and legal aid institutions; the external funds are implemented in addition to the budgets within the projects financed by the donors or by a nongovernmental organization that provides legal aid in Bosnia and Herzegovina. The most important donors are the European Commission, UN, Sweden, Norway, and Switzerland.

(2023): Donor funds are not included in the budgets of courts, public prosecution services and legal aid institutions; the external funds are implemented in addition to the budgets within the projects financed by the donors or by a nongovernmental organization that provides legal aid in Bosnia and Herzegovina. The most important donors are: the European Commission, USAID, Sweden, Norway, and Switzerland.

(2022): Donor funds are not included in the budgets of courts, public prosecution services and legal aid institutions; the external funds are implemented in addition to the budgets within the projects financed by the donors or by a nongovernmental organization that provides legal aid in Bosnia and Herzegovina. The most important donors are: the European Commission, USAID, Sweden, Norway, and Switzerland.

North Macedonia

(2022): Contribution of external donors is not a direct part of the national budget. That is budget of the external donors. The percent is a number of the project budget from the Q10 divided with the implemented budget from Q 4, 6, 13 and 7 multiplied by 100.
Budget allocated to the whole justice system is 0,7

2. Profile of the judiciary - Overview

Number of justice professionals

Number of justice professionals per 100 000 inhabitants in 2025 and variations (%) between 2019 and 2025 (Tables 2.1.1, 2.1.2, 2.1.5, 2.1.6, 2.2.1, 2.3.1,2.3.2, 2.3.3, 2.3.4, 2.4.1, 2.8.1)

Beneficiaries	Justice professionals per 100 000 inhabitants													
	Judges		Court Presidents		Non-judge staff		Prosecutors		Heads of prosecution services		Non-prosecutor staff		Lawyers	
	2025	% Variation 2019- 2025	2025	% Variation 2019- 2025	2025	% Variation 2019- 2025	2025	% Variation 2019- 2025	2025	% Variation 2019- 2025	2025	% Variation 2019- 2025	2025	% Variation 2019- 2025
Albania	14,6	4,6%	0,8	42,9%	51,0	64,9%	10,5	-16,7%	0,9	-55,2%	25,9	24,7%	121,4	44,2%
Bosnia and Herzegovina	30,0	1,4%	2,3	-2,5%	111,1	15,4%	10,3	-5,4%	0,5	5,6%	25,2	21,5%	62,3	22,5%
Montenegro	46,0	-7,4%	3,8	-8,0%	167,7	-4,9%	16,8	-14,6%	2,7	-11,8%	54,5	49,6%	163,1	8,1%
North Macedonia	22,9	-15,7%	1,9	0,0%	98,9	-8,3%	10,2	-2,6%	1,3	0,0%	19,8	-4,8%	155,3	14,4%
Serbia	40,4	-1,8%	2,4	4,6%	160,5	28,2%	11,3	-5,5%	1,0	26,0%	31,4	96,0%	198,4	31,4%
Kosovo*	29,5	12,3%	0,6	NA	98,4	13,8%	10,2	-11,0%	0,6	0,0%	40,1	17,0%	NA	NA
WB Average	30,8	-3,8%	2,3	7,4%	117,8	19,1%	11,8	-9,0%	1,3	-7,1%	31,4	37,4%	140,1	24,1%

For reference only, the 2024 EU medians are as follows: 23,4 judges per 100 000 inhabitants; 59,4 non-judge staff per 100 000 inhabitants; 11,4 prosecutors per 100 000 inhabitants; 14,5 non-prosecutors staff per 100 000 inhabitants and 138,7 lawyers per 100 000 inhabitants.

Figure 2.1 Justice professionals per 100 000 inhabitants in 2025

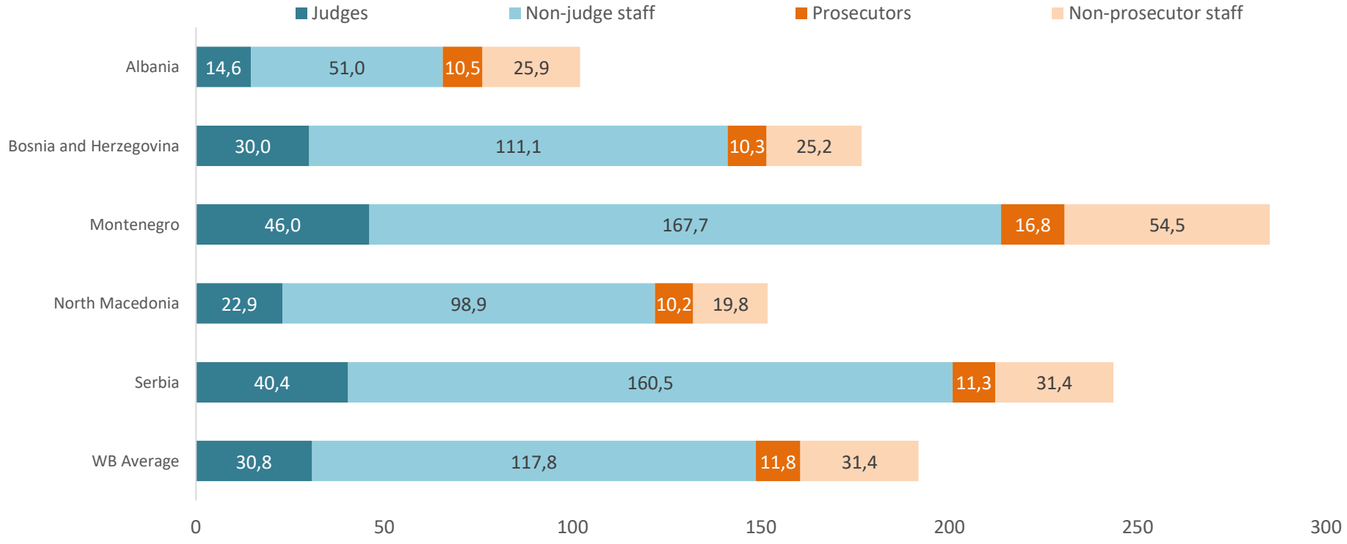
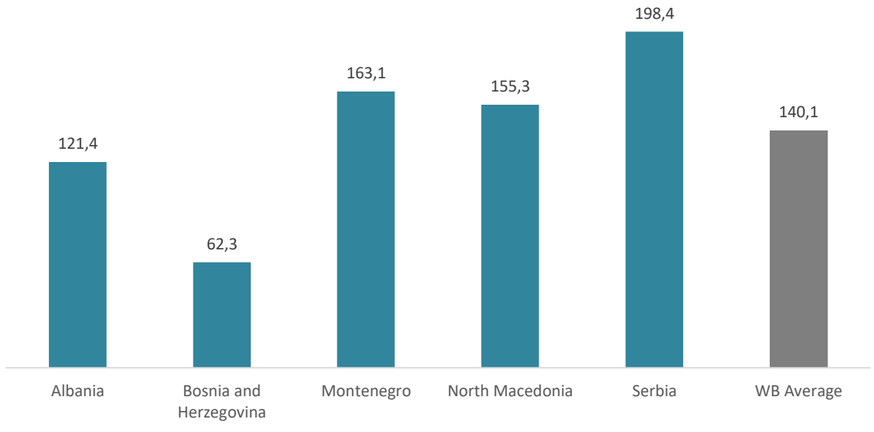


Figure 2.2 Lawyers per 100 000 inhabitants in 2025



North Macedonia: because of the 2021 census, the number of inhabitants changed significantly between 2020 and 2021. **Albania**: because of the 2023 census, the number of inhabitants changed significantly between 2023 and 2024. As a result, variations in indicators standardised by the number of inhabitants may be partly due to the change in population figures.

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Average gross salary of professional judges and prosecutors

Average gross salary of professional judges and prosecutors in 2025 (Tables 2.6.2, 2.6.4, 2.6.6 and 2.6.8)

Beneficiaries	Judges						Prosecutors					
	At the beginning of the career		At the Supreme Court		Ratio with average gross annual national salary in 2025		At the beginning of the career		At the Supreme Court		Ratio with average gross annual national salary in 2025	
	2025	% Variation 2019- 2025	2025	% Variation 2019- 2025	At the beginning of the career	At the Supreme Court	2025	% Variation 2019- 2025	2025	% Variation 2019- 2025	At the beginning of the career	At the Supreme Court
Albania	42 451 €	99,9%	49 883 €	93,1%	3,9	4,6	34 200 €	60,5%	46 080 €	77,2%	3,2	4,3
Bosnia and Herzegovina	38 823 €	57,4%	64 272 €	48,9%	2,5	4,2	46 526 €	88,6%	71 866 €	66,4%	3,0	4,7
Montenegro	20 470 €	6,7%	37 768 €	-16,1%	1,4	2,6	24 749 €	32,7%	48 657 €	49,5%	1,7	3,4
North Macedonia	28 993 €	70,2%	36 617 €	60,2%	2,2	2,8	27 720 €	66,2%	39 276 €	96,2%	2,1	3,0
Serbia	28 216 €	61,3%	65 930 €	61,3%	1,8	4,3	28 200 €	48,6%	40 039 €	14,1%	1,8	2,6
Kosovo*	22 939 €	-1,0%	31 860 €	-8,9%	3,0	4,2	22 939 €	0,0%	31 860 €	0,0%	3,0	4,2
WB Average	31 791 €	59,1%	50 894 €	49,5%	2,4	3,7	32 279 €	59,3%	49 184 €	60,7%	2,4	3,6

For reference only, the 2024 EU median for:

- the ratio of the judges' salary at the beginning of the career with average gross annual national salary is 1,8

- the ratio of the judges' salary at the Supreme Court with average gross annual national salary is 4,3

For reference only, the 2024 EU median for:

- the ratio of the prosecutors' salary at the beginning of the career with average gross annual national salary is 1,7

- the ratio of the prosecutors' salary at the Supreme Court with average gross annual national salary is 3,5

Figure 2.3 Judges' salary - Ratio with average gross annual national salary in 2025

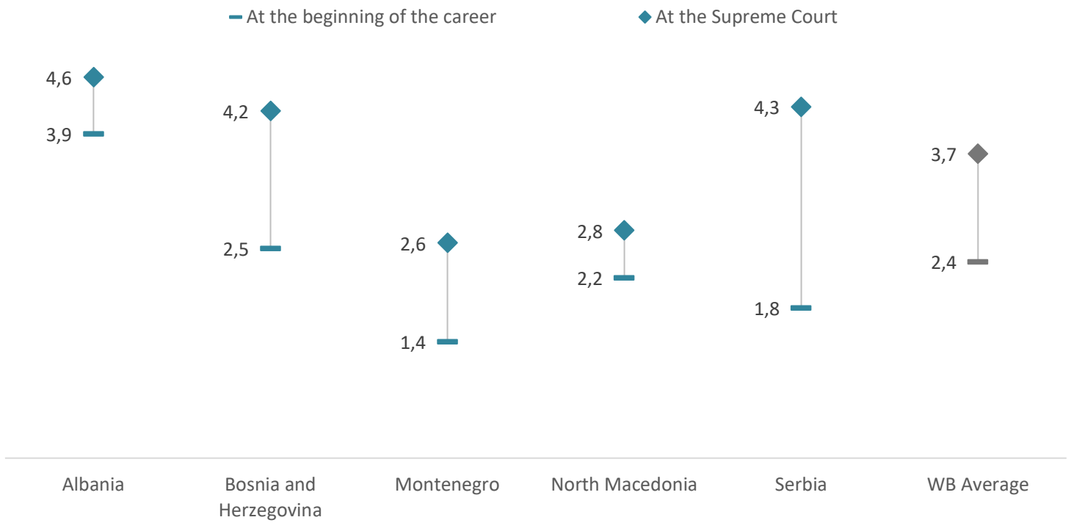
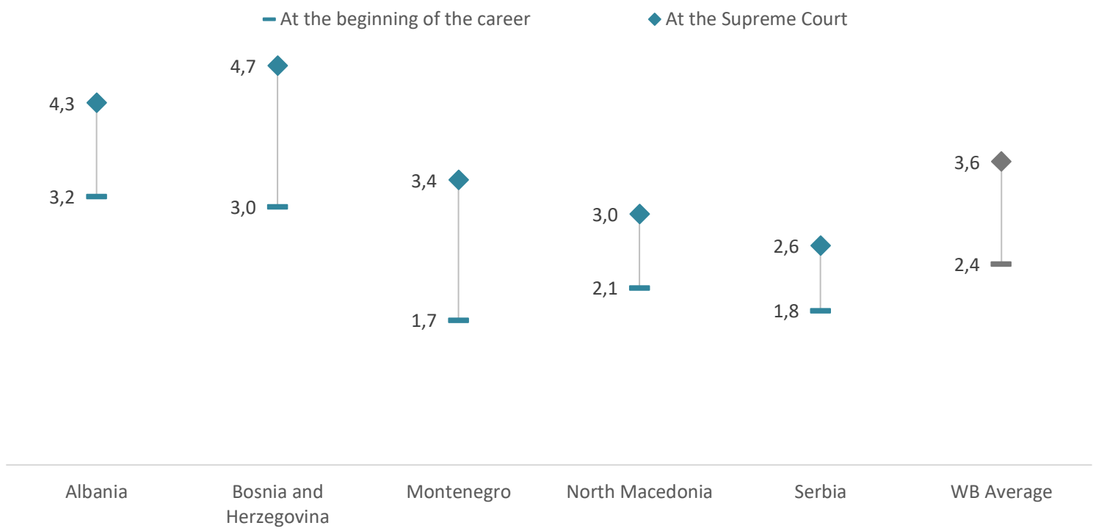


Figure 2.4 Prosecutors' salary - Ratio with average gross annual national salary in 2025



NB: In 2022, CEPEJ improved the methodology for data collection for salaries, expecially regarding the salaries at the supreme court. Therefore, comparisons with the previous cycles should be carried out with caution.

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Gender equality: Distribution of court professionals by gender

Distribution of court professionals by gender in 2025 and its variation (in percentage points) between 2019 (or 2021) and 2025 (Tables 2.9.1, 2.9.3, 2.9.5)

Beneficiaries	Professional judges				Court presidents				Non- judge staff			
	% Male	% Female	Variation (in ppt) 2019 - 2025		% Male	% Female	Variation (in ppt) 2019 - 2025		% Male	% Female	Variation (in ppt) 2019 - 2025	
			Male	Female			Male	Female			Male	Female
Albania	40,4%	59,6%	-11,3	11,3	85,0%	15,0%	27,9	-27,9	27,6%	72,4%	0,2	-0,2
Bosnia and Herzegovina	35,1%	64,9%	-0,7	0,7	41,0%	59,0%	-5,2	5,2	25,0%	75,0%	0,6	-0,6
Montenegro	35,2%	64,8%	-4,5	4,5	47,8%	52,2%	-20,2	20,2	25,0%	75,0%	-3,2	3,2
North Macedonia	35,4%	64,6%	-4,5	4,5	47,1%	52,9%	-5,9	5,9	38,4%	61,6%	0,2	-0,2
Serbia	26,0%	74,0%	-2,1	2,1	40,9%	59,1%	-2,5	2,5	26,0%	74,0%	-2,6	2,6
Kosovo*	61,7%	38,3%	-5,4	5,4	80,0%	20,0%	NA	NA	44,8%	55,2%	-5,3	5,3
WB Average	34,4%	65,6%	-4,6	4,6	52,4%	47,6%	-1,2	1,2	28%	72%	-0,9	0,9

For reference only: the 2024 EU median is 62,6% for total female judges and 77,5% for total female non-judge staff.

Figure 2.5 Distribution of the total male and female judges in 2025

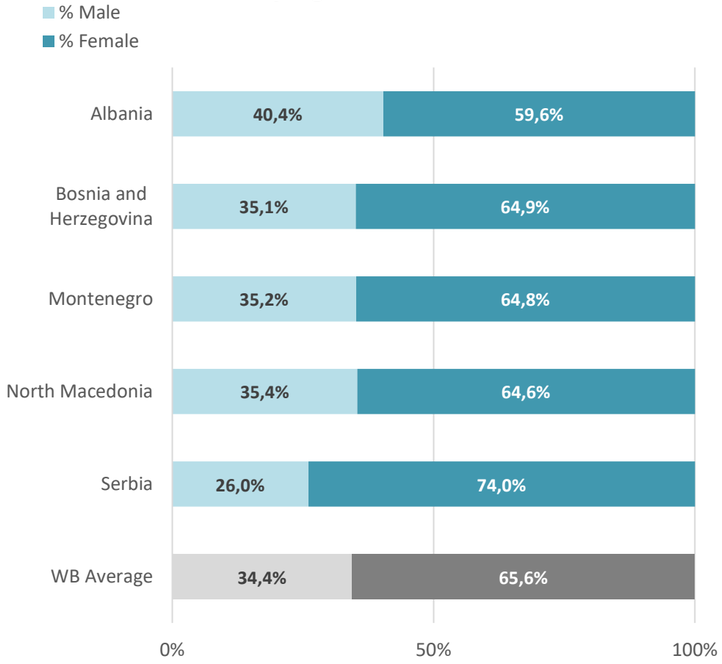


Figure 2.6 Distribution of the total male and female court presidents in 2025

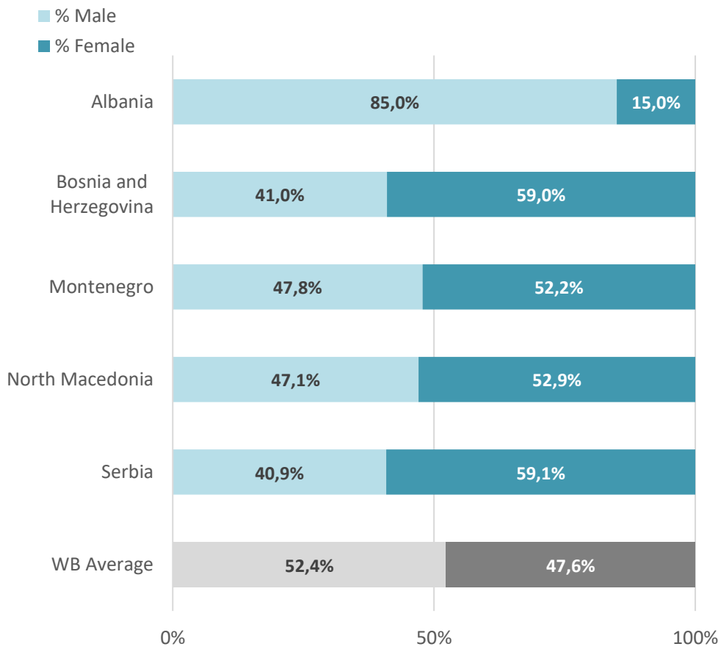
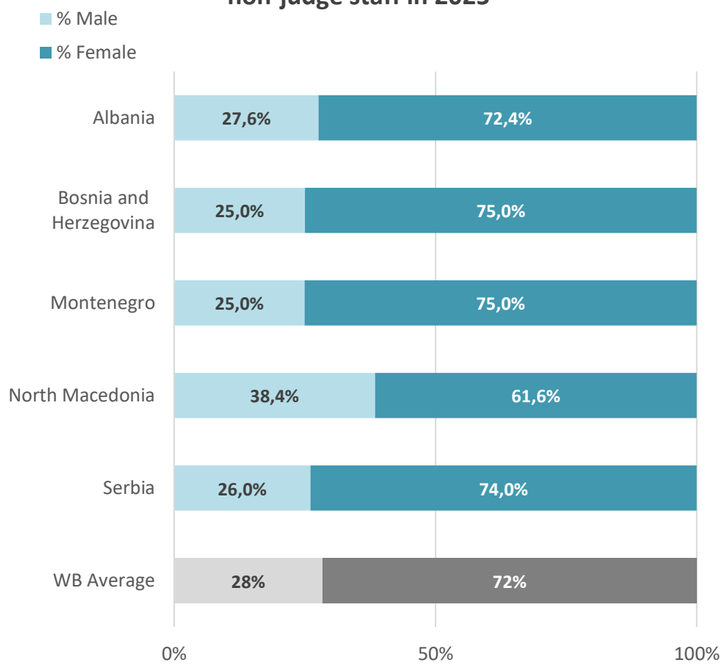


Figure 2.7 Distribution of the total male and female non-judge staff in 2025



* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Gender equality: Distribution of prosecution services professionals by gender

Distribution of prosecution services professionals by gender in 2025 and its variation (in percentage points) between 2019 (or 2021) and 2025 (Tables 2.10.1, 2.10.3, 2.10.5)

Beneficiaries	Prosecutors				Heads of prosecution services				Non-prosecutor staff			
	% Male	% Female	Variation (in ppt) 2019 - 2025		% Male	% Female	Variation (in ppt) 2019 - 2025		% Male	% Female	Variation (in ppt) 2019 - 2025	
			Male	Female			Male	Female			Male	Female
Albania	44,6%	55,4%	-25,3	25,3	69,2%	30,8%	-17,0	17,0	54,5%	45,5%	NA	NA
Bosnia and Herzegovina	46,9%	53,1%	-1,8	1,8	47,4%	52,6%	-13,7	13,7	28,0%	72,0%	-1,1	1,1
Montenegro	41,0%	59,0%	5,2	-5,2	46,7%	53,3%	-6,3	6,3	24,7%	75,3%	-2,3	2,3
North Macedonia	45,9%	54,1%	-0,9	0,9	45,5%	54,5%	-9,1	9,1	26,6%	73,4%	-7,4	7,4
Serbia	38,6%	61,4%	-5,0	5,0	54,0%	46,0%	0,0	0,0	22,6%	77,4%	-1,0	1,0
Kosovo*	59,6%	40,4%	2,7	-2,7	90,0%	10,0%	-10,0	10,0	45,8%	54,2%	1,9	-1,9
WB Average	43%	57%	-5,6	5,6	53%	47%	-9,2	9,2	31%	69%	-2,9	2,9

For reference only: the 2024 EU median is 62,6% for total female prosecutors and 79,5% for total female non-prosecutor staff.

Figure 2.8 Distribution of the total male and female prosecutors in 2025

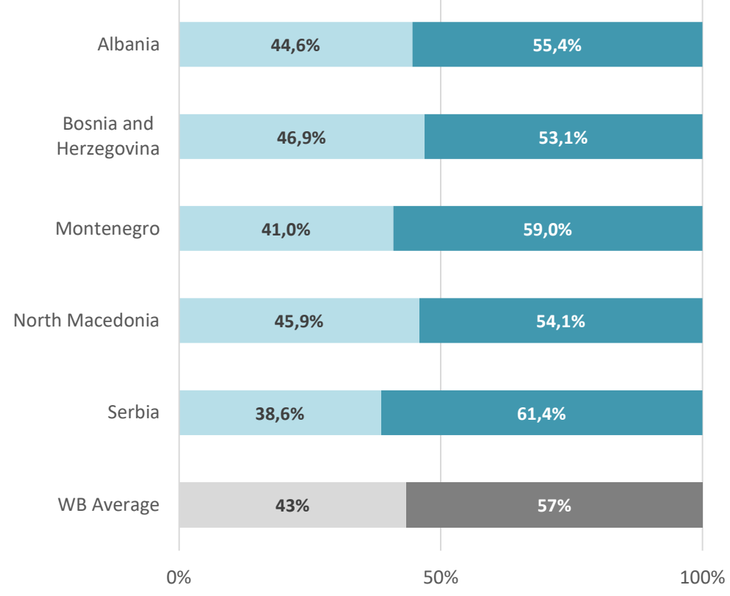


Figure 2.9 Distribution of the total male and female heads of prosecution services in 2025

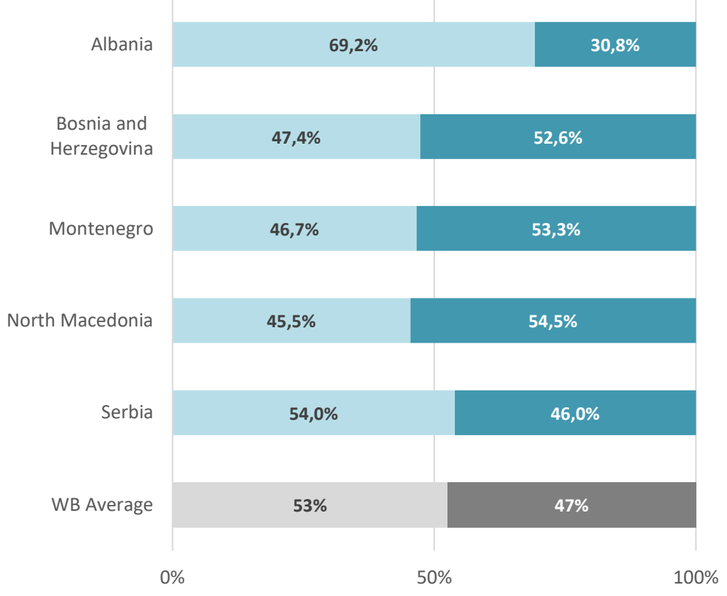
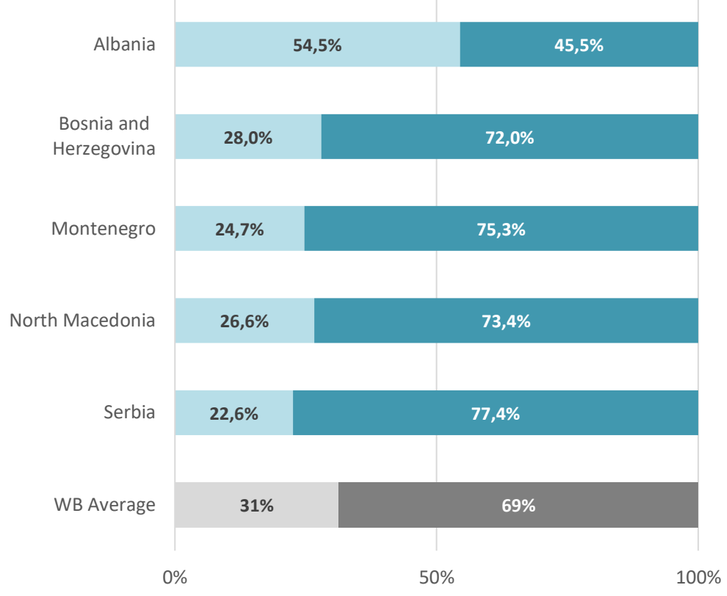


Figure 2.10 Distribution of the total male and female non-prosecutor staff in 2025



* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

2. Profile of the judiciary - List of tables

2.1 Professional judges

Table 2.1.1 Number of professional judges by instance between 2019 and 2025 and its variations (Q31)

Table 2.1.2 Number of professional judges per 100 000 inhabitants by instance between 2019 and 2025 (Q1 and Q31)

Table 2.1.3 Distribution of professional judges by instance between 2019 and 2025 (Q31)

Table 2.1.4 Number of non-professional judges in 2025 (Q32)

Table 2.1.5 Number of court presidents by instance between 2021 and 2025 (Q33)

Table 2.1.6 Number of court presidents per 100 000 inhabitants by instance between 2021 and 2025 (Q1 and Q33)

Table 2.1.7 Number of professional judges per court presidents by instance in 2025 (Q31 and Q33)

2.2 Non-judge staff

Table 2.2.1 Total number of non-judge staff (absolute number and per 100 000 inhabitants) between 2019 and 2025 and its variations (Q1 and Q34)

Table 2.2.2 Number of non-judge staff by category in 2025 (Q34)

Table 2.2.3 Rechtspfleger: description of their status, exact duties and the fields in which they have a roled, in 2025 (Q27)

Table 2.2.4 Ratio of non-judge staff per professional judge between 2019 and 2025 and its variations (Q19, Q27)

2.3 Public prosecutors

Table 2.3.1 Number of prosecutors by instance between 2019 and 2025 and its variations, and persons with similar duties like prosecutors (Q36, Q37)

Table 2.3.2 Number of prosecutors per 100 000 inhabitants by instance between 2019 and 2025 (Q1 and Q35)

Table 2.3.3 Number of heads of prosecution offices by instance between 2021 and 2025 and its variations (Q38)

Table 2.3.4 Number of heads of prosecution offices per 100 000 inhabitants by instance in 2021 and 2025 (Q1 and Q38)

Table 2.3.5 Number of prosecutors per head of prosecution offices by instance between 2021 and 2025 (Q36 and Q38)

Table 2.3.6 Description of whether specific instruction may be given to a public prosecutor to either prosecute or not prosecute a case and number of specific instructions addressed to a public prosecutor to prosecute or not issued in 2025 (Q39, Q39-1)

2. Profile of the judiciary - List of tables

2.4 Non-prosecutor staff

Table 2.4.1 Total number of non-prosecutor staff (absolute number and per 100 000 inhabitants) between 2019 and 2025 and its variations (Q1 and Q40)

Table 2.4.2 Number of non-prosecutor staff by category in 2025 (Q40)

Table 2.4.3 Ratio of non-prosecutor staff per prosecutors between 2019 and 2025 and its variations (Q36, Q40)

4.5 Recruitment of judges and public prosecutors

Table 2.5.1 Number of open positions, applicants and judges and prosecutors actually recruited in 2025 (Q41)

Table 2.5.2 Distribution of male and female applicants and recruited judges and prosecutors in 2025 (Q41)

Table 2.5.3 Percentage of recruited judges and prosecutors relative to the number of applicants in 2025 (Q41)

2.6 Salaries of judges and public prosecutors

Table 2.6.1 Salaries of judges in 2025 (Q45)

Table 2.6.2 Gross annual salaries of judges (in €) between 2019 and 2025 (Q45)

Table 2.6.3 Net annual salaries of judges (in €) between 2019 and 2025 (Q45)

Table 2.6.4 Ratio of the gross annual salaries of judges with average gross annual national salary between 2019 and 2025 (Q4, Q45)

Table 2.6.5 Salaries of prosecutors in 2025 (Q45)

Table 2.6.6 Gross annual salaries of prosecutors (in €) between 2019 and 2025 (Q15)

Table 2.6.7 Net annual salaries of prosecutors (in €) between 2019 and 2025 and its variations (Q45)

Table 2.6.8 Ratio of the gross annual salaries of prosecutors with average gross annual national salary between 2019 and 2025 (Q4, Q45)

2.7 Performance and evaluation of judges and public prosecutors

Table 2.7.1 System for evaluating judges and public prosecutors in 2025 (Q46)

2. Profile of the judiciary - List of tables

2.8 Other professionals

Table 2.8.1 Number of lawyers (absolute number and per 100 000 inhabitants) between 2019 and 2025 and its variations (Q1, Q48)

Table 2.8.2 Number of professional judges and lawyers per 100 000 inhabitants between 2019 and 2025 (Q1, Q31 and Q48)

Table 2.8.3 Legal representation in courts exclusively exercised by lawyers in 2025 (Q49)

Table 2.8.4 Number of enforcement agents, notaries and judicial experts (absolute number and per 100 000 inhabitants) in 2025 (Q1, Q48)

2.9 Gender equality: Judges and non-judge staff

Table 2.9.1 Distribution of total male and female professional judges in 2019 and 2025 (Q31)

Table 2.9.2 Distribution of male and female professional judges by instance in 2019 and 2025 (Q31)

Table 2.9.3 Distribution of total male and female court presidents in 2021 and 2025 (Q33)

Table 2.9.4 Distribution of male and female court presidents by instance in 2021 and 2025 (Q33)

Table 2.9.5 Distribution of total male and female non-judge staff in 2019 and 2025 (Q34)

2.10 Gender equality: Public prosecutors and non-prosecutor staff

Table 2.10.1 Distribution of total male and female public prosecutors in 2019 and 2025 (Q36)

Table 2.10.2 Distribution of male and female prosecutors by instance in 2019 and 2025 (Q36)

Table 2.10.3 Distribution of total male and female heads of prosecution offices in 2021 and 2025 (Q38)

Table 2.10.4 Distribution of male and female heads of prosecution offices by instance in 2021 and 2025 (Q38)

Table 2.10.5 Distribution of total male and female non-prosecutor staff in 2019 and 2025 (Q40)

2.11 Gender equality: Other professionals

Table 2.11.1 Distribution of male and female lawyers in 2019 and 2025 (Q48)

Table 2.11.2 Distribution of male and female enforcement agents, notaries, and judicial experts in 2025 (Q48)

2.12 Policies on gender equality

Table 2.12.1 Existence of measures or institutional bodies specific to the judiciary to ensure gender equality among judicial professionals, especially in recruitment and promotion in 2025 (Q50)

2.1 Professional judges

Table 2.1.1 Number of professional judges by instance between 2019 and 2025 and its variations (Q31)

Beneficiaries	Number of professional judges																				% Variation of total number of professional judges	
	2019				2022				2023				2024				2025					
	Total	First instance	Second instance	Supreme court	Total	First instance	Second instance	Supreme court	Total	First instance	Second instance	Supreme court	Total	First instance	Second instance	Supreme court	Total	First instance	Second instance	Supreme court	2019 - 2025	2024 - 2025
Albania	329	249	79	1	318	238	64	16	247	183	46	18	333	267	48	18	344	270	57	17	4,6%	3,3%
Bosnia and Herzegovina	1011	664	226	121	1000	652	234	114	1014	657	239	118	1044	685	247	112	1025	679	227	119	1,4%	-1,8%
Montenegro	310	215	76	19	263	184	63	16	270	186	70	14	265	181	67	17	287	197	76	14	-7,4%	8,3%
North Macedonia	496	381	96	19	409	315	80	14	392	313	64	15	363	280	72	11	418	324	80	14	-15,7%	15,2%
Serbia	2702	2313	341	48	2657	2320	297	40	2636	2312	281	43	2654	2320	289	45	2654	2322	292	40	-1,8%	0,0%
Kosovo*	416	348	52	16	423	329	61	33	424	334	58	32	440	351	57	32	467	361	69	37	12,3%	6,1%
Average	970	764	164	42	929	742	148	40	912	730	140	42	932	747	145	41	946	758	146	41	-3,8%	5,0%
Median	496	381	96	19	409	315	80	16	392	313	70	18	363	280	72	18	418	324	80	17	-1,8%	3,3%
Minimum	310	215	76	1	263	184	63	14	247	183	46	14	265	181	48	11	287	197	57	14	-15,7%	-1,8%
Maximum	2702	2313	341	121	2657	2320	297	114	2636	2312	281	118	2654	2320	289	112	2654	2322	292	119	4,6%	15,2%

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 2.1.2 Number of professional judges per 100 000 inhabitants by instance between 2019 and 2025 (Q1 and Q31)

Beneficiaries	Number of professional judges per 100 000 inhabitants																			
	2019				2022				2023				2024				2025			
	Total	First instance	Second instance	Supreme court	Total	First instance	Second instance	Supreme court	Total	First instance	Second instance	Supreme court	Total	First instance	Second instance	Supreme court	Total	First instance	Second instance	Supreme court
Albania	11,6	8,7	2,8	0,04	11,4	8,5	2,3	0,6	8,9	6,6	1,7	0,7	13,9	11,2	2,0	0,8	14,6	11,4	2,4	0,7
Bosnia and Herzegovina	28,9	19,0	6,5	3,5	29,0	18,9	6,8	3,3	29,5	19,1	7,0	3,4	30,5	20,0	7,2	3,3	30,0	19,9	6,7	3,5
Montenegro	50,0	34,7	12,3	3,1	42,4	29,7	10,2	2,6	42,6	29,4	11,1	2,2	42,5	29,0	10,7	2,7	46,0	31,6	12,2	2,2
North Macedonia	23,9	18,3	4,6	0,9	22,3	17,1	4,4	0,8	21,4	17,1	3,5	0,8	19,9	15,3	3,9	0,6	22,9	17,8	4,4	0,8
Serbia	38,8	33,2	4,9	0,7	39,1	34,1	4,4	0,6	39,7	34,8	4,2	0,6	40,2	35,1	4,4	0,7	40,4	35,4	4,4	0,6
Kosovo*	23,34	19,5	2,9	0,9	23,3	18,2	3,4	1,8	24,1	19,0	3,3	1,8	27,5	21,9	3,6	2,0	29,5	22,8	4,4	2,3
Average	30,6	22,8	6,2	1,6	28,8	21,7	5,6	1,6	28,4	21,4	5,5	1,6	29,4	22,1	5,7	1,6	30,8	23,2	6,0	1,6
Median	28,9	19,0	4,9	0,9	29,0	18,9	4,4	0,8	29,5	19,1	4,2	0,8	30,5	20,0	4,4	0,8	30,0	19,9	4,4	0,8
Minimum	11,6	8,7	2,8	0,0	11,4	8,5	2,3	0,6	8,9	6,6	1,7	0,6	13,9	11,2	2,0	0,6	14,6	11,4	2,4	0,6
Maximum	50,0	34,7	12,3	3,5	42,4	34,1	10,2	3,3	42,6	34,8	11,1	3,4	42,5	35,1	10,7	3,3	46,0	35,4	12,2	3,5

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

North Macedonia: because of the 2021 census, the number of inhabitants changed significantly between 2020 and 2021. **Albania**: because of the 2023 census, the number of inhabitants changed significantly between 2023 and 2024. As a result, variations in indicators standardised by the number of inhabitants may be partly due to the change in population figures.

Table 2.1.3 Distribution of professional judges by instance between 2019 and 2025 (Q31)

Beneficiaries	Distribution of professional judges														
	2019			2022			2023			2024			2025		
	First instance	Second instance	Supreme court	First instance	Second instance	Supreme court	First instance	Second instance	Supreme court	First instance	Second instance	Supreme court	First instance	Second instance	Supreme court
Albania	75,7%	24,0%	0,3%	74,8%	20,1%	5,0%	74,1%	18,6%	7,3%	80,2%	14,4%	5,4%	78,5%	16,6%	4,9%
Bosnia and Herzegovina	65,7%	22,4%	12,0%	65,2%	23,4%	11,4%	64,8%	23,6%	11,6%	65,6%	23,7%	10,7%	66,2%	22,1%	11,6%
Montenegro	69,4%	24,5%	6,1%	70,0%	24,0%	6,1%	68,9%	25,9%	5,2%	68,3%	25,3%	6,4%	68,6%	26,5%	4,9%
North Macedonia	76,8%	19,4%	3,8%	77,0%	19,6%	3,4%	79,8%	16,3%	3,8%	77,1%	19,8%	3,0%	77,5%	19,1%	3,3%
Serbia	85,6%	12,6%	1,8%	87,3%	11,2%	1,5%	87,7%	10,7%	1,6%	87,4%	10,9%	1,7%	87,5%	11,0%	1,5%
Kosovo*	83,7%	12,5%	3,8%	77,8%	14,4%	7,8%	78,8%	13,7%	7,5%	79,8%	13,0%	7,3%	77,3%	14,8%	7,9%
Average	74,6%	20,6%	4,8%	74,9%	19,6%	5,5%	75,1%	19,0%	5,9%	75,7%	18,8%	5,5%	75,7%	19,1%	5,3%
Median	75,7%	22,4%	3,8%	74,8%	20,1%	5,0%	74,1%	18,6%	5,2%	77,1%	19,8%	5,4%	77,5%	19,1%	4,9%
Minimum	65,7%	12,6%	0,3%	65,2%	11,2%	1,5%	64,8%	10,7%	1,6%	65,6%	10,9%	1,7%	66,2%	11,0%	1,5%
Maximum	85,6%	24,5%	12,0%	87,3%	24,0%	11,4%	87,7%	25,9%	11,6%	87,4%	25,3%	10,7%	87,5%	26,5%	11,6%

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 2.1.4 Number of non-professional judges in 2025 (Q32)

Beneficiaries	Number of non-professional judges in 2025			
	Gross figure		Full-time equivalents	
	Sitting alone	Sitting in a panel (with a professional judge)	Sitting alone	Sitting in a panel (with a professional judge)
Albania	NAP	NAP	NAP	NAP
Bosnia and Herzegovina	NAP	103	NAP	NAP
Montenegro	NAP	NAP	NAP	NAP
North Macedonia	NAP	355	NAP	315
Serbia	1 906	NA	NA	NA
Kosovo*	NAP	105	NAP	NA
Average	-	-	-	-
Median	-	-	-	-
Minimum	-	-	-	-
Maximum	-	-	-	-

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 2.1.5 Number of court presidents by instance between 2021 and 2025 (Q33)

Beneficiaries	Number of court presidents by instance																				% Variation of total number of court presidents	
	2021				2022				2023				2024				2025					
	Total	First instance	Second instance	Supreme court	Total	First instance	Second instance	Supreme court	Total	First instance	Second instance	Supreme court	Total	First instance	Second instance	Supreme court	Total	First instance	Second instance	Supreme court	2021 - 2025	2024 - 2025
Albania	14	11	3	0	7	5	2	0	20	16	3	1	20	16	3	1	20	16	3	1	42,9%	0,0%
Bosnia and Herzegovina	80	59	18	3	79	58	18	3	79	59	17	3	80	59	18	3	78	57	18	3	-2,5%	-2,5%
Montenegro	25	20	4	1	25	20	4	1	24	19	4	1	24	19	4	1	23	18	4	1	-8,0%	-4,2%
North Macedonia	34	28	5	1	34	28	5	1	34	28	5	1	34	28	5	1	34	28	5	1	0,0%	0,0%
Serbia	152	145	6	1	159	152	6	1	159	152	6	1	159	152	6	1	159	152	6	1	4,6%	0,0%
Kosovo*	NA	NA	NA	NA	10	8	1	1	10	7	2	1	10	7	2	1	10	7	2	1	NA	0,0%
Average	61	53	7	1	61	53	7	1	63	55	7	1	63	55	7	1	63	54	7	1	7,4%	-1,3%
Median	34	28	5	1	34	28	5	1	34	28	5	1	34	28	5	1	34	28	5	1	0,0%	0,0%
Minimum	14	11	3	0	7	5	2	0	20	16	3	1	20	16	3	1	20	16	3	1	-8,0%	-4,2%
Maximum	152	145	18	3	159	152	18	3	159	152	17	3	159	152	18	3	159	152	18	3	42,9%	0,0%

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 2.1.6 Number of court presidents per 100 000 inhabitants by instance between 2021 and 2025 (Q1 and Q33)

Beneficiaries	Number of court presidents per 100 000 inhabitants																			
	2021				2022				2023				2024				2025			
	Total	First instance	Second instance	Supreme court	Total	First instance	Second instance	Supreme court	Total	First instance	Second instance	Supreme court	Total	First instance	Second instance	Supreme court	Total	First instance	Second instance	Supreme court
Albania	0,5	0,4	0,1	0,00	0,3	0,2	0,1	0,00	0,7	0,6	0,1	0,04	0,8	0,7	0,1	0,04	0,85	0,68	0,13	0,04
Bosnia and Herzegovina	2,3	1,7	0,5	0,09	2,3	1,7	0,5	0,09	2,3	1,7	0,5	0,09	2,3	1,7	0,5	0,09	2,29	1,67	0,53	0,09
Montenegro	4,0	3,2	0,6	0,16	4,0	3,2	0,6	0,16	3,8	3,0	0,6	0,16	3,8	3,0	0,6	0,16	3,69	2,89	0,64	0,16
North Macedonia	1,9	1,5	0,3	0,05	1,9	1,5	0,3	0,05	1,9	1,5	0,3	0,05	1,9	1,5	0,3	0,05	1,87	1,54	0,27	0,05
Serbia	2,2	2,1	0,1	0,01	2,3	2,2	0,1	0,01	2,4	2,3	0,1	0,02	2,4	2,3	0,1	0,02	2,42	2,31	0,09	0,02
Kosovo*	NA	NA	NA	NA	0,55	0,4	0,1	0,06	0,57	0,4	0,1	0,06	0,6	0,4	0,1	0,06	0,63	0,44	0,13	0,06
Average	2,2	1,8	0,3	0,06	2,15	1,8	0,3	0,06	2,2	1,8	0,3	0,07	2,3	1,9	0,3	0,07	2,22	1,82	0,33	0,07
Median	2,2	1,7	0,3	0,05	2,29	1,7	0,3	0,05	2,3	1,7	0,3	0,05	2,3	1,7	0,3	0,05	2,29	1,67	0,27	0,05
Minimum	0,5	0,4	0,1	0,00	0,25	0,2	0,1	0,00	0,7	0,6	0,1	0,02	0,8	0,7	0,1	0,02	0,85	0,68	0,09	0,02
Maximum	4,0	3,2	0,6	0,16	4,03	3,2	0,6	0,16	3,8	3,0	0,6	0,16	3,8	3,0	0,6	0,16	3,69	2,89	0,64	0,16

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

North Macedonia: because of the 2021 census, the number of inhabitants changed significantly between 2020 and 2021. **Albania**: because of the 2023 census, the number of inhabitants changed significantly between 2023 and 2024. As a result, variations in indicators standardised by the number of inhabitants may be partly due to the change in population figures.

Table 2.1.7 Number of professional judges per court presidents by instance in 2025 (Q31 and Q33)

Beneficiaries	Number of professional judges per court presidents																				Trend of the totals
	2021				2022				2023				2024				2025				
	Total	First instance	Second instance	Supreme court	Total	First instance	Second instance	Supreme court	Total	First instance	Second instance	Supreme court	Total	First instance	Second instance	Supreme court	Total	First instance	Second instance	Supreme court	
Albania	23,5	23,0	22,0	-	45,4	47,6	32,0	-	12,4	11,4	15,3	18,0	16,7	16,7	16,0	18,0	17,2	16,9	19,0	17,0	
Bosnia and Herzegovina	12,5	11,2	12,4	38,7	12,7	11,2	13,0	38,0	12,8	11,1	14,1	39,3	13,1	11,6	13,7	37,3	13,1	11,9	12,6	39,7	
Montenegro	10,7	10,2	14,5	6,0	10,5	9,2	15,8	16,0	11,3	9,8	17,5	14,0	11,0	9,5	16,8	17,0	12,5	10,9	19,0	14,0	
North Macedonia	13,9	12,9	18,4	19,0	12,0	11,3	16,0	14,0	11,5	11,2	12,8	15,0	10,7	10,0	14,4	11,0	12,3	11,6	16,0	14,0	
Serbia	17,9	16,3	52,8	43,0	16,7	15,3	49,5	40,0	16,6	15,2	46,8	43,0	16,7	15,3	48,2	45,0	16,7	15,3	48,7	40,0	
Kosovo*	NA	NA	NA	NA	42,3	41,1	61,0	33,0	42,4	47,7	29,0	32,0	44,0	50,1	28,5	32,0	46,7	51,6	34,5	37,0	
Average	15,7	14,7	24,0	26,7	19,5	18,9	25,3	27,0	12,9	11,8	21,3	25,9	13,6	12,6	21,8	25,7	14,4	13,3	23,1	24,9	
Median	13,9	12,9	18,4	28,8	12,7	11,3	16,0	27,0	12,4	11,2	15,3	18,0	13,1	11,6	16,0	18,0	13,1	11,9	19,0	17,0	
Minimum	10,7	10,2	12,4	6,0	10,5	9,2	13,0	14,0	11,3	9,8	12,8	14,0	10,7	9,5	13,7	11,0	12,3	10,9	12,6	14,0	
Maximum	23,5	23,0	52,8	43,0	45,4	47,6	49,5	40,0	16,6	15,2	46,8	43,0	16,7	16,7	48,2	45,0	17,2	16,9	48,7	40,0	

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Kosovo is not included in the calculation of summary statistics*

2.2 Non-judge staff

Table 2.2.1 Total number of non-judge staff (absolute number and per 100 000 inhabitants) between 2019 and 2025 and its variations (Q1 and Q34)

Beneficiaries	2019		2022		2023		2024		2025		% Variation of number of non-judge staff	
	Absolute number	Per 100 000 inhabitants	Absolute number	Per 100 000 inhabitants	Absolute number	Per 100 000 inhabitants	Absolute number	Per 100 000 inhabitants	Absolute number	Per 100 000 inhabitants	2019 - 2025	2024 - 2025
Albania	880	30,9	1 057	37,8	1 034	37,4	1 084	45,3	1 205	51,0	64,9%	12,5%
Bosnia and Herzegovina	3 367	96,3	3 449	99,9	3 449	100,4	3 681	107,6	3 792	111,1	15,4%	3,3%
Montenegro	1 094	176,4	1 110	179,0	1 093	172,6	1 097	175,9	1 046	167,7	-4,9%	-4,6%
North Macedonia	2 240	107,8	2 198	119,6	2 153	117,7	1 917	105,0	1 803	98,9	-8,3%	-5,8%
Serbia	8 718	125,2	9 076	133,5	9 042	136,2	8 983	136,0	10 539	160,5	28,2%	18,0%
Kosovo*	1 529	85,8	1 590	87,7	1 607	91,2	1 565	97,7	1 560	98,4	13,8%	0,7%
Average	3 260	107,3	3 378	114,0	3 354	112,9	3 352	114,0	3 677	117,8	19,1%	4,7%
Median	2 240	107,8	2 198	119,6	2 153	117,7	1 917	107,6	1 803	111,1	15,4%	3,3%
Minimum	880	30,9	1 057	37,8	1 034	37,4	1 084	45,3	1 046	51,0	-8,3%	-5,8%
Maximum	8 718	176,4	9 076	179,0	9 042	172,6	8 983	175,9	10 539	167,7	64,9%	18,0%

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

North Macedonia: because of the 2021 census, the number of inhabitants changed significantly between 2020 and 2021. **Albania**: because of the 2023 census, the number of inhabitants changed significantly between 2023 and 2024. As a result, variations in indicators standardised by the number of inhabitants may be partly due to the change in population figures.

Table 2.2.2 Number of non-judge staff by category in 2025 (Q34)

Beneficiaries	2025					
	Total number of non-judge staff working in courts (1 + 2 + 3 + 4 + 5)	1. Rechtspfleger	2. Support to the judges' activities	3. Support of the organisation and functioning of the court	4. Staff in charge of maintenance of court buildings	5. Other non-judge staff
Albania	1 205	NAP	613	287	305	NAP
Bosnia and Herzegovina	3 792	99	1 363	1 878	452	NAP
Montenegro	1 046	NAP	656	316	74	NAP
North Macedonia	1 803	NAP	483	1 018	302	NAP
Serbia	10 539	NAP	4 754	3 865	1 896	24
Kosovo*	1 560	NAP	989	239	332	NAP
Average	3 677	-	1 574	1 473	606	-
Median	1 803	-	656	1 018	305	-
Minimum	1 046	-	483	287	74	-
Maximum	10 539	-	4 754	3 865	1 896	-

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 2.2.3 Rechtspfleger: description of their status, exact duties and the fields in which they have a roled, in 2025 (Q27)

Beneficiaries	Rechtspfleger: description of their status, exact duties and the fields in which they have a roled
Albania	NAP
Bosnia and Herzegovina	The High and Judicial and Prosecutorial Council of Bosnia and Herzegovina appoints judicial associates in municipal courts (i.e. first instance courts) in one part of the country, the Fed Bosnia and Herzegovina, for an undetermined period. A judicial associate may proceed and decide non-contentious matters, enforcement matters, including payment orders, and small cases in accordance with the law and as assigned by the court president. Appeals against their decisions are decided by the second instance courts. As for the requirements in terms o qualifications set by the legislation, judicial associates must possess a law degree and have to pass the bar examination. The provisions of the Law on the High and Judicial and Prosec Council of Bosnia and Herzegovina that refer to judges are applied accordingly also for judicial associates (i.e. appointment procedure, disciplinary procedure etc.).
Montenegro	No
North Macedonia	NAP
Serbia	NAP
Kosovo*	Kosovo does not have a formal Rechtspfleger system like in Germany. Certain procedural and administrative functions are carried out by judicial officers, professional associates and p advisers These staff members assist judges with case management, preparation of decisions, registration of cases, and other procedural tasks. They do not adjudicate cases independ make binding judicial decisions. Their role is limited to supporting judicial processes across all courts including civil, criminal, commercial/economic, and administrative matters, support processes in every field.

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 2.2.4 Ratio of non-judge staff per professional judge between 2019 and 2025 and its variations (Q19, Q27)

Beneficiaries	Ratio of non-judge staff per professional judge						
	2019	2022	2023	2024	2025	% Variation of the ratio	
						2019 - 2025	2024 - 2025
Albania	2,7	3,3	4,2	3,3	3,5	31,0%	7,6%
Bosnia and Herzegovina	3,3	3,4	3,4	3,5	3,7	11,1%	4,9%
Montenegro	3,5	4,2	4,0	4,1	3,6	3,3%	-12,0%
North Macedonia	4,5	5,4	5,5	5,3	4,3	-4,5%	-18,3%
Serbia	3,2	3,4	3,4	3,4	4,0	23,1%	17,3%
Kosovo*	3,7	3,8	3,8	3,6	3,3	-3,2%	-6,1%
Average	3,5	4,0	4,1	3,9	3,8	12,8%	-0,1%
Median	3,3	3,4	4,0	3,5	3,7	11,1%	4,9%
Minimum	2,7	3,3	3,4	3,3	3,5	-4,5%	-18,3%
Maximum	4,5	5,4	5,5	5,3	4,3	31,0%	17,3%

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

2.3 Public prosecutors

Table 2.3.1 Number of prosecutors by instance between 2019 and 2025 and its variations, and persons with similar duties like prosecutors (Q36, Q37)

Beneficiaries	Number of prosecutors																				Persons with similar duties like prosecutors	
	2019				2022				2023				2024				2025				% Variation of total number of prosecutors		Gross figure	Full-time equivalent
	Total	First instance	Second instance	Supreme court	Total	First instance	Second instance	Supreme court	Total	First instance	Second instance	Supreme court	Total	First instance	Second instance	Supreme court	Total	First instance	Second instance	Supreme court	2019 - 2025	2024 - 2025		
Albania	299	258	22	11	202	180	12	10	208	188	9	11	207	186	10	11	249	226	13	10	-16,7%	20,3%	NAP	NAP
Bosnia and Herzegovina	372	294	NAP	78	358	275	NAP	83	361	277	NAP	84	362	282	NAP	80	352	269	NAP	83	-5,4%	-2,8%	NAP	NAP
Montenegro	123	95	18	10	103	64	33	6	112	74	31	7	110	72	32	6	105	68	29	8	-14,6%	-4,5%	NAP	NAP
North Macedonia	190	148	31	11	157	125	22	10	177	145	22	10	170	134	25	11	185	152	24	9	-2,6%	8,8%	NAP	NAP
Serbia	784	721	51	12	708	654	43	11	678	625	42	11	663	611	41	11	741	679	50	12	-5,5%	11,8%	NAP	NAP
Kosovo*	181	170	4	7	161	147	6	8	160	144	8	8	153	136	10	7	161	145	10	6	-11,0%	5,2%	NAP	NAP
Average	354	303	31	24	306	260	28	24	307	262	26	25	302	257	27	24	326	279	29	24	-9,0%	6,7%	-	-
Median	299	258	27	11	202	180	28	10	208	188	27	11	207	186	29	11	249	226	27	10	-5,5%	8,8%	-	-
Minimum	123	95	18	10	103	64	12	6	112	74	9	7	110	72	10	6	105	68	13	8	-16,7%	-4,5%	-	-
Maximum	784	721	51	78	708	654	43	83	678	625	42	84	663	611	41	80	741	679	50	83	-2,6%	20,3%	-	-

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 2.3.2 Number of prosecutors per 100 000 inhabitants by instance between 2019 and 2025 (Q1 and Q35)

Beneficiaries	Number of prosecutors per 100 000 inhabitants																			
	2019				2022				2023				2024				2025			
	Total	First instance	Second instance	Supreme Court	Total	First instance	Second instance	Supreme Court	Total	First instance	Second instance	Supreme Court	Total	First instance	Second instance	Supreme Court	Total	First instance	Second instance	Supreme Court
Albania	10,5	9,1	0,8	0,4	7,2	6,4	0,4	0,4	7,5	6,8	0,3	0,4	8,7	7,8	0,4	0,5	10,5	9,6	0,6	0,4
Bosnia and Herzegovina	10,6	8,4	NAP	2,2	10,4	8,0	NAP	2,4	10,5	8,1	NAP	2,4	10,6	8,2	NAP	2,3	10,3	7,9	NAP	2,4
Montenegro	19,8	15,3	2,9	1,6	16,6	10,3	5,3	1,0	17,7	11,7	4,9	1,1	17,6	11,5	5,1	1,0	16,8	10,9	4,7	1,3
North Macedonia	9,1	7,1	1,5	0,5	8,5	6,8	1,2	0,5	9,7	7,9	1,2	0,5	9,3	7,3	1,4	0,6	10,2	8,3	1,3	0,5
Serbia	11,3	10,4	0,7	0,2	10,4	9,6	0,6	0,2	10,2	9,4	0,6	0,2	10,0	9,3	0,6	0,2	11,3	10,3	0,8	0,2
Kosovo*	10,2	9,5	0,2	0,4	8,9	8,1	0,3	0,4	9,1	8,2	0,5	0,5	9,5	8,5	0,6	0,4	10,2	9,1	0,6	0,4
Average	12,3	10,1	1,5	1,0	10,6	8,2	1,9	0,9	11,1	8,8	1,8	0,9	11,2	8,8	1,9	0,9	11,8	9,4	1,8	1,0
Median	10,6	9,1	1,1	0,5	10,4	8,0	0,9	0,5	10,2	8,1	0,9	0,5	10,0	8,2	1,0	0,6	10,5	9,6	1,0	0,5
Minimum	9,1	7,1	0,7	0,2	7,2	6,4	0,4	0,2	7,5	6,8	0,3	0,2	8,7	7,3	0,4	0,2	10,2	7,9	0,6	0,2
Maximum	19,8	15,3	2,9	2,2	16,6	10,3	5,3	2,4	17,7	11,7	4,9	2,4	17,6	11,5	5,1	2,3	16,8	10,9	4,7	2,4

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

North Macedonia: because of the 2021 census, the number of inhabitants changed significantly between 2020 and 2021. **Albania**: because of the 2023 census, the number of inhabitants changed significantly between 2023 and 2024. As a result, variations in indicators standardised by the number of inhabitants may be partly due to the change in population figures.

Table 2.3.3 Number of heads of prosecution offices by instance between 2021 and 2025 and its variations (Q38)

Beneficiaries	Number of heads of prosecution offices																				% Variation of total number of heads of	
	2021				2022				2023				2024				2025					
	Total	First instance	Second instance	Supreme court	Total	First instance	Second instance	Supreme court	Total	First instance	Second instance	Supreme court	Total	First instance	Second instance	Supreme court	Total	First instance	Second instance	Supreme court	2022 - 2025	2022 - 2025
Albania	29	22	6	1	35	22	6	9	19	13	1	5	22	13	1	8	13	11	1	1	-55,2%	-40,9%
Bosnia and Herzegovina	18	16	NAP	2	18	16	NAP	2	17	14	NAP	3	18	15	NAP	3	19	16	NAP	3	5,6%	5,6%
Montenegro	17	13	3	1	17	13	3	1	17	13	3	1	17	13	3	1	15	12	2	1	-11,8%	-11,8%
North Macedonia	22	17	4	1	23	18	4	1	23	18	4	1	23	18	4	1	22	17	4	1	0,0%	-4,3%
Serbia	50	47	2	1	90	85	4	1	55	51	3	1	66	61	4	1	63	58	4	1	26,0%	-4,5%
Kosovo*	10	8	1	1	10	8	1	1	10	8	1	1	10	8	1	1	10	8	1	1	0,0%	0,0%
Average	27	23	4	1	37	31	4	3	26	22	3	2	29	24	3	3	26	23	3	1	-7%	-11%
Median	22	17	4	1	23	18	4	1	19	14	3	1	22	15	4	1	19	16	3	1	0%	-5%
Minimum	17	13	2	1	17	13	3	1	17	13	1	1	17	13	1	1	13	11	1	1	-55%	-41%
Maximum	50	47	6	2	90	85	6	9	55	51	4	5	66	61	4	8	63	58	4	3	26%	6%

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 2.3.4 Number of heads of prosecution offices per 100 000 inhabitants by instance in 2021 and 2025 (Q1 and Q38)

Beneficiaries	Number of heads of prosecution offices per 100 000 inhabitant																			
	2021				2022				2023				2024				2025			
	Total	First instance	Second instance	Supreme court	Total	First instance	Second instance	Supreme court	Total	First instance	Second instance	Supreme court	Total	First instance	Second instance	Supreme court	Total	First instance	Second instance	Supreme court
Albania	1,0	0,8	0,2	0,04	1,3	0,79	0,21	0,32	0,7	0,47	0,04	0,18	0,9	0,5	0,0	0,33	0,6	0,47	0,04	0,04
Bosnia and Herzegovina	0,5	0,5	NAP	0,06	0,5	0,46	NAP	0,06	0,5	0,41	NAP	0,09	0,5	0,4	NAP	0,09	0,6	0,47	NAP	0,09
Montenegro	2,7	2,1	0,5	0,16	2,7	2,10	0,48	0,16	2,7	2,05	0,47	0,16	2,7	2,1	0,5	0,16	2,4	1,92	0,32	0,16
North Macedonia	1,2	0,9	0,2	0,05	1,3	0,98	0,22	0,05	1,3	0,98	0,22	0,05	1,3	1,0	0,2	0,05	1,2	0,93	0,22	0,05
Serbia	0,7	0,7	0,0	0,01	1,3	1,25	0,06	0,01	0,8	0,77	0,05	0,02	1,0	0,9	0,1	0,02	1,0	0,88	0,06	0,02
Kosovo*	0,6	0,4	0,1	0,06	0,55	0,44	0,06	0,06	0,6	0,5	0,1	0,06	0,6	0,5	0,1	0,06	0,63	0,50	0,06	0,06
Average	1,2	1,0	0,2	0,06	1,42	1,12	0,24	0,12	1,2	0,9	0,2	0,10	1,3	1,0	0,2	0,13	1,14	0,93	0,16	0,07
Median	1,0	0,8	0,2	0,05	1,25	0,98	0,22	0,06	0,8	0,8	0,1	0,09	1,0	0,9	0,1	0,09	0,96	0,88	0,14	0,05
Minimum	0,5	0,5	0,0	0,01	0,52	0,46	0,06	0,01	0,5	0,4	0,0	0,02	0,5	0,4	0,0	0,02	0,55	0,47	0,04	0,02
Maximum	2,7	2,1	0,5	0,16	2,74	2,10	0,48	0,32	2,7	2,1	0,5	0,18	2,7	2,1	0,5	0,33	2,41	1,92	0,32	0,16

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

North Macedonia: because of the 2021 census, the number of inhabitants changed significantly between 2020 and 2021. **Albania**: because of the 2023 census, the number of inhabitants changed significantly between 2023 and 2024. As a result, variations in indicators standardised by the number of inhabitants may be partly due to the change in population figures.

Table 2.3.5 Number of prosecutors per head of prosecution offices by instance between 2021 and 2025 (Q36 and Q38)

Beneficiaries	Number of prosecutors per head of prosecution offices																				Trend of the totals
	2021				2022				2023				2024				2025				
	Total	First instance	Second instance	Supreme court	Total	First instance	Second instance	Supreme court	Total	First instance	Second instance	Supreme court	Total	First instance	Second instance	Supreme court	Total	First instance	Second instance	Supreme court	
Albania	7,1	8,0	2,7	12,0	5,8	8,2	2,0	1,1	10,9	14,5	9,0	2,2	9,4	14,3	10,0	1,4	19,2	20,5	13,0	10,0	
Bosnia and Herzegovina	20,1	17,5	NAP	40,5	19,9	17,2	NAP	41,5	21,2	19,8	NAP	28,0	20,1	18,8	NAP	26,7	18,5	16,8	NAP	27,7	
Montenegro	6,5	6,5	6,7	7,0	6,1	4,9	11,0	6,0	6,6	5,7	10,3	7,0	6,5	5,5	10,7	6,0	7,0	5,7	14,5	8,0	
North Macedonia	7,9	8,2	6,5	8,0	6,8	6,9	5,5	10,0	7,7	8,1	5,5	10,0	7,4	7,4	6,3	11,0	8,4	8,9	6,0	9,0	
Serbia	14,1	13,5	20,5	10,0	7,9	7,7	10,8	11,0	12,3	12,3	14,0	11,0	10,0	10,0	10,3	11,0	11,8	11,7	12,5	12,0	
Kosovo*	16,5	19,0	5,0	8,0	16,1	18,4	6,0	8,0	16,0	18,0	8,0	8,0	15,3	17,0	10,0	7,0	16,1	18,1	10,0	6,0	
Average	11,1	10,7	9,1	15,5	9,3	9,0	7,3	13,9	11,8	12,1	9,7	11,6	10,7	11,2	9,3	11,2	13,0	12,7	11,5	13,3	
Median	7,9	8,2	6,6	10,0	6,8	7,7	8,1	10,0	10,9	12,3	9,7	10,0	9,4	10,0	10,1	11,0	11,8	11,7	12,8	10,0	
Minimum	6,5	6,5	2,7	7,0	5,8	4,9	2,0	1,1	6,6	5,7	5,5	2,2	6,5	5,5	6,3	1,4	7,0	5,7	6,0	8,0	
Maximum	20,1	17,5	20,5	40,5	19,9	17,2	11,0	41,5	21,2	19,8	14,0	28,0	20,1	18,8	10,7	26,7	19,2	20,5	14,5	27,7	

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 2.3.6 Description of whether specific instruction may be given to a public prosecutor to either prosecute or not prosecute a case and number of specific instructions addressed to a public prosecutor to prosecute or not issued in 2025 (Q39, Q39-1)

Beneficiaries	Description of whether specific instruction may be given to a public prosecutor to either prosecute or not prosecute a case	Number of specific instructions addressed to a public prosecutor to prosecute or not issued in 2025
Albania	The public prosecution is part of the judicial power but enjoys functional independence. The principle of the independence of public pro	NAP
Bosnia and Herzegovina	In December 2021, the High Judicial and Prosecutorial Council of Bosnia and Herzegovina adopted the guidelines requiring the chief p	25
Montenegro	The Supreme State Prosecutor, on 9 May 2025, adopted the Instruction on the Conduct of State Prosecutor's Offices in Cases Formed	NA
North Macedonia	According to Article 54 Para 4 from the Law on Public Prosecution Office, the Public Prosecutor of the Republic of North Macedonia ar	NAP
Serbia	An immediately higher Chief Public Prosecutor may issue a lower Chief Public Prosecutor a mandatory instruction for action in a speci	103
Kosovo*	It is not possible to give public prosecutor instructions on whether to prosecute a case or not.	NAP
Average		64
Median		64
Minimum		25
Maximum		103

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

2.4 Non-prosecutor staff

Table 2.4.1 Total number of non-prosecutor staff (absolute number and per 100 000 inhabitants) between 2019 and 2025 and its variations (Q1 and Q40)

Beneficiaries	2019		2022		2023		2024		2025		% Variation of number of non-prosecutor staff	
	Absolute number	Per 100 000 inhabitants	Absolute number	Per 100 000 inhabitants	Absolute number	Per 100 000 inhabitants	Absolute number	Per 100 000 inhabitants	Absolute number	Per 100 000 inhabitants	2019 - 2025	2024 - 2025
Albania	592	20,8	593	21,2	608	22,0	609	25,5	613	25,9	24,7%	1,8%
Bosnia and Herzegovina	726	20,8	750	21,7	806	23,5	808	23,6	861	25,2	21,5%	6,8%
Montenegro	226	36,4	270	43,5	281	44,4	316	50,7	340	54,5	49,6%	7,6%
North Macedonia	432	20,8	368	20,0	375	20,5	375	20,5	361	19,8	-4,8%	-3,5%
Serbia	1 117	16,0	1 421	20,9	1 485	22,4	1 529	23,1	2 065	31,4	96,0%	35,8%
Kosovo*	611	34,3	662	36,5	NA	NA	317	19,8	636	40,1	17,0%	102,8%
Average	619	23,0	680,4	25,5	711,0	26,5	727,4	28,7	848	31,4	37,4%	9,7%
Median	592	20,8	593,0	21,2	608,0	22,4	609,0	23,6	613	25,9	24,7%	6,8%
Minimum	226	16,0	270,0	20,0	281,0	20,5	316,0	20,5	340	19,8	-4,8%	-3,5%
Maximum	1 117	36,4	1 421,0	43,5	1 485,0	44,4	1 529,0	50,7	2 065	54,5	96,0%	35,8%

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

North Macedonia: because of the 2021 census, the number of inhabitants changed significantly between 2020 and 2021. **Albania**: because of the 2023 census, the number of inhabitants changed significantly between 2023 and 2024. As a result, variations in indicators standardised by the number of inhabitants may be partly due to the change in population figures.

Table 2.4.2 Number of non-prosecutor staff by category in 2025 (Q40)

Beneficiaries	2025				
	Total number of non-prosecutor staff (1 + 2 + 3 + 4)	1. Support of the public prosecutor activities	2. Support of the organisation and functioning of the prosecution services	3. Staff in charge of maintenance of public prosecution services buildings	4. Other non-prosecutor staff
Albania	613	NAP	292	102	219
Bosnia and Herzegovina	861	232	573	56	NAP
Montenegro	340	57	283	NAP	NAP
North Macedonia	361	154	180	27	NAP
Serbia	2 065	1 117	769	165	14
Kosovo*	636	347	271	16	2
Average	848	390	419	88	-
Median	613	193	292	79	-
Minimum	340	57	180	27	-
Maximum	2 065	1 117	769	165	-

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 2.4.3 Ratio of non-prosecutor staff per prosecutors between 2019 and 2025 and its variations (Q36, Q40)

Beneficiaries	Ratio of non-prosecutor staff per prosecutors						
	2019	2022	2023	2024	2025	% Variation of the ratio	
						2019 - 2025	2024 - 2025
Albania	2,0	2,9	2,9	2,9	2,5	24,3%	-16,3%
Bosnia and Herzegovina	2,0	2,1	2,2	2,2	2,4	25,3%	9,6%
Montenegro	1,8	2,6	2,5	2,9	3,2	76,2%	12,7%
North Macedonia	2,3	2,3	2,1	2,2	2,0	-14,2%	-11,5%
Serbia	1,4	2,0	2,2	2,3	2,8	95,6%	20,8%
Kosovo*	3,4	4,1	NA	2,1	4,0	17,0%	90,7%
Average	1,9	2,4	2,4	2,5	2,6	41,5%	3,1%
Median	2,0	2,3	2,2	2,3	2,5	25,3%	9,6%
Minimum	1,4	2,0	2,1	2,2	2,0	-14,2%	-16,3%
Maximum	2,3	2,9	2,9	2,9	3,2	95,6%	20,8%

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

4.5 Recruitment of judges and public prosecutors

Table 2.5.1 Number of open positions, applicants and judges and prosecutors actually recruited in 2025 (Q41)

Beneficiaries	2025								
	Number of open positions			Number of applicants			Number of recruited judges and public prosecutors		
	Total (1+2)	1. Judges	2. Public prosecutors	Total (1+2)	1. Judges	2. Public prosecutors	Total (1+2)	1. Judges	2. Public prosecutors
Albania	22	10	12	566	278	288	18	10	8
Bosnia and Herzegovina	114	80	34	536	NA	NA	154	112	42
Montenegro	118	112	6	209	203	6	60	54	6
North Macedonia	0	0	0	0	0	0	0	0	0
Serbia	541	401	140	6 831	6 645	186	153	94	59
Kosovo*	NA	NA	NA	NA	NA	NA	NA	40	NA
Average	159	121	38	1 628	1 782	120	77	54	23
Median	114	80	12	536	241	96	60	54	8
Minimum	0	0	0	0	0	0	0	0	0
Maximum	541	401	140	6 831	6 645	288	154	112	59

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 2.5.2 Distribution of male and female applicants and recruited judges and prosecutors in 2025 (Q41)

Beneficiaries	Number of applicants						Number of recruited judges and public prosecutors					
	Total (1+2)		1. Judges		2. Public prosecutors		Total (1+2)		1. Judges		2. Public prosecutors	
	% Men	% Women	% Men	% Women	% Men	% Women	% Men	% Women	% Men	% Women	% Men	% Women
Albania	NA	NA	39,2%	60,8%	NA	NA	44,4%	55,6%	60,0%	40,0%	25,0%	75,0%
Bosnia and Herzegovina	41,2%	58,8%	NA	NA	NA	NA	41,6%	58,4%	42,0%	58,0%	40,5%	59,5%
Montenegro	41,1%	58,9%	41,4%	58,6%	33,3%	66,7%	31,7%	68,3%	31,5%	68,5%	33,3%	66,7%
North Macedonia	0,0%	0,0%	0,0%	0,0%	0,0%	0,0%	0,0%	0,0%	0,0%	0,0%	0,0%	0,0%
Serbia	NA	NA	NA	NA	NA	NA	24,8%	75,2%	19,1%	80,9%	33,9%	66,1%
Kosovo*	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Average	27,5%	39,2%	26,9%	39,8%	-	-	28,5%	51,5%	30,5%	49,5%	26,5%	53,5%
Median	41,1%	58,8%	39,2%	58,6%	-	-	31,7%	58,4%	31,5%	58,0%	33,3%	66,1%
Minimum	0,0%	0,0%	0,0%	0,0%	-	-	0,0%	0,0%	0,0%	0,0%	0,0%	0,0%
Maximum	41,2%	58,9%	41,4%	60,8%	-	-	44,4%	75,2%	60,0%	80,9%	40,5%	75,0%

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 2.5.3 Percentage of recruited judges and prosecutors relative to the number of applicants in 2025 (Q41)

Beneficiaries	Percentage of recruited judges and prosecutors relative to the number of applicants in 2025		
	Total	Judges	Public prosecutors
Albania	3,2%	3,6%	2,8%
Bosnia and Herzegovina	28,7%	NA	NA
Montenegro	28,7%	26,6%	100,0%
North Macedonia	0,0%	0,0%	0,0%
Serbia	2,2%	1,4%	31,7%
Kosovo*	NA	NA	NA
Average	12,6%	7,9%	33,6%
Median	3,2%	2,5%	17,2%
Minimum	0,0%	0,0%	0,0%
Maximum	28,7%	26,6%	100,0%

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

2.6 Salaries of judges and public prosecutors

Table 2.6.1 Salaries of judges in 2025 (Q45)

Beneficiaries	Salaries of judges in € in 2025			
	Gross annual salary, in €		Net annual salary, in €	
	At the beginning of the career	At the Supreme Court	At the beginning of the career	At the Supreme Court
Albania	42 451 €	49 883 €	30 714 €	38 532 €
Bosnia and Herzegovina	38 823 €	64 272 €	25 072 €	41 456 €
Montenegro	20 470 €	37 768 €	16 725 €	29 613 €
North Macedonia	28 993 €	36 617 €	19 001 €	23 928 €
Serbia	28 216 €	65 930 €	17 177 €	40 136 €
Kosovo*	22 939 €	31 860 €	19 642 €	27 269 €
Average	31 791 €	50 894 €	21 738 €	34 733 €
Median	28 993 €	49 883 €	19 001 €	38 532 €
Minimum	20 470 €	36 617 €	16 725 €	23 928 €
Maximum	42 451 €	65 930 €	30 714 €	41 456 €

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 2.6.2 Gross annual salaries of judges (in €) between 2019 and 2025 (Q45)

Beneficiaries	Gross annual salary of judges, in €													
	At the beginning of the career							At the Supreme Court						
	2019	2022	2023	2024	2025	% Variation 2019 - 2025	% Variation 2024 - 2025	2019	2022	2023	2024	2025	% Variation 2019 - 2025	% Variation 2024 - 2025
Albania	21 240 €	25 304 €	40 146 €	42 645 €	42 451 €	99,9%	-0,5%	25 836 €	32 420 €	47 300 €	49 898 €	49 883 €	93,1%	0,0%
Bosnia and Herzegovina	24 668 €	29 224 €	30 963 €	33 078 €	38 823 €	57,4%	17,4%	43 179 €	55 907 €	63 632 €	67 600 €	64 272 €	48,9%	-4,9%
Montenegro	19 188 €	19 557 €	20 276 €	21 124 €	20 470 €	6,7%	-3,1%	45 018 €	32 864 €	43 765 €	44 504 €	37 768 €	-16,1%	-15,1%
North Macedonia	17 038 €	19 170 €	27 387 €	32 759 €	28 993 €	70,2%	-11,5%	22 863 €	27 023 €	36 829 €	44 161 €	36 617 €	60,2%	-17,1%
Serbia	17 493 €	20 967 €	23 410 €	26 160 €	28 216 €	61,3%	7,9%	40 874 €	49 741 €	55 180 €	61 190 €	65 930 €	61,3%	7,7%
Kosovo*	23 172 €	22 939 €	22 939 €	22 939 €	22 939 €	-1,0%	0,0%	34 968 €	31 860 €	31 860 €	31 860 €	31 860 €	-8,9%	0,0%
Average	19 925 €	22 844 €	28 436 €	31 153 €	31 791 €	59,1%	2,0%	35 554 €	39 591 €	49 341 €	53 471 €	50 894 €	49,5%	-5,9%
Median	19 188 €	20 967 €	27 387 €	32 759 €	28 993 €	61,3%	-0,5%	40 874 €	32 864 €	47 300 €	49 898 €	49 883 €	60,2%	-4,9%
Minimum	17 038 €	19 170 €	20 276 €	21 124 €	20 470 €	6,7%	-11,5%	22 863 €	27 023 €	36 829 €	44 161 €	36 617 €	-16,1%	-17,1%
Maximum	24 668 €	29 224 €	40 146 €	42 645 €	42 451 €	99,9%	17,4%	45 018 €	55 907 €	63 632 €	67 600 €	65 930 €	93,1%	7,7%

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

NB: In 2022, CEPEJ improved the methodology for data collection for salaries, expecially regarding the salaries at the supreme court. Therefore, comparisons with the previous cycles should be carried out with caution.

Table 2.6.3 Net annual salaries of judges (in €) between 2019 and 2025 (Q45)

Beneficiaries	Net annual salary of judges, in €													
	At the beginning of the career							At the Supreme Court						
	2019	2022	2023	2024	2025	% Variation 2019 - 2025	% Variation 2024 - 2025	2019	2022	2023	2024	2025	% Variation 2019 - 2025	% Variation 2024 - 2025
Albania	16 776 €	18 449 €	29 047 €	30 723 €	30 714 €	83,1%	0,0%	20 232 €	23 452 €	36 450 €	38 544 €	38 532 €	90,5%	0,0%
Bosnia and Herzegovina	15 801 €	18 401 €	20 679 €	22 201 €	25 072 €	58,7%	12,9%	26 857 €	35 051 €	39 843 €	42 371 €	41 456 €	54,4%	-2,2%
Montenegro	12 656 €	14 167 €	15 568 €	16 278 €	16 725 €	32,2%	2,7%	29 445 €	22 678 €	31 893 €	31 860 €	29 613 €	0,6%	-7,1%
North Macedonia	11 274 €	12 598 €	17 923 €	21 295 €	19 001 €	68,5%	-10,8%	15 044 €	17 683 €	24 042 €	28 817 €	23 928 €	59,1%	-17,0%
Serbia	10 467 €	12 649 €	14 480 €	15 940 €	17 177 €	64,1%	7,8%	24 458 €	30 020 €	33 810 €	37 250 €	40 136 €	64,1%	7,7%
Kosovo*	20 064 €	19 879 €	19 635 €	19 642 €	19 642 €	-2,1%	0,0%	31 860 €	27 506 €	27 262 €	27 269 €	27 269 €	-14,4%	0,0%
Average	13 395 €	15 253 €	19 539 €	21 287 €	21 738 €	61,3%	2,5%	23 207 €	25 777 €	33 208 €	35 768 €	34 733 €	53,7%	-3,7%
Median	12 656 €	14 167 €	17 923 €	21 295 €	19 001 €	64,1%	2,7%	24 458 €	23 452 €	33 810 €	37 250 €	38 532 €	59,1%	-2,2%
Minimum	10 467 €	12 598 €	14 480 €	15 940 €	16 725 €	32,2%	-10,8%	15 044 €	17 683 €	24 042 €	28 817 €	23 928 €	0,6%	-17,0%
Maximum	16 776 €	18 449 €	29 047 €	30 723 €	30 714 €	83,1%	12,9%	29 445 €	35 051 €	39 843 €	42 371 €	41 456 €	90,5%	7,7%

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

NB: In 2022, CEPEJ improved the methodology for data collection for salaries, expecially regarding the salaries at the supreme court. Therefore, comparisons with the previous cycles should be carried out with caution.

Table 2.6.4 Ratio of the gross annual salaries of judges with average gross annual national salary between 2019 and 2025 (Q4, Q45)

Beneficiaries	Ratio of the gross annual salaries of judges with average gross annual national salary															
	At the beginning of the career								At the Supreme Court							
	2019	2022	2023	2024	2025	Trend	% Variation 2019 - 2025	% Variation 2024 - 2025	2019	2022	2023	2024	2025	Trend	% Variation 2019 - 2025	% Variation 2024 - 2025
Albania	4,2	3,7	5,4	4,8	3,9		-5,6%	-17,4%	5,1	4,7	6,4	5,6	4,6		-8,8%	-17,0%
Bosnia and Herzegovina	2,8	2,8	2,6	2,5	2,5		-10,0%	-10,8%	4,9	5,3	5,3	5,2	4,2		-14,9%	-18,3%
Montenegro	2,1	1,8	1,7	1,6	1,4		-31,6%	-21,4%	4,9	3,1	3,7	3,4	2,6		-46,2%	-23,8%
North Macedonia	2,3	2,1	2,6	2,7	2,2		-4,1%	18,7%	3,1	2,9	3,4	3,7	2,8		-9,8%	-24,4%
Serbia	2,3	2,0	1,8	1,9	1,8		-19,3%	-16,7%	5,3	4,7	4,1	4,4	4,3		-19,3%	-3,3%
Kosovo*	3,5	3,9	3,7	3,4	3,0		-13,6%	-10,8%	5,2	5,5	5,1	4,7	4,2		-20,4%	-10,8%
Average	2,7	2,5	2,8	2,7	2,4		-14,1%	-9,5%	4,6	4,1	4,6	4,4	3,7		-19,8%	-17,3%
Median	2,3	2,1	2,6	2,5	2,2		-10,0%	-16,7%	4,9	4,7	4,1	4,4	4,2		-14,9%	-18,3%
Minimum	2,1	1,8	1,7	1,6	1,4		-31,6%	-21,4%	3,1	2,9	3,4	3,4	2,6		-46,2%	-24,4%
Maximum	4,2	3,7	5,4	4,8	3,9		-4,1%	18,7%	5,3	5,3	6,4	5,6	4,6		-8,8%	-3,3%

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 2.6.5 Salaries of prosecutors in 2025 (Q45)

Beneficiaries	Salaries of prosecutors in € in 2025			
	Gross annual salary, in €		Net annual salary, in €	
	At the beginning of the career	At the Supreme Court	At the beginning of the career	At the Supreme Court
Albania	34 200 €	46 080 €	25 225 €	33 234 €
Bosnia and Herzegovina	46 526 €	71 866 €	29 025 €	44 329 €
Montenegro	24 749 €	48 657 €	23 639 €	37 725 €
North Macedonia	27 720 €	39 276 €	18 156 €	25 656 €
Serbia	28 200 €	40 039 €	17 400 €	28 068 €
Kosovo*	22 939 €	31 860 €	19 642 €	27 269 €
Average	32 279 €	49 184 €	22 689 €	33 802 €
Median	28 200 €	46 080 €	23 639 €	33 234 €
Minimum	24 749 €	39 276 €	17 400 €	25 656 €
Maximum	46 526 €	71 866 €	29 025 €	44 329 €

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 2.6.6 Gross annual salaries of prosecutors (in €) between 2019 and 2025 (Q15)

Beneficiaries	Gross annual salary of prosecutors, in €													
	At the beginning of the career							At the Supreme Court						
	2019	2022	2023	2024	2025	% Variation 2019 - 2025	% Variation 2024 - 2025	2019	2022	2023	2024	2025	% Variation 2019 - 2025	% Variation 2024 - 2025
Albania	21 312 €	23 507 €	30 336 €	35 400 €	34 200 €	60,5%	-3,4%	26 004 €	31 673 €	40 872 €	47 700 €	46 080 €	77,2%	-3,4%
Bosnia and Herzegovina	24 668 €	29 266 €	32 809 €	38 216 €	46 526 €	88,6%	21,7%	43 179 €	55 611 €	60 426 €	66 163 €	71 866 €	66,4%	8,6%
Montenegro	18 653 €	18 310 €	25 190 €	30 574 €	24 749 €	32,7%	-19,1%	32 556 €	32 650 €	45 409 €	45 714 €	48 657 €	49,5%	6,4%
North Macedonia	16 679 €	18 014 €	27 387 €	28 487 €	27 720 €	66,2%	-2,7%	20 015 €	25 461 €	36 829 €	39 253 €	39 276 €	96,2%	0,1%
Serbia	18 981 €	18 368 €	20 615 €	24 880 €	28 200 €	48,6%	13,3%	35 082 €	34 595 €	39 276 €	42 732 €	40 039 €	14,1%	-6,3%
Kosovo*	22 939 €	22 939 €	22 939 €	22 939 €	22 939 €	0,0%	0,0%	31 860 €	31 860 €	31 860 €	31 860 €	31 860 €	0,0%	0,0%
Average	20 059 €	21 493 €	27 267 €	31 511 €	32 279 €	59,3%	2,0%	31 367 €	35 998 €	44 562 €	48 312 €	49 184 €	60,7%	1,1%
Median	18 981 €	18 368 €	27 387 €	30 574 €	28 200 €	60,5%	-2,7%	32 556 €	32 650 €	40 872 €	45 714 €	46 080 €	66,4%	0,1%
Minimum	16 679 €	18 014 €	20 615 €	24 880 €	24 749 €	32,7%	-19,1%	20 015 €	25 461 €	36 829 €	39 253 €	39 276 €	14,1%	-6,3%
Maximum	24 668 €	29 266 €	32 809 €	38 216 €	46 526 €	88,6%	21,7%	43 179 €	55 611 €	60 426 €	66 163 €	71 866 €	96,2%	8,6%

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

NB: In 2022, CEPEJ improved the methodology for data collection for salaries, expecially regarding the salaries at the supreme court. Therefore, comparisons with the previous cycles should be carried out with caution.

Table 2.6.7 Net annual salaries of prosecutors (in €) between 2019 and 2025 and its variations (Q45)

Beneficiaries	Net annual salary of prosecutors, in €													
	At the beginning of the career							At the Supreme Court						
	2019	2022	2023	2024	2025	% Variation 2019 - 2025	% Variation 2024 - 2025	2019	2022	2023	2024	2025	% Variation 2019 - 2025	% Variation 2024 - 2025
Albania	15 360 €	17 706 €	22 368 €	26 112 €	25 225 €	64,2%	-3,4%	19 260 €	23 212 €	29 472 €	34 404 €	33 234 €	72,6%	-3,4%
Bosnia and Herzegovina	15 801 €	18 472 €	20 605 €	23 894 €	29 025 €	83,7%	21,5%	26 857 €	34 548 €	37 536 €	43 216 €	44 329 €	65,1%	2,6%
Montenegro	12 305 €	12 840 €	18 983 €	23 071 €	23 639 €	92,1%	2,5%	21 336 €	24 150 €	33 035 €	33 887 €	37 725 €	76,8%	11,3%
North Macedonia	11 039 €	11 845 €	17 923 €	18 638 €	18 156 €	64,5%	-2,6%	13 216 €	16 670 €	24 042 €	25 636 €	25 656 €	94,1%	0,1%
Serbia	13 266 €	12 858 €	14 460 €	17 440 €	17 400 €	31,2%	-0,2%	24 849 €	24 186 €	27 487 €	29 962 €	28 068 €	13,0%	-6,3%
Kosovo*	19 879 €	19 879 €	19 635 €	19 642 €	19 642 €	-1,2%	0,0%	27 506 €	27 506 €	27 506 €	27 269 €	27 269 €	-0,9%	0,0%
Average	13 554 €	14 744 €	18 868 €	21 831 €	22 689 €	67,1%	3,5%	21 104 €	24 553 €	30 314 €	33 421 €	33 802 €	64,3%	0,9%
Median	13 266 €	12 858 €	18 983 €	23 071 €	23 639 €	64,5%	-0,2%	21 336 €	24 150 €	29 472 €	33 887 €	33 234 €	72,6%	0,1%
Minimum	11 039 €	11 845 €	14 460 €	17 440 €	17 400 €	31,2%	-3,4%	13 216 €	16 670 €	24 042 €	25 636 €	25 656 €	13,0%	-6,3%
Maximum	15 801 €	18 472 €	22 368 €	26 112 €	29 025 €	92,1%	21,5%	26 857 €	34 548 €	37 536 €	43 216 €	44 329 €	94,1%	11,3%

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

NB: In 2022, CEPEJ improved the methodology for data collection for salaries, expecially regarding the salaries at the supreme court. Therefore, comparisons with the previous cycles should be carried out with caution.

Table 2.6.8 Ratio of the gross annual salaries of prosecutors with average gross annual national salary between 2019 and 2025 (Q4, Q45)

Beneficiaries	Ratio of the gross annual salaries of prosecutor with average gross annual national salary															
	At the beginning of the career								At the Supreme Court							
	2019	2022	2023	2024	2025	Trend	% Variation 2019 - 2025	% Variation 2024 - 2025	2019	2022	2023	2024	2025	Trend	% Variation 2019 - 2025	% Variation 2024 - 2025
Albania	4,2	3,4	4,1	4,0	3,2		-24,2%	-19,8%	5,1	4,6	5,5	5,3	4,3		-16,3%	-19,8%
Bosnia and Herzegovina	2,8	2,8	2,7	2,9	3,0		7,8%	3,0%	4,9	5,3	5,1	5,0	4,7		-4,8%	-6,6%
Montenegro	2,0	1,7	2,1	2,4	1,7		-15,0%	17,0%	3,5	3,1	3,8	3,5	3,4		-4,2%	-4,4%
North Macedonia	2,2	1,9	2,6	2,4	2,1		-6,4%	5,5%	2,7	2,7	3,4	3,2	3,0		10,5%	-8,7%
Serbia	2,5	1,7	1,5	1,8	1,8		-25,7%	-27,0%	4,5	3,3	2,9	3,1	2,6		-42,9%	-15,9%
Kosovo*	3,4	3,9	3,7	3,4	3,0		-12,7%	-10,8%	4,8	5,5	5,1	4,7	4,2		-12,7%	-10,8%
Average	2,7	2,3	2,6	2,7	2,4		-12,7%	-4,3%	4,2	3,8	4,2	4,0	3,6		-11,5%	-11,1%
Median	2,5	1,9	2,6	2,4	2,1		-15,0%	3,0%	4,5	3,3	3,8	3,5	3,4		-4,8%	-8,7%
Minimum	2,0	1,7	1,5	1,8	1,7		-25,7%	-27,0%	2,7	2,7	2,9	3,1	2,6		-42,9%	-19,8%
Maximum	4,2	3,4	4,1	4,0	3,2		7,8%	17,0%	5,1	5,3	5,5	5,3	4,7		10,5%	-4,4%

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

2.7 Performance and evaluation of judges and public prosecutors

Table 2.7.1 System for evaluating judges and public prosecutors in 2025 (Q46)

Beneficiaries	System for evaluating judges and public prosecutors in 2025									
	Judges					Public prosecutors				
	A mandatory formal evaluation system regulated by law	An optional formal evaluation system	An informal evaluation system (e.g., discussions with superiors, peer review)	Evaluation based on quantitative criteria	Evaluation based on qualitative criteria	A mandatory formal evaluation system regulated by law	An optional formal evaluation system	An informal evaluation system (e.g., discussions with superiors, peer review)	Evaluation based on quantitative criteria	Evaluation based on qualitative criteria
Albania										
Bosnia and Herzegovina										
Montenegro										
North Macedonia										
Serbia										
Kosovo*										

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

2.8 Other professionals

Table 2.8.1 Number of lawyers (absolute number and per 100 000 inhabitants) between 2019 and 2025 and its variations (Q1, Q48)

Beneficiaries	Number of lawyers											
	2019		2022		2023		2024		2025		% Variation of number of lawyers	
	Absolute number	Per 100 000 inhabitants	Absolute number	Per 100 000 inhabitants	Absolute number	Per 100 000 inhabitants	Absolute number	Per 100 000 inhabitants	Absolute number	Per 100 000 inhabitants	2019 - 2025	2024 - 2025
Albania	2 396	84,2	3 000	107,4	NA	NA	3 150	131,7	2 870	121,4	44,2%	-7,8%
Bosnia and Herzegovina	1 779	50,9	1 981	57,4	2 047	59,6	2 102	61,5	2 127	62,3	22,5%	1,4%
Montenegro	935	150,8	980	158,1	1 014	160,1	1 017	163,1	1 017	163,1	8,1%	0,0%
North Macedonia	2 821	135,8	2 820	153,5	2 812	153,7	2 877	157,5	2 831	155,3	14,4%	-1,4%
Serbia	10 513	151,0	11 822	173,9	12 217	184,0	12 648	191,5	13 029	198,4	31,4%	3,6%
Kosovo*	1 004	56,3	1 255	69,2	1 376	78,1	NA	NA	NA	NA	NA	NA
Average	3 689	114,5	4 121	130,0	4 523	139,3	4 359	141,1	4 375	140,1	24,1%	-0,8%
Median	2 396	135,8	2 820	153,5	2 430	156,9	2 877	157,5	2 831	155,3	22,5%	0,0%
Minimum	935	50,9	980	57,4	1 014	59,6	1 017	61,5	1 017	62,3	8,1%	-7,8%
Maximum	10 513	151,0	11 822	173,9	12 217	184,0	12 648	191,5	13 029	198,4	44,2%	3,6%

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

North Macedonia: because of the 2021 census, the number of inhabitants changed significantly between 2020 and 2021. **Albania**: because of the 2023 census, the number of inhabitants changed significantly between 2023 and 2024. As a result, variations in indicators standardised by the number of inhabitants may be partly due to the change in population figures.

Table 2.8.2 Number of professional judges and lawyers per 100 000 inhabitants between 2019 and 2025 (Q1, Q31 and Q48)

Beneficiaries	2019		2022		2023		2024		2025	
	Professional Judges (per 100 000 inhabitants)	Lawyers (per 100 000 inhabitants)	Professional Judges (per 100 000 inhabitants)	Lawyers (per 100 000 inhabitants)	Professional Judges (per 100 000 inhabitants)	Lawyers (per 100 000 inhabitants)	Professional Judges (per 100 000 inhabitants)	Lawyers (per 100 000 inhabitants)	Professional Judges (per 100 000 inhabitants)	Lawyers (per 100 000 inhabitants)
Albania	11,6	84,2	11,4	107,4	8,9	NA	13,9	131,7	14,6	121,4
Bosnia and Herzegovina	28,9	50,9	29,0	57,4	29,5	59,6	30,5	61,5	30,0	62,3
Montenegro	50,0	150,8	42,4	158,1	42,6	160,1	42,5	163,1	46,0	163,1
North Macedonia	23,9	135,8	22,3	153,5	21,4	153,7	19,9	157,5	22,9	155,3
Serbia	38,8	151,0	39,1	173,9	39,7	184,0	40,2	191,5	40,4	198,4
Kosovo*	23,34	56,34	23,34	69,24	24,06	78,08	27,46	NA	29,45	NA
Average	30,6	114,5	28,8	130,0	28,4	139,3	29,4	141,1	30,8	140,1
Median	28,9	135,8	29,0	153,5	29,5	156,9	30,5	157,5	30,0	155,3
Minimum	11,6	50,9	11,4	57,4	8,9	59,6	13,9	61,5	14,6	62,3
Maximum	50,0	151,0	42,4	173,9	42,6	184,0	42,5	191,5	46,0	198,4

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

North Macedonia: because of the 2021 census, the number of inhabitants changed significantly between 2020 and 2021. **Albania**: because of the 2023 census, the number of inhabitants changed significantly between 2023 and 2024. As a result, variations in indicators standardised by the number of inhabitants may be partly due to the change in population figures.

Table 2.8.3 Legal representation in courts exclusively exercised by lawyers in 2025 (Q49)

Beneficiaries	Legal representation in courts exclusively exercised by lawyers in 2025														
	First instance					Second instance					Third instance				
	Civil cases	Dismissal cases	Criminal cases		Administrative cases	Civil cases	Dismissal cases	Criminal cases		Administrative cases	Civil cases	Dismissal cases	Criminal cases		Administrative cases
			Defendant	Victim				Defendant	Victim				Defendant	Victim	
Albania															
Bosnia and Herzegovina															
Montenegro															
North Macedonia															
Serbia															
Kosovo*															

Yes, always
Yes, in some cases
No
NA

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 2.8.4 Number of enforcement agents, notaries and judicial experts (absolute number and per 100 000 inhabitants) in 2025 (Q1, Q48)

Beneficiaries	2025					
	Enforcement agents		Notaries		Judicial experts	
	Absolute number	Per 100 000 inhabitants	Absolute number	Per 100 000 inhabitants	Absolute number	Per 100 000 inhabitants
Albania	129	5,5	410	17,3	568	24,0
Bosnia and Herzegovina	171	5,0	175	5,1	3 174	93,0
Montenegro	28	4,5	58	9,3	690	110,6
North Macedonia	93	5,1	200	11,0	1 147	62,9
Serbia	237	3,6	227	3,5	7 842	119,4
Kosovo*	44	2,8	144	9,1	1 253	79,0
Average	132	4,7	214	9,2	2 684	82,0
Median	129	5,0	200	9,3	1 147	93,0
Minimum	28	3,6	58	3,5	568	24,0
Maximum	237	5,5	410	17,3	7 842	119,4

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Gender equality

2.9 Gender equality: Judges and non-judge staff

Table 2.9.1 Distribution of total male and female professional judges in 2019 and 2025 (Q31)

Beneficiaries	Total professional judges					
	2019		2025		Variation (in percentage points) 2019 - 2025	
	% Male	% Female	% Male	% Female	Male	Female
Albania	51,7%	48,3%	40,4%	59,6%	-11,3	11,3
Bosnia and Herzegovina	35,8%	64,2%	35,1%	64,9%	-0,7	0,7
Montenegro	39,7%	60,3%	35,2%	64,8%	-4,5	4,5
North Macedonia	39,9%	60,1%	35,4%	64,6%	-4,5	4,5
Serbia	28,1%	71,9%	26,0%	74,0%	-2,1	2,1
Kosovo*	67,1%	32,9%	61,7%	38,3%	-5,4	5,4
Average	39,0%	61,0%	34,4%	65,6%	-4,6	4,6
Median	39,7%	60,3%	35,2%	64,8%	-4,5	4,5
Minimum	28,1%	48,3%	26,0%	59,6%	-11,3	0,7
Maximum	51,7%	71,9%	40,4%	74,0%	-0,7	11,3

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 2.9.2 Distribution of male and female professional judges by instance in 2019 and 2025 (Q31)

Beneficiaries	First instance professional judges						Second instance (court of appeal) professional judges						Supreme Court professional judges					
	2019		2025		Variation (in percentage points) 2019 - 2025		2019		2025		Variation (in percentage points) 2019 - 2025		2019		2025		Variation (in percentage points) 2019 - 2025	
	% Male	% Female	% Male	% Female	Male	Female	% Male	% Female	% Male	% Female	Male	Female	% Male	% Female	% Male	% Female	Male	Female
Albania	50,2%	49,8%	40,7%	59,3%	-9,5	9,5	55,7%	44,3%	29,8%	70,2%	-25,9	25,9	100,0%	0,0%	70,6%	29,4%	-29,4	29,4
Bosnia and Herzegovina	36,9%	63,1%	35,1%	64,9%	-1,8	1,8	30,5%	69,5%	33,0%	67,0%	2,5	-2,5	39,7%	60,3%	39,5%	60,5%	-0,2	0,2
Montenegro	40,0%	60,0%	34,0%	66,0%	-6,0	6,0	42,1%	57,9%	42,1%	57,9%	0,0	0,0	26,3%	73,7%	14,3%	85,7%	-12,0	12,0
North Macedonia	38,8%	61,2%	32,4%	67,6%	-6,4	6,4	41,7%	58,3%	46,3%	53,8%	4,6	-4,6	52,6%	47,4%	42,9%	57,1%	-9,8	9,8
Serbia	29,2%	70,8%	26,6%	73,4%	-2,6	2,6	19,9%	80,1%	22,3%	77,7%	2,3	-2,3	33,3%	66,7%	20,0%	80,0%	-13,3	13,3
Kosovo*	66,4%	33,6%	59,8%	40,2%	-6,5	6,5	73,1%	26,9%	68,1%	31,9%	-5,0	5,0	62,5%	37,5%	67,6%	32,4%	5,1	-5,1
Average	39,0%	61,0%	33,8%	66,2%	-5,3	5,3	38,0%	62,0%	34,7%	65,3%	-3,3	3,3	50,4%	49,6%	37,4%	62,6%	-12,9	12,9
Median	38,8%	61,2%	34,0%	66,0%	-6,0	6,0	41,7%	58,3%	33,0%	67,0%	2,3	-2,3	39,7%	60,3%	39,5%	60,5%	-12,0	12,0
Minimum	29,2%	49,8%	26,6%	59,3%	-9,5	1,8	19,9%	44,3%	22,3%	53,8%	-25,9	-4,6	26,3%	0,0%	14,3%	29,4%	-29,4	0,2
Maximum	50,2%	70,8%	40,7%	73,4%	-1,8	9,5	55,7%	80,1%	46,3%	77,7%	4,6	25,9	100,0%	73,7%	70,6%	85,7%	-0,2	29,4

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 2.9.3 Distribution of total male and female court presidents in 2021 and 2025 (Q33)

Beneficiaries	Total court presidents					
	2021		2025		Variation (in percentage points) 2021 - 2025	
	% Male	% Female	% Male	% Female	Male	Female
Albania	57,1%	42,9%	85,0%	15,0%	27,9	-27,9
Bosnia and Herzegovina	46,3%	53,8%	41,0%	59,0%	-5,2	5,2
Montenegro	68,0%	32,0%	47,8%	52,2%	-20,2	20,2
North Macedonia	52,9%	47,1%	47,1%	52,9%	-5,9	5,9
Serbia	43,4%	56,6%	40,9%	59,1%	-2,5	2,5
Kosovo*	NA	NA	80,0%	20,0%	NA	NA
Average	53,6%	46,4%	52,4%	47,6%	-1,2	1,2
Median	52,9%	47,1%	47,1%	52,9%	-5,2	5,2
Minimum	43,4%	32,0%	40,9%	15,0%	-20,2	-27,9
Maximum	68,0%	56,6%	85,0%	59,1%	27,9	20,2

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 2.9.4 Distribution of male and female court presidents by instance in 2021 and 2025 (Q33)

Beneficiaries	First instance court presidents						Second instance (court of appeal) court presidents						Supreme Court court presidents					
	2021		2025		Variation (in percentage points) 2021 - 2025		2021		2025		Variation (in percentage points) 2021 - 2025		2021		2025		Variation (in percentage points) 2021 - 2025	
	% Male	% Female	% Male	% Female	Male	Female	% Male	% Female	% Male	% Female	Male	Female	% Male	% Female	% Male	% Female	Male	Female
Albania	54,5%	45,5%	87,5%	12,5%	33,0	-33,0	66,7%	33,3%	66,7%	33,3%	0,0	0,0	0,0%	0,0%	100,0%	0,0%	0,0	0,0
Bosnia and Herzegovina	45,8%	54,2%	42,1%	57,9%	-3,7	3,7	50,0%	50,0%	38,9%	61,1%	-11,1	11,1	33,3%	66,7%	33,3%	66,7%	0,0	0,0
Montenegro	65,0%	35,0%	50,0%	50,0%	-15,0	15,0	100,0%	0,0%	50,0%	50,0%	-50,0	50,0	0,0%	100,0%	0,0%	100,0%	0,0	0,0
North Macedonia	57,1%	42,9%	46,4%	53,6%	-10,7	10,7	40,0%	60,0%	40,0%	60,0%	0,0	0,0	0,0%	100,0%	100,0%	100,0%	0,0	0,0
Serbia	42,8%	57,2%	40,1%	59,9%	-2,6	2,6	66,7%	33,3%	66,7%	33,3%	0,0	0,0	0,0%	100,0%	0,0%	100,0%	0,0	0,0
Kosovo*	NA	NA	71,4%	28,6%	NA	NA	NA	NA	100,0%	0,0%	NA	NA	NA	NA	100,0%	0,0%	NA	NA
Average	53,0%	47,0%	53,2%	46,8%	0,2	-0,2	64,7%	35,3%	52,4%	47,6%	-12,2	12,2	6,7%	73,3%	46,7%	73,3%	0,0	0,0
Median	54,5%	45,5%	46,4%	53,6%	-3,7	3,7	66,7%	33,3%	50,0%	50,0%	0,0	0,0	0,0%	100,0%	33,3%	100,0%	0,0	0,0
Minimum	42,8%	35,0%	40,1%	12,5%	-15,0	-33,0	40,0%	0,0%	38,9%	33,3%	-50,0	0,0	0,0%	0,0%	0,0%	0,0%	0,0	0,0
Maximum	65,0%	57,2%	87,5%	59,9%	33,0	15,0	100,0%	60,0%	66,7%	61,1%	0,0	50,0	33,3%	100,0%	100,0%	100,0%	0,0	0,0

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 2.9.5 Distribution of total male and female non-judge staff in 2019 and 2025 (Q34)

Beneficiaries	Non-judge staff					
	2019		2025		Variation (in percentage points) 2019 - 2025	
	% Male	% Female	% Male	% Female	Male	Female
Albania	27,4%	72,6%	27,6%	72,4%	0,2	-0,2
Bosnia and Herzegovina	24,4%	75,6%	25,0%	75,0%	0,6	-0,6
Montenegro	28,2%	71,8%	25,0%	75,0%	-3,2	3,2
North Macedonia	38,3%	61,7%	38,4%	61,6%	0,2	-0,2
Serbia	28,6%	71,4%	26,0%	74,0%	-2,6	2,6
Kosovo*	50,1%	49,9%	44,8%	55,2%	-5,3	5,3
Average	29,4%	70,6%	28,4%	71,6%	-0,9	0,9
Median	28,2%	71,8%	26,0%	74,0%	0,2	-0,2
Minimum	24,4%	61,7%	25,0%	61,6%	-3,2	-0,6
Maximum	38,3%	75,6%	38,4%	75,0%	0,6	3,2

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

2.10 Gender equality: Public prosecutors and non-prosecutor staff

Table 2.10.1 Distribution of total male and female public prosecutors in 2019 and 2025 (Q36)

Beneficiaries	Public prosecutors					
	2019		2025		Variation (in percentage points) 2019 - 2025	
	% Male	% Female	% Male	% Female	Male	Female
Albania	69,9%	30,1%	44,6%	55,4%	-25,3	25,3
Bosnia and Herzegovina	48,7%	51,3%	46,9%	53,1%	-1,8	1,8
Montenegro	35,8%	64,2%	41,0%	59,0%	5,2	-5,2
North Macedonia	46,8%	53,2%	45,9%	54,1%	-0,9	0,9
Serbia	43,6%	56,4%	38,6%	61,4%	-5,0	5,0
Kosovo*	56,9%	43,1%	59,6%	40,4%	2,7	-2,7
Average	49,0%	51,0%	43,4%	56,6%	-5,6	5,6
Median	46,8%	53,2%	44,6%	55,4%	-1,8	1,8
Minimum	35,8%	30,1%	38,6%	53,1%	-25,3	-5,2
Maximum	69,9%	64,2%	46,9%	61,4%	5,2	25,3

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 2.10.2 Distribution of male and female prosecutors by instance in 2019 and 2025 (Q36)

Beneficiaries	First instance prosecutors						Second instance (court of appeal level) prosecutors						Supreme Court level prosecutors					
	2019		2025		Variation (in percentage points) 2019 - 2025		2019		2025		Variation (in percentage points) 2019 - 2025		2019		2025		Variation (in percentage points) 2019 - 2025	
	% Male	% Female	% Male	% Female	Male	Female	% Male	% Female	% Male	% Female	Male	Female	% Male	% Female	% Male	% Female	Male	Female
Albania	67,8%	32,2%	42,0%	58,0%	-25,8	25,8	86,4%	13,6%	61,5%	38,5%	-24,8	24,8	81,8%	18,2%	80,0%	20,0%	-1,8	1,8
Bosnia and Herzegovina	47,6%	52,4%	46,5%	53,5%	-1,2	1,2	NAP	NAP	NAP	NAP	NAP	NAP	52,6%	47,4%	48,2%	51,8%	-4,4	4,4
Montenegro	34,7%	65,3%	45,6%	54,4%	10,9	-10,9	38,9%	61,1%	27,6%	72,4%	-11,3	11,3	40,0%	60,0%	50,0%	50,0%	10,0	-10,0
North Macedonia	42,6%	57,4%	42,1%	57,9%	-0,5	0,5	54,8%	45,2%	62,5%	37,5%	7,7	-7,7	81,8%	18,2%	66,7%	33,3%	-15,2	15,2
Serbia	42,9%	57,1%	38,3%	61,7%	-4,6	4,6	52,9%	47,1%	42,0%	58,0%	-10,9	10,9	50,0%	50,0%	41,7%	58,3%	-8,3	8,3
Kosovo*	56,5%	43,5%	60,0%	40,0%	3,5	-3,5	50,0%	50,0%	40,0%	60,0%	-10,0	10,0	71,4%	28,6%	83,3%	16,7%	11,9	-11,9
Average	47,1%	52,9%	42,9%	57,1%	-4,2	4,2	58,3%	41,7%	48,4%	51,6%	-9,9	9,9	61,2%	38,8%	57,3%	42,7%	-3,9	3,9
Median	42,9%	57,1%	42,1%	57,9%	-1,2	1,2	53,9%	46,1%	51,8%	48,2%	-11,1	11,1	52,6%	47,4%	50,0%	50,0%	-4,4	4,4
Minimum	34,7%	32,2%	38,3%	53,5%	-25,8	-10,9	38,9%	13,6%	27,6%	37,5%	-24,8	-7,7	40,0%	18,2%	41,7%	20,0%	-15,2	-10,0
Maximum	67,8%	65,3%	46,5%	61,7%	10,9	25,8	86,4%	61,1%	62,5%	72,4%	7,7	24,8	81,8%	60,0%	80,0%	58,3%	10,0	15,2

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 2.10.3 Distribution of total male and female heads of prosecution offices in 2021 and 2025 (Q38)

Beneficiaries	Heads of prosecution offices					
	2021		2025		Variation (in percentage points) 2021 - 2025	
	% Male	% Female	% Male	% Female	Male	Female
Albania	86,2%	13,8%	69,2%	30,8%	-17,0	17,0
Bosnia and Herzegovina	61,1%	38,9%	47,4%	52,6%	-13,7	13,7
Montenegro	52,9%	47,1%	46,7%	53,3%	-6,3	6,3
North Macedonia	54,5%	45,5%	45,5%	54,5%	-9,1	9,1
Serbia	54,0%	46,0%	54,0%	46,0%	0,0	0,0
Kosovo*	100,0%	0,0%	90,0%	10,0%	-10,0	10,0
Average	61,8%	38,2%	52,5%	47,5%	-9,2	9,2
Median	54,5%	45,5%	47,4%	52,6%	-9,1	9,1
Minimum	52,9%	13,8%	45,5%	30,8%	-17,0	0,0
Maximum	86,2%	47,1%	69,2%	54,5%	0,0	17,0

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 2.10.4 Distribution of male and female heads of prosecution offices by instance in 2021 and 2025 (Q38)

Beneficiaries	First instance heads of prosecution offices						Second instance (court of appeal level) heads of prosecution offices						Supreme Court level heads of prosecution offices					
	2021		2025		Variation (in percentage points) 2021 - 2025		2021		2025		Variation (in percentage points) 2021 - 2025		2021		2025		Variation (in percentage points) 2021 - 2025	
	% Male	% Female	% Male	% Female	Male	Female	% Male	% Female	% Male	% Female	Male	Female	% Male	% Female	% Male	% Female	Male	Female
Albania	86,4%	13,6%	63,6%	36,4%	-22,7	22,7	83,3%	16,7%	100,0%	0,0%	16,7	-16,7	100,0%	0,0%	100,0%	0,0%	0,0	0,0
Bosnia and Herzegovina	56,3%	43,8%	43,8%	56,3%	-12,5	12,5	NAP	NAP	NAP	NAP	NAP	NAP	100,0%	0,0%	66,7%	33,3%	-33,3	33,3
Montenegro	53,8%	46,2%	50,0%	50,0%	-3,8	3,8	66,7%	33,3%	0,0%	100,0%	-66,7	66,7	0,0%	100,0%	100,0%	NAP	NAP	NAP
North Macedonia	47,1%	52,9%	41,2%	58,8%	-5,9	5,9	75,0%	25,0%	75,0%	25,0%	0,0	0,0	100,0%	0,0%	0,0%	100,0%	-100,0	100,0
Serbia	55,3%	44,7%	55,2%	44,8%	-0,1	0,1	50,0%	50,0%	50,0%	50,0%	0,0	0,0	0,0%	100,0%	0,0%	100,0%	0,0	0,0
Kosovo*	100,0%	0,0%	87,5%	12,5%	-12,5	12,5	100,0%	0,0%	100,0%	0,0%	0,0	0,0	100,0%	0,0%	100,0%	0,0%	0,0	0,0
Average	59,8%	40,2%	50,7%	49,3%	-9,0	9,0	68,8%	31,3%	56,3%	43,8%	-12,5	12,5	60,0%	40,0%	53,3%	58,3%	-33,3	33,3
Median	55,3%	44,7%	50,0%	50,0%	-5,9	5,9	70,8%	29,2%	62,5%	37,5%	0,0	0,0	100,0%	0,0%	66,7%	66,7%	-16,7	16,7
Minimum	47,1%	13,6%	41,2%	36,4%	-22,7	0,1	50,0%	16,7%	0,0%	0,0%	-66,7	-16,7	0,0%	0,0%	0,0%	0,0%	-100,0	0,0
Maximum	86,4%	52,9%	63,6%	58,8%	-0,1	22,7	83,3%	50,0%	100,0%	100,0%	16,7	66,7	100,0%	100,0%	100,0%	100,0%	0,0	100,0

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 2.10.5 Distribution of total male and female non-prosecutor staff in 2019 and 2025 (Q40)

Beneficiaries	Non-prosecutor staff					
	2019		2025		Variation (in percentage points) 2019 - 2025	
	% Male	% Female	% Male	% Female	Male	Female
Albania	NA	NA	54,5%	45,5%	NA	NA
Bosnia and Herzegovina	29,1%	70,9%	28,0%	72,0%	-1,1	1,1
Montenegro	27,0%	73,0%	24,7%	75,3%	-2,3	2,3
North Macedonia	34,0%	66,0%	26,6%	73,4%	-7,4	7,4
Serbia	23,5%	76,5%	22,6%	77,4%	-1,0	1,0
Kosovo*	43,9%	56,1%	45,8%	54,2%	1,9	-1,9
Average	28,4%	71,6%	31,3%	68,7%	-2,9	2,9
Median	28,0%	72,0%	26,6%	73,4%	-1,7	1,7
Minimum	23,5%	66,0%	22,6%	45,5%	-7,4	1,0
Maximum	34,0%	76,5%	54,5%	77,4%	-1,0	7,4

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

2.11 Gender equality: Other professionals

Table 2.11.1 Distribution of male and female lawyers in 2019 and 2025 (Q48)

Beneficiaries	Lawyers					
	2019		2025		Variation (in percentage points) 2019 - 2025	
	% Male	% Female	% Male	% Female	Male	Female
Albania	NA	NA	60,0%	40,0%	NA	NA
Bosnia and Herzegovina	68,2%	31,8%	67,7%	32,3%	-0,6	0,6
Montenegro	65,9%	34,1%	63,5%	36,5%	-2,4	2,4
North Macedonia	49,9%	50,1%	57,0%	43,0%	7,1	-7,1
Serbia	63,9%	36,1%	61,0%	39,0%	-3,0	3,0
Kosovo*	79,8%	20,2%	NA	NA	-	-
Average	62,0%	38,0%	61,8%	38,2%	0,3	-0,3
Median	64,9%	35,1%	61,0%	39,0%	-1,5	1,5
Minimum	49,9%	31,8%	57,0%	32,3%	-3,0	-7,1
Maximum	68,2%	50,1%	67,7%	43,0%	7,1	3,0

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 2.11.2 Distribution of male and female enforcement agents, notaries, and judicial experts in 2025 (Q48)

Beneficiaries	2025					
	Enforcement agents		Notaries		Judicial experts	
	% Male	% Female	% Male	% Female	% Male	% Female
Albania	20,9%	79,1%	69,0%	31,0%	49,5%	50,5%
Bosnia and Herzegovina	82,5%	17,5%	41,7%	58,3%	NA	NA
Montenegro	64,3%	35,7%	29,3%	70,7%	63,3%	36,7%
North Macedonia	57,0%	43,0%	37,0%	63,0%	NA	NA
Serbia	55,3%	44,7%	41,0%	59,0%	NA	NA
Kosovo*	95,5%	4,5%	52,1%	47,9%	76,5%	23,5%
Average	56,0%	44,0%	43,6%	56,4%	56,4%	43,6%
Median	57,0%	43,0%	41,0%	59,0%	56,4%	43,6%
Minimum	20,9%	17,5%	29,3%	31,0%	49,5%	36,7%
Maximum	82,5%	79,1%	69,0%	70,7%	63,3%	50,5%

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

2.12 Policies on gender equality

Table 2.12.1 Existence of measures or institutional bodies specific to the judiciary to ensure gender equality among judicial professionals, especially in recruitment and promotion in 2025 (Q50)

Beneficiaries	Existence of measures or institutional bodies specific to the judiciary to ensure gender equality among judicial professionals, especially in recruitment and promotion in 2025
Albania	The criteria for the recruitment of new judges are provided for in Articles 28 and 32 of Law No. 96/2016, while the criteria for promotion are provided for in Article 48. In both provisions, the guarantee of gender equality is not provided for as a criterion.
Bosnia and Herzegovina	In October 2020, the HJPC adopted the Strategy on Improving Gender Equality in the Judiciary of BiH, based on which all judicial institutions developed their respective implementation plans. The implementation of these plans began in 2022 and the HJPC BiH has since been regularly monitoring their progress and issuing recommendations aimed at further improvement. The Strategy was created within the Project Improving Court Efficiency and Accountability of Judges and Prosecutors in BiH - Phase 2, financed by the Government of Sweden, in cooperation with the Swedish National Courts Administration The Strategy is available here: https://pravosudje.ba/vstvfo/E/141/article/95500
Montenegro	In Montenegro, there is no separate body exclusively task for gender equality issues within the judiciary. Gender equality is ensured by general public policies and where prescribed by laws and regulations.
North Macedonia	The Strategy for Gender Equality 2022-2027 as a new key document was adopted in 2022. According to the new Strategy one of the priority areas is Policy and Decision making. It is necessary to increase the number of women in decision-making positions in the executive branch, political parties, media, sports, local self-government, and also in all areas where no legal solutions or quotas are established and where women's participation is very low, according to the Commitment 50 -50. The increase in the number of women decision-makers should be done through incentive measures, and awareness rising, as well as binding legal measures. It is especially important to encourage women to participate in the decision-making structures in the local self-government units, where decisions and measures are made that directly affect the quality of life in the local self-government units. Also, in 2022 we must emphasize some important achieved activities for implementation of Istanbul Convention and Law on the prevention and protection from violence against women and domestic violence. Amendments of the Criminal Code and new criminal offenses in compliance with Istanbul Convention were adopted in 2023. Also, new bylaws for generating statistics in courts and public prosecution offices for domestic violence was adopted by the Minister of Justice in December 2022. At the end, the most important, the first Law on payment of monetary compensation to victims of criminal offenses (Law on state compensation) was adopted in November 2022. Implementation of this Law started from May 2023.

Table 2.12.1 Existence of measures or institutional bodies specific to the judiciary to ensure gender equality among judicial professionals, especially in recruitment and promotion in 2025 (Q50)

Beneficiaries	Existence of measures or institutional bodies specific to the judiciary to ensure gender equality among judicial professionals, especially in recruitment and promotion in 2025
Serbia	Reply by Supreme court: Pursuant to the Law on Gender Equality („Official Gazette RS“, 52/21), all public authorities, including the judiciary, are required to provide equal opportunities for women and men in recruitment, promotion and the performance of duties. Within the Serbian judiciary, there is no specialized body dedicated exclusively to gender equality in the courts or public prosecutor’s offices. However, key institutions bear responsibility for safeguarding equal opportunities— primarily the High Judicial Council and the State Prosecutorial Council. In addition, the Ministry of Justice, together with independent bodies such as the Commissioner for the Protection of Equality, oversees the implementation of laws and policies on gender equality. According to Article 64 of the Law on Gender Equality („Official Gazette RS“, No. 52/21), public authorities with more than 50 employees and engaged workers are obliged to designate, from among their staff, a person responsible for gender equality, in accordance with their act on internal organization and job classification In the Supreme Court, there is a person responsible for gender equality who monitors the implementation of policies and measures aimed at achieving and improving gender equality within the scope of the court. This person also monitors the gender composition of judges, employees, and other individuals engaged in work at the court, and prepares reports on the established situation. Reply by HJC: Article 52 of the Law on Judges (“Official Gazette of RS", No. 10/2023) stipulates that during the selection and nomination of candidates for a judge, discrimination on any basis is prohibited. Article 2 of the - Rulebook on the procedure for the election of a judge and the president of the court ("Official Gazette of RS", No 34/24) stipulates that during the selection and nomination of candidates for a judge, discrimination on any basis is prohibited. Reply by HPC: No measures exist for this purpose.
Kosovo*	There are legal provisions that ensure the gender representation during recruitment and promotion in the prosecutorial system: Article 7, paragraph 5 and article 20 paragraph 6 of Law on Kosovo Prosecutorial Council: https://gzk.rks-gov.net/ActDetail.aspx?ActID=2709 Article 7 Duties and responsibilities of the Council 1. The Council exercises the following duties and responsibilities: 1.5. ensures the implementation and oversights the requirements for admission to the prosecution office, which should be made in accordance with the principles of merit, equal opportunities, gender equality, non-discrimination and equal representation, on the basis of public vacancy and after verifying candidates’ capacity to act; Article 20 Recruitment and selection of candidates 6. Giving priority to candidates with equal qualifications from under-represented communities will be implemented while the percentage of non-majority community prosecutors in Kosovo is below fifteen per cent (15%) and/or while the percentage of prosecutors who are members of the Kosovo Serb community is below eight percent (8%)

Table 2.12.1 Existence of measures or institutional bodies specific to the judiciary to ensure gender equality among judicial professionals, especially in recruitment and promotion in 2025 (Q50)

Beneficiaries	Existence of measures or institutional bodies specific to the judiciary to ensure gender equality among judicial professionals, especially in recruitment and promotion in 2025

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Indicator 2 - Profile of the judiciary

by country

Question 31. Number of professional judges in full time equivalent (FTE) sitting in courts, on 31 December of the reference year.
Question 32. Number of non-professional judges (e.g., lay judges or "juges consulaires", but not arbitrators or persons sitting on a jury) on 31 December of the reference year.
Question 33. Number of court presidents on 31 December of the reference year.
Question 34. Number of non-judge staff who are working in courts on 31 December of the reference year (please give the information in FTE and for posts actually
Question 35. If there are Rechtspfleger (or similar bodies), please briefly describe their status, exact duties and the fields in which they have a role.
Question 36. Number of public prosecutors in FTE on 31 December of the reference year:
Question 37. If in your judicial system, other professionals have similar duties to those of public prosecutors, please specify their number on 31 December of the reference year.
Question 38. Number of heads of prosecution offices on 31 December of the reference year:
Question 39. Please explain if a specific instruction can be given to a public prosecutor to either prosecute or not prosecute a case, and if there are any exceptions. Please also specify the details of these instructions and/or exceptions.
Question 39-1. How many specific instructions addressed to a public prosecutor to prosecute or not were issued in the reference year?
Question 40. Number of non-prosecutor staff attached to the public prosecution services on 31 December of the reference year (please give the information in FTE and for posts actually filled).
Question 41. In the frame of the recruitments of judges and public prosecutors, please indicate the number of open positions, applicants and judges and prosecutors actually recruited during the reference year.
Question 42. Is your country experiencing difficulties in recruiting judges and/or public prosecutors? In that case, have any measures been taken to remedy this issue? / In case your country does not experience any difficulties, what factors contribute to the attractiveness of these professions at national level?
Question 43. What arrangements or adjustments to working time or conditions are possible for judges and public prosecutors?
Question 44. If part time work is possible, what is the number of professional judges and public prosecutors working part-time?
Question 45. Salaries of judges and public prosecutors for the reference year:
Question 46. Does your country implement a system for evaluating judges and public prosecutors? If yes, please select the relevant options (multiple replies possible).
Question 47. Please describe the individual evaluation system of judges and public prosecutors in your country. In particular, indicate the frequency, the authority responsible, the categories of judges and public prosecutors evaluated, the purposes of the evaluation and other details.
Question 48. Total number of lawyers, enforcement agents, notaries and judicial experts practicing in your country (FTE).
Question 49. Is legal representation in courts exclusively exercised by lawyers in: (multiple replies possible)
Question 50. Please describe if any measures or institutional bodies exist specifically in the judiciary to ensure gender equality for judicial professionals especially concerning recruitment and promotion.

Albania

Q31 (2024): New judges were appointed in first instance in 2023

Q31 (2023): -In regard of the number of judges

Referred to the decision of Council of Ministers no. 495, dated 21.07.2022 "On the reorganization of judicial districts and territorial powers of the courts", on 01.07.2023 the process of implementing the New Judicial Map was completed, reorganizing the number of courts operating in the Republic of Albania from 38 courts to 20 courts.

Occurring in the conditions of a transitional year, due to the implementation of the New Judicial Map and due to the redistribution of the number of 408 magistrates (judges), referring to decision no. 553, dated 29.12.2022 "On the appointment of the number of magistrates in the Court of Appeal with General Jurisdiction", decision no. 146, dated 29.03.2023 "On determining the number of magistrates in the Courts of First Instance with General Jurisdiction" and decision no. 286, dated 29.05.2023 "On the determination of the number of magistrates in the Administrative Courts of the First Instance" of the Supreme Judicial Council, the comparison of data in specific courts becomes difficult.

However, the main factor in the reduction of the number of magistrates (judges) is attributed to the transitional re-evaluation process, and more specifically, in terms of losses from the system as a result of the transitional re-evaluation process, it is worth noting that 24 decision-making for dismissal from office resulted from The Appeal Chamber belonging to the year 2023, as well as resulting in 53 judges (magistrates) dismissed from office, with decision-making by the Independent Qualification Commission, of which 11 magistrates (judges) dismissed by the Independent Qualification Commission during 2023, who are waiting for the development of the process in The Appeal Chamber, meanwhile maintaining the status of a judge due to the suspension and simultaneously benefiting according to the law of 75% of the salary.

Also, in 2023, there are 6 magistrates (judges) who have left office, of which 2 magistrates (judges) have resigned from office and 4 magistrates (judges) have left due

Q31 (2022): During the year 2022 there where appointed new judges to the supreme court

Q33 (General Comment): Article 37 of Law 98/2016 “ON THE ORGANIZATION OF THE JUDICIAL POWER IN THE REPUBLIC OF ALBANIA” provides:
Competencies of the President of the Court
The President of the Court is responsible for the general judicial management and exercises the following
duties:
a) represents the court in relations with third parties;
b) at the beginning of each year approves a list, which is updated when necessary, which determines
the judges for the trials of urgent cases, as determined by law, in alphabetical order based on the surname,
in accordance with the rules approved by the High Judicial Council;
c) maintains contact with the control groups of other state institutions, is familiar with the purpose
and object of the control and creates opportunities for them to exercise their duties;
ç) supervises the observance of judicial ethics and solemnity, and cooperates with the High Judicial Council regarding the ethical and professional evaluation of judges;
d) supervises the discipline of judges in their work and requests the initiation of an investigation when disciplinary violations of judges are suspected in their courts;
dh) takes care of the organization and functioning of judicial administration in the court in relation to non-judicial activities through the chancellor, except when otherwise provided for in this law;
e) convenes, prepares and chairs general meetings of judges and the Judicial Council, except when otherwise provided for in this law;
ë) instructs and supervises the chancellor;
f) verifies complaints, investigates disciplinary violations and proposes the initiation of disciplinary proceedings against the chancellor;
g) carries out actions and takes decisions related to the status of judicial civil servants, as provided for in this law;
gj) guarantees the implementation of decisions of the High Judicial Council, in particular regarding measures aimed at increasing the efficiency and quality of judicial services;
h) guarantees access to and the manner of using the case management system, in accordance with the general state policies in the field of technology and information security and the rules approved by the High Judicial Council, according to the provisions of the law “On the governing bodies of the justice system”; i) exercises any other duty related to the non-judicial activities of the court, as determined by law or decision of the High Judicial Council.

Q33 (2025): Competencies of the President of the Court
The President of the Court is responsible for the general judicial management and exercises the following duties:
a) represents the court in relations with third parties;
b) at the beginning of each year approves a list, which is updated when necessary, which determines the judges for the trials of urgent cases, as determined by law, in alphabetical order based on the surname, in accordance with the rules approved by the High Judicial Council;
c) maintains contact with the control groups of other state institutions, is familiar with the purpose and object of the control and creates opportunities for them to exercise their duties;
ç) supervises the observance of judicial ethics and solemnity, and cooperates with the High Judicial Council regarding the ethical and professional evaluation of judges;
d) supervises the discipline of judges in their work and requests the initiation of an investigation when disciplinary violations of judges are suspected in their courts;
dh) takes care of the organization and functioning of judicial administration in the court in relation to non-judicial activities through the chancellor, except when otherwise provided for in this law;
e) convenes, prepares and chairs general meetings of judges and the Judicial Council, except when otherwise provided for in this law;
ë) instructs and supervises the chancellor;
f) verifies complaints, investigates disciplinary violations and proposes the initiation of disciplinary proceedings against the chancellor;
g) carries out actions and takes decisions related to the status of judicial civil servants, as provided for in this law;
gj) guarantees the implementation of decisions of the High Judicial Council, in particular regarding measures aimed at increasing the efficiency and quality of judicial services;
h) guarantees access to and the manner of using the case management system, in accordance with the general state policies in the field of technology and information security and the rules approved by the High Judicial Council, according to the provisions of the law “On the governing bodies of the justice system”; i)
Q33 (2023): -In regard of the Court Presidents
From the data available to the Directorate of Human Resources, it results that currently in the courts of all levels, 1 (one) President of the Court and 20 (twenty) Deputy President of the Court exercise the function.
In fulfillment of legal obligations, with the minutes of the General Meeting of Supreme Court Judges, dated 17.10.2023, the President of the Supreme Court was resolved.
Meanwhile, within the framework of the proper functioning of the courts, the 20 courts operating in the Republic of Albania have elected a magistrate (judge) in the position of Deputy President of the Court .
In the absence of the required number of judges for voting in the election of the President of the court, the courts have continued with the elections for the Deputy President, in the framework of the proper functioning of the respective courts, as well as the fulfillment of the legal obligation.
Q33 (2022): The number of court presidents decreased due to different reasons. Several of the aforementioned court presidents were dismissed because of the vetting process, several of the first instance court presidents have been promoted to higher courts or have been appointed in the delegation scheme.

Q36 (2025): Additional comment:
According to article 4 of law no. 95/2016, "On the organization and operation of institutions to fight corruption and organized crime", as amended the Special Prosecutor's Office shall exercise criminal prosecution and represent the charge on behalf of the state before the Court of First Instance against Corruption and Organized Crime, the Court of Appeal against Corruption and Organized Crime, and the Supreme Court (…).
There are 20 prosecutors working in this prosecutor's office, 14 of whom are men, including the head, and 6 women.
Q36 (2024): GPO-The full time equivalent no. of prosecutors is 321. From this number, actually there are 207 prosecutors on duty; 44 prosecutors are suspended by the Revaluation process (Vetting) and there are also 70 vacancies
The number of female prosecutors has surpassed the number of male prosecutors for the year 2024.

Q36 (2023): Number of posts of prosecutors is 321. From this number, actually there are 208 prosecutors on duty; 49 prosecutors are suspended by the Revaluation process (Vetting) and there are also 64 vacancies. 1. Number of prosecutors at first instance level - 278 full-time equivalent - 188 post actually filled
2. Number of prosecutors at second instance (court of appeal) level - 26 full-time equivalent - 9 post actually filled
3. Number of prosecutors at Supreme Court level - 17 full-time equivalent - 11 post actually filled

Q36 (2022): 1. 321 full-time equivalent
202 post actually filled
2. 278 full-time equivalent
180 post actually filled
3. 26 full-time equivalent
12 post actually filled
4. 17 full-time equivalent
10 post actually filled
discrepancies with the answers of the previous campaign: From the vetting process during 2022 there where appointed new prosecutors graduate from the school of magistrate

Q38 (2023): The new judicial map has been implemented in the entire system of prosecutions of general jurisdiction. As a result, in 2023, the number of prosecutors of the first degree of general jurisdiction has been reduced from 22 to 13. Similarly, the number of appeal prosecutors of general jurisdiction has been consolidated from 6 to 1, with the sole appeal prosecutor now located in Tirana. Consequently, the number of managerial positions has also logically decreased, from 28 to 14.
Q38 (2022): during the 2022 have been appointed head of prosecutions offices

Q39-1 (2025): Not applicable, as per this question, which seeks data on the number of specific instructions addressed to a public prosecutor to initiate or not initiate criminal proceedings issued during the reference year. Such instructions are not provided for under the Albanian legal framework and are not permitted by law.
The Albanian legal system does not allow higher-level prosecutors to issue instructions to initiate or terminate criminal proceedings. Consequently, no such instructions exist or can be recorded.
Pursuant to Article 48 of Law No. 97/2016, only non-binding instructions may be issued in concrete cases by the General Prosecutor, heads of prosecution offices, the Chief Special Prosecutor, or heads of sections. These instructions are reasoned, generally issued in writing, and are not mandatory. Prosecutors retain full independence in their decision-making and may seek clarification or decline to follow such instructions in accordance with the procedures provided by law.
Q40 (2025): GPO- In the category “Others” are included the Judicial Police Officers in the prosecution offices of general jurisdiction. The organic number of non-prosecutorial staff is 641 employees; therefore, the difference between 613 and 641 refers to vacant positions
Q40 (2024): Total number without the prosecutors is 742 (32 vakancies)/ From them 247 are Judicial Police Officers and the rest of 435, is supporting staff.
Q40 (2023): Numebr of posts of non-public prosecutor’s staff is 1003. From this number, actually filling the posts are 608 employees. The staff is divided in judicial police officers, (246 full time equivalent and 226 actually filling the position) and administrative staff (395 full time equivalent and 382 actually filling the position). The j.p officers actually filling the positions are divided; 185 males and 41 females. The administrative staff actually filling the positions are divided; 98 males and 284
Q43 (2025): Law No. 96/2016 ON THE STATUS OF JUDGES AND PROSECUTORS provides in its Chapter 4 on leave and reduction of working hours, specifically Article 23 on annual leave and Article 24 on other leave. Subsequently, Chapter 5 of the said law provides on other rights, and specifically Article 26 on reduction of workload and Article 27 on early retirement.
Q45 (2025): Law 96/2016 “On the status of judges and prosecutors” provides for the following:
Article 16
Reward for skills
Article 17
Home loan
Article 21
Supplementary pension and other benefits
Article 22
Inviolability of salary and other financial benefits of the magistrate
The slight decrease in salaries expressed in euro is due to exchange rate fluctuations, specifically the depreciation of the euro against the national currency (Albanian Lek). It does not reflect any actual change in nominal salary levels, which have remained unchanged during the reference period.
Q45 (2024): The changes in the salaries of the magistrates come as a result of the new salary of the magistrate pursuant to Law no. 33, dated 25.05.2023 "On an amendment to the law 96/2016 "On the status of judges and prosecutors in the Republic of Albania as amended, and the, Decision of Council of Ministers no. 325, dated 31.05.2023 "On the approval of the salary structure, salary levels and other salary increments of the deputy minister, cabinet officials, prefect, sub-prefect, civil servants and employees in some public administration institutions".
Q45 (2023): Law no. 96/2016, “On the status of judges and prosecutors in the republic of Albania”, articles 11-22, foresee the financial treatment of the magistrates, (judges and prosecutors), giving specific details on how the salaries are calculated, seniority bonuses in the exercise of the function, bonuses for the leading functions, bonuses for difficulties at work, compensation for delegated magistrates, proficiency allowances, home loans and other benefits, etc.

Q45 (2022): The difference in amount from one year to another comes for two reasons:
the values are set in the Euro currency, which brings changes in the amount from year to year depending on the exchange rate at the time of reporting, since judges' salaries are calculated in Lek.
the maximum salary that is reported is the salary that is actually given to the judge who is paid more in the system and not the potential salary that the salary can go higher. This means that the maximum salary given, because it also includes the element of seniority at work, which of course changes every year.
Q46 (General Comment): The criteria for the quality assessment of the public prosecutor's work are set by the Law no. 96/2016, "On the status of judges and prosecutors in the Republic of Albania", as amended, and Regulation "On the ethical and professional assessment of prosecutors", approved by Decision no. 95, dated 09.05.2022, of High Prosecutorial Council. These criteria are summarised in 4 indicators:
a) professional skills; b) organizational skills; c) ethics and commitment to professional values; d) personal skills and professional commitment.
High Prosecutorial Council is responsible for carrying out the ethic and professional evaluation of all prosecutors and head of prosecution offices.
The aim of the ethical and professional performance evaluation of magistrates is to: a) Continuously improve the ethical and professional skills of magistrates; b) Establish consistent standards for the quality and quantity of the work of magistrates; c) Announce the Councils' decisions in relation to decisions on the status of magistrates in connection with the development of their career based on their merits; ç) Provide information to the Councils and the School of Magistrate with regard to training needs of magistrates and to facilitate the planning of the training; d) Identify the magistrates who may have particular professional skills relevant for the justice system; dh) Contribute to the improvement of the organizational structure of courts and prosecution offices as well as the working conditions for magistrates.
Q49 (General Comment): The Code of Civil Procedure of the Republic of Albania in its article 22 stipulates that litigants may defend themselves, except in cases where representation is mandatory
Chapter 2 provides for representatives. Articles 96 and 96/a, regulate in detail the representation in court. In reference to the legal regulations in force, the obligation for representation by a lawyer results for representations in the Supreme Court of the Republic of Albania.
The Code of Criminal Procedure in its article 6 stipulates that the defendant has the right to defend himself or herself with the assistance of a lawyer. Article 58 stipulates that the victim has the right to to choose a lawyer and, where appropriate, to receive free legal assistance. Mandatory representation in criminal cases is provided for in the article 49 of the Code
Representation in Administrative Cases are regulated according to the relevant provisions of the Code of Civil Procedure.

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Representation in Administrative Cases are regulated according to the relevant provisions of the Code of Civil Procedure.

Bosnia and Herzegovina

Q31 (General Comment): The number of court presidents is included in the number of judges.

There are 3 courts of general jurisdiction in Bosnia and Herzegovina that are included in the Supreme Court category.

Firstly, at entity level, there are the Federation of Bosnia and Herzegovina Supreme Court and the Republika Srpska Supreme Court.

Both courts are competent to decide within the respective entity on legal remedies concerning decisions of the immediately lower courts.

Secondly, there is the Court of Bosnia and Herzegovina at the State level. Its competencies are regulated by the Law on the Court of Bosnia and Herzegovina and are related to criminal, administrative and appellate jurisdiction. However, the Court of Bosnia and Herzegovina has no jurisdiction over the decisions adopted by the entity – level Supreme Courts. Within its criminal jurisdiction, the Court of Bosnia and Herzegovina tries cases pertaining to the specific category of crimes laid down by the laws of Bosnia and Herzegovina, which include war crimes, organized crime, economic crime and corruption cases. The administrative jurisdiction means that the Court of Bosnia and Herzegovina adjudicates cases pertaining to the decisions issued by the State institutions and other organizations in charge of public functions, such as property disputes related to the performance of public functions between the State and the entities, breaches of the election law, etc. Its Appellate Division only decides appeals against the decisions of the Court's first instance divisions. Accordingly, there are three Prosecutor's Offices representing criminal cases before the courts that are included in the Supreme Court category: the Prosecutor's Office before the Court of Bosnia and Herzegovina; the Prosecutor's Office before the Federation of Bosnia and Herzegovina Supreme Court; the Prosecutor's Office before the Republika Srpska Supreme Court.

Q32 (General Comment): Lay judges are citizens who hear and decide criminal cases together with professional judges. Lay judges are appointed by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina and they play a role in the Bosnia and Herzegovina judicial system, due to application of previously valid criminal procedural laws that required their participation. The procedural laws have been changed in a way that participation of lay judges is not required any longer, but due to a backlog of cases, their participation is still needed. Concretely, courts adjudicate the criminal law cases by panels that include lay judges if the proceedings were instituted before the currently valid Criminal Procedure Codes came into force.

Q32 (2025): In 2025, the trend of decreasing the number of non-professional judges continued, in line with a decrease in the number of old pending criminal cases in courts.

Q34 (General Comment): There are 3 courts of general jurisdiction in Bosnia and Herzegovina that are included in the Supreme Court category.
Firstly, at entity level, there are the Federation of Bosnia and Herzegovina Supreme Court and the Republika Srpska Supreme Court.
Both courts are competent to decide within the respective entity on legal remedies concerning decisions of the immediately lower courts.
Secondly, there is the Court of Bosnia and Herzegovina at the State level. Its competencies are regulated by the Law on the Court of Bosnia and Herzegovina and are related to criminal, administrative and appellate jurisdiction. However, the Court of Bosnia and Herzegovina has no jurisdiction over the decisions adopted by the entity – level Supreme Courts. Within its criminal jurisdiction, the Court of Bosnia and Herzegovina tries cases pertaining to the specific category of crimes laid down by the laws of Bosnia and Herzegovina, which include war crimes, organized crime, economic crime and corruption cases. The administrative jurisdiction means that the Court of Bosnia and Herzegovina adjudicates cases pertaining to the decisions issued by the State institutions and other organizations in charge of public functions, such as property disputes related to the performance of public functions between the State and the entities, breaches of the election law, etc. Its Appellate Division only decides appeals against the decisions of the Court's first instance divisions. Accordingly, there are three Prosecutor's Offices representing criminal cases before the courts that are included in the Supreme Court category: the Prosecutor's Office before the Court of Bosnia and Herzegovina; the Prosecutor's Office before the Federation of Bosnia and Herzegovina Supreme Court; the Prosecutor's Office before the Republika Srpska Supreme Court.
The High and Judicial and Prosecutorial Council of Bosnia and Herzegovina appoints judicial associates in municipal courts (i.e. first instance courts) in one part of the country, the Federation of Bosnia and Herzegovina, for an undetermined period. A judicial associate may proceed and decide non-contentious matters, enforcement matters, including payment orders, and small claims cases in accordance with the law and as assigned by the court president. Appeals against their decisions are decided by the second instance courts. As for the requirements in terms of qualifications set by the legislation, judicial associates must possess a law degree and have to pass the bar examination. The provisions of the Law on the High and Judicial and Prosecutorial Council of Bosnia and Herzegovina that refer to judges are applied accordingly also for judicial associates (i.e. appointment procedure, disciplinary procedure etc.).
Q35 (General Comment): The High and Judicial and Prosecutorial Council of Bosnia and Herzegovina appoints judicial associates in municipal courts (i.e. first instance courts) in one part of the country, the Federation of Bosnia and Herzegovina, for an undetermined period. A judicial associate may proceed and decide non-contentious matters, enforcement matters, including payment orders, and small claims cases in accordance with the law and as assigned by the court president. Appeals against their decisions are decided by the second instance courts. As for the requirements in terms of qualifications set by the legislation, judicial associates must possess a law degree and have to pass the bar examination. The provisions of the Law on the High and Judicial and Prosecutorial Council of Bosnia and Herzegovina that refer to judges are applied accordingly also for judicial associates (i.e. appointment procedure, disciplinary procedure etc.).

Q36 (General Comment): The number of heads of prosecution offices is included in the number of prosecutors.
There are 3 courts of general jurisdiction in Bosnia and Herzegovina that are included in the Supreme Court category.
Firstly, at entity level, there are the Federation of Bosnia and Herzegovina Supreme Court and the Republika Srpska Supreme Court.
Both courts are competent to decide within the respective entity on legal remedies concerning decisions of the immediately lower courts.
Secondly, there is the Court of Bosnia and Herzegovina at the State level. Its competencies are regulated by the Law on the Court of Bosnia and Herzegovina and are related to criminal, administrative and appellate jurisdiction. However, the Court of Bosnia and Herzegovina has no jurisdiction over the decisions adopted by the entity – level Supreme Courts. Within its criminal jurisdiction, the Court of Bosnia and Herzegovina tries cases pertaining to the specific category of crimes laid down by the laws of Bosnia and Herzegovina, which include war crimes, organized crime, economic crime and corruption cases. The administrative jurisdiction means that the Court of Bosnia and Herzegovina adjudicates cases pertaining to the decisions issued by the State institutions and other organizations in charge of public functions, such as property disputes related to the performance of public functions between the State and the entities, breaches of the election law, etc. Its Appellate Division only decides appeals against the decisions of the Court's first instance divisions. Accordingly, there are three Prosecutor's Offices representing criminal cases before the courts that are included in the Supreme Court category: the Prosecutor's Office before the Court of Bosnia and Herzegovina; the Prosecutor's Office before the Federation of Bosnia and Herzegovina Supreme Court; the Prosecutor's Office before the Republika Srpska Supreme Court.

Q39-1 (General Comment): In December 2021, the High Judicial and Prosecutorial Council of Bosnia and Herzegovina adopted the guidelines requiring the chief prosecutors in the country to prescribe internal procedure for issuing specific instructions. The guidelines read as follows: The chief prosecutor gives mandatory individual instructions for taking procedural and substantive prosecutorial decisions in accordance with the law. The instructions must be issued in writing and entered in the case file. The prosecutor is obliged to act in accordance with the individual instructions given by the chief prosecutor unless following such instructions would mean a violation of the law. If the prosecutor disagrees with the individual instructions, he will submit his dissenting opinion to the chief prosecutor. The chief prosecutor, after obtaining the opinion of the collegiate of the prosecutor's office, makes an elaborate decision in relation to the prosecutor's dissenting opinion. The relevant statistics with regards to the implementation of the above mentioned the HJPC guidelines are provided under Q39-2.
General information on the status of public prosecution service:
The judicial system in in Bosnia and Herzegovina is consisted of both courts and prosecutor's offices, as mutually independent institutions in performing their powers. The law establishes prosecutor's offices and courts as autonomous institutions. Judges and prosecutors are considered to be judicial office holders. The High Judicial and Prosecutorial Council of Bosnia and Herzegovina– an institution with mixed composition- appoints judges and prosecutors; it has identical competences over issues regarding both judges and prosecutors/courts and prosecutor's offices. The same legislation regulates salaries of public prosecutors and judges. Prosecutor's offices have their own respective budgets, adopted by parliaments in the procedure applicable to all other public institutions. Pursuant to the specific legislation regulating the legal status of prosecutors' offices in Bosnia and Herzegovina, they constitute independent authorities which prosecute perpetrators of criminal offenses and file legal expedients for the purpose of protecting legality and constitutionality. Public prosecution offices shall perform their functions on the basis of the constitution and the law. No one shall have the right to influence the public prosecutor's office in the execution of its constitutional and legal functions. The basic right and the basic duty of the prosecutor is the detection and prosecution of perpetrators of criminal offenses. The prosecutor has have the following rights and duties: a) as soon as the prosecutor becomes aware that there are grounds for suspicion that a criminal offense has been committed, to take necessary steps to discover it and investigate it, to identify the suspect(s), guide and supervise the investigation, as well as direct the activities of authorized officials pertaining to the identification of suspect(s) and the gathering of information and evidence; b) to conduct an investigation in accordance with the law; c) to grant immunity in accordance with law; d) to request information from governmental bodies, companies and other physical and legal persons; e) to issue summonses and orders and to propose the issuance of summonses and orders in accordance with the law; f) to order authorized officials to execute an order issued by the court as provided by the law; g) to propose the issuance of a warrant for pronouncement of the sentence; h) to issue and defend indictment before the court; i) to file legal remedies; j) to perform other tasks as provided by the law.
The Chief Prosecutor shall have the right and duty to give mandatory instructions to the public prosecutor regarding his/her work, and may, apart from that: take certain actions which are in the competence of the public prosecutor; authorize a different public prosecutor to process individual cases that are within the competence of the public prosecutor; authorize a public prosecutor to perform individual activities that are within the competence of another public prosecutor. The

Q39-1 (2025): Data on the number of instructions were collected from the prosecutor's offices. The number of instructions issued in 2025 was slightly lower than the number of instructions from the previous reporting year (i.e. 2024:26).

Q40 (General Comment): The number of staff includes all categories of employees in prosecutors' offices except prosecutors. Employees who assist prosecutors in the work on cases, employees who perform all other tasks necessary for the functioning of the prosecutor's office and employees who perform the necessary technical tasks.
The categories of employees who are included in our response are the following: -Administrative, accounting and legal affairs -Typists, prosecutorial assistant
-ICT staff
-Investigators in prosecutors' offices
-Public Relations officers
-Expert for Witness support/protection of minors
-Support to prosecutors in case work (example – trainees)
-Expert associates/advisors - support to prosecutors in the work on cases (example – Economic expert)
-Supporting Technical staff (example – driver)

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Q41 (General Comment): Total number of open positions:
Public advertisements for filling vacant positions in prosecutors' offices and courts in Bosnia and Herzegovina cannot contain an indication of the gender that the successful candidate must meet. Accordingly, only data on the number of vacant positions for which a recruitment procedure was initiated in the reporting year by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina are available.
Total number of applicants:
As for the total number of applicants, the data is available only in relation to the question about the total number of applicants in the reference year. However, the total number of applicants cannot be divided according to the number of applications for judge and prosecutorial positions because almost all submissions include applications for vacant positions in both courts and prosecutor's offices.

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Q43 (General Comment): Part-time work: In case the judges or prosecutors meet requirements, which are determined by the general labor legislation, it is possible for the judges and prosecutors to be permitted to work part-time (i.e. half of full-time working hours) for a certain period of time in order to provide care to their children.
Q45 (General Comment): First of all, the work experience affects the amount of net and gross salaries. The following assumptions were used for the above stated calculations of the salaries of judicial office folders (i. e. judges and prosecutors): three-year working experience of judge/prosecutor at the beginning of his/her career; twenty-year working experience of a judge/prosecutor of the supreme court or the highest appellate instance. There are somewhat different general regimes for the salary contributions in different jurisdictions in Bosnia and Herzegovina, these regimes apply to the salaries of the judicial office holders as well. Having in mind the aforementioned factors, the above stated calculations of the salaries are made as the weighted average salary based on the number of judges/prosecutors. The method used to calculate net and gross salaries for judges/prosecutors is based on the basic salary amount as prescribed by law together with allowances added to the net salary subject to years of employment, and other contributions for the calculation of gross salaries. Deviations occur due to the application of different legal regulations on entity level, i.e. specifically with reference to judicial office positions in one of the jurisdictions in Bosnia and Herzegovina (i.e. the Brcko District of Bosnia and Herzegovina), where there are far more judges than prosecutors, which directly impacts the calculation of overall indicators.
Q45 (2025): Salaries of public prosecutor at the beginning of his/her career: the increase exceeding 20% threshold is the result of the growth in the average salary in Bosnia and Herzegovina in 2025 (in conjunction with the adjustment mechanism foreseen by the legislation on salaries of judges and prosecutors), as well as the fact that the calculation encompassed 20 first instance prosecutors with the least years of service in either relevant jurisdictions in Bosnia and Herzegovina (i.e. 8 prosecutors in one jurisdiction and 12 prosecutors in another jurisdiction).

Q45 (2022): Due to the changes in the Dashboard Western Balkans Questionnaire for 2022, the amount of salaries of judges and public prosecutors in Bosnia and Herzegovina at the Highest Appellate Instance is significantly higher in 2022 compared to the relevant figure included in the Dashboard Western Balkans Questionnaire for 2021.
Q46 (2025): Please consult the description of the system for evaluating the work of judges and prosecutors in Bosnia and Herzegovina in relation to the question
Q47 (General Comment): According to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, the High Judicial and Prosecutorial Council of Bosnia and Herzegovina adopts two sets of criteria - criteria for evaluating the performance of judges and criteria for evaluating the performance of prosecutors. The evaluation of the work results of all judges and prosecutors is carried out once a year. The performance of judges is assessed by the president of the court, whereas the chief prosecutor evaluates the work of prosecutors in accordance with the criteria established by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina.
In December 2024, the High Judicial and Prosecutorial Council of Bosnia and Herzegovina adopted new criteria for evaluating the work of judges and prosecutors. With the adoption of the new criteria, analytical evaluation was introduced into the evaluation system for judicial function holders. This involves a qualitative element of work evaluation („Analytical evaluation of prosecutor's work“ and „Analytical quality of judge's work and decisions“) which will enable a better assessment of the professional competencies of each judge and prosecutor. Thus, a reform of the evaluation system was initiated, which had previously been predominantly based on the assessment of results according to quantitative indicators. This reform was undertaken after the recommendations of experts engaged by the European Commission for the preparation of a 'Peer Review on the evaluation of the work of judges and prosecutors' from 2017 were accepted, suggesting that it is necessary to strengthen quality criteria in the evaluation system. The presidents of courts and chief prosecutors will evaluate the work of the holders of judicial functions according to new criteria during the first quarter of 2026.
The criteria and points structure for the annual performance evaluation of judges are as follows: Quantity of work (i.e. annual quota) – up to 30 points, Percentage of realization of individual case resolution plan - up to 10 points, Analytical quality of judge's work and decisions – up to 10 points, Statistical quality of decisions (i.e. confirmation rate) – up to 50 points.
The criteria and points structure for the annual performance evaluation of prosecutors are as follows: Quantity of work (i.e. annual quota) – up to 30 points, Percentage of realization of individual case resolution plan - up to 10 points, Analytical evaluation of prosecutor's work - 10 points, Statistical quality of decisions – up to 50 points.
The statistical quality of decisions issued by a judge is evaluated based on the following sub-criteria:
a)the percentage of reversed decisions compared to the total number of decisions upheld, modified and reversed by a higher instance court;
b)the percentage of reversed and modified decisions compared to the total number of cases in which a final decision was rendered to which a legal remedy may be filed with the higher instance court.
The chief prosecutor determines the analytical evaluation of the prosecutor's work based on a reasoned assessment of the prosecutor's work according to the following elements: a) the ability to determine the established facts relevant for making prosecutorial decisions; b) the ability to handle complex cases; c) timeliness in making decisions and compliance with legal deadlines; d) the ability to organize and efficiently conduct investigations in a proactive manner; e) the professional level of prosecutorial decisions, demonstrated legal knowledge, and use of legal remedies.

Q48 (General Comment): Number of lawyers: Bar associations from Bosnia and Herzegovina submitted data on the number of lawyers registered in their official registers at the end of the reporting year. Only lawyers enrolled in the public registry of lawyers have the right to represent and defend all physical and legal persons before courts, administrative authorities and all other institutions in the state.
Number of enforcement agents:
Courts from Bosnia and Herzegovina submitted data on the number of enforcement agents at the end of the reporting year. Enforcement agents are court employees who, by order of the court, take immediate actions in the enforcement proceedings. The enforcement proceedings are managed by the individual judge.
Number of notaries:
Notary chambers from Bosnia and Herzegovina submitted data on the number of notaries registered in their official registers at the end of the reporting year.
Number of judicial experts:
The relevant ministries of justice keep records of appointed expert witnesses. This directory is a public register.
Q49 (General Comment): In criminal cases the suspect/accused has the right to present his/her own defence or to be defended by a defence counsel who has to be a lawyer or, in some parts of the state, a legal aid official employed by a legal aid institution. Only in cases specified by the law defence by a defence counsel is mandatory. Many of the criminal cases dealt with by the highest courts fall under the terms of mandatory defence by a defence counsel. Civil society organisations, family members or trade unions cannot represent a client before courts in criminal cases. As for the victims, they can represent themselves while the criminal procedure legislation does not contain an explicit general provision on the right of victims to have a representative in criminal proceedings; however, criminal procedure laws include several provisions that indirectly foresee this possibility for victims without stating that these representatives can only be lawyers.
Litigants can represent themselves in civil and administrative cases. They can also be represented by family members (spouse, life partner or by a relative by blood or by marriage), legal aid officials (employed by legal aid institutions or legal aid NGOs) or by trade union employee in labour cases.
Self-representation before the highest instance courts in civil cases is restricted in the revision cases (extraordinary legal remedy). Request for revision can be submitted to the highest instance courts by either a lawyer or by a litigant or his agent provided they have the same qualifications as lawyers (bar exam).

Montenegro
Q31 (2022): some of the judges were retired and in the meantime new judges elected
Q33 (2025): The Basic Court in Žabljak has not had a president or a judge for a long time, and in the Basic Court in Cetinje we have a judge who was appointed by the Judicial Council as acting president of the court until a president is elected.
The president manages the court administration. The president may entrust certain court administration tasks to the deputy president and the presidents of departments, supervises the work of court departments and services by reviewing registers and auxiliary books, agendas and hearings, constantly recording cases whose resolution takes longer, by obtaining reports and in other suitable ways. Using appropriate records and by reviewing assignments and expeditiousness, the president gains constant insight into the work of the court as a whole and takes measures for legal, regular, accurate and timely work. He considers complaints from parties and other participants in the court proceedings who believe that the proceedings are being delayed, that they are irregular or that there is any influence on their course or outcome and takes appropriate measures, in accordance with the law, and performs tasks related to the program of professional development and training of judicial assistants and judicial trainees.

Q33 (2024): Note: The basic court in Žabljak does not have a court president or a judge
Q33 (2023): The Basic Court in Žabljak does not have a Court President, while the Supreme Court of Montenegro, the Higher Misdemeanor Court, the Basic Court in Nikšić, and the Basic Court in Danilovgrad have Acting Presidents of the Court.
Q33 (2022): new presidents elected in the meantime
Q36 (2025): The Supreme State Prosecutor's Office has 8 prosecutors, the Special State Prosecutor's Office (SDT) 10, the Higher State Prosecutor's Offices 19, and the Basic State Prosecutor's Offices 68.
The total number of prosecutors is 105.
Of that number, 61 are women and 44 are men.
In the Supreme State Prosecutor's Office, there are 4 women and 4 men. In the SDT, there are 4 women and 6 men. In the Higher State Prosecutor's Offices, there are 17 women and 2 men. In the Basic State Prosecutor's Offices, there are 37 women and 31 men. The stated number of prosecutors does not include 3 prosecutors who have been temporarily suspended from duty, nor prosecutors whose term of office ended during 2025.

Q36 (2023): Special State Prosecutor s Office has 15 proecutors, 8 males and 7 females. This is counted in total as well as in section 2. because they are also competent for the court of appeal cases
Q36 (2022): Section 2 includes also prosecutors of the Special State Prosecutor's Office,
Q37 (2025): The duties of a State Prosecutor are prescribed by law; accordingly, under the applicable legal provisions, there are no other professionals entrusted with comparable duties.
Q38 (2025): The total number of Heads of State Prosecutor's Offices (1 + 2 + 3) is 16 and includes the Chief Special Prosecutor, who is not presented separately in the breakdown by categories but is included in the total figures.
In the category "Heads of prosecution offices at the second-instance (Court of Appeal) level", 0 was entered in the male column because the position of the Head of the Higher State Prosecutor's Office in Podgorica was vacant during 2024 due to an ongoing public appointment procedure.
Q40 (2025): In December 2025, the State Prosecutor's Offices had 310 officials employees and 30 interns on the payroll.

Q40 (2024): all staff civil servants full time employed.
According to internal organization and systematization acts in state prosecutor's offices, there are employees with the following titles: secretary, head of cabinet, advisor, chief, head of registry office, independent advisor I, independent advisor II, independent advisor III, senior advisor I, senior advisor II, senior advisor III, advisor I, advisor II, advisor III, independent clerk, clerk, senior employee, employee and trainee.
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Q40 (2022): According to internal organization and systematization acts in state prosecutor's offices, there are employees with the following titles: secretary, head of cabinet, advisor, chief, head of registry office, independent advisor I, independent advisor II, independent advisor III, senior advisor I, senior advisor II, senior advisor III, advisor I, advisor II, advisor III, independent clerk, clerk, senior employee, employee and trainee.

Q41 (2025): Judicial Council Comment: Three (3) court presidents were elected, namely the Basic Court in Pljevlja and the Misdemeanor Courts in Podgorica and Bijelo Polje;
• In the promotion process during the reporting year, 14 judges were elected, namely one (1) judge of the Supreme Court of Montenegro; one (1) judge of the Court of Appeal of Montenegro;
10 judges of the High Court in Podgorica; one (1) judge of the High Court in Bijelo Polje and one (1) judge of the High Court for Misdemeanors of Montenegro;
• Two (2) judges were assigned on the basis of permanent voluntary transfer;
• 35 candidate judges were selected and assigned as judges after completing the training, as follows: two (2) for the Commercial Court of Montenegro, two (2) for the Administrative Court of Montenegro, 10 judges in the Basic Court in Podgorica, two (2) judges in the Basic Court in Bijelo Polje, three (3) judges in the Basic Court in Kotor, two (2) judges in the Basic Court in Bar, three (3) judges in the Basic Court in Berane, one (1) judge in the Basic Court in Ulcinj, one (1) judge in the Basic Court in Cetinje, one (1) judge in the Basic Court in Danilovgrad and one (1) judge in the Basic Court in Nikšić, and seven (7) judges of the misdemeanor courts in Podgorica (2), Budva (1) and Bijelo Polje (4).
During 2025, 31 candidate judges were selected and sent for initial training at the Judicial and Public Prosecutor's Office Training Center. Of these, six were selected as judges, having completed their initial training by the end of 2025. Selection and deployment are expected for a number of candidates in early 2026, and for the rest by the end of the year.
Prosecutor's Office Comment:
In the reporting year, four public announcements were issued: for the selection of Heads of the Basic State Prosecutor's Offices in Kotor, Bar, and Ulcinj, and for the appointment of one State Prosecutor being elected for the first time to a permanent position at the Supreme State Prosecutor's Office in Podgorica.
In 2025, decisions were made to appoint four State Prosecutors elected for the first time to a four-year term (three women and one man) and two State Prosecutors at the Supreme State Prosecutor's Office (one man and one woman); however, these appointments were based on public announcements issued in 2024, and therefore, they are not reflected in the count of employed State Prosecutors.

Q43 (2025): Prosecutor's Office Comment:
Law on the State Prosecutor's Office ("Official Gazette of Montenegro," Nos. 11/2015, 42/2015, 80/2017, 10/2018, 76/2020, 59/2021, 54/2024, and 92/2025), Article 33, relating to absence from work and compensation.
Q44 (2025): There are no State Prosecutors working part-time in the State Prosecutor's Office.
Q45 (2024): The salary of a state prosecutor at the beginning of his career is calculated according to the coefficient of 15.56, while the salary of a state prosecutor at the Supreme State Prosecutor's Office is calculated according to the coefficient of 22.48, in accordance with Article 22 of the Law on wages of employees in the public sector
Q45 (2023): Increase of salaries 2023 is a result of the adoption of new so called "Branch collective agreement for the administration and judiciary" (the agreement between employers and unions) which foresees possibilities of increase of basic salary for overtime and on-call and similar types of out of operating hours work

Q46 (2025): Rules for evaluation of judges and court presidents summary:
quantitative criteria relates to number of finished cases
qualitative criteria -relation between total number of decisions and overturned decisions (judges) -relation between number of all decisions subject to review by higher instances and overturned decisions (judges- -number of opened proceedings by higher instance on appeal (judges)
Prosecutor's Office Comment:
Law on the State Prosecutor's Office ("Official Gazette of Montenegro," Nos. 11/2015, 42/2015, 80/2017, 10/2018, 76/2020, 59/2021, 54/2024, and 92/2025), Article 1 and Articles 86–100.
In addition, the new Rules for the Evaluation of State Prosecutors are applied: https://tuzilastvo.me/wp-content/uploads/2025/06/Pravila-za-ocjenjivanje-drzavnih-tuzilaca-NOVO.pdf
Amendments to the Law on the State Prosecutor's Office introduced changes to the criteria and sub-criteria for evaluating the work of state prosecutors (the Law was published in the Official Gazette of Montenegro, No. 54/2024 of 11 June 2024, and entered into force on 19 June 2024). This required the adoption of new Rules on the Evaluation of State Prosecutors and Heads of State Prosecutor's Offices, which entered into force on 27 May 2025.
On 28 November 2025, a new Commission for the Evaluation of the Work of State Prosecutors was established. On 16 December 2025, the Commission adopted the Plan for the Evaluation of State Prosecutors, under which evaluations will be carried out in 2026. The procedure for evaluating state prosecutors and heads of state prosecutor's offices is currently ongoing, in accordance with the Evaluation Plan. It is planned that 63 state prosecutors will be evaluated in 2026, including 51 state prosecutors and 12 heads of state prosecutor's offices.
Furthermore, the mandate of the members of the Prosecutorial Council expired on 5 August 2025, while the members from among distinguished legal professionals were elected on 19 November 2025. Consequently, it was not possible to establish the Commission for the Evaluation of the Work of State Prosecutors earlier, nor to adopt the Evaluation Plan in accordance with Article 2 of the Rules on the Evaluation of State Prosecutors and Heads of State Prosecutor's Offices ("Official Gazette of Montenegro", No. 48/25). As a result, the evaluation of state prosecutors and heads of state prosecutor's offices was suspended during 2025.
The performance evaluation of a state prosecutor is important for the promotion process to a higher state prosecutor's office, as well as for assignment to a permanent position. Namely, state prosecutors are first elected for a four-year term, and after receiving a satisfactory evaluation, they can be assigned to a permanent position.
Q48 (2022): Source of data: Bar Association
Q49 (2025): Only where is mandatory according to the law, it is exclusively exercised by lawyers.
In Montenegro, legal representation before courts is not necessarily performed exclusively by attorneys-at-law. Depending on the type of proceedings and the status of the party, representation may also be carried out by the parties themselves, legal representatives, or other authorized persons, in accordance with the applicable legislation.
Natural persons may represent themselves in civil proceedings or authorize another person through a power of attorney, while legal entities are represented by their authorized representatives or attorneys-at-law.
In criminal proceedings, defendants are represented by defense counsels, and mandatory legal representation applies in cases prescribed by law.

North Macedonia

Q31 (General Comment): The number of the judges is decreasing, due to the retirements and long process of trainings in Academy. From 2013 the only selections process to become a judge or as a public prosecutor is through the training (24 months) in the Academy for judges and prosecutors. So, the process of selection and appointment of qualified judges and prosecutors is around 3 years. Also, in the Strategy for reform of judicial sector 2017-2022 with Action plan, one of the strategic guidelines was 2.4.3. "Harmonization of the number of judges in the Republic of North Macedonia with the European average per capita" and the strategic measure is Optimization of the number of judges of cases in the courts according to European standards through the natural drain of the judges with retirement. The success indicator for this goal is reduced number of judges by 5%.
Q31 (2025): The increase is due to the new elected judges
Q31 (2022): 3. The number of the judges is decreasing, due to the retirements and long process of trainings in Academy. From 2013 the only selections process to become a judge or as a public prosecutor is through the training (24 months) in the Academy for judges and prosecutors. So, the process of selection and appointment of qualified judges and prosecutors is around 3 years. Also, in the Strategy for reform of judicial sector 2017-2022 with Action plan, one of the strategic guidelines was 2.4.3. "Harmonization of the number of judges in the Republic of North Macedonia with the European average per capita" and the strategic measure is Optimization of the number of judges of cases in the courts according to European standards through the natural drain of the judges with retirement. The success indicator for this goal is reduced number of judges by 5%.

Q33 (2025): According to the Article 88 from the Law on the Courts, the President of the Court represents the court, organizes its work, and takes measures to ensure the timely and proper performance of duties within the court. The President of the Court ensures the implementation of the Court Rules of Procedure. The President of the Court determines the distribution of work within the court, after previously obtaining an opinion from the session of judges and the general session of the Supreme Court. The President of the Court is substituted by a judge designated by him/her in the annual work schedule, who in the previous year has been evaluated with the highest positive rating and, compared to the other judges, has received the highest number of points. The annual work schedule designates, from among the judges, presidents of specialized court departments and their deputies, as well as presidents of court divisions and judicial panels.
Q33 (2022): The numbers are too low, the difference is only 1 person.
Q34 (2024): Other non-judge staff - court police
Q34 (2023): Other non-judge staff - court police
Q34 (2022): 5. In 2021 the number of females as a part of court police was 3. Actually, in 2022 there are only 2 more females, discrepancy ratio is high because the numbers are too low.
Q36 (2022): Perhaps, the reason for discrepancy is that the numbers are very low. For example, in 2021 there was 1 female prosecutor at Supreme Court level, in 2022 are 2 females.

Q38 (2022): In 2021 there was 3 males - heads of PPO and 1 female. In 2022 there are 4 males.
Q41 (2025): In 2025 there was no new generation for initial training for judges and public prosecutors.
Q45 (2025): Housing and travel expenses and bonuses on salaries. The decrease from 2024 is result of the fact that in 2024 were paid bonuses on the salaries to judges.

Q45 (2023): Salaries increased due to a decision of the Constitutional Court. Decision of the Constitutional Court effects several laws governing the salaries of appointed and elected officials, judges, and public prosecutors followed a specific methodology for calculating salaries. According to this methodology, salaries were determined by multiplying a coefficient defined by law with a fixed amount specified as the legally established basis. However, the Constitutional Court overturned the provision that specified the fixed amount as the legally established basis. Consequently, a new methodology defined in the law is still in force where the coefficient defined by law is multiplied by the average monthly salary in the state. This change has led to a rapid increase in salaries for judges, prosecutors, and other appointed and elected individuals.
Q45 (2022): In 2022 public prosecutors in the PPO for organized crime had an additional financial benefits of 35% of the salary every month. In 2022 the highest gross/net annual salary of the public prosecutor for organized crime was 26.179 /17.135 euros.
Also, in 2022 there were additional financial benefits for judges, 15-30%.
Q46 (2025): Quantitative criteria for the work of a judge are:
- the scope of his work, which is evaluated through the number and type of resolved cases in relation to the indicative number of cases that the judge should resolve per month, received from the automated computer system for managing court cases in the courts,
- the quantity of the judge's work in terms of the number of reversed decisions in relation to the total number of resolved standard decisions.
The qualitative criteria for assessing the work of a judge are:
- the quality of conducting a court procedure, which assesses: the ability to argue, the readiness to conduct the hearing, the preparation of minutes and the hearing of parties, the readiness to make procedural decisions, as well as the ability to resolve conflicts.
- quality of prompt handling of court cases in terms of: compliance with legal deadlines for undertaking procedural actions in the procedure, compliance with legal deadlines for adopting, publishing and drafting decisions, duration of the court procedure and - quality of the work of the judge in terms of the number of annulled decisions due to a significant violation of the procedure in relation to the total number of resolved standard cases.
For the qualitative criteria, the judge can receive a maximum of 120 points. With regard to the quantitative criteria, if the number of resolved cases by individual types of cases in relation to the envisaged indicative number is 100%, it is considered that the judge has fulfilled the quantitative criteria and is assessed with 40 points. (3) The greater or lesser number of resolved cases in relation to the envisaged indicative number of cases is assessed in such a way that for each 1% more or less, the number of points from paragraph (3) of this Article increases or decreases by 0.5 points, whereby the total number of points cannot be more than 60 points or less than 20 points.
Criteria for evaluating the work of public prosecutors are:
- expertise and quality in decisions, legal remedies and other written documents,
- promptness and efficiency,
- impartiality and conscientiousness,
- reputation and ethics worthy of the position,
- cooperation and attitude towards clients and other employees in the prosecution service,
- ability and willingness for professional development and acquisition of new knowledge,
- organizational skills.
For public prosecutors, the maximum number of points that can be obtained for all criteria is 200, and a positive score is if it is over 120, and if it is less than 120, the score is negative.

Q48 (2023): The total number of enrolled lawyers during 2023 is 97, of which 44 are females and 53 are males
Q49 (General Comment): This matter is regulated in procedural laws. According to the Article 71 from the Law on criminal procedure, only a licensed attorney may act as a counsel for the defense.
Law on Civil procedure
Article 81
(1) An authorized representative of the party may be:
- attorney
- person – graduated lawyer who is employed by the party
- blood relative in the straight line, brother, sister, or a spouse - if it has full legal capacity
(2) If a person appears as an authorized agent, contrary to the provisions from paragraph (1) of this Article, the court shall pass a decision with which it shall deny that person any further representation and shall inform the party about that.
(3) A separate appeal against the decision from paragraph (2) of this Article shall not be allowed.
Article 82
If the value of the case exceeds 1.000.000 denars (16.260 Euro), the authorized agents of the legal entity can be a graduate lawyer with the bar exam who is employed by the legal entity.

Serbia
Q31 (2022): Since the last year, 4 male judges of Supreme Court retired.
Q33 (2025): The rights and duties of the court president are regulated by Article 53 of the Law on the Organization of Court ("Official Gazette of the Republic of Serbia", No. 10/2023).
The court president shall organise the work of the court, represent the court, manage the court administration, ensure the implementation of the Court Rules of Procedure, and shall be responsible for the proper and timely operation of the court. The court president is required to ensure legality, order and accuracy in the court, order removal of irregularities and prevent excessive delays in work, designate ex officio lawyers, ensure the safeguarding of the independence of judges and the reputation of the court, and perform other tasks set forth by law and the Court Rules of Procedure. The court president is obliged to respect the annual schedule of court work and the procedure for the distribution of cases in the court in accordance with this law, the law regulating the position of judges and the Court Rules of Procedure.
A court has one or several deputy court presidents to act on behalf of the court president in absence of the latter, or when prevented. The court president shall designate one deputy president to act on his/her behalf, where a court has several deputies.
Q33 (2022): New appellate courts presidents were appointed since last year
Q34 (General Comment): Judicial assistants are included in "2." They are non-judge staff whose task is to assist the judge such as drafting the decision, helping with hearings, preparing case file. Judicial/prosecutorial assistants are people who graduated at Faculty of Law and passed the Bar exam and are employed in court or public prosecutor's office.

Q34 (2025): “Other non-judge staff” are translator, spokesperson, media coordinator, court interpreter, librarian, workplace for international projects and European integration
Q34 (2023): Translator, spokesperson, media coordinator, court interpreter, librarian, workplace for international projects and European integration
Q34 (2022): Others: translator, interpreter, librarian, press coordinator, PR, counselor for European integration and international projects.
Q38 (2025): The figures presented in the table refer only to elected chief public prosecutors.
In addition, there are 23 acting (ad interim) chief public prosecutors (12 male and 11 female), who are not included in the table.
Q38 (2024): The reported figure includes only appointed Chief Public Prosecutors (66). In addition, there are 24 acting (ad interim) Chief Public Prosecutors who are currently not included in the total. At the time of reporting, competitions for Chief Public Prosecutor positions were ongoing in 21 Public Prosecutor’s Offices.
Q38 (2023): In question are chief prosecutors who are not acting in a temporary capacity, but in a mandate.
Out of 90 Public prosecution offices in Serbia, 55 have elected Chief public prosecutors (Heads of prosecution offices). The remaining 35 offices have ad interim Chief public prosecutors. Competitions for the selection of Chief prosecutors in those 35 Public Prosecutor's Offices are underway with the aim of filling all vacant
Q39-1 (2025): During 2025 total of 103 prosecutorial instructions were issued:
-1 instruction was issued by the General Prosecutor, - 56 instructions were issued by the immediately higher Chief Public Prosecutor to a lower Chief Public Prosecutor
- 46 were issued by Chief Public Prosecutor to Public Prosecutor within the same Public Prosecution.
Q40 (2025): “Other non-prosecutor staff” are translator, spokesperson, media coordinator, librarian, workplace for international projects and European integration. This question has been revised compared to question no. 32 from previous years, with a more clearly defined scope of reporting. Accordingly, the data reported this year include both permanent and fixed-term staff.
Q40 (2023): From the total number of out of 1,485, 735 are other employees whose task is to help public prosecutors - lawsuits. assistants, record-keepers, 599 employees in charge of various administrative tasks - registrars, personnel tasks, financial tasks, IT tasks, 142 technical staff, judicial guards, housekeepers, and finally 9 other/other tasks (spokesman, librarian, translator...)

Q43 (2025): Comment by HJC: Article 1 of Law on the organisation of the courts ("Official Gazette of RS", No. 10/2023) stipulates that This Law governs the establishment, abolition, types, scope and actual jurisdiction of courts, interior organisation of courts, court administration, court staff, judicial administration, court security and the funds for the operation of courts.
Article 25 of Rulebook on the evaluation of the work of judges and court presidents (published in the „Official gazette of the Republic of Serbia " No.34/2024) stipulates that The president of a court in which, according to the systematization, more than 40 judges perform judicial functions has the right to be relieved of his/her workload, except in cases in which he/she is obliged to act by law, as well as in cases in which the needs of the court so require. The president of a court in which, according to the systematization, up to 40 judges perform judicial functions has the right to have his/her caseload reduced by 50%. The deputy president of the court, the president of the judicial department, the heads of the judicial practice and the president of the panel in the second-instance procedure shall have their workload reduced by 20%. The president and member of the Commission, or the deputy president or member of the Commission, shall have their workload suspended for the duration of the training and during the implementation of the evaluation procedure. The income of a judge and a court president may be reduced on another basis, in accordance with the law, based on a reasoned decision of the Council. In the cases where a judge or a court president exercises the right to reduce his income on more than one basis prescribed by law or the Rules, he shall be entitled to a reduction only on one basis, which is most favorable to him.
Article 7 of Rulebook on the work of the Ethics Committee of the High Judicial Council (published in the „Official gazette of the Republic of Serbia " No.116/2023) stipulates that A member of the Ethics Committee from among judges shall have his caseload and monthly allowance reduced in the court in which he performs his judicial function by a percentage determined by the Council. A member of the Ethics Committee shall not be entitled to a special remuneration for his work on the committee.
Comment by HPC:
Article 24 of RULES ON ADMINISTRATION IN THE PUBLIC PROSECUTOR'S OFFICE ("Official Gazette of the Republic of Serbia", No. 10/2025) stipulates The chief public prosecutor can change the established work plan and program during the year due to a significant increase in the number of cases, longer absence of the public prosecutor or employees and other justified reasons, with the aim of more efficient exercise of competences and performance of administrative tasks in the public prosecutor's office. Amendments to the work plan and program of the Public Prosecutor's Office are carried out in the manner and according to the procedure provided for the adoption of the work plan and program of the Public Prosecutor's Office.

Q45 (2025): The annual salary of a judge of the basic court is shown increased by 2% of past work (with 5 years of service).
The annual salary of a judge of the Supreme Court is increased by 10% of past work (with 25 years of service) and increased by 30% (according to the decision of the High Council of the Judiciary on increasing salaries for judges of the Supreme Court due to vacancy and workload).
Q45 (2024): For judges' salaries at the beginning of their careers, the basic court judge's salary increased by 2% of past work is shown
The salary of the judge of the Supreme Court was increased by 10% of the previous work.

Q46 (General Comment): Reply by HJC:
According to Law on Judges (“Official Gazette of RS", No. 10/2023 and 9/2026) the purpose of evaluation is to evaluate, maintain and improve the quality of work, with the observance of independence of a judge, in order to strengthen public trust in the work of judges and the courts.
The work of a judge and a president of court is being regularly evaluated once in five years, except in case of the judge and the president of the Supreme Court and the judge above the age of 60. The work of the judge above the age of 60 shall be evaluated at the personal request of the judge or at the proposal of the president of the court.
Performance evaluation involves all aspects of work of the judge or the president of the court, with special consideration regarding the working conditions.
Evaluation is conducted on the basis of published, objective, uniform and comprehensive criteria based on qualitative and quantitative indicators. Evaluation of the work of judges is performed on the basis of the following basic criteria: professional knowledge and ability to its application; the ability of analytical opinion and resolving legal issues; ability to make decisions within appropriate deadlines; arguing and interrogation skills; oral and written expression and argument ability; ability to organize the judge's work; the ability to perform the tasks of the leading position, if the judge is appointed to such a position; undertaking additional works and duties; The criteria and evaluation indicators, the manner and the procedure for the performance evaluation of a judge and/or a president of court are closer regulated by the act of the High Judicial Council.
The High Judicial Council at the session held on April 17, 2024, in accordance with the Law on Judges ("Official Gazette of the RS" No. 10/23), adopted the Rulebook on the Evaluation of the Work of Judges and Presidents of the Courts ("Official Gazette of the RS" No. 34/2024 of April 19, 2024), which regulates the criteria and indicators for evaluating the performance of judges and court presidents, the evaluation procedure, the composition and method of work of the Commission for evaluating the performance of judges and court presidents, as well as other important issues for evaluation. The implementation of this Rulebook will start on January, 2026. Until the day of starting with the implementation of aforementioned Rulebook, the High Judicial Council continued to conduct evaluations using the previous Rules on the Criteria, Standards, Procedure and Bodies for the Evaluation of the Work of Judges and Court Presidents, which were assessed not to be in conflict with the new legal provisions.
According to previous Rules on the Criteria, Standards, Procedure and Bodies for the Evaluation of the Work of Judges and Court Presidents criteria for evaluation of judges’ performance are quality and quantity. Standards for evaluating quality of judges’ performance shall be the percentage of repealed decisions and time for drafting decisions. Quality evaluation is performed by determining individual grade for each standard, and based on determined individual grades, final evaluation grade of judges’ performance quality is determined.
Standard for quantity evaluation of judges’ performance is monthly caseload quota, and for judges not having sufficient number of pending cases, standard for quantity evaluation shall be the total number of closed cases against the total number of pending cases.
Yes, evaluation results are directly linked to promotion or career progression for judges.

Q46 (2025): Comment by HJC:
Performance evaluation involves all aspects of work of the judge or the president of the court, with special consideration regarding the working conditions. Evaluation is conducted on the basis of published, objective, uniform and comprehensive criteria based on qualitative and quantitative indicators. Evaluation of the work of judges is performed on the basis of the following basic criteria: professional knowledge and ability to its application; the ability of analytical opinion and resolving legal issues; ability to make decisions within appropriate deadlines; arguing and interrogation skills; oral and written expression and argument ability; ability to organize the judge's work; the ability to perform the tasks of the leading position, if the judge is appointed to such a position; undertaking additional works and duties; The criteria and evaluation indicators, the manner and the procedure for the performance evaluation of a judge and/or a president of court are closer regulated by the act of the High Judicial Council.
The work of the judge, i.e. the president of the court, is evaluated with: “excellently performs the judicial function”, “successfully performs the judicial function”, “satisfactorily performs the judicial function”, “unsatisfactorily performs the judicial function”. The decision on the evaluation is added to the personal file of the judge, i.e. the president of the court.
Comment by HPC:
Articles 11 and 24 of the Rulebook on criteria and indicators for evaluating the work of the Chief Public Prosecutor and Public Prosecutor of the basic, higher or appellate level, defines the criteria for evaluation as: 1. professional knowledge and the ability to apply it,
2. the ability to form an analytical opinion and resolve legal issues,
3. the ability to make decisions within reasonable deadlines,
4. the skill of debating and listening,
5. the ability to express and argue orally and in writing,
6. taking on additional tasks and duties.
Evaluations are carried out by a commission appointed by the High Prosecutorial Council. Regular evaluations are conducted every 3 years. Extraordinary evaluations may be carried out based on a decision by the High Prosecutorial Council. The High Prosecutorial Council may decide on an extraordinary performance evaluation in the following instances: 1. when electing Chief Public Prosecutors and Public Prosecutors to another or higher public prosecutor's office, 2. at the personal request of the Chief Public Prosecutor and Public Prosecutor in the event of absence from work for more than ¾ of the evaluation period, 3. when the Chief Public Prosecutor or Public Prosecutor is assessed as "unsatisfactorily performing the public prosecutorial function", 4. in other cases the High Prosecutorial Council deems it justified and necessary.

Q48 (2025): When talking about the number of court experts, we should point out that under judical experts we have included court experts (A court expert is a qualified expert appointed by the Ministry of Justice and who possesses specialized scientific, technical or artistic knowledge necessary to clarify facts relevant to the court proceedings. Through their expert report and opinion, court experts assist the court in making the correct decision in complex cases (e.g. medicine, economics, mechanical engineering, construction) and court interpreters (A court interpreter is a qualified expert authorized by the Ministry of Justice to translate documents and certify them with their official seal and signature, thereby guaranteeing that the translation faithfully corresponds to the original. Court interpreters are required for legally valid documents (such as certificates, diplomas and contracts) both in the country and abroad, and are obliged to respond to a court summons.) registered with the Ministry. With this in, we have a total of 6889 court experts and 953 interpreters. Gender information for these categories is currently not possible.
Q48 (2023): Total number of lawyers on December 31st, 2023.

Q49 (2025): Criminal cases - With regard to criminal cases, pursuant to Article 74 of the Criminal Procedure Code („Official Gazette RS“, No. 72/11,…62/21), a defendant must have defense counsel: 1. if he/she is mute, deaf, blind, or incapable to conduct his/her own defence successfully – from the first interrogation until the final conclusion of the criminal proceedings;
2. if the proceedings are being conducted for a criminal offense punishable by imprisonment of eight years or a more severe sentence – from the moment of the first interrogation until the final conclusion of the criminal proceedings;
3. if he/she is being detained, prohibited from leaving his residence, or held in custody – from the deprivation of liberty until the finality of the decision lifting the measure;
4. if he/she is being tried in absence – from the rendering a ruling on trial in absentia until such trial is concluded;
5. if the main hearing is being held in his /her absence due to incapacity caused by himself/herself – from the issuance of a ruling to hold the main hearing in his/her absence until the finality of the ruling by which the court establishes the cessation of incapacity to participate in the main hearing;
6. if he/she has been removed from the courtroom due to disturbance of order until the completion of the evidentiary proceedings or the conclusion of the main hearing – from the issuance of the order of removal until his/her return to the courtroom or until the pronouncement of the judgment; 7. if proceedings are conducted against him/her for the imposition of a security measure of compulsory psychiatric treatment – from the submission of the motion for such a measure until the decision referred to in Article 526, paragraphs 2 and 3 of this Code, or until the finality of the decision imposing the security measure of compulsory psychiatric treatment; 8. from the beginning of negotiations with the public prosecutor on the conclusion of a plea agreement under Article 313 paragraph 1, Article 320 paragraph 1, and Article 327 paragraph 1 of this Code, until the issuance of a court's decision on the agreement;
9. if the hearing is held in his/her absence (Article 449 paragraph 3) – from the issuance of ruling to hold the hearing in his/her absence until the court's decision on the appeal against the judgment.
Regarding juveniles
According to Article 49 of the Law on Juvenile Criminal Offenders and Criminal Protection of Juveniles („Official Gazette RS“, No. 85/2005), a juvenile must have defense counsel present at the first hearing as well as throughout the entire proceedings. If a minor, his legal representative or relatives do not appoint a defense counsel, one shall be assigned ex officio by the juvenile judge. The defense counsel for a juvenile may only be an attorney who has acquired special knowledge in the field of children's rights and juvenile delinquency. According to Article 154 of the same Law, a minor as an injured party must have a legal representative from the first hearing of the defendant. In the event that the minor does not have a legal representative, one shall be appointed by decision of the president of the court among attorneys who have acquired special knowledge in the field of children's rights and the criminal-law protection of minors. According to Article 56 of the Criminal Procedure Code („Official Gazette RS“, No. 72/11,…62/21), if the injured party is a minor or a person who has been fully deprived of legal capacity, his or her legal representative is authorized to make all statements and undertake all actions that the injured party is entitled to under this Code. The legal representative may

Kosovo*
Q31 (2024): In these number are not included the presidents of the courts.
Q31 (2022): The number of judges increased due to recruitment procedures and also promotions.
The number of judges also includes the Commercial Court, which was established in 2022.

Q33 (2025): The President of the Court has the following responsibilities:
2.1. authorizes and initiates employment procedures, disciplining and dismissal of nonjudicial personnel in accordance with applicable staff regulations;
2.2. the President of a Court shall have general administrative authority for management of the court and shall ensure the efficient and effective administration of justice by all branches, departments and divisions of the court;
2.3. the Court President, in co-operation with court judges, develops an annual case management plan and assigns cases to the departments and judges in such a way as to ensure the efficient resolution of cases;
2.4. the President of the Court annually sends to the Council a report on the success of the implementation of the previous annual case management plan;
2.5. the President of the Court sends to the Council a quarterly written report addressing the work of the court, identifying any problems the court faces, and proposes remedial steps to address such problems;
2.6. the President of the Court, within the Council's rules and orders, shall take all necessary measures to ensure effective and efficient management of the court and its resources as well as adjudicating cases within the reasonable time;
2.7. the President of the Court is responsible for ensuring that the court and its proceedings are open and transparent to the public;
2.8. upon consideration and receipt by the Council, quarterly and annual reports on the case management plan will be made public;
2.9. the President of the Court is responsible for ensuring public access to the courts, including the access of persons from communities that do not constitute majority in Kosovo.
2.10. the President of the Court shall convene an annual meeting of all judges in that court for counseling on the administration of justice within that court; to analyze the organization of the court; to review and propose changes to procedures and practices; to examine the work accomplished by the court; and to address any problem of the

Q34 (2022): In recruitment procedures for non judge staff, a number of staff in charge of different administrative tasks moved in the other category (staff whose task is to assist the judge)

Q36 (2025): The total number of prosecutors in the prosecutorial system, including these positions on December 31, 2025 was 188.
In the table above the number of prosecutors is 161. This number does not include prosecutors who during 2025 have not handled cases as a result of their functions in the prosecutorial system. Prosecutors who are not included in this number are 27 prosecutors including: Chairman of the Council, Acting Chief State Prosecutor, Deputy Chairman of the Council, Chairman of the Commission for Normative Acts, Chairman of the Commission for Evaluation of Performance of Prosecutors, Chairman of Committee for Administration of Prosecution Offices, the Chief Prosecutor of the Appellate Prosecution, the Chief Prosecutor of the Special Prosecution, the Chief Prosecutors of the 7 Basic Prosecution Offices, 3 prosecutors in maternity leave, 1 prosecutor in unpaid leave and 8 prosecutors from the Serbian community who have offered their resignations.
Q36 (2024): The total number of prosecutors in the prosecutorial system, including these positions on December 31, 2024 was 200.
In the table above the number of prosecutors is 153. This number does not include prosecutors who during 2024 have not handled cases as a result of their functions in the prosecutorial system. Prosecutors who are not included in this number are 47 prosecutors including: Chairman of the Council, Acting Chief State Prosecutor, Deputy Chairman of the Council, Chairman of the Commission for Normative Acts, Chairman of the Commission for Evaluation of Performance of Prosecutors, Chairman of Committee for Administration of Prosecution Offices, the Chief Prosecutor of the Appellate Prosecution, the Chief Prosecutor of the Special Prosecution, the Chief Prosecutors of the 7 Basic Prosecution Offices, 24 new prosecutors who were decreed on December 27th 2024 and 8 prosecutors from the Serbian community who have offered their resignations.
Q36 (2023): The total number of prosecutors in the prosecutorial system, including these positions on December 31, 2023 was 189.
In the table above the number of prosecutors is 160. This number does not include prosecutors who during 2023 have not handled cases as a result of their functions in the prosecutorial system. Prosecutors who are not included in this number are 29 prosecutors including: Chairman of the Council, Acting Chief State Prosecutor, Deputy Chairman of the Council, Chairman of the Commission for Normative Acts, Chairman of the Commission for Evaluation of Performance of Prosecutors, Chairman of Committee for Budget, Finance and Personnel, the Chief Prosecutor of the Appellate Prosecution, the Chief Prosecutor of the Special Prosecution, the Chief Prosecutors of the 7 Basic Prosecution Offices, 3 heads of Departments in BPO Prishtina, 4 prosecutors are in maternity leave and 8 prosecutors from the Serbian community who have offered their resignations.

Q36 (2022): In the table above the number of prosecutors is 161. This number does not include prosecutors who during 2022 have not handled cases as a result of their functions in the prosecutorial system. Prosecutors who are not included in this number are: Chairman of the Council, Acting Chief State Prosecutor, Deputy Chairman of the Council, Chairman of the Commission for Normative Affairs, Chairman of the Commission for Evaluation of Performance of Prosecutors, Chairman of Committee for Budget, Finance and Personnel, the Chief Prosecutor of the Appellate Prosecution, the Chief Prosecutor of the Special Prosecution, the Chief Prosecutors of the 7 Basic Prosecution Offices, 2 heads of Departments in BPO Prishtina, 2 prosecutors are in maternity leave and 1 prosecutor was studying outside of the country.
The total number of prosecutors in the prosecutorial system, including these positions on December 31, 2022 was 181.

Q38 (2025): Competences and Responsibilities of the Chief State Prosecutor
1. The Chief State Prosecutor is the head of the Office of the State Prosecutor and has these competencies and responsibilities:
1.1. is responsible for the management and representation of the State Prosecutor and the structures of the prosecution offices, which constitute the State Prosecution Office;
1.2. is an ex-officio member of the Council;
1.3. makes recommendation to the Council for appointment of the Deputy Chief State Prosecutor, among the prosecutors in the Office of the Chief State Prosecutor;
1.4. may submit to the Council a proposal for dismissal of the Deputy Chief State Prosecutor and the Chief Prosecutor of the relevant prosecution office;
1.5. has exclusive jurisdiction of cases at the third instance before the Supreme Court and for all cases involving extraordinary legal remedies;
1.6. issues in writing mandatory rules, instructions and general decisions for all chief prosecutors and prosecutors in order to implement legality, increase efficiency and unique implementation of practices and legislation;
1.7. oversees the implementation of instructions and other acts defined by legislation in force;
1.8. proposes to the Council for approval the rules on the activity and management of record-keeping in the State Prosecutor;
1.9. may give written guidelines to the Chief Prosecutor of a prosecution office or to any prosecutor of any prosecution office for the specific work, for the purpose of efficient development of the proceedings or other important reasons, when he considers that there is negligence, professional incompetence or failure to implement legality. The guidelines must be reasoned and not infringe the functional and professional independence of prosecutors;
1.10. may request reports or other written information regarding the progress, status or resolution of certain cases. Such request shall be made in writing;

Q38 (2024): The information in the table represent the situation on 31 December 2024. From January 1st, 2025, we have a female Chief prosecutor in the level of first instance.
Q40 (2025): "The "other" category include two (2) officials who are part of the cabinet of Chief State Prosecutor's office."
Many recruitment procedures took place during 2025, that's the reason the numbers are higher.
Q40 (2024): In this category we have included professional associates, legal officers and legal secretaries.

Q40 (2023): In this category we have included Director of Secretariat of KPC, Director of PPRU, Heads of departments, divisions, offices, administrators of prosecution offices, professional associates, legal officers and all other professional and administrative positions within the prosecutorial system.
Q40 (2022): In this category we have included Director of Secretariat of KPC, Director of PPRU, Heads of departments, divisions, offices, administrators of prosecution offices, professional associates, legal officers and all other professional and administrative positions within the prosecutorial system.
Q45 (2025): Gross and net salary not including work experience, or any other additional payments.
The salary for “public prosecutors at the beginning of his/her career” is the salary of prosecutors who work in the general department of the basic prosecution offices.
Q45 (2024): The salary for “public prosecutors at the beginning of his/her career” is the salary of prosecutors who work in the general department of the basic prosecution offices.
Salary for “public prosecutor of the supreme court or the highest appellate instance” is the salary of prosecutors in the office of the Chief State Prosecutor.

Q45 (2023): KJC: Annual salary of the Supreme Court president: 35,400.0 € Gross annual salary, in €
Annual salary of the Appellate Court president: 31,860.0 € Gross annual salary, in €
Annual salary of the Basic Court president: 28,389.5 € Gross annual salary, in €
KPC: The salary for “public prosecutors at the beginning of his/her career” is the salary of prosecutors who have started working in 2023 and work in the general department of the basic prosecution offices. However, with the new law on salaries during 2023, other prosecutors of the general department received higher salaries than the ones who were decreed in 2023 after the law entered into force, because the Law decreased the salaries of prosecutors.
Salary for “public prosecutor of the supreme court or the highest appellate instance” is the salary of prosecutors in the office of the Chief State Prosecutor.

Q45 (2022): -KJC: The Appellate judge which is the level between the First instance court and the Supreme court has the salary of 2,389 EUR.
-KPC: The salary for “public prosecutors at the beginning of his/her career” is the salary of prosecutors who work in the general department of the basic prosecution offices. Salary for “public prosecutor of the supreme court or the highest appellate instance” is the salary of prosecutors in the office of the Chief State Prosecutor.

Q46 (2025): KPC COMMENT: The annual assessment of prosecutors work is done by their superior/chief prosecutor. The regular every 3 year Performance evaluation is done by the Council's permanent Committee for performance evaluation of prosecutors.
Prosecutors performance assessment done by the Council's Committee is based on:
1. Professional knowledge, work experience and performance, including human right knowledge and compliance;
2. Ability for legal reasoning;
3. Professional skills, including participation in formal training in which performance is assessed;
4. Skills and ability to analyze legal problems;
5. The ability to perform tasks impartially, with conscience, diligence, determination and responsibility;
6. Communication skills;
7. Behaviors outside the office, as well
8. Personal integrity;
9. Evaluation by the superior.
The Committee evaluates the performance of prosecutors according to the level of prosecution, department and function, based on the evaluation categories as follows:
1.1. Ethics and integrity;
1.2. Productivity;
1.3. Legal knowledge and reasoning;
1.4. Case management;
1.5. Writing;
1.6. Communication and advocacy;
1.7. Ability to judge and decide;
1.8. Leadership and teamwork;
1.9. Professional development and other skills, including the use of technology;
1.10. Management.
1.11. Case Supervision.
All of these and more information can be found in the Regulation for performance evaluation in the following link: https://prokuroria-rks.org/uploads/2025/10/de034f67-328d-40c6-8471-23bf3616ca8b_Nr.1010.2020-Regullation%20NO.05.2020.pdf
Q48 (2022): 78% men;
22% women.

Q49 (2025): In Kosovo, legal representation before courts varies depending on the type of procedure.
In civil proceedings, a party may represent themselves or appoint any person with full legal capacity as a representative, not necessarily a lawyer. Such a non-lawyer representative may perform most procedural actions; however, explicit authorization is required for more significant acts, such as withdrawal of the claim, settlement, or filing and waiving legal remedies. An exception applies to legal entities, whose representatives may perform these acts without special authorization. Additionally, a lawyer may be substituted by a trainee, but only before the court of first instance.
In criminal proceedings, the defendant may defend themselves or be represented by a defence counsel, but the counsel must be a licensed lawyer and a member of the Bar Association in Kosovo. For some cases, representation by a lawyer is mandatory, as provided below.
Under the Criminal Procedure Code of Kosovo (Law No. 08/L-032), legal representation in criminal proceedings is as follows:
1.Mandatory Legal Representation (Article 56) oDefendants must have a lawyer in specific cases: vulnerable defendants (mute, deaf, blind, or with mental incapacity), from arrest to pre-trial detention, for offenses punishable by ≥5 years imprisonment, in extraordinary procedures, when entering a plea agreement, or when tried in absentia. oIf no lawyer is appointed, a public defender is assigned at public expense. 2.Legal Representation at Public Expense Upon Request (Article 57) oDefendants who cannot afford a lawyer may request a public defender if the offense is punishable by ≥3 years or when required by the interests of justice. oRequests can be made at any stage; assigned lawyers must have appropriate experience. Summary:
•Mandatory legal representation applies only in cases specified in Article 56. •In other criminal cases, defendants may choose legal counsel voluntarily, including requesting a public defender under Article 57. •This framework ensures defendants' rights are protected while allowing flexibility for voluntary representation.

Indicator 2 - Profile of the judiciary

by question No.

Question 31. Number of professional judges in full time equivalent (FTE) sitting in courts, on 31 December of the reference year.
Question 32. Number of non-professional judges (e.g., lay judges or "juges consulaires", but not arbitrators or persons sitting on a jury) on 31 December of the reference year.
Question 33. Number of court presidents on 31 December of the reference year.
Question 34. Number of non-judge staff who are working in courts on 31 December of the reference year (please give the information in FTE and for posts actually
Question 35. If there are Rechtspfleger (or similar bodies), please briefly describe their status, exact duties and the fields in which they have a role.
Question 36. Number of public prosecutors in FTE on 31 December of the reference year:
Question 37. If in your judicial system, other professionals have similar duties to those of public prosecutors, please specify their number on 31 December of the reference year.
Question 38. Number of heads of prosecution offices on 31 December of the reference year:
Question 39. Please explain if a specific instruction can be given to a public prosecutor to either prosecute or not prosecute a case, and if there are any exceptions. Please also specify the details of these instructions and/or exceptions.
Question 39-1. How many specific instructions addressed to a public prosecutor to prosecute or not were issued in the reference year?
Question 40. Number of non-prosecutor staff attached to the public prosecution services on 31 December of the reference year (please give the information in FTE and for posts actually filled).
Question 41. In the frame of the recruitments of judges and public prosecutors, please indicate the number of open positions, applicants and judges and prosecutors actually recruited during the reference year.
Question 42. Is your country experiencing difficulties in recruiting judges and/or public prosecutors? In that case, have any measures been taken to remedy this issue? / In case your country does not experience any difficulties, what factors contribute to the attractiveness of these professions at national level?
Question 43. What arrangements or adjustments to working time or conditions are possible for judges and public prosecutors?
Question 44. If part time work is possible, what is the number of professional judges and public prosecutors working part-time?
Question 45. Salaries of judges and public prosecutors for the reference year:
Question 46. Does your country implement a system for evaluating judges and public prosecutors? If yes, please select the relevant options (multiple replies possible).
Question 47. Please describe the individual evaluation system of judges and public prosecutors in your country. In particular, indicate the frequency, the authority responsible, the categories of judges and public prosecutors evaluated, the purposes of the evaluation and other details.
Question 48. Total number of lawyers, enforcement agents, notaries and judicial experts practicing in your country (FTE).
Question 49. Is legal representation in courts exclusively exercised by lawyers in: (multiple replies possible)
Question 50. Please describe if any measures or institutional bodies exist specifically in the judiciary to ensure gender equality for judicial professionals especially concerning recruitment and promotion.

Question 31

Albania

(2024): New judges were appointed in first instance in 2023

(2023): -In regard of the number of judges
Referred to the decision of Council of Ministers no. 495, dated 21.07.2022 "On the reorganization of judicial districts and territorial powers of the courts", on 01.07.2023 the process of implementing the New Judicial Map was completed, reorganizing the number of courts operating in the Republic of Albania from 38 courts to 20 courts.
Occurring in the conditions of a transitional year, due to the implementation of the New Judicial Map and due to the redistribution of the number of 408 magistrates (judges), referring to decision no. 553, dated 29.12.2022 "On the appointment of the number of magistrates in the Court of Appeal with General Jurisdiction", decision no. 146, dated 29.03.2023 "On determining the number of magistrates in the Courts of First Instance with General Jurisdiction" and decision no. 286, dated 29.05.2023 "On the determination of the number of magistrates in the Administrative Courts of the First Instance" of the Supreme Judicial Council, the comparison of data in specific courts becomes difficult.
However, the main factor in the reduction of the number of magistrates (judges) is attributed to the transitional re-evaluation process, and more specifically, in terms of losses from the system as a result of the transitional re-evaluation process, it is worth noting that 24 decision-making for dismissal from office resulted from The Appeal Chamber belonging to the year 2023, as well as resulting in 53 judges (magistrates) dismissed from office, with decision-making by the Independent Qualification Commission, of which 11 magistrates (judges) dismissed by the Independent Qualification Commission during 2023, who are waiting for the development of the process in The Appeal Chamber, meanwhile maintaining the status of a judge due to the suspension and simultaneously benefiting according to the law of 75% of the salary.
Also, in 2023, there are 6 magistrates (judges) who have left office, of which 2 magistrates (judges) have resigned from office and 4 magistrates (judges) have left due

(2022): During the year 2022 there where appointed new judges to the supreme court

Bosnia and Herzegovina

(General Comment): The number of court presidents is included in the number of judges.
There are 3 courts of general jurisdiction in Bosnia and Herzegovina that are included in the Supreme Court category.
Firstly, at entity level, there are the Federation of Bosnia and Herzegovina Supreme Court and the Republika Srpska Supreme Court.
Both courts are competent to decide within the respective entity on legal remedies concerning decisions of the immediately lower courts.
Secondly, there is the Court of Bosnia and Herzegovina at the State level. Its competencies are regulated by the Law on the Court of Bosnia and Herzegovina and are related to criminal, administrative and appellate jurisdiction. However, the Court of Bosnia and Herzegovina has no jurisdiction over the decisions adopted by the entity – level Supreme Courts. Within its criminal jurisdiction, the Court of Bosnia and Herzegovina tries cases pertaining to the specific category of crimes laid down by the laws of Bosnia and Herzegovina, which include war crimes, organized crime, economic crime and corruption cases. The administrative jurisdiction means that the Court of Bosnia and Herzegovina adjudicates cases pertaining to the decisions issued by the State institutions and other organizations in charge of public functions, such as property disputes related to the performance of public functions between the State and the entities, breaches of the election law, etc. Its Appellate Division only decides appeals against the decisions of the Court's first instance divisions. Accordingly, there are three Prosecutor's Offices representing criminal cases before the courts that are included in the Supreme Court category: the Prosecutor's Office before the Court of Bosnia and Herzegovina; the Prosecutor's Office before the Federation of Bosnia and Herzegovina Supreme Court; the Prosecutor's Office before the Republika Srpska Supreme Court.

Montenegro

(2022): some of the judges were retired and in the meantime new judges elected

North Macedonia

(General Comment): The number of the judges is decreasing, due to the retirements and long process of trainings in Academy. From 2013 the only selections process to become a judge or as a public prosecutor is through the training (24 months) in the Academy for judges and prosecutors. So, the process of selection and appointment of qualified judges and prosecutors is around 3 years. Also, in the Strategy for reform of judicial sector 2017-2022 with Action plan, one of the strategic guidelines was 2.4.3. "Harmonization of the number of judges in the Republic of North Macedonia with the European average per capita" and the strategic measure is Optimization of the number of judges of cases in the courts according to European standards through the natural drain of the judges with retirement. The success indicator for this goal is reduced number of judges by 5%.

(2025): The increase is due to the new elected judges

(2022): 3. The number of the judges is decreasing, due to the retirements and long process of trainings in Academy. From 2013 the only selections process to become a judge or as a public prosecutor is through the training (24 months) in the Academy for judges and prosecutors. So, the process of selection and appointment of qualified judges and prosecutors is around 3 years. Also, in the Strategy for reform of judicial sector 2017-2022 with Action plan, one of the strategic guidelines was 2.4.3. "Harmonization of the number of judges in the Republic of North Macedonia with the European average per capita" and the strategic measure is Optimization of the number of judges of cases in the courts according to European standards through the natural drain of the judges with retirement. The success indicator for this goal is reduced number of judges by 5%.

Serbia

(2022): Since the last year, 4 male judges of Supreme Court retired.

Kosovo*

(2024): In these number are not included the presidents of the courts.

(2022): The number of judges increased due to recruitment procedures and also promotions.
The number of judges also includes the Commercial Court, which was established in 2022.

Question 32

Bosnia and Herzegovina

(General Comment): Lay judges are citizens who hear and decide criminal cases together with professional judges. Lay judges are appointed by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina and they play a role in the Bosnia and Herzegovina judicial system, due to application of previously valid criminal procedural laws that required their participation. The procedural laws have been changed in a way that participation of lay judges is not required any longer, but due to a backlog of cases, their participation is still needed. Concretely, courts adjudicate the criminal law cases by panels that include lay judges if the proceedings were instituted before the currently valid Criminal Procedure Codes came into force.

(2025): In 2025, the trend of decreasing the number of non-professional judges continued, in line with a decrease in the number of old pending criminal cases in courts.

Question 33

Albania

(General Comment): Article 37 of Law 98/2016 “ON THE ORGANIZATION OF THE JUDICIAL POWER IN THE REPUBLIC OF ALBANIA” provides:

Competencies of the President of the Court

The President of the Court is responsible for the general judicial management and exercises the following duties:

a) represents the court in relations with third parties;

b) at the beginning of each year approves a list, which is updated when necessary, which determines the judges for the trials of urgent cases, as determined by law, in alphabetical order based on the surname, in accordance with the rules approved by the High Judicial Council;

c) maintains contact with the control groups of other state institutions, is familiar with the purpose and object of the control and creates opportunities for them to exercise their duties;

ç) supervises the observance of judicial ethics and solemnity, and cooperates with the High Judicial Council regarding the ethical and professional evaluation of judges;

d) supervises the discipline of judges in their work and requests the initiation of an investigation when disciplinary violations of judges are suspected in their courts;

dh) takes care of the organization and functioning of judicial administration in the court in relation to non-judicial activities through the chancellor, except when otherwise provided for in this law;

e) convenes, prepares and chairs general meetings of judges and the Judicial Council, except when otherwise provided for in this law;

ë) instructs and supervises the chancellor;

f) verifies complaints, investigates disciplinary violations and proposes the initiation of disciplinary proceedings against the chancellor;

g) carries out actions and takes decisions related to the status of judicial civil servants, as provided for in this law;

gj) guarantees the implementation of decisions of the High Judicial Council, in particular regarding measures aimed at increasing the efficiency and quality of judicial services;

h) guarantees access to and the manner of using the case management system, in accordance with the general state policies in the field of technology and information security and the rules approved by the High Judicial Council, according to the provisions of the law “On the governing bodies of the justice system”; i) exercises any other duty related to the non-judicial activities of the court, as determined by law or decision of the High Judicial Council.

(2025): Competencies of the President of the Court

The President of the Court is responsible for the general judicial management and exercises the following duties:

a) represents the court in relations with third parties;

b) at the beginning of each year approves a list, which is updated when necessary, which determines the judges for the trials of urgent cases, as determined by law, in alphabetical order based on the surname, in accordance with the rules approved by the High Judicial Council;

c) maintains contact with the control groups of other state institutions, is familiar with the purpose and object of the control and creates opportunities for them to exercise their duties;

ç) supervises the observance of judicial ethics and solemnity, and cooperates with the High Judicial Council regarding the ethical and professional evaluation of judges;

d) supervises the discipline of judges in their work and requests the initiation of an investigation when disciplinary violations of judges are suspected in their courts;

dh) takes care of the organization and functioning of judicial administration in the court in relation to non-judicial activities through the chancellor, except when otherwise provided for in this law;

e) convenes, prepares and chairs general meetings of judges and the Judicial Council, except when otherwise provided for in this law;

ë) instructs and supervises the chancellor;

f) verifies complaints, investigates disciplinary violations and proposes the initiation of disciplinary proceedings against the chancellor;

g) carries out actions and takes decisions related to the status of judicial civil servants, as provided for in this law;

gj) guarantees the implementation of decisions of the High Judicial Council, in particular regarding measures aimed at increasing the efficiency and quality of judicial services;

h) guarantees access to and the manner of using the case management system, in accordance with the general state policies in the field of technology and information security and the rules approved by the High Judicial Council, according to the provisions of the law “On the governing bodies of the justice system”; i)

(2023): -In regard of the Court Presidents

From the data available to the Directorate of Human Resources, it results that currently in the courts of all levels, 1 (one) President of the Court and 20 (twenty) Deputy President of the Court exercise the function.

In fulfillment of legal obligations, with the minutes of the General Meeting of Supreme Court Judges, dated 17.10.2023, the President of the Supreme Court was resolved.

Meanwhile, within the framework of the proper functioning of the courts, the 20 courts operating in the Republic of Albania have elected a magistrate (judge) in the position of Deputy President of the Court .

In the absence of the required number of judges for voting in the election of the President of the court, the courts have continued with the elections for the Deputy President, in the framework of the proper functioning of the respective courts, as well as the fulfillment of the legal obligation.

(2022): The number of court presidents decreased due to different reasons. Several of the aforementioned court presidents were dismissed because of the vetting process, several of the first instance court presidents have been promoted to higher courts or have been appointed in the delegation scheme.

Montenegro

(2025): The Basic Court in Žabljak has not had a president or a judge for a long time, and in the Basic Court in Cetinje we have a judge who was appointed by the Judicial Council as acting president of the court until a president is elected.
The president manages the court administration. The president may entrust certain court administration tasks to the deputy president and the presidents of departments, supervises the work of court departments and services by reviewing registers and auxiliary books, agendas and hearings, constantly recording cases whose resolution takes longer, by obtaining reports and in other suitable ways. Using appropriate records and by reviewing assignments and expeditiousness, the president gains constant insight into the work of the court as a whole and takes measures for legal, regular, accurate and timely work. He considers complaints from parties and other participants in the court proceedings who believe that the proceedings are being delayed, that they are irregular or that there is any influence on their course or outcome and takes appropriate measures, in accordance with the law, and performs tasks related to the program of professional development and training of judicial assistants and judicial trainees.

(2024): Note: The basic court in Žabljak does not have a court president or a judge

(2023): The Basic Court in Žabljak does not have a Court President, while the Supreme Court of Montenegro, the Higher Misdemeanor Court, the Basic Court in Nikšić, and the Basic Court in Danilovgrad have Acting Presidents of the Court.

(2022): new presidents elected in the meantime

North Macedonia

(2025): According to the Article 88 from the Law on the Courts, the President of the Court represents the court, organizes its work, and takes measures to ensure the timely and proper performance of duties within the court. The President of the Court ensures the implementation of the Court Rules of Procedure. The President of the Court determines the distribution of work within the court, after previously obtaining an opinion from the session of judges and the general session of the Supreme Court. The President of the Court is substituted by a judge designated by him/her in the annual work schedule, who in the previous year has been evaluated with the highest positive rating and, compared to the other judges, has received the highest number of points. The annual work schedule designates, from among the judges, presidents of specialized court departments and their deputies, as well as presidents of court divisions and judicial panels.

(2022): The numbers are too low, the difference is only 1 person.

Serbia

(2025): The rights and duties of the court president are regulated by Article 53 of the Law on the Organization of Court ("Official Gazette of the Republic of Serbia", No. 10/2023).

The court president shall organise the work of the court, represent the court, manage the court administration, ensure the implementation of the Court Rules of Procedure, and shall be responsible for the proper and timely operation of the court. The court president is required to ensure legality, order and accuracy in the court, order removal of irregularities and prevent excessive delays in work, designate ex officio lawyers, ensure the safeguarding of the independence of judges and the reputation of the court, and perform other tasks set forth by law and the Court Rules of Procedure. The court president is obliged to respect the annual schedule of court work and the procedure for the distribution of cases in the court in accordance with this law, the law regulating the position of judges and the Court Rules of Procedure.

A court has one or several deputy court presidents to act on behalf of the court president in absence of the latter, or when prevented. The court president shall designate one deputy president to act on his/her behalf, where a court has several deputies.

(2022): New appellate courts presidents were appointed since last year

Kosovo*

(2025): The President of the Court has the following responsibilities:
2.1. authorizes and initiates employment procedures, disciplining and dismissal of nonjudicial personnel in accordance with applicable staff regulations;
2.2. the President of a Court shall have general administrative authority for management of the court and shall ensure the efficient and effective administration of justice by all branches, departments and divisions of the court;
2.3. the Court President, in co-operation with court judges, develops an annual case management plan and assigns cases to the departments and judges in such a way as to ensure the efficient resolution of cases;
2.4. the President of the Court annually sends to the Council a report on the success of the implementation of the previous annual case management plan;
2.5. the President of the Court sends to the Council a quarterly written report addressing the work of the court, identifying any problems the court faces, and proposes remedial steps to address such problems;
2.6. the President of the Court, within the Council's rules and orders, shall take all necessary measures to ensure effective and efficient management of the court and its resources as well as adjudicating cases within the reasonable time;
2.7. the President of the Court is responsible for ensuring that the court and its proceedings are open and transparent to the public;
2.8. upon consideration and receipt by the Council, quarterly and annual reports on the case management plan will be made public;
2.9. the President of the Court is responsible for ensuring public access to the courts, including the access of persons from communities that do not constitute majority in Kosovo.
2.10. the President of the Court shall convene an annual meeting of all judges in that court for counseling on the administration of justice within that court; to analyze the organization of the court; to review and propose changes to procedures and practices; to examine the work accomplished by the court; and to address any problem of the

Question 34

Bosnia and Herzegovina

(General Comment): There are 3 courts of general jurisdiction in Bosnia and Herzegovina that are included in the Supreme Court category.
Firstly, at entity level, there are the Federation of Bosnia and Herzegovina Supreme Court and the Republika Srpska Supreme Court.
Both courts are competent to decide within the respective entity on legal remedies concerning decisions of the immediately lower courts.
Secondly, there is the Court of Bosnia and Herzegovina at the State level. Its competencies are regulated by the Law on the Court of Bosnia and Herzegovina and are related to criminal, administrative and appellate jurisdiction. However, the Court of Bosnia and Herzegovina has no jurisdiction over the decisions adopted by the entity – level Supreme Courts. Within its criminal jurisdiction, the Court of Bosnia and Herzegovina tries cases pertaining to the specific category of crimes laid down by the laws of Bosnia and Herzegovina, which include war crimes, organized crime, economic crime and corruption cases. The administrative jurisdiction means that the Court of Bosnia and Herzegovina adjudicates cases pertaining to the decisions issued by the State institutions and other organizations in charge of public functions, such as property disputes related to the performance of public functions between the State and the entities, breaches of the election law, etc. Its Appellate Division only decides appeals against the decisions of the Court's first instance divisions. Accordingly, there are three Prosecutor's Offices representing criminal cases before the courts that are included in the Supreme Court category: the Prosecutor's Office before the Court of Bosnia and Herzegovina; the Prosecutor's Office before the Federation of Bosnia and Herzegovina Supreme Court; the Prosecutor's Office before the Republika Srpska Supreme Court.
The High and Judicial and Prosecutorial Council of Bosnia and Herzegovina appoints judicial associates in municipal courts (i.e. first instance courts) in one part of the country, the Federation of Bosnia and Herzegovina, for an undetermined period. A judicial associate may proceed and decide non-contentious matters, enforcement matters, including payment orders, and small claims cases in accordance with the law and as assigned by the court president. Appeals against their decisions are decided by the second instance courts. As for the requirements in terms of qualifications set by the legislation, judicial associates must possess a law degree and have to pass the bar examination. The provisions of the Law on the High and Judicial and Prosecutorial Council of Bosnia and Herzegovina that refer to judges are applied accordingly also for judicial associates (i.e. appointment procedure, disciplinary procedure etc.).

North Macedonia

(2024): Other non-judge staff - court police

(2023): Other non-judge staff - court police

(2022): 5. In 2021 the number of females as a part of court police was 3. Actually, in 2022 there are only 2 more females, discrepancy ratio is high because the numbers are too low.

Serbia

(General Comment): Judicial assistants are included in "2." They are non-judge staff whose task is to assist the judge such as drafting the decision, helping with hearings, preparing case file. Judicial/prosecutorial assistants are people who graduated at Faculty of Law and passed the Bar exam and are employed in court or public prosecutor's office.

(2025): "Other non-judge staff" are translator, spokesperson, media coordinator, court interpreter, librarian, workplace for international projects and European integration

(2023): Translator, spokesperson, media coordinator, court interpreter, librarian, workplace for international projects and European integration

(2022): Others: translator, interpreter, librarian, press coordinator, PR, counselor for European integration and international projects.

Kosovo*

(2022): In recruitment procedures for non judge staff, a number of staff in charge of different administrative tasks moved in the other category (staff whose task is to assist the judge)

Question 35

Bosnia and Herzegovina

(General Comment): The High and Judicial and Prosecutorial Council of Bosnia and Herzegovina appoints judicial associates in municipal courts (i.e. first instance courts) in one part of the country, the Federation of Bosnia and Herzegovina, for an undetermined period. A judicial associate may proceed and decide non-contentious matters, enforcement matters, including payment orders, and small claims cases in accordance with the law and as assigned by the court president. Appeals against their decisions are decided by the second instance courts. As for the requirements in terms of qualifications set by the legislation, judicial associates must possess a law degree and have to pass the bar examination. The provisions of the Law on the High and Judicial and Prosecutorial Council of Bosnia and Herzegovina that refer to judges are applied accordingly also for judicial associates (i.e. appointment procedure, disciplinary procedure etc.).

Question 36

Albania

(2025): Additional comment:
According to article 4 of law no. 95/2016, "On the organization and operation of institutions to fight corruption and organized crime", as amended the Special Prosecutor's Office shall exercise criminal prosecution and represent the charge on behalf of the state before the Court of First Instance against Corruption and Organized Crime, the Court of Appeal against Corruption and Organized Crime, and the Supreme Court (…).
There are 20 prosecutors working in this prosecutor's office, 14 of whom are men, including the head, and 6 women.

(2024): GPO-The full time equivalent no. of prosecutors is 321. From this number, actually there are 207 prosecutors on duty; 44 prosecutors are suspended by the Revaluation process (Vetting) and there are also 70 vacancies
The number of female prosecutors has surpassed the number of male prosecutors for the year 2024.

(2023): Number of posts of prosecutors is 321. From this number, actually there are 208 prosecutors on duty; 49 prosecutors are suspended by the Revaluation process (Vetting) and there are also 64 vacancies. 1. Number of prosecutors at first instance level - 278 full-time equivalent - 188 post actually filled
2. Number of prosecutors at second instance (court of appeal) level - 26 full-time equivalent - 9 post actually filled
3. Number of prosecutors at Supreme Court level - 17 full-time equivalent - 11 post actually filled

(2022): 1. 321 full-time equivalent
202 post actually filled
2. 278 full-time equivalent
180 post actually filled
3. 26 full-time equivalent
12 post actually filled
4. 17 full-time equivalent
10 post actually filled
discrepancies with the answers of the previous campaign: From the vetting process during 2022 there where appointed new prosecutors graduate from the school of magistrate

Bosnia and Herzegovina

(General Comment): The number of heads of prosecution offices is included in the number of prosecutors.
There are 3 courts of general jurisdiction in Bosnia and Herzegovina that are included in the Supreme Court category.
Firstly, at entity level, there are the Federation of Bosnia and Herzegovina Supreme Court and the Republika Srpska Supreme Court.
Both courts are competent to decide within the respective entity on legal remedies concerning decisions of the immediately lower courts.
Secondly, there is the Court of Bosnia and Herzegovina at the State level. Its competencies are regulated by the Law on the Court of Bosnia and Herzegovina and are related to criminal, administrative and appellate jurisdiction. However, the Court of Bosnia and Herzegovina has no jurisdiction over the decisions adopted by the entity – level Supreme Courts. Within its criminal jurisdiction, the Court of Bosnia and Herzegovina tries cases pertaining to the specific category of crimes laid down by the laws of Bosnia and Herzegovina, which include war crimes, organized crime, economic crime and corruption cases. The administrative jurisdiction means that the Court of Bosnia and Herzegovina adjudicates cases pertaining to the decisions issued by the State institutions and other organizations in charge of public functions, such as property disputes related to the performance of public functions between the State and the entities, breaches of the election law, etc. Its Appellate Division only decides appeals against the decisions of the Court's first instance divisions. Accordingly, there are three Prosecutor's Offices representing criminal cases before the courts that are included in the Supreme Court category: the Prosecutor's Office before the Court of Bosnia and Herzegovina; the Prosecutor's Office before the Federation of Bosnia and Herzegovina Supreme Court; the Prosecutor's Office before the Republika Srpska Supreme Court.

Montenegro

(2025): The Supreme State Prosecutor's Office has 8 prosecutors, the Special State Prosecutor's Office (SDT) 10, the Higher State Prosecutor's Offices 19, and the Basic State Prosecutor's Offices 68.
The total number of prosecutors is 105.
Of that number, 61 are women and 44 are men.
In the Supreme State Prosecutor's Office, there are 4 women and 4 men. In the SDT, there are 4 women and 6 men. In the Higher State Prosecutor's Offices, there are 17 women and 2 men. In the Basic State Prosecutor's Offices, there are 37 women and 31 men. The stated number of prosecutors does not include 3 prosecutors who have been temporarily suspended from duty, nor prosecutors whose term of office ended during 2025.

(2023): Special State Prosecutor s Office has 15 proecutors, 8 males and 7 females. This is counted in total as well as in section 2. because they are also competent for the court of appeal cases

(2022): Section 2 includes also prosecutors of the Special State Prosecutor's Office,

North Macedonia

(2022): Perhaps, the reason for discrepancy is that the numbers are very low. For example, in 2021 there was 1 female prosecutor at Supreme Court level, in 2022 are 2 females.

Kosovo*

(2025): The total number of prosecutors in the prosecutorial system, including these positions on December 31, 2025 was 188.
In the table above the number of prosecutors is 161. This number does not include prosecutors who during 2025 have not handled cases as a result of their functions in the prosecutorial system. Prosecutors who are not included in this number are 27 prosecutors including: Chairman of the Council, Acting Chief State Prosecutor, Deputy Chairman of the Council, Chairman of the Commission for Normative Acts, Chairman of the Commission for Evaluation of Performance of Prosecutors, Chairman of Committee for Administration of Prosecution Offices, the Chief Prosecutor of the Appellate Prosecution, the Chief Prosecutor of the Special Prosecution, the Chief Prosecutors of the 7 Basic Prosecution Offices, 3 prosecutors in maternity leave, 1 prosecutor in unpaid leave and 8 prosecutors from the Serbian community who have offered their resignations.

(2024): The total number of prosecutors in the prosecutorial system, including these positions on December 31, 2024 was 200.
In the table above the number of prosecutors is 153. This number does not include prosecutors who during 2024 have not handled cases as a result of their functions in the prosecutorial system. Prosecutors who are not included in this number are 47 prosecutors including: Chairman of the Council, Acting Chief State Prosecutor, Deputy Chairman of the Council, Chairman of the Commission for Normative Acts, Chairman of the Commission for Evaluation of Performance of Prosecutors, Chairman of Committee for Administration of Prosecution Offices, the Chief Prosecutor of the Appellate Prosecution, the Chief Prosecutor of the Special Prosecution, the Chief Prosecutors of the 7 Basic Prosecution Offices, 24 new prosecutors who were decreed on December 27th 2024 and 8 prosecutors from the Serbian community who have offered their resignations.

(2023): The total number of prosecutors in the prosecutorial system, including these positions on December 31, 2023 was 189.
In the table above the number of prosecutors is 160. This number does not include prosecutors who during 2023 have not handled cases as a result of their functions in the prosecutorial system. Prosecutors who are not included in this number are 29 prosecutors including: Chairman of the Council, Acting Chief State Prosecutor, Deputy Chairman of the Council, Chairman of the Commission for Normative Acts, Chairman of the Commission for Evaluation of Performance of Prosecutors, Chairman of Committee for Budget, Finance and Personnel, the Chief Prosecutor of the Appellate Prosecution, the Chief Prosecutor of the Special Prosecution, the Chief Prosecutors of the 7 Basic Prosecution Offices, 3 heads of Departments in BPO Prishtina, 4 prosecutors are in maternity leave and 8 prosecutors from the Serbian community who have offered their resignations.

(2022): In the table above the number of prosecutors is 161. This number does not include prosecutors who during 2022 have not handled cases as a result of their functions in the prosecutorial system. Prosecutors who are not included in this number are: Chairman of the Council, Acting Chief State Prosecutor, Deputy Chairman of the Council, Chairman of the Commission for Normative Affairs, Chairman of the Commission for Evaluation of Performance of Prosecutors, Chairman of Committee for Budget, Finance and Personnel, the Chief Prosecutor of the Appellate Prosecution, the Chief Prosecutor of the Special Prosecution, the Chief Prosecutors of the 7 Basic Prosecution Offices, 2 heads of Departments in BPO Prishtina, 2 prosecutors are in maternity leave and 1 prosecutor was studying outside of the country.
The total number of prosecutors in the prosecutorial system, including these positions on December 31, 2022 was 181.

Question 37

Montenegro
(2025): The duties of a State Prosecutor are prescribed by law; accordingly, under the applicable legal provisions, there are no other professionals entrusted with comparable duties.

Question 38

Albania
(2023): The new judicial map has been implemented in the entire system of prosecutions of general jurisdiction. As a result, in 2023, the number of prosecutors of the first degree of general jurisdiction has been reduced from 22 to 13. Similarly, the number of appeal prosecutors of general jurisdiction has been consolidated from 6 to 1, with the sole appeal prosecutor now located in Tirana. Consequently, the number of managerial positions has also logically decreased, from 28 to 14.

(2022): during the 2022 have been appointed head of prosecutions offices

Montenegro
(2025): The total number of Heads of State Prosecutor's Offices (1 + 2 + 3) is 16 and includes the Chief Special Prosecutor, who is not presented separately in the breakdown by categories but is included in the total figures.
In the category "Heads of prosecution offices at the second-instance (Court of Appeal) level", 0 was entered in the male column because the position of the Head of the Higher State Prosecutor's Office in Podgorica was vacant during 2024 due to an ongoing public appointment procedure.

North Macedonia
(2022): In 2021 there was 3 males - heads of PPO and 1 female. In 2022 there are 4 males.

Serbia

(2025): The figures presented in the table refer only to elected chief public prosecutors.
In addition, there are 23 acting (ad interim) chief public prosecutors (12 male and 11 female), who are not included in the table.

(2024): The reported figure includes only appointed Chief Public Prosecutors (66). In addition, there are 24 acting (ad interim) Chief Public Prosecutors who are currently not included in the total. At the time of reporting, competitions for Chief Public Prosecutor positions were ongoing in 21 Public Prosecutor's Offices.

(2023): In question are chief prosecutors who are not acting in a temporary capacity, but in a mandate.
Out of 90 Public prosecution offices in Serbia, 55 have elected Chief public prosecutors (Heads of prosecution offices). The remaining 35 offices have ad interim Chief public prosecutors. Competitions for the selection of Chief prosecutors in those 35 Public Prosecutor's Offices are underway with the aim of filling all vacant

Kosovo*

(2025): Competences and Responsibilities of the Chief State Prosecutor
1. The Chief State Prosecutor is the head of the Office of the State Prosecutor and has these competencies and responsibilities:
1.1. is responsible for the management and representation of the State Prosecutor and the structures of the prosecution offices, which constitute the State Prosecution Office;
1.2. is an ex-officio member of the Council;
1.3. makes recommendation to the Council for appointment of the Deputy Chief State Prosecutor, among the prosecutors in the Office of the Chief State Prosecutor;
1.4. may submit to the Council a proposal for dismissal of the Deputy Chief State Prosecutor and the Chief Prosecutor of the relevant prosecution office;
1.5. has exclusive jurisdiction of cases at the third instance before the Supreme Court and for all cases involving extraordinary legal remedies;
1.6. issues in writing mandatory rules, instructions and general decisions for all chief prosecutors and prosecutors in order to implement legality, increase efficiency and unique implementation of practices and legislation;
1.7. oversees the implementation of instructions and other acts defined by legislation in force;
1.8. proposes to the Council for approval the rules on the activity and management of record-keeping in the State Prosecutor;
1.9. may give written guidelines to the Chief Prosecutor of a prosecution office or to any prosecutor of any prosecution office for the specific work, for the purpose of efficient development of the proceedings or other important reasons, when he considers that there is negligence, professional incompetence or failure to implement legality. The guidelines must be reasoned and not infringe the functional and professional independence of prosecutors;
1.10. may request reports or other written information regarding the progress, status or resolution of certain cases. Such request shall be made in writing;

(2024): The information in the table represent the situation on 31 December 2024. From January 1st, 2025, we have a female Chief prosecutor in the level of first instance.

Question 39-1

Albania

(2025): Not applicable, as per this question, which seeks data on the number of specific instructions addressed to a public prosecutor to initiate or not initiate criminal proceedings issued during the reference year. Such instructions are not provided for under the Albanian legal framework and are not permitted by law. The Albanian legal system does not allow higher-level prosecutors to issue instructions to initiate or terminate criminal proceedings. Consequently, no such instructions exist or can be recorded.

Pursuant to Article 48 of Law No. 97/2016, only non-binding instructions may be issued in concrete cases by the General Prosecutor, heads of prosecution offices, the Chief Special Prosecutor, or heads of sections. These instructions are reasoned, generally issued in writing, and are not mandatory. Prosecutors retain full independence in their decision-making and may seek clarification or decline to follow such instructions in accordance with the procedures provided by law.

Bosnia and Herzegovina

(General Comment): In December 2021, the High Judicial and Prosecutorial Council of Bosnia and Herzegovina adopted the guidelines requiring the chief prosecutors in the country to prescribe internal procedure for issuing specific instructions. The guidelines read as follows: The chief prosecutor gives mandatory individual instructions for taking procedural and substantive prosecutorial decisions in accordance with the law. The instructions must be issued in writing and entered in the case file. The prosecutor is obliged to act in accordance with the individual instructions given by the chief prosecutor unless following such instructions would mean a violation of the law. If the prosecutor disagrees with the individual instructions, he will submit his dissenting opinion to the chief prosecutor. The chief prosecutor, after obtaining the opinion of the collegiate of the prosecutor's office, makes an elaborate decision in relation to the prosecutor's dissenting opinion. The relevant statistics with regards to the implementation of the above mentioned the HJPC guidelines are provided under Q39-2.
General information on the status of public prosecution service:
The judicial system in in Bosnia and Herzegovina is consisted of both courts and prosecutor's offices, as mutually independent institutions in performing their powers. The law establishes prosecutor's offices and courts as autonomous institutions. Judges and prosecutors are considered to be judicial office holders. The High Judicial and Prosecutorial Council of Bosnia and Herzegovina– an institution with mixed composition- appoints judges and prosecutors; it has identical competences over issues regarding both judges and prosecutors/courts and prosecutor's offices. The same legislation regulates salaries of public prosecutors and judges. Prosecutor's offices have their own respective budgets, adopted by parliaments in the procedure applicable to all other public institutions. Pursuant to the specific legislation regulating the legal status of prosecutors' offices in Bosnia and Herzegovina, they constitute independent authorities which prosecute perpetrators of criminal offenses and file legal expedients for the purpose of protecting legality and constitutionality. Public prosecution offices shall perform their functions on the basis of the constitution and the law. No one shall have the right to influence the public prosecutor's office in the execution of its constitutional and legal functions. The basic right and the basic duty of the prosecutor is the detection and prosecution of perpetrators of criminal offenses. The prosecutor has have the following rights and duties: a) as soon as the prosecutor becomes aware that there are grounds for suspicion that a criminal offense has been committed, to take necessary steps to discover it and investigate it, to identify the suspect(s), guide and supervise the investigation, as well as direct the activities of authorized officials pertaining to the identification of suspect(s) and the gathering of information and evidence; b) to conduct an investigation in accordance with the law; c) to grant immunity in accordance with law; d) to request information from governmental bodies, companies and other physical and legal persons; e) to issue summonses and orders and to propose the issuance of summonses and orders in accordance with the law; f) to order authorized officials to execute an order issued by the court as provided by the law; g) to propose the issuance of a warrant for pronouncement of the sentence; h) to issue and defend indictment before the court; i) to file legal remedies; j) to perform other tasks as provided by the law.
The Chief Prosecutor shall have the right and duty to give mandatory instructions to the public prosecutor regarding his/her work, and may, apart from that: take certain actions which are in the competence of the public prosecutor; authorize a different public prosecutor to process individual cases that are within the competence of the public prosecutor; authorize a public prosecutor to perform individual activities that are within the competence of another public prosecutor. The

(2025): Data on the number of instructions were collected from the prosecutor's offices. The number of instructions issued in 2025 was slightly lower than the number of instructions from the previous reporting year (i.e. 2024:26).

Serbia

(2025): During 2025 total of 103 prosecutorial instructions were issued:
-1 instruction was issued by the General Prosecutor, - 56 instructions were issued by the immediately higher Chief Public Prosecutor to a lower Chief Public Prosecutor
- 46 were issued by Chief Public Prosecutor to Public Prosecutor within the same Public Prosecution.

Question 40

Albania
(2025): GPO- In the category “Others” are included the Judicial Police Officers in the prosecution offices of general jurisdiction. The organic number of non-prosecutorial staff is 641 employees; therefore, the difference between 613 and 641 refers to vacant positions

(2024): Total number without the prosecutors is 742 (32 vakancies)/ From them 247 are Judicial Police Officers and the rest of 435, is supporting staff.

(2023): Numebr of posts of non-public prosecutor’s staff is 1003. From this number, actually filling the posts are 608 employees. The staff is divided in judicial police officers, (246 full time equivalent and 226 actually filling the position) and administrative staff (395 full time equivalent and 382 actually filling the position). The j.p officers actually filling the positions are divided; 185 males and 41 females. The administrative staff actually filling the positions are divided; 98 males and 284

Bosnia and Herzegovina
(General Comment): The number of staff includes all categories of employees in prosecutors' offices except prosecutors. Employees who assist prosecutors in the work on cases, employees who perform all other tasks necessary for the functioning of the prosecutor's office and employees who perform the necessary technical tasks.
The categories of employees who are included in our response are the following: -Administrative, accounting and legal affairs -Typists, prosecutorial assistant
-ICT staff
-Investigators in prosecutors' offices
-Public Relations officers
-Expert for Witness support/protection of minors
-Support to prosecutors in case work (example – trainees)
-Expert associates/advisors - support to prosecutors in the work on cases (example – Economic expert)
-Supporting Technical staff (example – driver)

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Montenegro

(2025): In December 2025, the State Prosecutor’s Offices had 310 officials employees and 30 interns on the payroll.

(2024): all staff civil servants full time employed.
According to internal organization and systematization acts in state prosecutor’s offices, there are employees with the following titles: secretary, head of cabinet, advisor, chief, head of registry office, independent advisor I, independent advisor II, independent advisor III, senior advisor I, senior advisor II, senior advisor III, advisor I, advisor II, advisor III, independent clerk, clerk, senior employee, employee and trainee.

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(2022): According to internal organization and systematization acts in state prosecutor's offices, there are employees with the following titles: secretary, head of cabinet, advisor, chief, head of registry office, independent advisor I, independent advisor II, independent advisor III, senior advisor I, senior advisor II, senior advisor III, advisor I, advisor II, advisor III, independent clerk, clerk, senior employee, employee and trainee.

Serbia
(2025): "Other non-prosecutor staff" are translator, spokesperson, media coordinator, librarian, workplace for international projects and European integration. This question has been revised compared to question no. 32 from previous years, with a more clearly defined scope of reporting. Accordingly, the data reported this year include both permanent and fixed-term staff.

(2023): From the total number of out of 1,485, 735 are other employees whose task is to help public prosecutors - lawsuits. assistants, record-keepers, 599 employees in charge of various administrative tasks - registrars, personnel tasks, financial tasks, IT tasks, 142 technical staff, judicial guards, housekeepers, and finally 9 other/other tasks (spokesman, librarian, translator...)

Kosovo*
(2025): "The "other" category include two (2) officials who are part of the cabinet of Chief State Prosecutor's office."
Many recruitment procedures took place during 2025, that's the reason the numbers are higher.

(2024): In this category we have included professional associates, legal officers and legal secretaries.

(2023): In this category we have included Director of Secretariat of KPC, Director of PPRU, Heads of departments, divisions, offices, administrators of prosecution offices, professional associates, legal officers and all other professional and administrative positions within the prosecutorial system.

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Question 41

Bosnia and Herzegovina

(General Comment): Total number of open positions:
Public advertisements for filling vacant positions in prosecutors' offices and courts in Bosnia and Herzegovina cannot contain an indication of the gender that the successful candidate must meet. Accordingly, only data on the number of vacant positions for which a recruitment procedure was initiated in the reporting year by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina are available.
Total number of applicants:
As for the total number of applicants, the data is available only in relation to the question about the total number of applicants in the reference year. However, the total number of applicants cannot be divided according to the number of applications for judge and prosecutorial positions because almost all submissions include applications for vacant positions in both courts and prosecutor’s offices.

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Montenegro

(2025): Judicial Council Comment: Three (3) court presidents were elected, namely the Basic Court in Pljevlja and the Misdemeanor Courts in Podgorica and Bijelo Polje;
• In the promotion process during the reporting year, 14 judges were elected, namely one (1) judge of the Supreme Court of Montenegro; one (1) judge of the Court of Appeal of Montenegro;
10 judges of the High Court in Podgorica; one (1) judge of the High Court in Bijelo Polje and one (1) judge of the High Court for Misdemeanors of Montenegro;
• Two (2) judges were assigned on the basis of permanent voluntary transfer;
• 35 candidate judges were selected and assigned as judges after completing the training, as follows: two (2) for the Commercial Court of Montenegro, two (2) for the Administrative Court of Montenegro, 10 judges in the Basic Court in Podgorica, two (2) judges in the Basic Court in Bijelo Polje, three (3) judges in the Basic Court in Kotor, two (2) judges in the Basic Court in Bar, three (3) judges in the Basic Court in Berane, one (1) judge in the Basic Court in Ulcinj, one (1) judge in the Basic Court in Cetinje, one (1) judge in the Basic Court in Danilovgrad and one (1) judge in the Basic Court in Nikšić, and seven (7) judges of the misdemeanor courts in Podgorica (2), Budva (1) and Bijelo Polje (4).
During 2025, 31 candidate judges were selected and sent for initial training at the Judicial and Public Prosecutor's Office Training Center. Of these, six were selected as judges, having completed their initial training by the end of 2025. Selection and deployment are expected for a number of candidates in early 2026, and for the rest by the end of the year.
Prosecutor’s Office Comment:
In the reporting year, four public announcements were issued: for the selection of Heads of the Basic State Prosecutor’s Offices in Kotor, Bar, and Ulcinj, and for the appointment of one State Prosecutor being elected for the first time to a permanent position at the Supreme State Prosecutor’s Office in Podgorica.
In 2025, decisions were made to appoint four State Prosecutors elected for the first time to a four-year term (three women and one man) and two State Prosecutors at the Supreme State Prosecutor’s Office (one man and one woman); however, these appointments were based on public announcements issued in 2024, and therefore, they are not reflected in the count of employed State Prosecutors.

North Macedonia
(2025): In 2025 there was no new generation for initial training for judges and public prosecutors.

Question 43

Albania
(2025): Law No. 96/2016 ON THE STATUS OF JUDGES AND PROSECUTORS provides in its Chapter 4 on leave and reduction of working hours, specifically Article 23 on annual leave and Article 24 on other leave. Subsequently, Chapter 5 of the said law provides on other rights, and specifically Article 26 on reduction of workload and Article 27 on early retirement.

Bosnia and Herzegovina

(General Comment): Part-time work: In case the judges or prosecutors meet requirements, which are determined by the general labor legislation, it is possible for the judges and prosecutors to be permitted to work part-time (i.e. half of full-time working hours) for a certain period of time in order to provide care to their children.

Montenegro

(2025): Prosecutor's Office Comment:
Law on the State Prosecutor's Office ("Official Gazette of Montenegro," Nos. 11/2015, 42/2015, 80/2017, 10/2018, 76/2020, 59/2021, 54/2024, and 92/2025), Article 33, relating to absence from work and compensation.

Serbia

(2025): Comment by HJC: Article 1 of Law on the organisation of the courts ("Official Gazette of RS", No. 10/2023) stipulates that This Law governs the establishment, abolition, types, scope and actual jurisdiction of courts, interior organisation of courts, court administration, court staff, judicial administration, court security and the funds for the operation of courts.
Article 25 of Rulebook on the evaluation of the work of judges and court presidents (published in the „Official gazette of the Republic of Serbia “ No.34/2024) stipulates that The president of a court in which, according to the systematization, more than 40 judges perform judicial functions has the right to be relieved of his/her workload, except in cases in which he/she is obliged to act by law, as well as in cases in which the needs of the court so require. The president of a court in which, according to the systematization, up to 40 judges perform judicial functions has the right to have his/her caseload reduced by 50%. The deputy president of the court, the president of the judicial department, the heads of the judicial practice and the president of the panel in the second-instance procedure shall have their workload reduced by 20%. The president and member of the Commission, or the deputy president or member of the Commission, shall have their workload suspended for the duration of the training and during the implementation of the evaluation procedure. The income of a judge and a court president may be reduced on another basis, in accordance with the law, based on a reasoned decision of the Council. In the cases where a judge or a court president exercises the right to reduce his income on more than one basis prescribed by law or the Rules, he shall be entitled to a reduction only on one basis, which is most favorable to him.
Article 7 of Rulebook on the work of the Ethics Committee of the High Judicial Council (published in the „Official gazette of the Republic of Serbia “ No.116/2023) stipulates that A member of the Ethics Committee from among judges shall have his caseload and monthly allowance reduced in the court in which he performs his judicial function by a percentage determined by the Council. A member of the Ethics Committee shall not be entitled to a special remuneration for his work on the committee.
Comment by HPC:
Article 24 of RULES ON ADMINISTRATION IN THE PUBLIC PROSECUTOR'S OFFICE ("Official Gazette of the Republic of Serbia", No. 10/2025) stipulates The chief public prosecutor can change the established work plan and program during the year due to a significant increase in the number of cases, longer absence of the public prosecutor or employees and other justified reasons, with the aim of more efficient exercise of competences and performance of administrative tasks in the public prosecutor's office. Amendments to the work plan and program of the Public Prosecutor's Office are carried out in the manner and according to the procedure provided for the adoption of the work plan and program of the Public Prosecutor's Office.

Question 44

Montenegro
(2025): There are no State Prosecutors working part-time in the State Prosecutor’s Office.

Question 45

Albania

(2025): Law 96/2016 “On the status of judges and prosecutors” provides for the following:
Article 16
Reward for skills
Article 17
Home loan
Article 21
Supplementary pension and other benefits
Article 22
Inviolability of salary and other financial benefits of the magistrate
The slight decrease in salaries expressed in euro is due to exchange rate fluctuations, specifically the depreciation of the euro against the national currency (Albanian Lek). It does not reflect any actual change in nominal salary levels, which have remained unchanged during the reference period.

(2024): The changes in the salaries of the magistrates come as a result of the new salary of the magistrate pursuant to Law no. 33, dated 25.05.2023 "On an amendment to the law 96/2016 "On the status of judges and prosecutors in the Republic of Albania as amended, and the, Decision of Council of Ministers no. 325, dated 31.05.2023 "On the approval of the salary structure, salary levels and other salary increments of the deputy minister, cabinet officials, prefect, sub-prefect, civil servants and employees in some public administration institutions".

(2023): Law no. 96/2016, “On the status of judges and prosecutors in the republic of Albania”, articles 11-22, foresee the financial treatment of the magistrates, (judges and prosecutors), giving specific details on how the salaries are calculated, seniority bonuses in the exercise of the function, bonuses for the leading functions, bonuses for difficulties at work, compensation for delegated magistrates, proficiency allowances, home loans and other benefits, etc.

(2022): The difference in amount from one year to another comes for two reasons:
the values are set in the Euro currency, which brings changes in the amount from year to year depending on the exchange rate at the time of reporting, since judges' salaries are calculated in Lek.
the maximum salary that is reported is the salary that is actually given to the judge who is paid more in the system and not the potential salary that the salary can go higher. This means that the maximum salary given, because it also includes the element of seniority at work, which of course changes every year.

Bosnia and Herzegovina

(General Comment): First of all, the work experience affects the amount of net and gross salaries. The following assumptions were used for the above stated calculations of the salaries of judicial office folders (i. e. judges and prosecutors): three-year working experience of judge/prosecutor at the beginning of his/her career; twenty-year working experience of a judge/prosecutor of the supreme court or the highest appellate instance. There are somewhat different general regimes for the salary contributions in different jurisdictions in Bosnia and Herzegovina, these regimes apply to the salaries of the judicial office holders as well. Having in mind the aforementioned factors, the above stated calculations of the salaries are made as the weighted average salary based on the number of judges/prosecutors. The method used to calculate net and gross salaries for judges/prosecutors is based on the basic salary amount as prescribed by law together with allowances added to the net salary subject to years of employment, and other contributions for the calculation of gross salaries. Deviations occur due to the application of different legal regulations on entity level, i.e. specifically with reference to judicial office positions in one of the jurisdictions in Bosnia and Herzegovina (i.e. the Brcko District of Bosnia and Herzegovina), where there are far more judges than prosecutors, which directly impacts the calculation of overall indicators.

(2025): Salaries of public prosecutor at the beginning of his/her career: the increase exceeding 20% threshold is the result of the growth in the average salary in Bosnia and Herzegovina in 2025 (in conjunction with the adjustment mechanism foreseen by the legislation on salaries of judges and prosecutors), as well as the fact that the calculation encompassed 20 first instance prosecutors with the least years of service in either relevant jurisdictions in Bosnia and Herzegovina (i.e. 8 prosecutors in one jurisdiction and 12 prosecutors in another jurisdiction).

(2022): Due to the changes in the Dashboard Western Balkans Questionnaire for 2022, the amount of salaries of judges and public prosecutors in Bosnia and Herzegovina at the Highest Appellate Instance is significantly higher in 2022 compared to the relevant figure included in the Dashboard Western Balkans

Montenegro

(2024): The salary of a state prosecutor at the beginning of his career is calculated according to the coefficient of 15.56, while the salary of a state prosecutor at the Supreme State Prosecutor's Office is calculated according to the coefficient of 22.48, in accordance with Article 22 of the Law on wages of employees in the public sector

(2023): Increase of salaries 2023 is a result of the adoption of new so called "Branch collective agreement for the administration and judiciary" (the agreement between employers and unions) which foresees possibilities of increase of basic salary for overtime and on-call and similar types of out of operating hours work

North Macedonia

(2025): Housing and travel expenses and bonuses on salaries. The decrease from 2024 is result of the fact that in 2024 were paid bonuses on the salaries to judges. In 2025 such bonuses on the salaries were not paid.

(2023): Salaries increased due to a decision of the Constitutional Court. Decision of the Constitutional Court effects several laws governing the salaries of appointed and elected officials, judges, and public prosecutors followed a specific methodology for calculating salaries. According to this methodology, salaries were determined by multiplying a coefficient defined by law with a fixed amount specified as the legally established basis. However, the Constitutional Court overturned the provision that specified the fixed amount as the legally established basis. Consequently, a new methodology defined in the law is still in force where the coefficient defined by law is multiplied by the average monthly salary in the state. This change has led to a rapid increase in salaries for judges, prosecutors, and other appointed and elected individuals.

(2022): In 2022 public prosecutors in the PPO for organized crime had an additional financial benefits of 35% of the salary every month. In 2022 the highest gross/net annual salary of the public prosecutor for organized crime was 26.179 /17.135 euros.
Also, in 2022 there were additional financial benefits for judges, 15-30%.

Serbia

(2025): The annual salary of a judge of the basic court is shown increased by 2% of past work (with 5 years of service).
The annual salary of a judge of the Supreme Court is increased by 10% of past work (with 25 years of service) and increased by 30% (according to the decision of the High Council of the Judiciary on increasing salaries for judges of the Supreme Court due to vacancy and workload).

(2024): For judges' salaries at the beginning of their careers, the basic court judge's salary increased by 2% of past work is shown
The salary of the judge of the Supreme Court was increased by 10% of the previous work.

Kosovo*

(2025): Gross and net salary not including work experience, or any other additional payments.
The salary for “public prosecutors at the beginning of his/her career” is the salary of prosecutors who work in the general department of the basic prosecution offices.

(2024): The salary for “public prosecutors at the beginning of his/her career” is the salary of prosecutors who work in the general department of the basic prosecution offices.
Salary for “public prosecutor of the supreme court or the highest appellate instance” is the salary of prosecutors in the office of the Chief State Prosecutor.

(2023): KJC: Annual salary of the Supreme Court president: 35,400.0 € Gross annual salary, in €
Annual salary of the Appellate Court president: 31,860.0 € Gross annual salary, in €
Annual salary of the Basic Court president: 28,389.5 € Gross annual salary, in €
KPC: The salary for “public prosecutors at the beginning of his/her career” is the salary of prosecutors who have started working in 2023 and work in the general department of the basic prosecution offices. However, with the new law on salaries during 2023, other prosecutors of the general department received higher salaries than the ones who were decreed in 2023 after the law entered into force, because the Law decreased the salaries of prosecutors.
Salary for “public prosecutor of the supreme court or the highest appellate instance” is the salary of prosecutors in the office of the Chief State Prosecutor.

(2022): -KJC: The Appellate judge which is the level between the First instance court and the Supreme court has the salary of 2,389 EUR.
-KPC: The salary for “public prosecutors at the beginning of his/her career” is the salary of prosecutors who work in the general department of the basic prosecution offices. Salary for “public prosecutor of the supreme court or the highest appellate instance” is the salary of prosecutors in the office of the Chief State Prosecutor.

Question 46

Albania
(General Comment): The criteria for the quality assessment of the public prosecutor’s work are set by the Law no. 96/2016, “On the status of judges and prosecutors in the Republic of Albania”, as amended, and Regulation "On the ethical and professional assessment of prosecutors", approved by Decision no. 95, dated 09.05.2022, of High Prosecutorial Council. These criteria are summarised in 4 indicators:
a) professional skills; b) organizational skills; c) ethics and commitment to professional values; d) personal skills and professional commitment.
High Prosecutorial Council is responsible for carrying out the ethic and professional evaluation of all prosecutors and head of prosecution offices.
The aim of the ethical and professional performance evaluation of magistrates is to: a) Continuously improve the ethical and professional skills of magistrates; b) Establish consistent standards for the quality and quantity of the work of magistrates; c) Announce the Councils’ decisions in relation to decisions on the status of magistrates in connection with the development of their career based on their merits; ç) Provide information to the Councils and the School of Magistrate with regard to training needs of magistrates and to facilitate the planning of the training; d) Identify the magistrates who may have particular professional skills relevant for the justice system; dh) Contribute to the improvement of the organizational structure of courts and prosecution offices as well as the working conditions for magistrates.

Bosnia and Herzegovina
(2025): Please consult the description of the system for evaluating the work of judges and prosecutors in Bosnia and Herzegovina in relation to the question Q47.

Montenegro

(2025): Rules for evaluation of judges and court presidents summary:
quantitative criteria relates to number of finished cases
qualitative criteria -relation between total number of decisions and overturned decisions (judges) -relation between number of all decisions subject to review by higher instances and overturned decisions (judges- -number of opened proceedings by higher instance on appeal (judges)
Prosecutor's Office Comment:
Law on the State Prosecutor's Office ("Official Gazette of Montenegro," Nos. 11/2015, 42/2015, 80/2017, 10/2018, 76/2020, 59/2021, 54/2024, and 92/2025), Article 1 and Articles 86–100.
In addition, the new Rules for the Evaluation of State Prosecutors are applied: https://tuzilastvo.me/wp-content/uploads/2025/06/Pravila-za-ocjenjivanje-drzavnih-tuzilaca-NOVO.pdf
Amendments to the Law on the State Prosecutor's Office introduced changes to the criteria and sub-criteria for evaluating the work of state prosecutors (the Law was published in the Official Gazette of Montenegro, No. 54/2024 of 11 June 2024, and entered into force on 19 June 2024). This required the adoption of new Rules on the Evaluation of State Prosecutors and Heads of State Prosecutor's Offices, which entered into force on 27 May 2025.
On 28 November 2025, a new Commission for the Evaluation of the Work of State Prosecutors was established. On 16 December 2025, the Commission adopted the Plan for the Evaluation of State Prosecutors, under which evaluations will be carried out in 2026. The procedure for evaluating state prosecutors and heads of state prosecutor's offices is currently ongoing, in accordance with the Evaluation Plan. It is planned that 63 state prosecutors will be evaluated in 2026, including 51 state prosecutors and 12 heads of state prosecutor's offices.
Furthermore, the mandate of the members of the Prosecutorial Council expired on 5 August 2025, while the members from among distinguished legal professionals were elected on 19 November 2025. Consequently, it was not possible to establish the Commission for the Evaluation of the Work of State Prosecutors earlier, nor to adopt the Evaluation Plan in accordance with Article 2 of the Rules on the Evaluation of State Prosecutors and Heads of State Prosecutor's Offices ("Official Gazette of Montenegro", No. 48/25). As a result, the evaluation of state prosecutors and heads of state prosecutor's offices was suspended during 2025.
The performance evaluation of a state prosecutor is important for the promotion process to a higher state prosecutor's office, as well as for assignment to a permanent position. Namely, state prosecutors are first elected for a four-year term, and after receiving a satisfactory evaluation, they can be assigned to a permanent position.

North Macedonia

(2025): Quantitative criteria for the work of a judge are:
- the scope of his work, which is evaluated through the number and type of resolved cases in relation to the indicative number of cases that the judge should resolve per month, received from the automated computer system for managing court cases in the courts,
- the quantity of the judge's work in terms of the number of reversed decisions in relation to the total number of resolved standard decisions.
The qualitative criteria for assessing the work of a judge are:
- the quality of conducting a court procedure, which assesses: the ability to argue, the readiness to conduct the hearing, the preparation of minutes and the hearing of parties, the readiness to make procedural decisions, as well as the ability to resolve conflicts.
- quality of prompt handling of court cases in terms of: compliance with legal deadlines for undertaking procedural actions in the procedure, compliance with legal deadlines for adopting, publishing and drafting decisions, duration of the court procedure and - quality of the work of the judge in terms of the number of annulled decisions due to a significant violation of the procedure in relation to the total number of resolved standard cases.
For the qualitative criteria, the judge can receive a maximum of 120 points. With regard to the quantitative criteria, if the number of resolved cases by individual types of cases in relation to the envisaged indicative number is 100%, it is considered that the judge has fulfilled the quantitative criteria and is assessed with 40 points. (3) The greater or lesser number of resolved cases in relation to the envisaged indicative number of cases is assessed in such a way that for each 1% more or less, the number of points from paragraph (3) of this Article increases or decreases by 0.5 points, whereby the total number of points cannot be more than 60 points or less than 20 points.
Criteria for evaluating the work of public prosecutors are:
- expertise and quality in decisions, legal remedies and other written documents,
- promptness and efficiency,
- impartiality and conscientiousness,
- reputation and ethics worthy of the position,
- cooperation and attitude towards clients and other employees in the prosecution service,
- ability and willingness for professional development and acquisition of new knowledge,
- organizational skills.
For public prosecutors, the maximum number of points that can be obtained for all criteria is 200, and a positive score is if it is over 120, and if it is less than 120, the score is negative.

Serbia

(General Comment): Reply by HJC:
According to Law on Judges (“Official Gazette of RS", No. 10/2023 and 9/2026) the purpose of evaluation is to evaluate, maintain and improve the quality of work, with the observance of independence of a judge, in order to strengthen public trust in the work of judges and the courts.
The work of a judge and a president of court is being regularly evaluated once in five years, except in case of the judge and the president of the Supreme Court and the judge above the age of 60. The work of the judge above the age of 60 shall be evaluated at the personal request of the judge or at the proposal of the president of the court.
Performance evaluation involves all aspects of work of the judge or the president of the court, with special consideration regarding the working conditions.
Evaluation is conducted on the basis of published, objective, uniform and comprehensive criteria based on qualitative and quantitative indicators. Evaluation of the work of judges is performed on the basis of the following basic criteria: professional knowledge and ability to its application; the ability of analytical opinion and resolving legal issues; ability to make decisions within appropriate deadlines; arguing and interrogation skills; oral and written expression and argument ability; ability to organize the judge's work; the ability to perform the tasks of the leading position, if the judge is appointed to such a position; undertaking additional works and duties; The criteria and evaluation indicators, the manner and the procedure for the performance evaluation of a judge and/or a president of court are closer regulated by the act of the High Judicial Council.
The High Judicial Council at the session held on April 17, 2024, in accordance with the Law on Judges ("Official Gazette of the RS" No. 10/23), adopted the Rulebook on the Evaluation of the Work of Judges and Presidents of the Courts ("Official Gazette of the RS" No. 34/2024 of April 19, 2024), which regulates the criteria and indicators for evaluating the performance of judges and court presidents, the evaluation procedure, the composition and method of work of the Commission for evaluating the performance of judges and court presidents, as well as other important issues for evaluation. The implementation of this Rulebook will start on January, 2026. Until the day of starting with the implementation of aforementioned Rulebook, the High Judicial Council continued to conduct evaluations using the previous Rules on the Criteria, Standards, Procedure and Bodies for the Evaluation of the Work of Judges and Court Presidents, which were assessed not to be in conflict with the new legal provisions.
According to previous Rules on the Criteria, Standards, Procedure and Bodies for the Evaluation of the Work of Judges and Court Presidents criteria for evaluation of judges’ performance are quality and quantity. Standards for evaluating quality of judges’ performance shall be the percentage of repealed decisions and time for drafting decisions. Quality evaluation is performed by determining individual grade for each standard, and based on determined individual grades, final evaluation grade of judges’ performance quality is determined.
Standard for quantity evaluation of judges’ performance is monthly caseload quota, and for judges not having sufficient number of pending cases, standard for quantity evaluation shall be the total number of closed cases against the total number of pending cases.
Yes, evaluation results are directly linked to promotion or career progression for judges.

(2025): Comment by HJC:
Performance evaluation involves all aspects of work of the judge or the president of the court, with special consideration regarding the working conditions. Evaluation is conducted on the basis of published, objective, uniform and comprehensive criteria based on qualitative and quantitative indicators. Evaluation of the work of judges is performed on the basis of the following basic criteria: professional knowledge and ability to its application; the ability of analytical opinion and resolving legal issues; ability to make decisions within appropriate deadlines; arguing and interrogation skills; oral and written expression and argument ability; ability to organize the judge's work; the ability to perform the tasks of the leading position, if the judge is appointed to such a position; undertaking additional works and duties; The criteria and evaluation indicators, the manner and the procedure for the performance evaluation of a judge and/or a president of court are closer regulated by the act of the High Judicial Council.
The work of the judge, i.e. the president of the court, is evaluated with: “excellently performs the judicial function”, “successfully performs the judicial function”, “satisfactorily performs the judicial function”, “unsatisfactorily performs the judicial function”. The decision on the evaluation is added to the personal file of the judge, i.e. the president of the court.
Comment by HPC:
Articles 11 and 24 of the Rulebook on criteria and indicators for evaluating the work of the Chief Public Prosecutor and Public Prosecutor of the basic, higher or appellate level, defines the criteria for evaluation as: 1. professional knowledge and the ability to apply it,
2. the ability to form an analytical opinion and resolve legal issues,
3. the ability to make decisions within reasonable deadlines,
4. the skill of debating and listening,
5. the ability to express and argue orally and in writing,
6. taking on additional tasks and duties.
Evaluations are carried out by a commission appointed by the High Prosecutorial Council. Regular evaluations are conducted every 3 years. Extraordinary evaluations may be carried out based on a decision by the High Prosecutorial Council. The High Prosecutorial Council may decide on an extraordinary performance evaluation in the following instances: 1. when electing Chief Public Prosecutors and Public Prosecutors to another or higher public prosecutor's office, 2. at the personal request of the Chief Public Prosecutor and Public Prosecutor in the event of absence from work for more than ¾ of the evaluation period, 3. when the Chief Public Prosecutor or Public Prosecutor is assessed as "unsatisfactorily performing the public prosecutorial function", 4. in other cases the High Prosecutorial Council deems it justified and necessary.

Kosovo*

(2025): KPC COMMENT: The annual assessment of prosecutors work is done by their superior/chief prosecutor. The regular every 3 year Performance evaluation is done by the Council's permanent Committee for performance evaluation of prosecutors.
Prosecutors performance assessment done by the Council's Committee is based on:
1. Professional knowledge, work experience and performance, including human right knowledge and compliance;
2. Ability for legal reasoning;
3. Professional skills, including participation in formal training in which performance is assessed;
4. Skills and ability to analyze legal problems;
5. The ability to perform tasks impartially, with conscience, diligence, determination and responsibility;
6. Communication skills;
7. Behaviors outside the office, as well
8. Personal integrity;
9. Evaluation by the superior.
The Committee evaluates the performance of prosecutors according to the level of prosecution, department and function, based on the evaluation categories as follows:
1.1. Ethics and integrity;
1.2. Productivity;
1.3. Legal knowledge and reasoning;
1.4. Case management;
1.5. Writing;
1.6. Communication and advocacy;
1.7. Ability to judge and decide;
1.8. Leadership and teamwork;
1.9. Professional development and other skills, including the use of technology;
1.10. Management.
1.11. Case Supervision.
All of these and more information can be found in the Regulation for performance evaluation in the following link: https://prokuroria-rks.org/uploads/2025/10/de034f67-328d-40c6-8471-23bf3616ca8b_Nr.1010.2020-Regullation%20NO.05.2020.pdf

Question 47

Bosnia and Herzegovina

(General Comment): According to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, the High Judicial and Prosecutorial Council of Bosnia and Herzegovina adopts two sets of criteria - criteria for evaluating the performance of judges and criteria for evaluating the performance of prosecutors. The evaluation of the work results of all judges and prosecutors is carried out once a year. The performance of judges is assessed by the president of the court, whereas the chief prosecutor evaluates the work of prosecutors in accordance with the criteria established by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina.
In December 2024, the High Judicial and Prosecutorial Council of Bosnia and Herzegovina adopted new criteria for evaluating the work of judges and prosecutors. With the adoption of the new criteria, analytical evaluation was introduced into the evaluation system for judicial function holders. This involves a qualitative element of work evaluation („Analytical evaluation of prosecutor's work“ and „Analytical quality of judge's work and decisions“) which will enable a better assessment of the professional competencies of each judge and prosecutor. Thus, a reform of the evaluation system was initiated, which had previously been predominantly based on the assessment of results according to quantitative indicators. This reform was undertaken after the recommendations of experts engaged by the European Commission for the preparation of a 'Peer Review on the evaluation of the work of judges and prosecutors' from 2017 were accepted, suggesting that it is necessary to strengthen quality criteria in the evaluation system. The presidents of courts and chief prosecutors will evaluate the work of the holders of judicial functions according to new criteria during the first quarter of 2026.
The criteria and points structure for the annual performance evaluation of judges are as follows: Quantity of work (i.e. annual quota) – up to 30 points, Percentage of realization of individual case resolution plan - up to 10 points, Analytical quality of judge's work and decisions – up to 10 points, Statistical quality of decisions (i.e. confirmation rate) – up to 50 points.
The criteria and points structure for the annual performance evaluation of prosecutors are as follows: Quantity of work (i.e. annual quota) – up to 30 points, Percentage of realization of individual case resolution plan - up to 10 points, Analytical evaluation of prosecutor's work - 10 points, Statistical quality of decisions – up to 50 points.
The statistical quality of decisions issued by a judge is evaluated based on the following sub-criteria:
a)the percentage of reversed decisions compared to the total number of decisions upheld, modified and reversed by a higher instance court;
b)the percentage of reversed and modified decisions compared to the total number of cases in which a final decision was rendered to which a legal remedy may be filed with the higher instance court.
The chief prosecutor determines the analytical evaluation of the prosecutor's work based on a reasoned assessment of the prosecutor's work according to the following elements: a) the ability to determine the established facts relevant for making prosecutorial decisions; b) the ability to handle complex cases; c) timeliness in making decisions and compliance with legal deadlines; d) the ability to organize and efficiently conduct investigations in a proactive manner; e) the professional level of prosecutorial decisions, demonstrated legal knowledge, and use of legal remedies.

Question 48

Bosnia and Herzegovina

(General Comment): Number of lawyers: Bar associations from Bosnia and Herzegovina submitted data on the number of lawyers registered in their official registers at the end of the reporting year. Only lawyers enrolled in the public registry of lawyers have the right to represent and defend all physical and legal persons before courts, administrative authorities and all other institutions in the state.
Number of enforcement agents:
Courts from Bosnia and Herzegovina submitted data on the number of enforcement agents at the end of the reporting year. Enforcement agents are court employees who, by order of the court, take immediate actions in the enforcement proceedings. The enforcement proceedings are managed by the individual judge.
Number of notaries:
Notary chambers from Bosnia and Herzegovina submitted data on the number of notaries registered in their official registers at the end of the reporting year.
Number of judicial experts:
The relevant ministries of justice keep records of appointed expert witnesses. This directory is a public register.

Montenegro

(2022): Source of data: Bar Association

North Macedonia

(2023): The total number of enrolled lawyers during 2023 is 97, of which 44 are females and 53 are males

Serbia

(2025): When talking about the number of court experts, we should point out that under judical experts we have included court experts (A court expert is a qualified expert appointed by the Ministry of Justice and who possesses specialized scientific, technical or artistic knowledge necessary to clarify facts relevant to the court proceedings. Through their expert report and opinion, court experts assist the court in making the correct decision in complex cases (e.g. medicine, economics, mechanical engineering, construction) and court interpreters (A court interpreter is a qualified expert authorized by the Ministry of Justice to translate documents and certify them with their official seal and signature, thereby guaranteeing that the translation faithfully corresponds to the original. Court interpreters are required for legally valid documents (such as certificates, diplomas and contracts) both in the country and abroad, and are obliged to respond to a court summons.) registered with the Ministry. With this in, we have a total of 6889 court experts and 953 interpreters. Gender information for these categories is currently not possible.

(2023): Total number of lawyers on December 31st, 2023.

Kosovo*

(2022): 78% men;
22% women.

Question 49

Albania

(General Comment): The Code of Civil Procedure of the Republic of Albania in its article 22 stipulates that litigants may defend themselves, except in cases where representation is mandatory
Chapter 2 provides for representatives. Articles 96 and 96/a, regulate in detail the representation in court. In reference to the legal regulations in force, the obligation for representation by a lawyer results for representations in the Supreme Court of the Republic of Albania.
The Code of Criminal Procedure in its article 6 stipulates that the defendant has the right to defend himself or herself with the assistance of a lawyer. Article 58 stipulates that the victim has the right to to choose a lawyer and, where appropriate, to receive free legal assistance. Mandatory representation in criminal cases is provided for in the article 49 of the Code
Representation in Administrative Cases are regulated according to the relevant provisions of the Code of Civil Procedure.

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Representation in Administrative Cases are regulated according to the relevant provisions of the Code of Civil Procedure.

Bosnia and Herzegovina

(General Comment): In criminal cases the suspect/accused has the right to present his/her own defence or to be defended by a defence counsel who has to be a lawyer or, in some parts of the state, a legal aid official employed by a legal aid institution. Only in cases specified by the law defence by a defence counsel is mandatory. Many of the criminal cases dealt with by the highest courts fall under the terms of mandatory defence by a defence counsel. Civil society organisations, family members or trade unions cannot represent a client before courts in criminal cases. As for the victims, they can represent themselves while the criminal procedure legislation does not contain an explicit general provision on the right of victims to have a representative in criminal proceedings; however, criminal procedure laws include several provisions that indirectly foresee this possibility for victims without stating that these representatives can only be lawyers.
Litigants can represent themselves in civil and administrative cases. They can also be represented by family members (spouse, life partner or by a relative by blood or by marriage), legal aid officials (employed by legal aid institutions or legal aid NGOs) or by trade union employee in labour cases.
Self-representation before the highest instance courts in civil cases is restricted in the revision cases (extraordinary legal remedy). Request for revision can be submitted to the highest instance courts by either a lawyer or by a litigant or his agent provided they have the same qualifications as lawyers (bar exam).

Montenegro

(2025): Only where is mandatory according to the law, it is exclusively exercised by lawyers.
In Montenegro, legal representation before courts is not necessarily performed exclusively by attorneys-at-law. Depending on the type of proceedings and the status of the party, representation may also be carried out by the parties themselves, legal representatives, or other authorized persons, in accordance with the applicable legislation.
Natural persons may represent themselves in civil proceedings or authorize another person through a power of attorney, while legal entities are represented by their authorized representatives or attorneys-at-law.
In criminal proceedings, defendants are represented by defense counsels, and mandatory legal representation applies in cases prescribed by law.

North Macedonia

(General Comment): This matter is regulated in procedural laws. According to the Article 71 from the Law on criminal procedure, only a licensed attorney may act as a counsel for the defense.
Law on Civil procedure
Article 81
(1) An authorized representative of the party may be:
- attorney
- person – graduated lawyer who is employed by the party
- blood relative in the straight line, brother, sister, or a spouse - if it has full legal capacity
(2) If a person appears as an authorized agent, contrary to the provisions from paragraph (1) of this Article, the court shall pass a decision with which it shall deny that person any further representation and shall inform the party about that.
(3) A separate appeal against the decision from paragraph (2) of this Article shall not be allowed.
Article 82
If the value of the case exceeds 1.000.000 denars (16.260 Euro), the authorized agents of the legal entity can be a graduate lawyer with the bar exam who is employed by the legal entity.

Serbia

(2025): Criminal cases - With regard to criminal cases, pursuant to Article 74 of the Criminal Procedure Code („Official Gazette RS“, No. 72/11,…62/21), a defendant must have defense counsel: 1. if he/she is mute, deaf, blind, or incapable to conduct his/her own defence successfully – from the first interrogation until the final conclusion of the criminal proceedings;
2. if the proceedings are being conducted for a criminal offense punishable by imprisonment of eight years or a more severe sentence – from the moment of the first interrogation until the final conclusion of the criminal proceedings;
3. if he/she is being detained, prohibited from leaving his residence, or held in custody – from the deprivation of liberty until the finality of the decision lifting the measure;
4. if he/she is being tried in absence – from the rendering a ruling on trial in absentia until such trial is concluded;
5. if the main hearing is being held in his /her absence due to incapacity caused by himself/herself – from the issuance of a ruling to hold the main hearing in his/her absence until the finality of the ruling by which the court establishes the cessation of incapacity to participate in the main hearing;
6. if he/she has been removed from the courtroom due to disturbance of order until the completion of the evidentiary proceedings or the conclusion of the main hearing – from the issuance of the order of removal until his/her return to the courtroom or until the pronouncement of the judgment; 7. if proceedings are conducted against him/her for the imposition of a security measure of compulsory psychiatric treatment – from the submission of the motion for such a measure until the decision referred to in Article 526, paragraphs 2 and 3 of this Code, or until the finality of the decision imposing the security measure of compulsory psychiatric treatment; 8. from the beginning of negotiations with the public prosecutor on the conclusion of a plea agreement under Article 313 paragraph 1, Article 320 paragraph 1, and Article 327 paragraph 1 of this Code, until the issuance of a court's decision on the agreement;
9. if the hearing is held in his/her absence (Article 449 paragraph 3) – from the issuance of ruling to hold the hearing in his/her absence until the court's decision on the appeal against the judgment.
Regarding juveniles
According to Article 49 of the Law on Juvenile Criminal Offenders and Criminal Protection of Juveniles („Official Gazette RS“, No. 85/2005), a juvenile must have defense counsel present at the first hearing as well as throughout the entire proceedings. If a minor, his legal representative or relatives do not appoint a defense counsel, one shall be assigned ex officio by the juvenile judge. The defense counsel for a juvenile may only be an attorney who has acquired special knowledge in the field of children's rights and juvenile delinquency. According to Article 154 of the same Law, a minor as an injured party must have a legal representative from the first hearing of the defendant. In the event that the minor does not have a legal representative, one shall be appointed by decision of the president of the court among attorneys who have acquired special knowledge in the field of children's rights and the criminal-law protection of minors. According to Article 56 of the Criminal Procedure Code („Official Gazette RS“, No. 72/11,…62/21), if the injured party is a minor or a person who has been fully deprived of legal capacity, his or her legal representative is authorized to make all statements and undertake all actions that the injured party is entitled to under this Code. The legal representative may

Kosovo*

(2025): In Kosovo, legal representation before courts varies depending on the type of procedure.
In civil proceedings, a party may represent themselves or appoint any person with full legal capacity as a representative, not necessarily a lawyer. Such a non-lawyer representative may perform most procedural actions; however, explicit authorization is required for more significant acts, such as withdrawal of the claim, settlement, or filing and waiving legal remedies. An exception applies to legal entities, whose representatives may perform these acts without special authorization. Additionally, a lawyer may be substituted by a trainee, but only before the court of first instance.
In criminal proceedings, the defendant may defend themselves or be represented by a defence counsel, but the counsel must be a licensed lawyer and a member of the Bar Association in Kosovo. For some cases, representation by a lawyer is mandatory, as provided below.
Under the Criminal Procedure Code of Kosovo (Law No. 08/L-032), legal representation in criminal proceedings is as follows:
1.Mandatory Legal Representation (Article 56) oDefendants must have a lawyer in specific cases: vulnerable defendants (mute, deaf, blind, or with mental incapacity), from arrest to pre-trial detention, for offenses punishable by ≥5 years imprisonment, in extraordinary procedures, when entering a plea agreement, or when tried in absentia. oIf no lawyer is appointed, a public defender is assigned at public expense. 2.Legal Representation at Public Expense Upon Request (Article 57) oDefendants who cannot afford a lawyer may request a public defender if the offense is punishable by ≥3 years or when required by the interests of justice. oRequests can be made at any stage; assigned lawyers must have appropriate experience. Summary:
•Mandatory legal representation applies only in cases specified in Article 56. •In other criminal cases, defendants may choose legal counsel voluntarily, including requesting a public defender under Article 57. •This framework ensures defendants' rights are protected while allowing flexibility for voluntary representation.

3. Efficiency - Overview

Performance indicators for first instance Civil (and Commercial) litigious cases

Civil (and commercial) litigious cases from 2019 to 2025 (Table 3.1.4)

Clearance Rate					
Civil and Commercial litigious cases - 1st instance					
Beneficiaries	2019	2022	2023	2024	2025
Albania	94%	89%	87%	105%	103%
Bosnia and Herzegovina	114%	98%	114%	98%	109%
Montenegro	99%	86%	82%	77%	100%
North Macedonia	99%	85%	93%	94%	92%
Serbia	93%	178%	140%	119%	100%
Kosovo*	85%	61%	81%	95%	147%
WB Average	100%	107%	103%	99%	101%

For reference only: the 2024 EU median for the Clearance Rate for the first instance Civil (and commercial) litigious cases is 98%.

Disposition Time					
Civil and Commercial litigious cases - 1st instance					
Beneficiaries	2019	2022	2023	2024	2025
Albania	183	377	462	365	398
Bosnia and Herzegovina	528	518	538	549	547
Montenegro	256	417	503	598	610
North Macedonia	193	312	339	350	400
Serbia	306	299	278	274	329
Kosovo*	852	1 511	880	561	686
WB Average	293	384	424	427	457

For reference only: the 2024 EU median for the Disposition Time for the first instance Civil (and commercial) litigious cases is 248 days.

Figure 3.1 Clearance Rate (%) and Disposition Time (days) for first instance Civil (and Commercial) litigious cases from 2019 to 2025

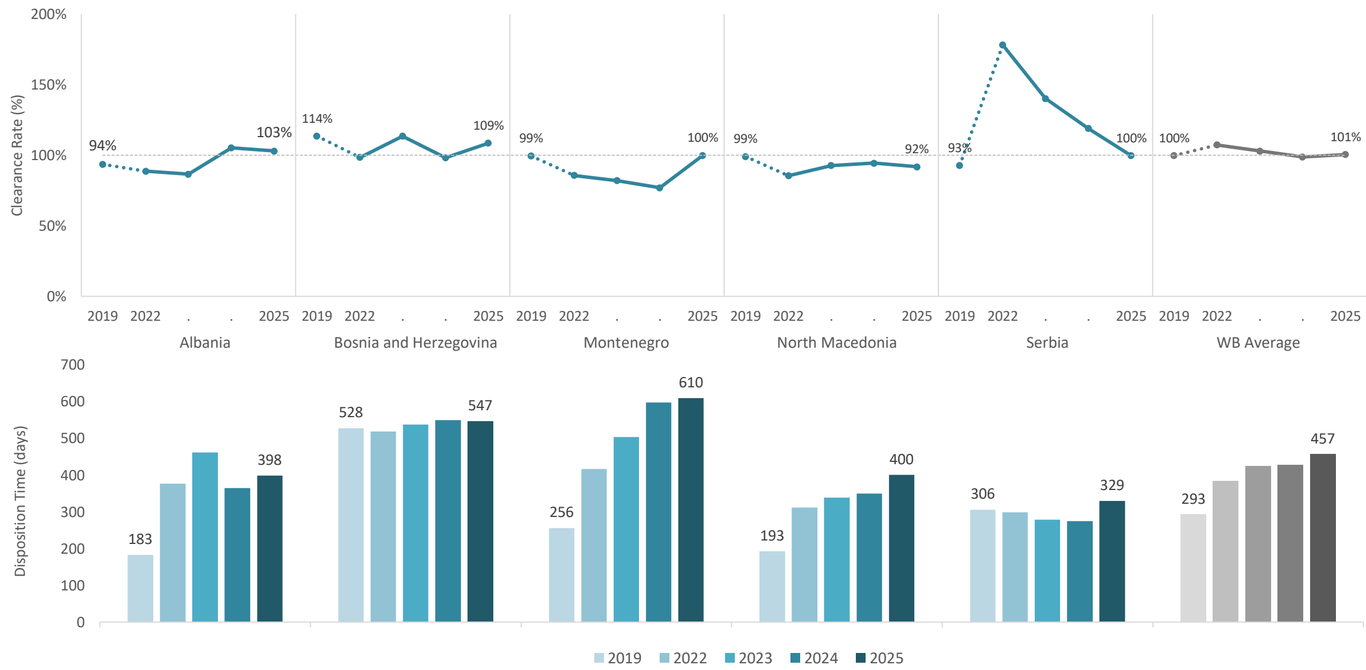
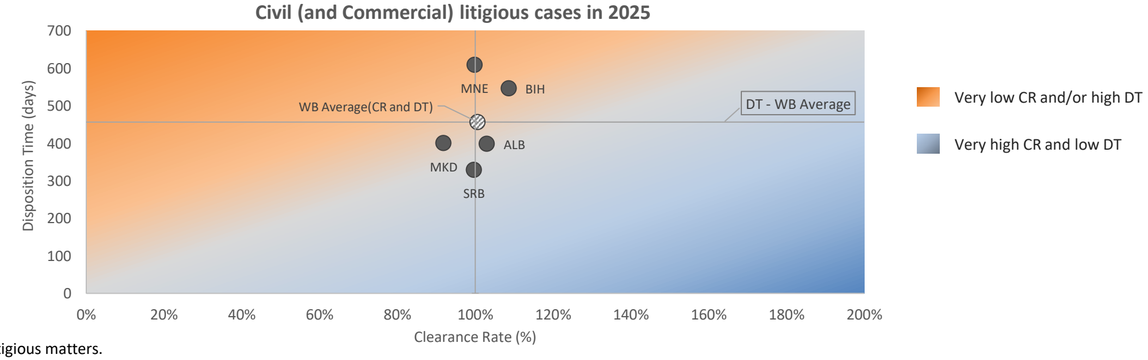


Figure 3.2 Clearance Rate (%) and Disposition Time (days) for first instance Civil (and Commercial) litigious cases in 2025



As of 2024, in **Kosovo**, enforcement cases have been moved from non-litigious to litigious matters.

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Performance indicators for first instance Administrative cases

First instance Administrative cases from 2019 to 2025 (Table 3.1.4)

Clearance Rate Administrative cases - 1st instance					
Beneficiaries	2019	2022	2023	2024	2025
Albania	99%	93%	91%	103%	97%
Bosnia and Herzegovina	96%	88%	112%	105%	94%
Montenegro	105%	40%	40%	109%	157%
North Macedonia	116%	104%	112%	100%	79%
Serbia	94%	39%	35%	76%	119%
Kosovo*	93%	82%	106%	44%	60%
WB Average	102%	73%	78%	99%	109%

For reference only: the 2024 EU median for the Clearance Rate for the first instance Administrative cases is 96%.

Disposition Time Administrative cases - 1st instance					
Beneficiaries	2019	2022	2023	2024	2025
Albania	100	179	229	208	250
Bosnia and Herzegovina	386	389	311	310	337
Montenegro	540	1 180	1 422	879	614
North Macedonia	235	303	283	312	384
Serbia	677	1 528	2 095	1 933	1 362
Kosovo*	787	967	716	1 245	1 265
WB Average	388	716	868	728	590

For reference only: the 2024 EU median for the Disposition Time for the first instance Administrative cases is 327 days.

Figure 3.3 Clearance Rate (%) and Disposition Time (days) for first instance Administrative cases from 2019 to 2025

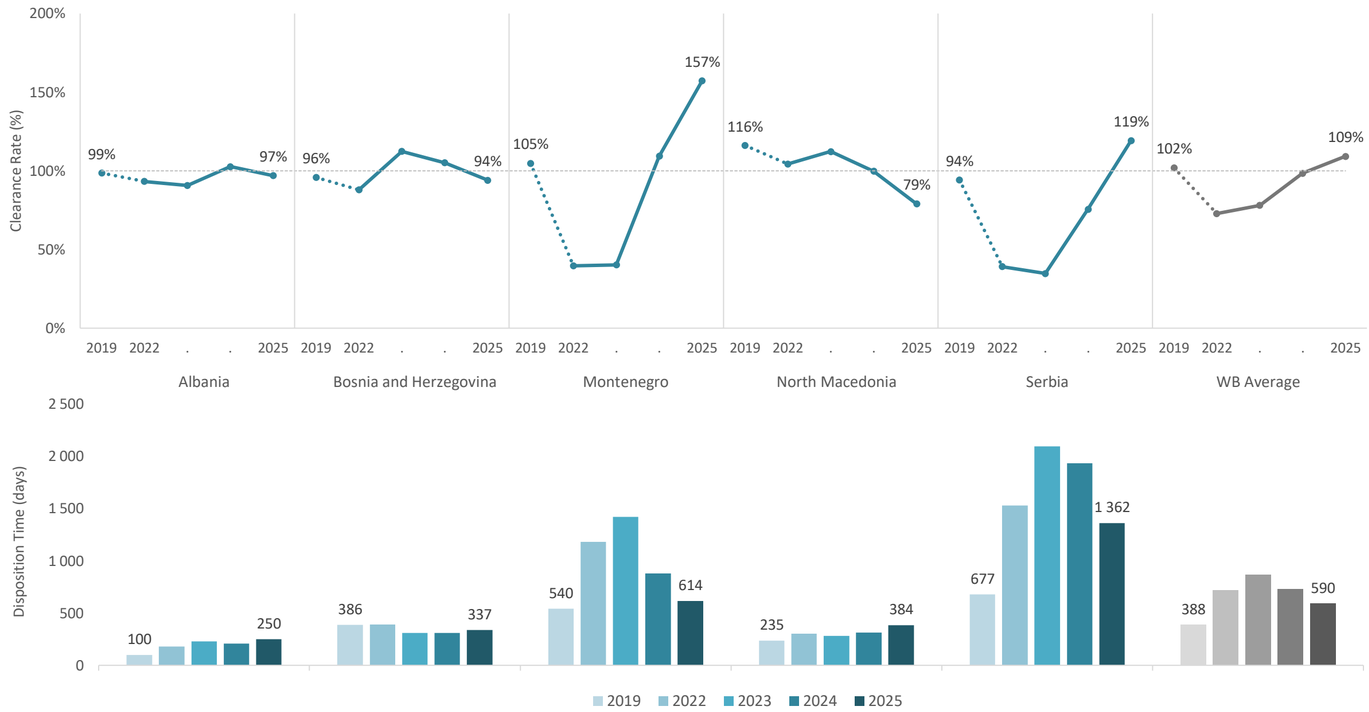
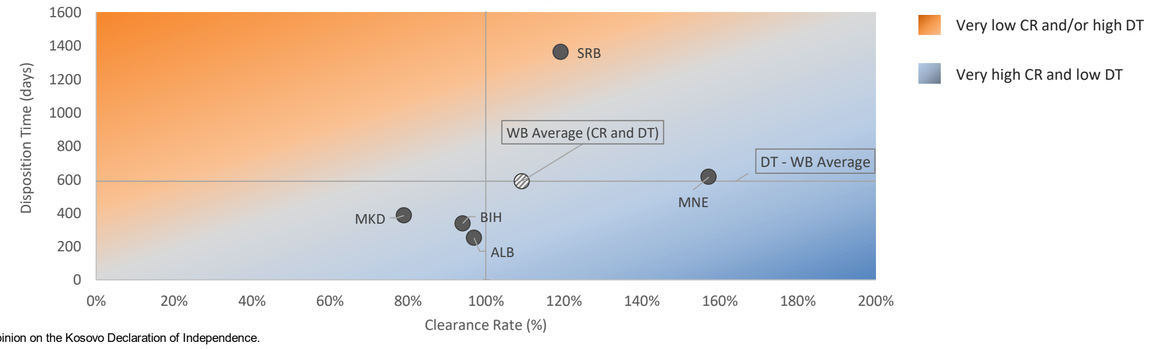


Figure 3.4 Clearance Rate (%) and Disposition Time (days) for first instance Administrative cases in 2025



* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Performance indicators for first instance Sum of Severe and Misdemeanour and / or minor criminal cases

First instance Sum of Severe and Misdemeanour and / or minor criminal cases from 2019 to 2025
(Table 3.2.4)

Clearance Rate					
Sum of Severe and Misdemeanour and / or minor criminal cases - 1st instance					
Beneficiaries	2019	2022	2023	2024	2025
Albania	82%	100%	94%	102%	102%
Bosnia and Herzegovina	90%	109%	99%	79%	91%
Montenegro	98%	78%	98%	110%	101%
North Macedonia	89%	94%	88%	104%	104%
Serbia	111%	106%	103%	97%	100%
Kosovo*	161%	90%	107%	114%	105%
WB Average	94%	97%	96%	98%	100%

Disposition Time					
Sum of Severe and Misdemeanour and / or minor criminal cases - 1st instance					
Beneficiaries	2019	2022	2023	2024	2025
Albania	181	106	124	110	111
Bosnia and Herzegovina	263	269	279	370	298
Montenegro	166	279	287	249	229
North Macedonia	216	159	223	212	199
Serbia	232	220	219	226	229
Kosovo*	299	585	506	439	424
WB Average	212	206	226	234	213

Figure 3.5 Clearance Rate (%) and Disposition Time (days) for first instance Sum of Severe and Misdemeanour and / or minor criminal cases from 2019 to 2025

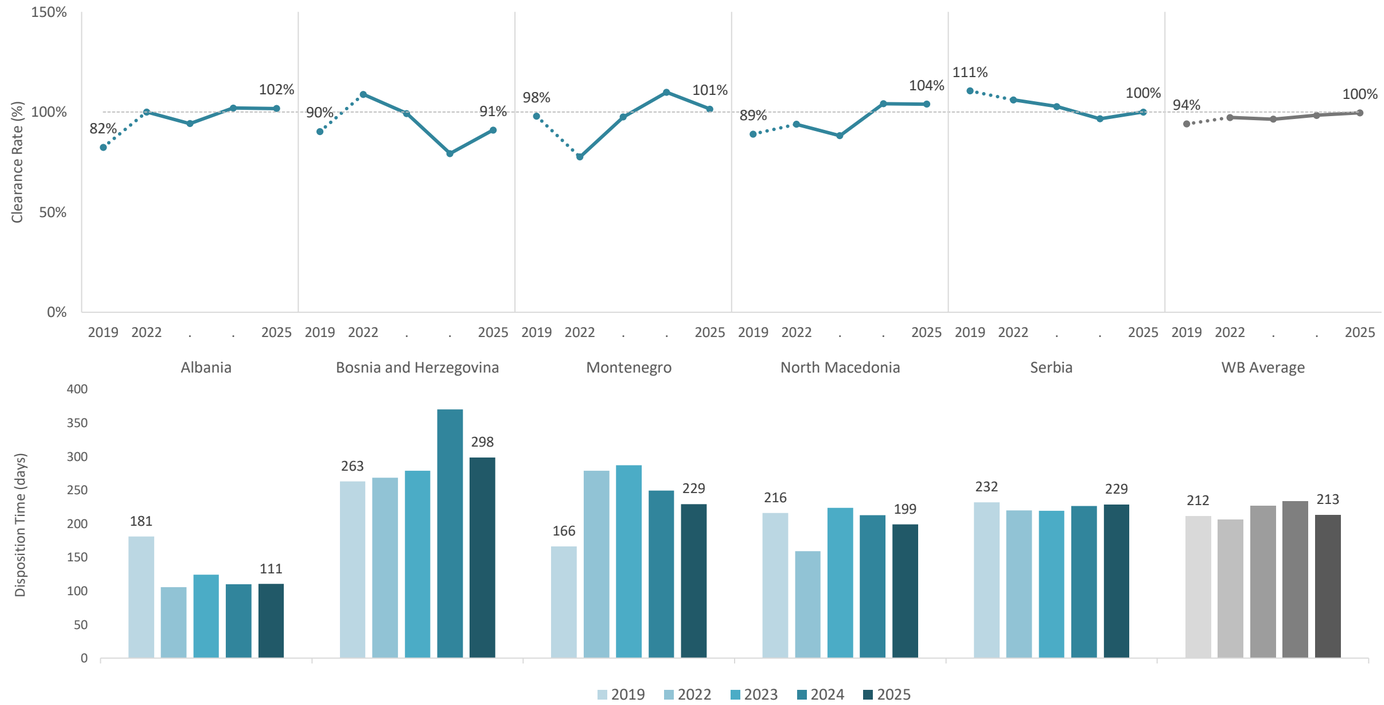
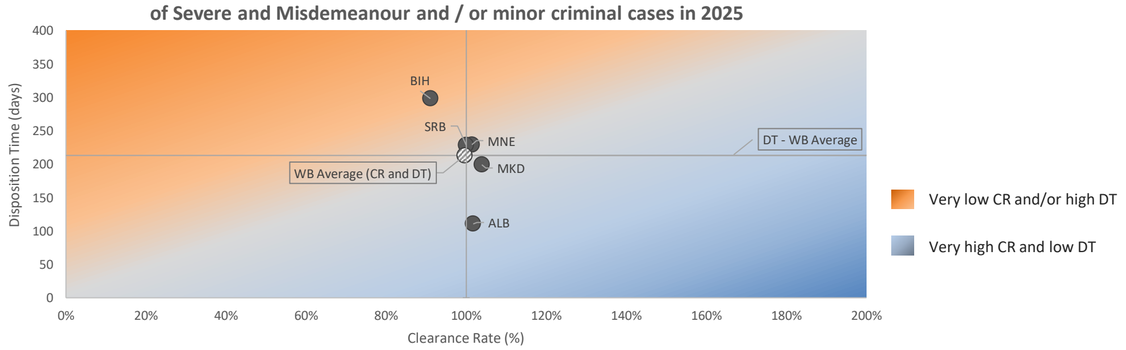


Figure 3.6 Clearance Rate (%) and Disposition Time (days) for first instance Sum of Severe and Misdemeanour and / or minor criminal cases in 2025



* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

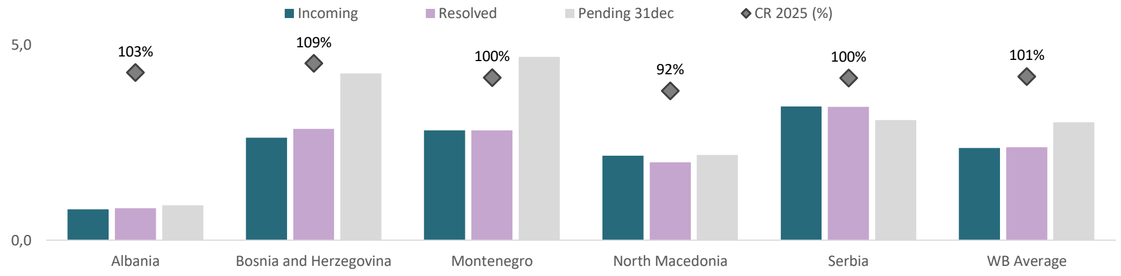
Number of first instance cases per 100 inhabitants

Number of first instance cases per 100 inhabitants in 2025 and their variation between 2024 to 2025 (Tables 3.1.2 and 3.2.2)

	Civil and Commercial litigious cases per 100 inhabitants					
	2025			% variation 2024-2025		
Beneficiaries	Incoming	Resolved	Pending 31dec	Incoming	Resolved	Pending 31dec
Albania	0,79	0,82	0,89	-7,6% ▼	-9,7% ▼	-1,4% ▼
Bosnia and Herzegovina	2,63	2,85	4,27	-13,4% ▼	-4,3% ▼	-4,8% ▼
Montenegro	2,81	2,81	4,69	-27,6% ▼	-6,0% ▼	-4,2% ▼
North Macedonia	2,17	1,99	2,18	-2,0% ▼	-4,7% ▼	9,0% ▲
Serbia	3,42	3,41	3,08	0,4% ▲	-15,9% ▼	0,9% ▲
Kosovo*	2,69	3,96	7,45	-57,0% ▼	-33,3% ▼	-18,4% ▼
WB Average	2,36	2,38	3,02	-10,0%	-8,1%	-0,1%

For reference only: the 2024 EU median for the number of first instance Civil and Commercial litigious cases per 100 inhabitants is 1,84 for the incoming cases, 1,69 for the resolved cases and 1,11 for the pending cases.

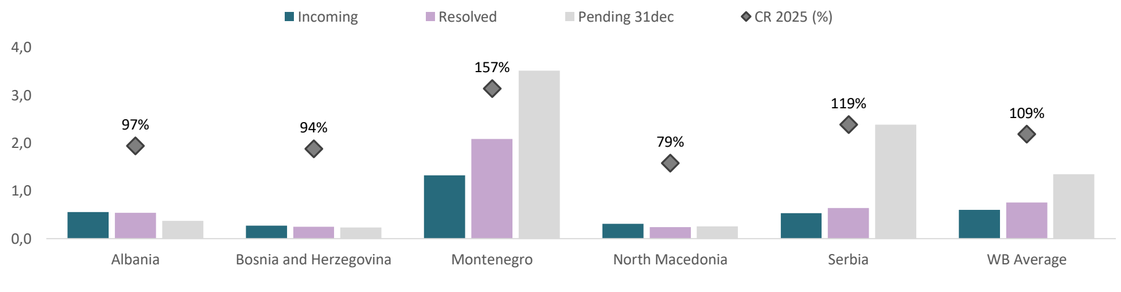
Figure 3.7 Number of first instance Civil and Commercial litigious cases per 100 inhabitans and Clearance Rate (CR) in 2025



	Administrative cases per 100 inhabitants					
	2025			% variation 2024-2025		
Beneficiaries	Incoming	Resolved	Pending 31dec	Incoming	Resolved	Pending 31dec
Albania	0,56	0,54	0,37	-6,9% ▼	-12,1% ▼	6,0% ▲
Bosnia and Herzegovina	0,27	0,25	0,23	10,4% ▲	-1,2% ▼	7,2% ▲
Montenegro	1,33	2,09	3,51	-18,2% ▼	17,6% ▲	-17,8% ▼
North Macedonia	0,31	0,24	0,26	17,4% ▲	-7,1% ▼	14,4% ▲
Serbia	0,54	0,64	2,38	-13,2% ▼	36,8% ▲	-3,6% ▼
Kosovo*	0,28	0,17	0,59	-11,9% ▼	20,6% ▲	22,5% ▲
WB Average	0,60	0,75	1,35	-2,1%	6,8%	1,2%

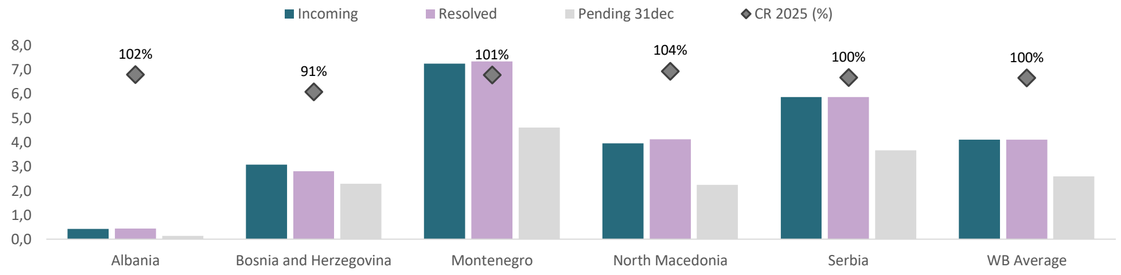
For reference only: the 2024 EU median for the number of first instance Administrative cases per 100 inhabitants is 0,39 for the incoming cases, 0,36 for the resolved cases and 0,26 for the pending cases.

Figure 3.8 Number of first instance Administrative cases per 100 inhabitans and Clearance Rate (CR) in 2025



	Sum of Severe and Misdemeanour and / or minor criminal cases per 100 inhabitants					
	2025			% variation 2024-2025		
Beneficiaries	Incoming	Resolved	Pending 31dec	Incoming	Resolved	Pending 31dec
Albania	0,43	0,43	0,13	-4,6% ▼	-4,8% ▼	-4,3% ▼
Bosnia and Herzegovina	3,08	2,80	2,29	23,0% ▲	41,2% ▲	13,9% ▲
Montenegro	7,22	7,33	4,60	13,2% ▲	4,5% ▲	-3,9% ▼
North Macedonia	3,95	4,11	2,24	0,2% ▲	-0,0% ▼	-6,3% ▼
Serbia	5,85	5,85	3,66	-3,8% ▼	-0,4% ▼	0,6% ▲
				-	-	-
Kosovo*	2,79	2,93	3,40	5,8% ▲	-2,0% ▼	-5,4% ▼
				-	-	-
WB Average	4,11	4,10	2,59	6,1%	5,6%	-0,3%

Figure 3.9 Number of first instance Sum of Severe and Misdemeanour and / or minor criminal cases per 100 inhabitans and Clearance Rate (CR) in 2025



North Macedonia: Because of the 2021 Census, the number of inhabitants changed dramatically between 2020 and 2021. For this reason, all the variations of values standardised by the number of inhabitants are mainly due to the variation in the population.

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

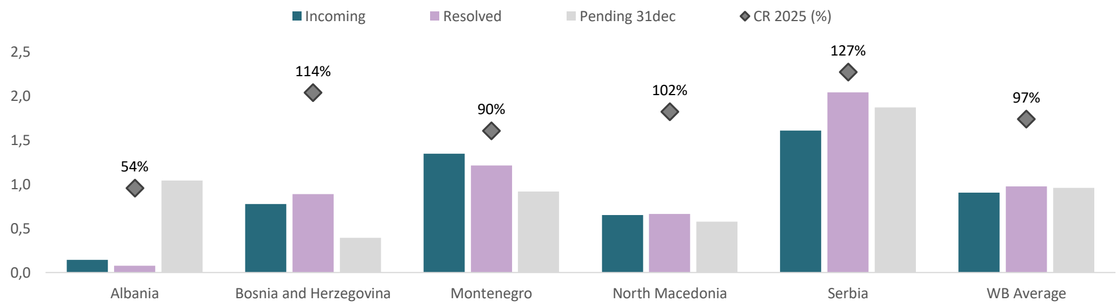
Number of second instance cases per 100 inhabitants

Number of second instance cases per 100 inhabitants in 2025 and their variation between 2024 to 2025 (Tables 3.3.2 and 3.4.2)

	Civil and Commercial litigious cases per 100 inhabitants					
	2025			% variation 2024-2025		
Beneficiaries	Incoming	Resolved	Pending 31dec	Incoming	Resolved	Pending 31dec
Albania	0,14	0,08	1,04	-6,4% ▼	19,7% ▲	8,0% ▲
Bosnia and Herzegovina	0,78	0,89	0,39	-8,8% ▼	-6,3% ▼	-20,5% ▼
Montenegro	1,35	1,21	0,91	7,6% ▲	15,8% ▲	15,9% ▲
North Macedonia	0,65	0,66	0,58	-11,4% ▼	7,3% ▲	-1,5% ▼
Serbia	1,61	2,04	1,87	-18,9% ▼	-3,2% ▼	-15,1% ▼
Kosovo*	1,65	1,12	1,94	30,2% ▲	38,1% ▲	38,3% ▲
WB Average	0,90	0,98	0,96	-7,6%	6,7%	-2,6%

For reference only: the 2024 EU median for the number of second instance Civil and Commercial litigious cases per 100 inhabitants is 0,18 for the incoming cases, 0,18 for the resolved cases and 0,13 for the pending cases.

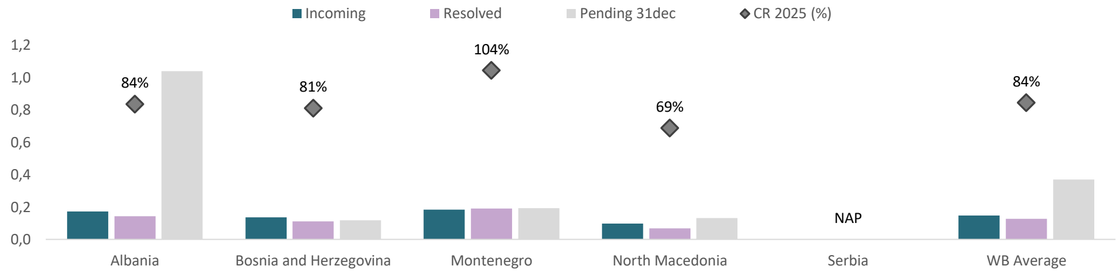
Figure 3.10 Number of second instance Civil and Commercial litigious cases per 100 inhabitans and Clearance Rate (CR) in 2025



	Administrative cases per 100 inhabitants					
	2025			% variation 2024-2025		
Beneficiaries	Incoming	Resolved	Pending 31dec	Incoming	Resolved	Pending 31dec
Albania	0,17	0,14	1,04	18,7% ▲	29,3% ▲	4,0% ▲
Bosnia and Herzegovina	0,14	0,11	0,12	10,1% ▲	-7,0% ▼	31,2% ▲
Montenegro	0,18	0,19	0,19	8,6% ▲	134,4% ▲	-5,1% ▼
North Macedonia	0,10	0,07	0,13	-3,3% ▼	-7,5% ▼	31,5% ▲
Serbia	NAP	NAP	NAP	NAP	NAP	NAP
Kosovo*	0,08	0,06	0,09	18,0% ▲	9,3% ▲	48,2% ▲
WB Average	0,15	0,13	0,37	8,6%	37,3%	15,4%

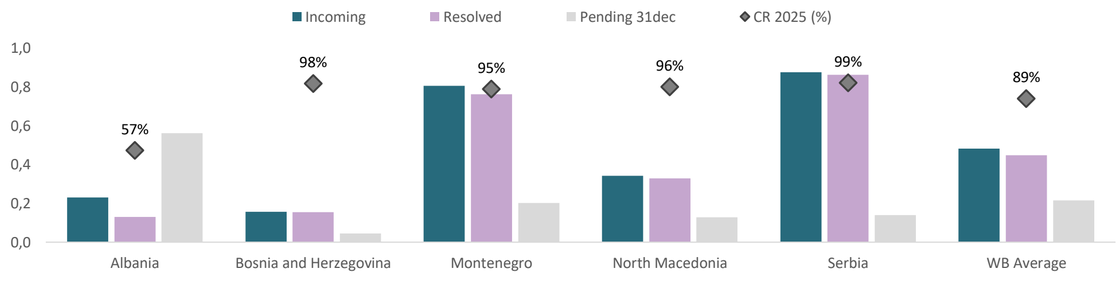
For reference only: the 2024 EU median for the number of second instance Administrative cases per 100 inhabitants is 0,06 for the incoming cases, 0,06 for the resolved cases and 0,06 for the pending cases.

Figure 3.11 Number of second instance Administrative cases per 100 inhabitans and Clearance Rate (CR) in 2025



	Sum of Severe and Misdemeanour and / or minor criminal cases per 100 inhabitants					
	2025			% variation 2024-2025		
Beneficiaries	Incoming	Resolved	Pending 31dec	Incoming	Resolved	Pending 31dec
Albania	0,23	0,13	0,56	51,3% ▲	29,9% ▲	23,0% ▲
Bosnia and Herzegovina	0,16	0,15	0,04	-2,2% ▼	-3,6% ▼	7,2% ▲
Montenegro	0,80	0,76	0,20	27,5% ▲	17,4% ▲	32,1% ▲
North Macedonia	0,34	0,33	0,13	-9,6% ▼	-20,0% ▼	12,1% ▲
Serbia	0,87	0,86	0,14	-6,0% ▼	-3,1% ▼	10,2% ▲
Kosovo*	0,25	0,22	0,13	6,0% ▲	15,6% ▲	26,0% ▲
WB Average	0,48	0,45	0,21	6,9%	1,3%	20,6%

Figure 3.12 Number of second instance Sum of Severe and Misdemeanour and / or minor criminal cases per 100 inhabitans and Clearance Rate (CR) in 2025



As of 2024, in **Kosovo**, enforcement cases have been moved from non-litigious to litigious matters.

North Macedonia: because of the 2021 census, the number of inhabitants changed significantly between 2020 and 2021. **Albania**: because of the 2023 census, the number of inhabitants changed significantly between 2023 and 2024. As a result, variations in indicators standardised by the number of inhabitants may be partly due to the change in population figures.

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

3. ICT - Overview

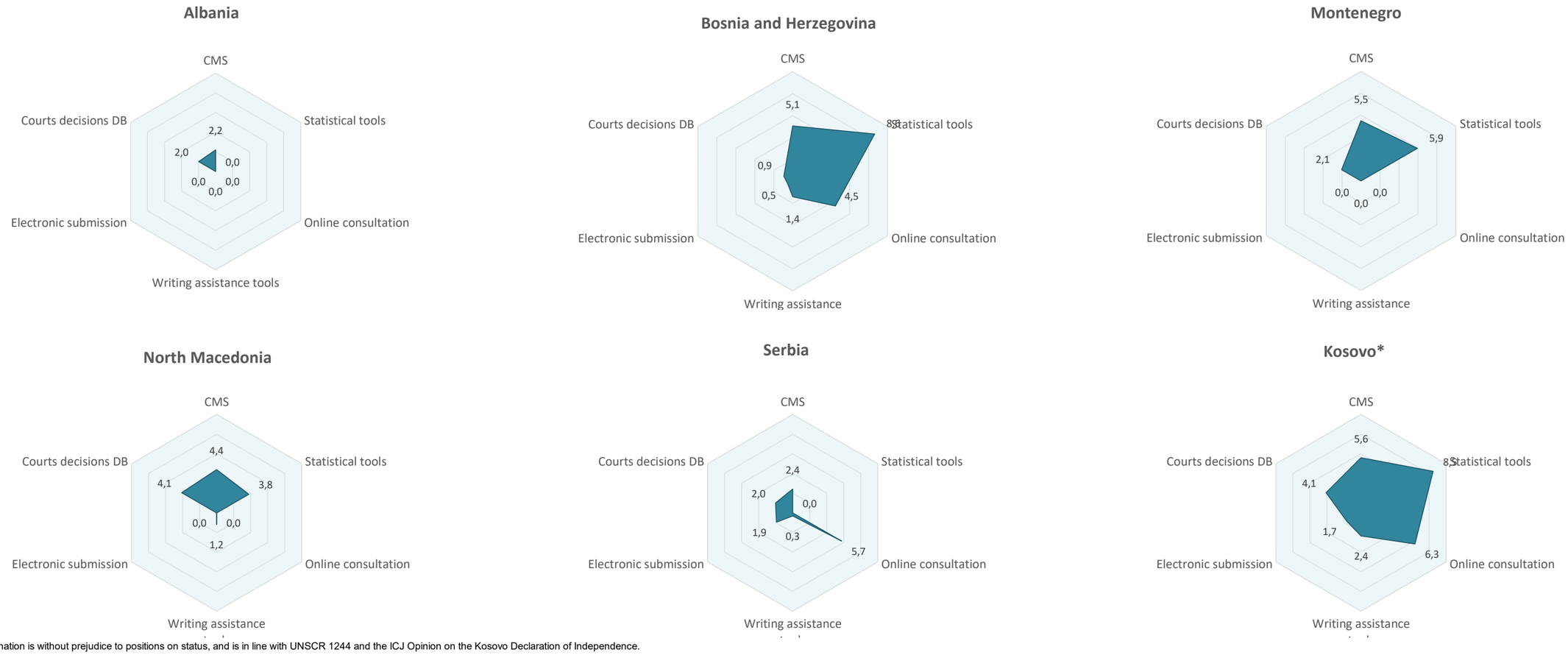
ICT Deployment index

ICT Deployment indices in 2025 (Table 3.8.2, 3.8.4 and 3.8.7)

	Tools				Processes	
	CMS	Statistical tools	Courts decisions DB	Writing assistance tools	Electronic submission	Online consultation
	(10 max)	(10 max)	(10 max)	(10 max)	(10 max)	(10 max)
Albania	2,2	0,0	2,0	0,0	0,0	0,0
Bosnia and Herzegovina	5,1	8,6	0,9	1,4	0,5	4,5
Montenegro	5,5	5,9	2,1	0,0	0,0	0,0
North Macedonia	4,4	3,8	4,1	1,2	0,0	0,0
Serbia	2,4	0,0	2,0	0,3	1,9	5,7
Kosovo*	5,6	8,5	4,1	2,4	1,7	6,3

Beneficiary's deployment Indeces

Figure 3.13 ICT deployment indeces for each beneficiary and the maximum attainable score in 2025



* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

3. Efficiency - List of tables

3. Efficiency - List of tables

Table 3.0.0 Case types included in each category of the questions related to Other than criminal cases and Criminal cases at all instances in 2025 (Q58 and Q59)

3.1 First instance other than criminal cases

Table 3.1.1 First instance courts: number of other than criminal cases in 2025 (Q52)

Table 3.1.2 First instance courts: number of other than criminal cases per 100 inhabitants in 2025 (Q52)

Table 3.1.3 First instance courts: percentage variation of number of other than criminal cases between 2024 and 2025 (Q52)

Table 3.1.4 First instance courts: Other than criminal cases - Clearance rate, Disposition time and % of pending cases older than 2 years in 2025 (Q52)

Table 3.1.5 First instance Other than criminal cases: Variation of Clearance rate, Disposition time and of the percentage of pending cases older than 2 years between 2024 and 2025 (Q52)

3.2 First instance criminal cases

Table 3.2.1 First instance courts: number of Criminal cases in 2025 (Q53)

Table 3.2.2 First instance courts: number of Criminal cases per 100 inhabitants in 2025 (Q53)

Table 3.2.3 First instance courts: percentage variation of the number of criminal cases between 2024 and 2025 (Q53)

Table 3.2.4 First instance courts: Criminal cases - Clearance rate, Disposition time and % of pending cases older than 2 years in 2025 (Q53)

Table 3.2.5 First instance Criminal cases: Variation of Clearance rate, Disposition time and of the percentage of pending cases older than 2 years between 2024 and 2025 (Q53)

3.3 Second instance other than criminal cases

Table 3.3.1 Second instance courts: Number of “other than criminal law” cases in 2025 (Q54)

Table 3.3.2 Second instance courts: Number of other than criminal cases per 100 inhabitants in 2025 (Q54)

Table 3.3.3 Second instance courts: percentage variation of the number of “other than criminal law” cases between 2024 and 2025 (Q54)

Table 3.3.4 Second instance courts: Other than criminal cases - Clearance rate, Disposition time and % of pending cases older than 2 years for other than criminal cases in 2025 (Q54)

Table 3.3.5 Second instance Other than criminal cases: Variation of Clearance rate, Disposition time and of the percentage of pending cases older than 2 years between 2024 and 2025 (Q54)

3. Efficiency - List of tables

3.4 Second instance criminal cases

Table 3.4.1. Second instance courts: Number of criminal cases in 2025 (Q55)

Table 3.4.2 Second instance courts: Number of Criminal cases per 100 inhabitants in 2025 (Q55)

Table 3.4.3 Second instance courts: percentage variation in number of criminal cases between 2024 and 2025 (Q55)

Table 3.4.4 Second instance criminal cases - Clearance rate, Disposition time and % of pending cases older than 2 years for criminal cases in 2025 (Q55)

Table 3.4.5 Second instance criminal cases: Variation of Clearance rate, Disposition time, and of the percentage of pending cases older than 2 years between 2024 and 2025 (Q38)

3.5 Specific category cases

Table 3.5.1 Average length of proceedings, for all instances, for civil and commercial litigious cases, administrative cases and criminal cases (severe and misdemeanour cases) in 2025 (Q60)

Table 3.5.2 Average length of proceedings, for all instances, for civil and commercial litigious cases: Variations between 2024 and 2025 (Q60)

3.6 Public prosecution caseflow

Table 3.6.1 Status of public prosecution services in 2025 (Q63-0)

Table 3.6.2 Different roles of the different authorities involved in a pre-trial stage of criminal proceedings in 2025 (Q63)

Table 3.6.3 Public prosecution: Caseflow (severe cases, misdemeanour cases, excluding cases for which the perpetrator is unknown) and incoming/received cases for which the perpetrator is unknown in 2025 (Q62-a, Q62-b)

Table 3.6.4 Public prosecution: Caseflow (severe cases, misdemeanour cases, excluding cases for which the perpetrator is unknown) and incoming/received cases for which the perpetrator is unknown per 100 inhabitants in 2025 (Q62-a, Q62-b)

Table 3.6.5 Public prosecution: Distribution of different categories of processed cases within all processed cases (severe cases, misdemeanour cases, excluding cases for which the perpetrator is unknown in 2025 (Q62-a)

Table 3.6.6 Public prosecution: Caseflow (severe cases, misdemeanour cases for which known and unknown perpetrators cannot be distinguished) in 2025 (Q62-c)

Table 3.6.7 Public prosecution: Caseflow (severe cases, misdemeanour cases for which known and unknown perpetrators cannot be distinguished) per 100 inhabitants in 2025 (Q62-c)

Table 3.6.8 Public prosecution: Distribution of different categories of processed cases within all processed cases (severe cases, misdemeanour cases for which known and unknown perpetrators cannot be distinguished) in 2025 (Q62-c)

Table 3.6.9 Number of cases concluded with the guilty plea procedure in 2025 (Q64)

3. Efficiency - List of tables

3.7 ICT in judiciary

Table 3.7.1 IT Strategy and Case management system in 2025 (Q230, Q231, Q232, Q233 and Q234)

Table 3.7.2 Online submission of cases in 2025 (Q01a)

Table 3.7.3 Consultation of a case online in 2025 (Q04a)

Table 3.7.4 Content of the case to be consulted online in 2025 (Q4b and Q4c)

Table 3.7.5 Case management system - Deployment and usage rates in 2025 (Q07a)

Table 3.7.6 Case management system - Functionalities in 2025 (Q7b and Q7c)

Table 3.7.7 Writing assistance tools in 2025 (Q08a)

Table 3.7.8 Writing assistance tools - Functionalities in 2025 (Q8b)

Table 3.7.9 Database of court decisions - Deployment rates in 2025 (Q10a)

Table 3.7.10 Database of court decisions - Modalities of publication in 2025 (Q10b)

Table 3.7.11 (1st) Database of court decisions - Functionalities at 1st instance in 2025 (Q10c)

Table 3.7.11 (2nd) Database of court decisions - Functionalities at 2nd instance in 2025 (Q10c)

Table 3.7.11 (3rd) Database of court decisions - Functionalities at final instance in 2025 (Q10c)

Table 3.7.12 Statistical tools - Deployment rates in 2025 (Q11a)

Table 3.7.13 Statistical tools - Functionalities in 2025 (Q11b)

Table 3.7.14 Statistical tools - Data available for statistical analysis in 2025 (Q11b)

Table 3.0.0 Case types included in each category of the questions related to Other than criminal cases and Criminal cases at all instances in 2025 (Q58 and Q59)

Beneficiaries	Case types included in each category of the questions related to “other than criminal cases” and “criminal cases” at all instances in 2025	
	Other than criminal cases	Criminal cases
Albania	Civil case statistics by type of cases: Cases falling under the category “civil cases with opposing parties” are those initiated before the court by means of a statement of claim, excluding cases included in the categories “family cases with opposing parties”, “commercial cases with opposing parties”, and “employment relations”.	Statistics on criminal cases by type of case District courts are competent to adjudicate criminal cases, except for those falling within the subject-matter jurisdiction of the Special Court against Corruption and Organised Crime. Data on criminal cases are reported in four main categories: Crimes, Criminal contraventions, Administrative
Bosnia and Herzegovina	Administrative cases (Administrative disputes): In Bosnia and Herzegovina, an administrative dispute (i.e. administrative case) is a court procedure regulated by thematic legislation at four levels of government. It is a court procedure carried out by courts of general jurisdiction through which disputes between individuals (natural or legal persons) and administrative bodies or	Q53 Severe criminal offences: a criminal offense is an unlawful act which violates or jeopardizes the protected values and which is, because of the danger it represents, defined by law as a criminal offense and for which a punishment is prescribed. Criminal sanctions are: punishments, suspended sentence, security measures and
Montenegro	Basic and commercial courts deal with: - Civil cases (P) - Civil cases - small value (Mal) - Complex non-litigious cases (Rs) - Other civil and non-litigious cases (R) - Legacy cases (O) Other cases - Execution cases (I)	Basic and commercial courts deal with: - Criminal cases (K criminal case, Km (against minors) Ks - first instance criminal) Appeals in criminal cases (second instance Kž-second instance criminal case, Kžm-second instance minors, Kžs-second instance special chamber for organized crime)
North Macedonia	First instance: From the courts of first instance: -For Civil (and commercial) litigious cases: Property disputes, Obligation disputes, Inheritance after objection, obligation small value,Payment order appeals, Payment orders after objection, Repeating the procedure in civil	First instance From the courts of first instance: -For severe criminal cases: Criminal cases against minors,Criminal cases against adults,Criminal cases from organized crime
Serbia	First instance courts 1.Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3) Higher Courts:	First instance courts 1.Severe criminal cases Higher Courts: K – First-instance criminal cases KIM – Preparatory proceedings concerning juveniles
Kosovo*	In section one, which deals with general civil and commercial cases, enforcement litigious cases are included because in Kosovo, enforcement procedure is contested procedure.	In section one which deals with severe criminal cases, we have included the criminal cases in the general department, the criminal cases in the serious crimes department and the criminal cases in the special

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

3.1 First instance other than criminal cases

Table 3.1.1 First instance courts: number of other than criminal cases in 2025 (Q52)

Beneficiaries	First instance Other than criminal cases in 2025																								
	Total of other than criminal cases (1+2+3+4)					1. Civil (and commercial) litigious cases					2. Non-litigious cases					3. Administrative cases					4. Other cases				
	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years
Albania	38 220	45 633	47 152	36 701	7 746	21 596	18 728	19 286	21 038	5 975	8 228	13 680	15 041	6 867	411	8 396	13 225	12 825	8 796	1 360	NAP	NAP	NAP	NAP	NAP
Bosnia and Herzegovina	1 850 566	1 070 711	1 163 518	1 757 759	1 311 937	153 435	89 624	97 320	145 739	59 827	1 689 715	971 919	1 057 575	1 604 059	1 251 307	7 416	9 168	8 623	7 961	803	NAP	NAP	NAP	NAP	NAP
Montenegro	59 401	30 673	35 035	53 673	14 686	30 525	17 537	17 513	29 246	7 481	1 995	3 854	3 495	2 303	465	26 638	8 276	13 011	21 901	6 715	243	1 006	1 016	223	25
North Macedonia	44 249	59 609	53 097	50 761	NA	36 552	39 502	36 282	39 772	NA	3 623	13 432	11 376	5 679	NA	3 484	5 607	4 428	4 663	NA	590	1 068	1 011	647	NA
Serbia	429 034	837 205	846 220	420 019	149 045	201 447	224 751	224 087	202 111	55 003	63 037	449 051	451 739	60 349	6 393	163 120	35 163	41 916	156 367	87 580	1 430	128 240	128 478	1 192	69
Kosovo*	150 430	50 603	68 916	132 117	46 118	138 329	42 651	62 839	118 141	43 020	4 619	3 463	3 396	4 686	2 007	7 482	4 489	2 681	9 290	1 091	NAP	NAP	NAP	NAP	NAP
Average	484 294	408 766	429 004	463 783	370 854	88 711	78 028	78 898	87 581	32 072	353 320	290 387	307 845	335 851	314 644	41 811	14 288	16 161	39 938	24 115	754	43 438	43 502	687	-
Median	59 401	59 609	53 097	53 673	81 866	36 552	39 502	36 282	39 772	31 242	8 228	13 680	15 041	6 867	3 429	8 396	9 168	12 825	8 796	4 038	590	1 068	1 016	647	-
Minimum	38 220	30 673	35 035	36 701	7 746	21 596	17 537	17 513	21 038	5 975	1 995	3 854	3 495	2 303	411	3 484	5 607	4 428	4 663	803	243	1 006	1 011	223	-
Maximum	1 850 566	1 070 711	1 163 518	1 757 759	1 311 937	201 447	224 751	224 087	202 111	59 827	1 689 715	971 919	1 057 575	1 604 059	1 251 307	163 120	35 163	41 916	156 367	87 580	1 430	128 240	128 478	1 192	-

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 3.1.2 First instance courts: number of other than criminal cases per 100 inhabitants in 2025 (Q52)

Beneficiaries	First instance Other than criminal cases per 100 inhabitants in 2025																									
	Total of other than criminal cases (1+2+3+4)					1.Civil (and commercial) litigious cases					2. Non-litigious cases					3. Administrative cases					4. Other cases				
	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years
Albania	1,62	1,93	2,00	1,55	0,33	0,91	0,79	0,82	0,89	0,25	0,35	0,58	0,64	0,29	0,02	0,36	0,56	0,54	0,37	0,06	NAP	NAP	NAP	NAP	NAP
Bosnia and Herzegovina	54,24	31,38	34,10	51,52	38,45	4,50	2,63	2,85	4,27	1,75	49,52	28,49	31,00	47,01	36,67	0,22	0,27	0,25	0,23	0,02	NAP	NAP	NAP	NAP	NAP
Montenegro	9,52	4,92	5,62	8,61	2,35	4,89	2,81	2,81	4,69	1,20	0,32	0,62	0,56	0,37	0,07	4,27	1,33	2,09	3,51	1,08	0,04	0,16	0,16	0,04	0,00
North Macedonia	2,43	3,27	2,91	2,79	NA	2,01	2,17	1,99	2,18	NA	0,20	0,74	0,62	0,31	NA	0,19	0,31	0,24	0,26	NA	0,03	0,06	0,06	0,04	NA
Serbia	6,53	12,75	12,88	6,40	2,27	3,07	3,42	3,41	3,08	0,84	0,96	6,84	6,88	0,92	0,10	2,48	0,54	0,64	2,38	1,33	0,02	1,95	1,96	0,02	0,00
Kosovo*	9,49	3,19	4,35	8,33	2,91	8,72	2,69	3,96	7,45	2,71	0,29	0,22	0,21	0,30	0,13	0,47	0,28	0,17	0,59	0,07	NAP	NAP	NAP	NAP	NAP
Average	14,87	10,85	11,50	14,17	10,85	3,08	2,36	2,38	3,02	1,01	10,27	7,45	7,94	9,78	9,22	1,50	0,60	0,75	1,35	0,62	0,03	0,72	0,72	0,03	-
Median	6,53	4,92	5,62	6,40	2,31	3,07	2,63	2,81	3,08	1,02	0,35	0,74	0,64	0,37	0,09	0,36	0,54	0,54	0,37	0,57	0,03	0,16	0,16	0,04	-
Minimum	1,62	1,93	2,00	1,55	0,33	0,91	0,79	0,82	0,89	0,25	0,20	0,58	0,56	0,29	0,02	0,19	0,27	0,24	0,23	0,02	0,02	0,06	0,06	0,02	-
Maximum	54,24	31,38	34,10	51,52	38,45	4,89	3,42	3,41	4,69	1,75	49,52	28,49	31,00	47,01	36,67	4,27	1,33	2,09	3,51	1,33	0,04	1,95	1,96	0,04	-

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

North Macedonia: because of the 2021 census, the number of inhabitants changed significantly between 2020 and 2021. **Albania**: because of the 2023 census, the number of inhabitants changed significantly between 2023 and 2024. As a result, variations in indicators standardised by the number of inhabitants may be partly due to the change in population figures.

Table 3.1.3 First instance courts: percentage variation of number of other than criminal cases between 2024 and 2025 (Q52)

Beneficiaries	First instance Other than criminal cases: percentage variation between 2024 and 2025																								
	Total of other than criminal cases (1+2+3+4)					1. Civil (and commercial) litigious cases					2. Non litigious cases					3. Administrative cases					4. Other cases				
	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years
Albania	-6,8%	-13,6%	-15,2%	-4,0%	93,9%	-4,8%	-8,7%	-10,7%	-2,6%	145,3%	-13,7%	-23,7%	-21,8%	-16,5%	902,4%	-4,5%	-8,0%	-13,1%	4,8%	-10,4%	NAP	NAP	NAP	NAP	NAP
Bosnia and Herzegovina	-6,9%	13,6%	6,2%	-4,3%	-3,5%	1,2%	-13,6%	-4,5%	-5,0%	-9,5%	-7,6%	17,0%	7,4%	-4,3%	-3,2%	-5,7%	10,2%	-1,4%	7,0%	-17,0%	NAP	NAP	NAP	NAP	NAP
Montenegro	7,9%	-21,9%	2,3%	-9,6%	32,8%	19,5%	-27,6%	-6,0%	-4,2%	22,7%	16,9%	1,0%	1,0%	15,4%	NA	-3,4%	-18,2%	17,6%	-17,8%	36,2%	16,3%	-9,9%	-5,6%	-8,2%	0,0%
North Macedonia	3,1%	-7,0%	-14,6%	13,2%	NA	6,5%	-2,2%	-4,9%	8,8%	NA	-8,2%	-24,6%	-37,3%	56,7%	NA	-14,5%	17,2%	-7,3%	14,2%	NA	4,4%	-3,3%	-6,3%	9,7%	NA
Serbia	-6,9%	1,5%	-1,2%	-2,1%	13,7%	-17,6%	-0,2%	-16,4%	0,3%	-15,8%	1,9%	1,4%	2,2%	-4,3%	-22,7%	6,5%	-13,7%	36,0%	-4,1%	52,6%	-4,5%	10,9%	11,0%	-16,6%	-48,1%
Kosovo*	-0,2%	-53,5%	-31,8%	-16,8%	-7,8%	-2,1%	-57,4%	-34,0%	-19,3%	-8,4%	-0,8%	-3,3%	-5,3%	0,7%	2,8%	57,3%	-12,9%	19,4%	21,2%	-2,8%	NAP	NAP	NAP	NAP	NAP
Average	-1,9%	-5,5%	-4,5%	-1,4%	34,2%	1,0%	-10,4%	-8,5%	-0,5%	35,7%	-2,1%	-5,8%	-9,7%	9,4%	292,2%	-4,3%	-2,5%	6,4%	0,8%	15,3%	5,4%	-0,8%	-0,3%	-5,1%	-
Median	-6,8%	-7,0%	-1,2%	-4,0%	23,3%	1,2%	-8,7%	-6,0%	-2,6%	6,6%	-7,6%	1,0%	1,0%	-4,3%	-3,2%	-4,5%	-8,0%	-1,4%	4,8%	12,9%	4,4%	-3,3%	-5,6%	-8,2%	-
Minimum	-6,9%	-21,9%	-15,2%	-9,6%	-3,5%	-17,6%	-27,6%	-16,4%	-5,0%	-15,8%	-13,7%	-24,6%	-37,3%	-16,5%	-22,7%	-14,5%	-18,2%	-13,1%	-17,8%	-17,0%	-4,5%	-9,9%	-6,3%	-16,6%	-
Maximum	7,9%	13,6%	6,2%	13,2%	93,9%	19,5%	-0,2%	-4,5%	8,8%	145,3%	16,9%	17,0%	7,4%	56,7%	902,4%	6,5%	17,2%	36,0%	14,2%	52,6%	16,3%	10,9%	11,0%	9,7%	-

Lowest value — Highest value

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 3.1.4 First instance courts: Other than criminal cases - Clearance rate, Disposition time and % of pending cases older than 2 years in 2025 (Q52)

Beneficiaries	First instance Other than criminal cases in 2025														
	Total of other than criminal cases (1+2+3 +4)			1. Civil (and commercial) litigious cases			2. Non litigious cases			3. Administrative cases			4. Other cases		
	Clearance Rate (%)	Disposition Time (in days)	% of pending cases older than 2 years	Clearance Rate (%)	Disposition Time (in days)	% of pending cases older than 2 years	Clearance Rate (%)	Disposition Time (in days)	% of pending cases older than 2 years	Clearance Rate (%)	Disposition Time (in days)	% of pending cases older than 2 years	Clearance Rate (%)	Disposition Time (in days)	% of pending cases older than 2 years
Albania	103%	284	21%	103%	398	28%	110%	167	6%	97%	250	15%	NAP	NAP	NAP
Bosnia and Herzegovina	109%	551	75%	109%	547	41%	109%	554	78%	94%	337	10%	NAP	NAP	NAP
Montenegro	114%	559	27%	100%	610	26%	91%	241	20%	157%	614	31%	101%	80	11%
North Macedonia	89%	349	NA	92%	400	NA	85%	182	NA	79%	384	NA	95%	234	NA
Serbia	101%	181	35%	100%	329	27%	101%	49	11%	119%	1 362	56%	100%	3	6%
Kosovo*	136%	700	35%	147%	686	36%	98%	504	43%	60%	1 265	12%	NAP	NAP	NAP
Average	103%	385	40%	101%	457	31%	99%	238	29%	109%	590	28%	99%	106	-
Median	103%	349	31%	100%	400	28%	101%	182	15%	97%	384	23%	100%	80	-
Minimum	89%	181	21%	92%	329	26%	85%	49	6%	79%	250	10%	95%	3	-
Maximum	114%	559	75%	109%	610	41%	110%	554	78%	157%	1362	56%	101%	234	-

Low CR — High CR

Low DT — High DT

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 3.1.5 First instance Other than criminal cases: Variation of Clearance rate, Disposition time and of the percentage of pending cases older than 2 years between 2024 and 2025 (Q52)

Beneficiaries	First instance Other than criminal cases: Variation of Clearance rate, Disposition time and of the percentage of pending cases older than 2 years between 2024 and 2025														
	Total of other than criminal cases (1+2+3+4)			1. Civil (and commercial) litigious cases			2. Non litigious cases			3. Administrative cases			4. Other cases		
	Clearance Rate (in percentage points)	Disposition Time (%)	% of pending cases older than 2 years (in percentage points)	Clearance Rate (in percentage points)	Disposition Time (%)	% of pending cases older than 2 years (in percentage points)	Clearance Rate (in percentage points)	Disposition Time (%)	% of pending cases older than 2 years (in percentage points)	Clearance Rate (in percentage points)	Disposition Time (%)	% of pending cases older than 2 years (in percentage points)	Clearance Rate (in percentage points)	Disposition Time (%)	% of pending cases older than 2 years (in percentage points)
Albania	-1,9	13,2%	10,7	-2,3	9,1%	17,1	2,7	6,8%	5,5	-5,8	20,6%	-2,6	NAP	NAP	NAP
Bosnia and Herzegovina	-7,5	-9,9%	0,6	10,3	-0,5%	-2,0	-9,7	-10,9%	0,9	-11,1	8,6%	-2,9	NAP	NAP	NAP
Montenegro	27,0	-11,7%	8,7	22,9	2,0%	5,6	-0,1	14,3%	NA	47,8	-30,1%	12,1	4,7	-2,8%	0,9
North Macedonia	-7,9	32,5%	NA	-2,6	14,4%	NA	-17,1	149,9%	NA	-20,8	23,2%	NA	-3,1	17,0%	NA
Serbia	-2,8	-0,9%	4,9	-19,4	20,0%	-5,2	0,9	-6,3%	-2,5	43,6	-29,5%	20,8	0,1	-24,9%	-3,5
Kosovo*	43,48	22,0%	3,38	52,36	22,2%	4,34	-2,05	6,4%	0,89	16,13	1,5%	-2,91	NAP	NAP	NAP
Average	1,4	4,6%	6,2	1,8	9,0%	3,9	-4,7	30,8%	1,3	10,8	-1,5%	6,9	0,6	-3,6%	-
Median	-2,8	-0,9%	6,8	-2,3	9,1%	1,8	-0,1	6,8%	0,9	-5,8	8,6%	4,8	0,1	-2,8%	-
Minimum	-7,9	-11,7%	0,6	-19,4	-0,5%	-5,2	-17,1	-10,9%	-2,5	-20,8	-30,1%	-2,9	-3,1	-24,9%	-
Maximum	27,0	32,5%	10,7	22,9	20,0%	17,1	2,7	149,9%	5,5	47,8	23,2%	20,8	4,7	17,0%	-

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

3.2 First instance criminal cases

Table 3.2.1 First instance courts: number of Criminal cases in 2025 (Q53)

Beneficiaries	First instance Criminal cases in 2025																								
	Total criminal cases (1+2+3)					Sum of Severe and Misdemeanour and / or minor criminal cases (1+2)					1. Severe criminal cases					2. Misdemeanour and / or minor criminal cases					3. Other criminal cases				
	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years
Albania	3 273	10 047	10 223	3 097	267	3 273	10 047	10 223	3 097	267	2 496	8 565	8 679	2 382	232	777	1 482	1 544	715	35	NAP	NAP	NAP	NAP	NAP
Bosnia and Herzegovina	68 741	105 011	95 612	78 140	1 534	68 741	105 011	95 612	78 140	1 534	8 010	9 187	8 770	8 427	1 436	60 731	95 824	86 842	69 713	98	NAP	NAP	NAP	NAP	NAP
Montenegro	29 992	51 463	52 017	28 875	NA	29 861	45 055	45 697	28 703	NA	3 604	4 311	4 199	3 515	587	26 257	40 744	41 498	25 188	NA	131	6 408	6 320	172	12
North Macedonia	43 672	72 040	74 858	40 854	NAP	43 672	72 040	74 858	40 854	NA	5 433	10 946	10 708	5 671	NA	38 239	61 094	64 150	35 183	NA	NAP	NAP	NAP	NAP	NAP
Serbia	240 454	384 033	384 047	240 440	10 312	240 454	384 033	384 047	240 440	10 312	25 538	40 162	40 350	25 350	5 702	214 916	343 871	343 697	215 090	4 610	NAP	NAP	NAP	NAP	NAP
Kosovo*	60 125	52 366	54 130	58 361	16 390	56 211	44 184	46 470	53 925	16 390	30 268	16 101	16 695	29 674	13 202	25 943	28 083	29 775	24 251	3 188	3 914	8 182	7 660	4 436	0
Average	77 226	124 519	123 351	78 281	4 038	77 200	123 237	122 087	78 247	4 038	9 016	14 634	14 541	9 069	1 989	68 184	108 603	107 546	69 178	1 581	131	6 408	6 320	172	12
Median	43 672	72 040	74 858	40 854	1 534	43 672	72 040	74 858	40 854	1 534	5 433	9 187	8 770	5 671	1 012	38 239	61 094	64 150	35 183	98	131	6 408	6 320	172	12
Minimum	3 273	10 047	10 223	3 097	267	3 273	10 047	10 223	3 097	267	2 496	4 311	4 199	2 382	232	777	1 482	1 544	715	35	131	6 408	6 320	172	12
Maximum	240 454	384 033	384 047	240 440	10 312	240 454	384 033	384 047	240 440	10 312	25 538	40 162	40 350	25 350	5 702	214 916	343 871	343 697	215 090	4 610	131	6 408	6 320	172	12

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Kosovo is not included in the calculation of summary statistics*

Table 3.2.2 First instance courts: number of Criminal cases per 100 inhabitants in 2025 (Q53)

Beneficiaries	First instance Criminal cases per 100 inhabitants in 2025																								
	Total criminal cases (1+2+3)					Sum of Severe and Misdemeanour and / or minor criminal cases (1+2)					1. Severe criminal cases					2. Misdemeanour and / or minor criminal cases					3. Other criminal cases				
	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years
Albania	0,14	0,43	0,43	0,13	0,01	0,14	0,43	0,43	0,13	0,01	0,11	0,36	0,37	0,10	0,01	0,03	0,06	0,07	0,03	0,00	NAP	NAP	NAP	NAP	NAP
Bosnia and Herzegovina	2,01	3,08	2,80	2,29	0,04	2,01	3,08	2,80	2,29	0,04	0,23	0,27	0,26	0,25	0,04	1,78	2,81	2,55	2,04	0,00	NAP	NAP	NAP	NAP	NAP
Montenegro	4,81	8,25	8,34	4,63	NA	4,79	7,22	7,33	4,60	NA	0,58	0,69	0,67	0,56	0,09	4,21	6,53	6,65	4,04	NA	0,02	1,03	1,01	0,03	0,00
North Macedonia	2,40	3,95	4,11	2,24	NAP	2,40	3,95	4,11	2,24	NA	0,30	0,60	0,59	0,31	NA	2,10	3,35	3,52	1,93	NA	NAP	NAP	NAP	NAP	NAP
Serbia	3,66	5,85	5,85	3,66	0,16	3,66	5,85	5,85	3,66	0,16	0,39	0,61	0,61	0,39	0,09	3,27	5,24	5,23	3,27	0,07	NAP	NAP	NAP	NAP	NAP
Kosovo*	3,79	3,30	3,41	3,68	1,03	3,55	2,79	2,93	3,40	1,03	1,91	1,02	1,05	1,87	0,83	1,64	1,77	1,88	1,53	0,20	0,25	0,52	0,48	0,28	0,00
Average	2,60	4,31	4,31	2,59	0,07	2,60	4,11	4,10	2,59	0,07	0,32	0,51	0,50	0,32	0,06	2,28	3,60	3,60	2,26	0,02	0,02	1,03	1,01	0,03	0,00
Median	2,40	3,95	4,11	2,29	0,04	2,40	3,95	4,11	2,29	0,04	0,30	0,60	0,59	0,31	0,06	2,10	3,35	3,52	2,04	0,00	0,02	1,03	1,01	0,03	0,00
Minimum	0,14	0,43	0,43	0,13	0,01	0,14	0,43	0,43	0,13	0,01	0,11	0,27	0,26	0,10	0,01	0,03	0,06	0,07	0,03	0,00	0,02	1,03	1,01	0,03	0,00
Maximum	4,81	8,25	8,34	4,63	0,16	4,79	7,22	7,33	4,60	0,16	0,58	0,69	0,67	0,56	0,09	4,21	6,53	6,65	4,04	0,07	0,02	1,03	1,01	0,03	0,00

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

North Macedonia: because of the 2021 census, the number of inhabitants changed significantly between 2020 and 2021. **Albania**: because of the 2023 census, the number of inhabitants changed significantly between 2023 and 2024. As a result, variations in indicators standardised by the number of inhabitants may be partly due to the change in population figures.

Table 3.2.3 First instance courts: percentage variation of the number of criminal cases between 2024 and 2025 (Q53)

Beneficiaries	First instance criminal cases: percentage variation between 2024 and 2025																								
	Total criminal cases (1+2+3)					Sum of Severe and Misdemeanour and / or minor criminal cases (1+2)					1. Severe criminal cases					2. Misdemeanour and / or minor criminal cases					3. Other criminal cases				
	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years
Albania	-72,2%	-79,8%	-79,2%	-75,1%	-30,6%	-	-	-	-	-	9,7%	2,5%	6,6%	-4,6%	34,9%	-35,9%	-35,3%	-43,3%	-8,0%	-18,6%	NAP	NAP	NAP	NAP	NAP
Bosnia and Herzegovina	-49,1%	-51,1%	-52,0%	-48,0%	-95,1%	-	-	-	-	-	4,5%	3,0%	2,3%	5,2%	-6,7%	40,1%	25,0%	46,5%	14,8%	-23,4%	NAP	NAP	NAP	NAP	NAP
Montenegro	-43,3%	-13,6%	-17,0%	-38,9%	NA	-	-	-	-	NA	13,7%	5,8%	22,7%	-2,4%	-5,8%	-15,2%	14,1%	3,0%	-4,1%	NA	-99,3%	-67,6%	-66,7%	-99,0%	NA
North Macedonia	-6,4%	0,0%	-0,2%	-6,5%	NAP	-	-	-	-	NA	3,8%	1,8%	1,4%	4,4%	NA	-7,7%	-0,3%	-0,5%	-8,0%	NA	NAP	NAP	NAP	NAP	NAP
Serbia	-1,1%	-31,7%	-30,1%	-6,1%	-12,9%	-	-	-	-	-	-2,6%	-7,6%	-8,7%	-0,6%	10,5%	7,2%	-3,9%	0,1%	0,1%	-22,8%	NAP	NAP	NAP	NAP	NAP
Kosovo*	-10,1%	5,0%	-1,2%	-5,8%	-4,2%	-	-	-	-	-	-4,8%	-3,0%	-2,2%	-5,3%	-5,6%	-17,8%	9,7%	-3,6%	-7,8%	2,1%	11,4%	7,1%	11,6%	3,5%	-
Average	-34,4%	-35,2%	-35,7%	-34,9%	-46,2%						5,8%	1,1%	4,9%	0,4%	8,2%	-2,3%	-0,1%	1,1%	-1,0%	-21,6%	-	-	-	-	-
Median	-43,3%	-31,7%	-30,1%	-38,9%	-30,6%						4,5%	2,5%	2,3%	-0,6%	2,4%	-7,7%	-0,3%	0,1%	-4,1%	-22,8%	-	-	-	-	-
Minimum	-72,2%	-79,8%	-79,2%	-75,1%	-95,1%	0,0%	0,0%	0,0%	0,0%	0,0%	-2,6%	-7,6%	-8,7%	-4,6%	-6,7%	-35,9%	-35,3%	-43,3%	-8,0%	-23,4%	-	-	-	-	-
Maximum	-1,1%	0,0%	-0,2%	-6,1%	-12,9%	0,0%	0,0%	0,0%	0,0%	0,0%	13,7%	5,8%	22,7%	5,2%	34,9%	40,1%	25,0%	46,5%	14,8%	-18,6%	-	-	-	-	-

Lowest value — Highest value

From 2025 onwards, a revised data collection methodology has been applied to 'other criminal cases'. Only pre-trial cases are now included in this category. As a result, the figures are not fully comparable with previous cycles and a break in the series should be taken into account when interpreting the variations

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 3.2.4 First instance courts: Criminal cases - Clearance rate, Disposition time and % of pending cases older than 2 years in 2025 (Q53)

Beneficiaries	First instance courts: criminal cases (2025)														
	Total criminal cases (1+2+3)			Sum of Severe and Misdemeanour and / or minor criminal cases (1+2)			1. Severe criminal cases			2. Misdemeanour and / or minor criminal cases			3. Other criminal cases		
	Clearance Rate (%)	Disposition Time (in days)	% of pending cases older than 2 years	Clearance Rate (%)	Disposition Time (in days)	% of pending cases older than 2 years	Clearance Rate (%)	Disposition Time (in days)	% of pending cases older than 2 years	Clearance Rate (%)	Disposition Time (in days)	% of pending cases older than 2 years	Clearance Rate (%)	Disposition Time (in days)	% of pending cases older than 2 years
Albania	102%	111	9%	102%	111	9%	101%	100	10%	104%	169	5%	NAP	NAP	NAP
Bosnia and Herzegovina	91%	298	2%	91%	298	2%	95%	351	17%	91%	293	0%	NAP	NAP	NAP
Montenegro	101%	203	NA	101%	229	NA	97%	306	17%	102%	222	NA	99%	10	7%
North Macedonia	104%	199	NAP	104%	199	NA	98%	193	NA	105%	200	NA	NAP	NAP	NAP
Serbia	100%	229	4%	100%	229	4%	100%	229	22%	100%	228	2%	NAP	NAP	NAP
Kosovo*	103%	394	28%	105%	424	30%	104%	649	44%	106%	297	13%	94%	211	0%
Average	100%	208	5%	100%	213	5%	98%	236	16%	100%	222	2%	-	-	-
Median	101%	203	4%	101%	229	4%	98%	229	17%	102%	222	2%	-	-	-
Minimum	91%	111	2%	91%	111	2%	95%	100	10%	91%	169	0%	-	-	-
Maximum	104%	298	9%	104%	298	9%	101%	351	22%	105%	293	5%	-	-	-

Low CR — High CR

Low DT — High DT

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 3.2.5 First instance Criminal cases: Variation of Clearance rate, Disposition time and of the percentage of pending cases older than 2 years between 2024 and 2025 (Q53)

Beneficiaries	First instance Criminal cases: Variation of Clearance rate, Disposition time and of the percentage of pending cases older than 2 years between 2024 and 2025														
	Total criminal cases (1+2+3)			Sum of Severe and Misdemeanour and / or minor criminal cases (1+2)			1. Severe criminal cases			2. Misdemeanour and / or minor criminal cases			3. Other criminal cases		
	Clearance Rate (in percentage points)	Disposition Time (%)	% of pending cases older than 2 years (in percentage points)	Clearance Rate (in percentage points)	Disposition Time (%)	% of pending cases older than 2 years (in percentage points)	Clearance Rate (in percentage points)	Disposition Time (%)	% of pending cases older than 2 years (in percentage points)	Clearance Rate (in percentage points)	Disposition Time (%)	% of pending cases older than 2 years (in percentage points)	Clearance Rate (in percentage points)	Disposition Time (%)	% of pending cases older than 2 years (in percentage points)
Albania	3,1	19,8%	5,5	-	-	-	4,0	-10,5%	2,8	-14,8	62,4%	-0,6	NAP	NAP	NAP
Bosnia and Herzegovina	-1,8	8,2%	-19,0	-	-	-	-0,7	2,9%	-2,2	13,3	-21,6%	-0,1	NAP	NAP	NAP
Montenegro	-4,2	-26,3%	NA	-	-	NA	13,5	-20,5%	-0,6	-11,0	-6,9%	NA	2,6	-97,0%	NA
North Macedonia	-0,2	-6,2%	NAP	-	-	NA	-0,3	2,9%	NA	-0,2	-7,5%	NA	NAP	NAP	NAP
Serbia	2,3	34,3%	-0,3	-	-	-	-1,2	8,8%	2,3	4,0	0,0%	-0,6	NAP	NAP	NAP
Kosovo*	-6,57	-4,6%	0,45	105,17	-	30,39	0,9	-3,2%	-0,1	-14,5	-4,4%	1,3	3,8	-7,2%	0,0
Average	-0,2	5,9%	-4,6				3,1	-3,3%	0,6	-1,7	5,3%	-0,4	-	-	-
Median	-0,2	8,2%	-0,3				-0,3	2,9%	0,8	-0,2	-6,9%	-0,6	-	-	-
Minimum	3,1	34,3%	5,5	0,0	0,0	0,0	13,5	8,8%	2,8	13,3	62,4%	-0,1	-	-	-
Maximum	-4,2	-26,3%	-19,0	0,0	0,0	0,0	-1,2	-20,5%	-2,2	-14,8	-21,6%	-0,6	-	-	-

From 2025 onwards, a revised data collection methodology has been applied to 'other criminal cases'. Only pre-trial cases are now included in this category. As a result, the figures are not fully comparable with previous cycles and a break in the series should be taken into account when interpreting the variations

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

3.3 Second instance other than criminal cases

Table 3.3.1 Second instance courts: Number of “other than criminal law” cases in 2025 (Q54)

Beneficiaries	Second instance Other than criminal cases in 2025																								
	Total of other than criminal cases (1+2+3+4)					1. Civil (and commercial) litigious cases					2. Non-litigious cases					3. Administrative cases					4. Other cases				
	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years
Albania	51 977	10 235	8 063	54 149	36 986	23 023	3 374	1 809	24 588	17 249	5 092	2 794	2 855	5 031	2 210	23 862	4 067	3 399	24 530	17 527	NAP	NAP	NAP	NAP	NAP
Bosnia and Herzegovina	20 272	31 154	34 026	17 400	2 042	17 097	26 522	30 269	13 350	2 042	NAP	NAP	NAP	NAP	NAP	3 175	4 632	3 757	4 050	0	NAP	NAP	NAP	NAP	NAP
Montenegro	6 253	9 797	8 956	7 072	4 648	4 883	8 390	7 548	5 706	4 521	106	203	158	150	113	1 246	1 139	1 188	1 195	0	18	65	62	21	14
North Macedonia	12 596	13 639	13 325	12 910	NA	10 767	11 861	12 104	10 524	NA	NAP	NAP	NAP	NAP	NAP	1 829	1 778	1 221	2 386	NA	NAP	NAP	NAP	NAP	NAP
Serbia	151 732	109 596	138 099	123 229	47 507	151 339	105 532	134 083	122 788	47 480	393	4 052	4 004	441	27	NAP	NAP	NAP	NAP	NAP	0	12	12	0	0
Kosovo*	24 055	27 839	18 903	32 991	2 392	22 448	26 106	17 772	30 782	2 261	677	386	218	845	131	930	1 347	913	1 364	0	NAP	NAP	NAP	NAP	NAP
Average	48 566	34 884	40 494	42 952	22 796	41 422	31 136	37 163	35 391	17 823	1 864	2 350	2 339	1 874	783	7 528	2 904	2 391	8 040	5 842	-	-	-	-	-
Median	20 272	13 639	13 325	17 400	20 817	17 097	11 861	12 104	13 350	10 885	393	2 794	2 855	441	113	2 502	2 923	2 310	3 218	0	-	-	-	-	-
Minimum	6 253	9 797	8 063	7 072	2 042	4 883	3 374	1 809	5 706	2 042	106	203	158	150	27	1 246	1 139	1 188	1 195	0	-	-	-	-	-
Maximum	151 732	109 596	138 099	123 229	47 507	151 339	105 532	134 083	122 788	47 480	5 092	4 052	4 004	5 031	2 210	23 862	4 632	3 757	24 530	17 527	-	-	-	-	-

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 3.3.2 Second instance courts: Number of other than criminal cases per 100 inhabitants in 2025 (Q54)

Beneficiaries	Second instance Other than criminal cases per 100 inhabitants in 2025																								
	Total of other than criminal cases (1+2+3+4)					1. Civil (and commercial) litigious cases					2. Non litigious cases					3. Administrative cases					4. Other cases				
	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years
Albania	2,20	0,43	0,34	2,29	1,57	0,97	0,14	0,08	1,04	0,73	0,22	0,12	0,12	0,21	0,09	1,01	0,17	0,14	1,04	0,74	NAP	NAP	NAP	NAP	NAP
Bosnia and Herzegovina	0,59	0,91	1,00	0,51	0,06	0,50	0,78	0,89	0,39	0,06	NAP	NAP	NAP	NAP	NAP	0,09	0,14	0,11	0,12	0,00	NAP	NAP	NAP	NAP	NAP
Montenegro	1,00	1,57	1,44	1,13	0,75	0,78	1,35	1,21	0,91	0,72	0,02	0,03	0,03	0,02	0,02	0,20	0,18	0,19	0,19	0,00	0,00	0,01	0,01	0,00	0,00
North Macedonia	0,69	0,75	0,73	0,71	NA	0,59	0,65	0,66	0,58	NA	NAP	NAP	NAP	NAP	NAP	0,10	0,10	0,07	0,13	NA	NAP	NAP	NAP	NAP	NAP
Serbia	2,31	1,67	2,10	1,88	0,72	2,30	1,61	2,04	1,87	0,72	0,01	0,06	0,06	0,01	0,00	NAP	NAP	NAP	NAP	NAP	0,00	0,00	0,00	0,00	0,00
Kosovo*	1,52	1,76	1,19	2,08	0,15	1,42	1,65	1,12	1,94	0,14	0,04	0,02	0,01	0,05	0,01	0,06	0,08	0,06	0,09	0,00	NAP	NAP	NAP	NAP	NAP
Average	1,36	1,07	1,12	1,30	0,77	1,03	0,90	0,98	0,96	0,56	0,08	0,07	0,07	0,08	0,04	0,35	0,15	0,13	0,37	0,25	-	-	-	-	-
Median	1,00	0,91	1,00	1,13	0,73	0,78	0,78	0,89	0,91	0,72	0,02	0,06	0,06	0,02	0,02	0,15	0,15	0,13	0,16	0,00	-	-	-	-	-
Minimum	0,59	0,43	0,34	0,51	0,06	0,50	0,14	0,08	0,39	0,06	0,01	0,03	0,03	0,01	0,00	0,09	0,10	0,07	0,12	0,00	-	-	-	-	-
Maximum	2,31	1,67	2,10	2,29	1,57	2,30	1,61	2,04	1,87	0,73	0,22	0,12	0,12	0,21	0,09	1,01	0,18	0,19	1,04	0,74	-	-	-	-	-

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 3.3.3 Second instance courts: percentage variation of the number of “other than criminal law” cases between 2024 and 2025 (Q54)

Beneficiaries	Second instance Other than criminal cases: percentage variation between 2024 and 2025																								
	Total of other than criminal cases (1+2+3+4)					1. Civil (and commercial) litigious cases					2. Non litigious cases					3. Administrative cases					4. Other cases				
	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years
Albania	6,0%	8,6%	24,4%	4,2%	1,5%	10,1%	-7,5%	18,3%	6,8%	2,1%	0,3%	20,8%	24,3%	-1,2%	2,2%	3,5%	17,4%	27,8%	2,8%	0,7%	NAP	NAP	NAP	NAP	NAP
Bosnia and Herzegovina	-13,2%	-8,1%	-8,0%	-14,0%	-31,4%	-16,1%	-10,4%	-8,0%	-21,9%	-31,4%	NAP	NAP	NAP	NAP	NAP	6,8%	8,1%	-8,7%	28,8%	######	NAP	NAP	NAP	NAP	NAP
Montenegro	40,4%	8,4%	24,1%	12,7%	35,3%	34,7%	8,3%	16,5%	16,6%	32,3%	10,4%	13,4%	-4,8%	37,6%	37,8%	74,8%	9,2%	135,7%	-4,6%	######	5,9%	-1,5%	-4,6%	16,7%	133,3%
North Macedonia	26,5%	-11,1%	4,9%	2,5%	NA	24,5%	-12,1%	6,5%	-2,3%	NA	NAP	NAP	NAP	NAP	NAP	39,9%	-4,0%	-8,2%	30,5%	NA	NAP	NAP	NAP	NAP	NAP
Serbia	-5,6%	-22,9%	-8,6%	-18,8%	-7,3%	-5,5%	-22,5%	-7,5%	-18,9%	-7,3%	-23,5%	-32,9%	-35,0%	12,2%	8,0%	NAP	NAP	NAP	NAP	NAP	0,0%	0,0%	0,0%	0,0%	0,0%
Kosovo*	46,2%	28,0%	34,0%	36,9%	53,8%	47,4%	28,8%	36,7%	36,9%	52,9%	12,8%	14,5%	-16,2%	24,8%	72,4%	50,0%	16,7%	8,2%	46,7%	-	NAP	NAP	NAP	NAP	NAP
Average	10,8%	-5,0%	7,4%	-2,7%	-0,5%	9,5%	-8,8%	5,2%	-3,9%	-1,1%	-4,3%	0,5%	-5,2%	16,2%	16,0%	31,2%	7,7%	36,7%	14,4%	-66,4%	-	-	-	-	-
Median	6,0%	-8,1%	4,9%	2,5%	-2,9%	10,1%	-10,4%	6,5%	-2,3%	-2,6%	0,3%	13,4%	-4,8%	12,2%	8,0%	23,3%	8,7%	9,8%	15,8%	######	-	-	-	-	-
Minimum	-13,2%	-22,9%	-8,6%	-18,8%	-31,4%	-16,1%	-22,5%	-8,0%	-21,9%	-31,4%	-23,5%	-32,9%	-35,0%	-1,2%	2,2%	3,5%	-4,0%	-8,7%	-4,6%	######	-	-	-	-	-
Maximum	40,4%	8,6%	24,4%	12,7%	35,3%	34,7%	8,3%	18,3%	16,6%	32,3%	10,4%	20,8%	24,3%	37,6%	37,8%	74,8%	17,4%	135,7%	30,5%	0,7%	-	-	-	-	-

Lowest value Highest value

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 3.3.4 Second instance courts: Other than criminal cases - Clearance rate, Disposition time and % of pending cases older than 2 years for other than criminal cases in 2025 (Q54)

Beneficiaries	Second instance Other than criminal cases in 2025														
	Total of other than criminal cases (1+2+3)			1. Civil (and commercial) litigious cases			2. Non litigious cases			3. Administrative cases			4. Other cases		
	Clearance Rate (%)	Disposition Time (in days)	% of pending cases older than 2 years	Clearance Rate (%)	Disposition Time (in days)	% of pending cases older than 2 years	Clearance Rate (%)	Disposition Time (in days)	% of pending cases older than 2 years	Clearance Rate (%)	Disposition Time (in days)	% of pending cases older than 2 years	Clearance Rate (%)	Disposition Time (in days)	% of pending cases older than 2 years
Albania	79%	2 451	68%	54%	4 961	70%	102%	643	44%	84%	2 634	71%	NAP	NAP	NAP
Bosnia and Herzegovina	109%	187	12%	114%	161	15%	NAP	NAP	NAP	81%	393	0%	NAP	NAP	NAP
Montenegro	91%	288	66%	90%	276	79%	78%	347	75%	104%	367	0%	95%	124	67%
North Macedonia	98%	354	NA	102%	317	NA	NAP	NAP	NAP	69%	713	NA	NAP	NAP	NAP
Serbia	126%	326	39%	127%	334	39%	99%	40	6%	NAP	NAP	NAP	100%	0	0%
Kosovo*	68%	637	7%	68%	632	7%	56%	1 415	16%	68%	545	0%	NAP	NAP	NAP
Average	101%	721	46%	97%	1 210	51%	93%	343	42%	84%	1 027	24%	-	-	-
Median	98%	326	52%	102%	317	54%	99%	347	44%	82%	553	0%	-	-	-
Minimum	79%	187	12%	54%	161	15%	78%	40	6%	69%	367	0%	-	-	-
Maximum	126%	2 451	68%	127%	4 961	79%	102%	643	75%	104%	2 634	71%	-	-	-

Low CR — High CR

Low DT — High DT

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 3.3.5 Second instance Other than criminal cases: Variation of Clearance rate, Disposition time and of the percentage of pending cases older than 2 years between 2024 and 2025 (Q54)

Beneficiaries	Second instance Other than criminal cases: Variation of Clearance rate, Disposition time and of the percentage of pending cases older than 2 years between 2024 and 2025														
	Total of other than criminal cases (1+2+3+4)			1. Civil (and commercial) litigious cases			2. Non litigious cases			3. Administrative cases			4. Other cases		
	Clearance Rate (in percentage points)	Disposition Time (%)	% of pending cases older than 2 years (in percentage points)	Clearance Rate (in percentage points)	Disposition Time (%)	% of pending cases older than 2 years (in percentage points)	Clearance Rate (in percentage points)	Disposition Time (%)	% of pending cases older than 2 years (in percentage points)	Clearance Rate (in percentage points)	Disposition Time (%)	% of pending cases older than 2 years (in percentage points)	Clearance Rate (in percentage points)	Disposition Time (%)	% of pending cases older than 2 years (in percentage points)
Albania	10,0	-16,2%	-1,8	11,7	-9,7%	-3,2	2,9	-20,5%	1,5	6,8	-19,6%	-1,5	NAP	NAP	NAP
Bosnia and Herzegovina	0,0	-6,5%	-3,0	3,0	-15,2%	-2,1	NAP	NAP	NAP	-14,9	41,0%	0,0	NAP	NAP	NAP
Montenegro	11,6	-9,2%	11,0	6,3	0,1%	9,4	-14,9	44,6%	0,1	56,0	-59,5%	-1,0	-3,1	22,3%	33,3
North Macedonia	14,9	-2,3%	NA	17,8	-8,2%	NA	NAP	NAP	NAP	-3,1	42,1%	NA	NAP	NAP	NAP
Serbia	19,7	-11,1%	4,8	20,6	-12,3%	4,8	-3,2	72,6%	-0,2	NAP	NAP	NAP	0,0	-	0,0
Kosovo*	3,05	2,2%	0,80	3,90	0,1%	0,77	-20,67	48,9%	4,28	-5,36	35,6%	0,00	NAP	NAP	NAP
Average	11,2	-9,1%	2,7	11,9	-9,1%	2,2	-5,1	32,2%	0,4	11,2	1,0%	-0,9	-	-	-
Median	11,6	-9,2%	1,5	11,7	-9,7%	1,3	-3,2	44,6%	0,1	1,8	10,7%	-1,0	-	-	-
Minimum	0,0	-16,2%	-3,0	3,0	-15,2%	-3,2	-14,9	-20,5%	-0,2	-14,9	-59,5%	-1,5	-	-	-
Maximum	19,7	-2,3%	11,0	20,6	0,1%	9,4	2,9	72,6%	1,5	56,0	42,1%	0,0	-	-	-

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

3.4 Second instance criminal cases

Table 3.4.1. Second instance courts: Number of criminal cases in 2025 (Q55)

Beneficiaries	Second instance Criminal cases in 2025																								
	Total criminal cases (1+2+3)					Sum of Severe and Misdemeanour and / or minor criminal cases (1+2)					1. Severe criminal cases					2. Misdemeanour and / or minor criminal cases					3. Other criminal cases				
	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years
Albania	10 916	5 435	3 081	13 270	6 948	10 916	5 435	3 081	13 270	6 948	9 674	5 188	2 330	12 532	6 424	1 242	247	751	738	524	NAP	NAP	NAP	NAP	NAP
Bosnia and Herzegovina	1 420	5 360	5 261	1 519	70	1 420	5 360	5 261	1 519	70	1 189	2 526	2 495	1 220	70	231	2 834	2 766	299	0	NAP	NAP	NAP	NAP	NAP
Montenegro	990	5 016	4 748	1 255	650	990	5 016	4 748	1 255	650	843	2 468	2 056	1 252	650	147	2 548	2 692	3	NA	NAP	NAP	NAP	NAP	NAP
North Macedonia	2 090	6 232	5 983	2 339	NA	2 090	6 232	5 983	2 339	NA	1 033	2 666	2 334	1 365	NA	1 057	3 566	3 649	974	NA	NAP	NAP	NAP	NAP	NAP
Serbia	8 335	57 415	56 631	9 119	6	8 335	57 415	56 631	9 119	6	2 193	27 122	27 038	2 277	3	6 142	30 293	29 593	6 842	3	NAP	NAP	NAP	NAP	NAP
Kosovo*	1 791	7 760	7 407	2 144	0	1 709	3 901	3 480	2 130	0	1 535	3 258	2 850	1 943	0	174	643	630	187	0	82	3 859	3 927	14	0
Average	4 750	15 892	15 141	5 500	1 919	4 750	15 892	15 141	5 500	1 919	2 986	7 994	7 251	3 729	1 787	1 764	7 898	7 890	1 771	176	-	-	-	-	-
Median	2 090	5 435	5 261	2 339	360	2 090	5 435	5 261	2 339	360	1 189	2 666	2 334	1 365	360	1 057	2 834	2 766	738	3	-	-	-	-	-
Minimum	990	5 016	3 081	1 255	6	990	5 016	3 081	1 255	6	843	2 468	2 056	1 220	3	147	247	751	3	0	-	-	-	-	-
Maximum	10 916	57 415	56 631	13 270	6 948	10 916	57 415	56 631	13 270	6 948	9 674	27 122	27 038	12 532	6 424	6 142	30 293	29 593	6 842	524	-	-	-	-	-

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 3.4.2 Second instance courts: Number of Criminal cases per 100 inhabitants in 2025 (Q55)

Beneficiaries	Second instance Criminal cases per 100 inhabitants in 2025																								
	Total criminal cases (1+2+3)					Sum of Severe and Misdemeanour and / or minor criminal cases (1+2)					1. Severe criminal cases					2. Misdemeanour and / or minor criminal cases					3. Other criminal cases				
	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years
Albania	0,46	0,23	0,13	0,56	0,29	0,46	0,23	0,13	0,56	0,29	0,41	0,22	0,10	0,53	0,27	0,05	0,01	0,03	0,03	0,02	NAP	NAP	NAP	NAP	NAP
Bosnia and Herzegovina	0,04	0,16	0,15	0,04	0,00	0,04	0,16	0,15	0,04	0,00	0,03	0,07	0,07	0,04	0,00	0,01	0,08	0,08	0,01	0,00	NAP	NAP	NAP	NAP	NAP
Montenegro	0,16	0,80	0,76	0,20	0,10	0,16	0,80	0,76	0,20	0,10	0,14	0,40	0,33	0,20	0,10	0,02	0,41	0,43	0,00	NA	NAP	NAP	NAP	NAP	NAP
North Macedonia	0,11	0,34	0,33	0,13	NA	0,11	0,34	0,33	0,13	NA	0,06	0,15	0,13	0,07	NA	0,06	0,20	0,20	0,05	NA	NAP	NAP	NAP	NAP	NAP
Serbia	0,13	0,87	0,86	0,14	0,00	0,13	0,87	0,86	0,14	0,00	0,03	0,41	0,41	0,03	0,00	0,09	0,46	0,45	0,10	0,00	NAP	NAP	NAP	NAP	NAP
Kosovo*	0,11	0,49	0,47	0,14	0,00	0,11	0,25	0,22	0,13	0,00	0,10	0,21	0,18	0,12	0,00	0,01	0,04	0,04	0,01	0	0,01	0,24	0,25	0,00	0,00
Average	0,18	0,48	0,45	0,21	0,10	0,18	0,48	0,45	0,21	0,10	0,13	0,25	0,21	0,18	0,09	0,05	0,23	0,24	0,04	0,01	-	-	-	-	-
Median	0,13	0,34	0,33	0,14	0,05	0,13	0,34	0,33	0,14	0,05	0,06	0,22	0,13	0,07	0,05	0,05	0,20	0,20	0,03	0,00	-	-	-	-	-
Minimum	0,04	0,16	0,13	0,04	0,00	0,04	0,16	0,13	0,04	0,00	0,03	0,07	0,07	0,03	0,00	0,01	0,01	0,03	0,00	0,00	-	-	-	-	-
Maximum	0,46	0,87	0,86	0,56	0,29	0,46	0,87	0,86	0,56	0,29	0,41	0,41	0,41	0,53	0,27	0,09	0,46	0,45	0,10	0,02	-	-	-	-	-

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 3.4.3 Second instance courts: percentage variation in number of criminal cases between 2024 and 2025 (Q55)

Beneficiaries	Second instance Criminal cases: percentage variation between 2024 and 2025																								
	Total criminal cases (1+2+3)					Sum of Severe and Misdemeanour and / or minor criminal cases (1+2)					1. Severe criminal cases					2. Misdemeanour and / or minor criminal cases					3. Other criminal cases				
	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years	Pending - 1 Jan ref. year	Incoming	Resolved	Pending - 31 Dec ref. year	Pending - older than 2 years
Albania	-6,8%	-34,7%	-52,1%	-2,4%	-6,3%	-	-	-	-	-	15,7%	47,2%	5,5%	29,5%	18,4%	-6,1%	124,5%	295,3%	-40,6%	-18,5%	NAP	NAP	NAP	NAP	NAP
Bosnia and Herzegovina	-5,1%	-29,3%	-30,2%	-1,2%	536,4%	-	-	-	-	-	13,2%	-4,9%	-0,9%	2,6%	536,4%	-33,6%	-0,1%	-6,4%	29,4%	0,0%	NAP	NAP	NAP	NAP	NAP
Montenegro	-7,0%	27,5%	17,4%	32,1%	57,8%	-	-	-	-	-	35,5%	34,4%	27,5%	48,5%	57,8%	-66,7%	21,5%	10,8%	-97,2%	NA	NAP	NAP	NAP	NAP	NAP
North Macedonia	-21,9%	-9,8%	-20,2%	11,9%	NA	-	-	-	-	NA	33,1%	-5,1%	-8,6%	32,1%	NA	-44,3%	-13,0%	-26,1%	-7,9%	NA	NAP	NAP	NAP	NAP	NAP
Serbia	44,9%	-12,1%	-9,7%	8,9%	-14,3%	-	-	-	-	-	14,6%	-6,2%	-5,6%	4,4%	200,0%	62,7%	-6,7%	-1,7%	11,4%	-50,0%	NAP	NAP	NAP	NAP	NAP
Kosovo*	63,1%	0,3%	5,2%	19,7%	-	-	-	-	-	-	56,6%	6,0%	13,1%	26,6%	-	228,3%	-0,2%	20,5%	7,5%	-	26,2%	-3,9%	-1,8%	-82,9%	-
Average	0,8%	-11,7%	-18,9%	9,9%	143,4%						22,4%	13,1%	3,6%	23,4%	203,1%	-17,6%	25,2%	54,4%	-21,0%	-22,8%	-	-	-	-	-
Median	-6,8%	-12,1%	-20,2%	8,9%	25,7%						15,7%	-4,9%	-0,9%	29,5%	128,9%	-33,6%	-0,1%	-1,7%	-7,9%	-18,5%	-	-	-	-	-
Minimum	-21,9%	-34,7%	-52,1%	-2,4%	-14,3%	0,0%	0,0%	0,0%	0,0%	0,0%	13,2%	-6,2%	-8,6%	2,6%	18,4%	-66,7%	-13,0%	-26,1%	-97,2%	-50,0%	-	-	-	-	-
Maximum	44,9%	27,5%	17,4%	32,1%	536,4%	0,0%	0,0%	0,0%	0,0%	0,0%	35,5%	47,2%	27,5%	48,5%	536,4%	62,7%	124,5%	295,3%	29,4%	0,0%	-	-	-	-	-

Lowest value — Highest value

From 2025 onwards, a revised data collection methodology has been applied to ‘other criminal cases’. Only pre-trial cases are now included in this category. As a result, the figures are not fully comparable with previous cycles and a break in the series should be taken into account when interpreting the variations

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 3.4.4 Second instance criminal cases - Clearance rate, Disposition time and % of pending cases older than 2 years for criminal cases in 2025 (Q55)

Beneficiaries	Second instance Criminal cases in 2025														
	Total criminal cases (1+2+3)			Sum of Severe and Misdemeanour and / or minor criminal cases (1+2)			1. Severe criminal cases			2. Misdemeanour and / or minor criminal cases			3. Other criminal cases		
	Clearance Rate (%)	Disposition Time (in days)	% of pending cases older than 2 years	Clearance Rate (%)	Disposition Time (in days)	% of pending cases older than 2 years	Clearance Rate (%)	Disposition Time (in days)	% of pending cases older than 2 years	Clearance Rate (%)	Disposition Time (in days)	% of pending cases older than 2 years	Clearance Rate (%)	Disposition Time (in days)	% of pending cases older than 2 years
Albania	57%	1572	52%	57%	1 572	52%	45%	1 963	51%	304%	359	71%	NAP	NAP	NAP
Bosnia and Herzegovina	98%	105	5%	98%	105	5%	99%	178	6%	98%	39	0%	NAP	NAP	NAP
Montenegro	95%	96	52%	95%	96	52%	83%	222	52%	106%	0	NA	NAP	NAP	NAP
North Macedonia	96%	143	NA	96%	143	NA	88%	213	NA	102%	97	NA	NAP	NAP	NAP
Serbia	99%	59	0%	99%	59	0%	100%	31	0%	98%	84	0%	NAP	NAP	NAP
Kosovo*	95%	106	0%	89%	223	0%	87%	249	0%	98%	108	0%	102%	130%	0%
Average	89%	395	27%	89%	395	27%	83%	522	27%	141%	116	24%	-	-	-
Median	96%	105	28%	96%	105	28%	88%	213	28%	102%	84	0%	-	-	-
Minimum	57%	59	0%	57%	59	0%	45%	31	0%	98%	0	0%	-	-	-
Maximum	99%	1572	52%	99%	1572	52%	100%	1963	52%	304%	359	71%	-	-	-

Low CR — High CR

Low DT — High DT

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 3.4.5 Second instance criminal cases: Variation of Clearance rate, Disposition time, and of the percentage of pending cases older than 2 years between 2024 and 2025 (Q38)

Beneficiaries	Second instance Criminal cases: Variation of Clearance rate, Disposition time and of the percentage of pending cases older than 2 years between 2024 and 2025														
	Total criminal cases (1+2+3)			Sum of Severe and Misdemeanour and / or minor criminal cases (1+2)			1. Severe criminal cases			2. Misdemeanour and / or minor criminal cases			3. Other criminal cases		
	Clearance Rate (in percentage points)	Disposition Time (%)	% of pending cases older than 2 years (in percentage points)	Clearance Rate (in percentage points)	Disposition Time (%)	% of pending cases older than 2 years (in percentage points)	Clearance Rate (in percentage points)	Disposition Time (%)	% of pending cases older than 2 years (in percentage points)	Clearance Rate (in percentage points)	Disposition Time (%)	% of pending cases older than 2 years (in percentage points)	Clearance Rate (in percentage points)	Disposition Time (%)	% of pending cases older than 2 years (in percentage points)
Albania	-20,6	103,5%	-2,2	-9,3	-5,3%	-	-17,8	22,8%	-4,8	131,3	-85,0%	19,2	NAP	NAP	NAP
Bosnia and Herzegovina	-1,3	41,5%	3,9	-1,4	11,2%	-	4,0	3,5%	4,8	-6,5	38,2%	0,0	NAP	NAP	NAP
Montenegro	-8,1	12,5%	8,4	-8,1	12,5%	-	-4,5	16,5%	3,0	-10,2	-97,5%	NA	NAP	NAP	NAP
North Macedonia	-12,5	40,2%	NA	-12,5	40,2%	NA	-3,3	44,5%	NA	-18,2	24,8%	NA	NAP	NAP	NAP
Serbia	2,6	20,7%	0,0	2,9	13,7%	-	0,6	10,6%	0,1	5,0	13,4%	-0,1	NAP	NAP	NAP
Kosovo*	4,41	13,8%	0,00				5,53	11,9%	0,00	16,77	-10,8%	0,00	2,19	-82,6%	0,00
Average	-8,0	44%	2,5	-5,7	0,1		-4,2	20%	0,8	20,3	-21%	6,4	-	-	-
Median	-8,1	40%	1,9	-8,1	0,1		-3,3	17%	1,6	-6,5	13%	0,0	-	-	-
Minimum	-20,6	12%	-2,2	-12,5	-0,1	0,0	-17,8	4%	-4,8	-18,2	-97%	-0,1	-	-	-
Maximum	2,6	104%	8,4	2,9	0,4	0,0	4,0	45%	4,8	131,3	38%	19,2	-	-	-

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

From 2025 onwards, a revised data collection methodology has been applied to 'other criminal cases'. Only pre-trial cases are now included in this category. As a result, the figures are not fully comparable with previous cycles and a break in the series should be taken into account when interpreting the variations

3.5 Specific category cases

Table 3.5.1 Average length of proceedings, for all instances, for civil and commercial litigious cases, administrative cases and criminal cases (severe and misdemeanour cases) in 2025 (Q60)

Beneficiaries	Civil and commercial litigious cases				Administrative cases				Criminal cases (severe and misdemeanour)			
	Average length in 1st instance (in days)	Average length in 2nd instance (in days)	Average length in 3rd instance (in days)	Average length of the entire procedure (in days)	Average length in 1st instance (in days)	Average length in 2nd instance (in days)	Average length in 3rd instance (in days)	Average length of the entire procedure (in days)	Average length in 1st instance (in days)	Average length in 2nd instance (in days)	Average length in 3rd instance (in days)	Average length of the entire procedure (in days)
Albania	NA	NA	NA	NA	250	2634	641	NA	NA	NA	NA	NA
Bosnia and Herzegovina	483	237	72	414	327	316	NAP	324	248	100	308	241
Montenegro	490	74	NA	511	792	456	NA	830	246	82	31	247
North Macedonia	334	308	388	NA	314	306	252	NA	201	228	41	NA
Serbia	329	334	266	NA	1362	NAP	553	NA	229	59	43	NA
Kosovo*	7	672	NA	NA	1264	5	NA	NA	648	180	NA	NA
Average	409	238	242	-	609	928	482	-	231	117	106	-
Median	409	273	266	-	327	386	553	-	238	91	42	-
Minimum	329	74	72	-	250	306	252	-	201	59	31	-
Maximum	490	334	388	-	1362	2634	641	-	248	228	308	-

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 3.5.2 Average length of proceedings, for all instances, for civil and commercial litigious cases: Variations between 2024 and 2025 (Q60)

Beneficiaries	Variation of average length of proceedings for Civil and commercial litigious cases between 2024 and 2025			
	Average length in 1st instance (in days)	Average length in 2nd instance (in days)	Average length in 3rd instance (in days)	Average length of the entire procedure (in days)
Albania	NA	NA	NA	NA
Bosnia and Herzegovina	-5,8%	-28,4%	-40,0%	-9,8%
Montenegro	25,3%	1,4%	NA	204,2%
North Macedonia	NA	NA	NA	NA
Serbia	NA	NA	NA	NA
Kosovo*	NA	NA	NA	NA
Average	-	-	-	-
Median	-	-	-	-
Minimum	-	-	-	-
Maximum	-	-	-	-

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

3.6 Public prosecution caseflow

Table 3.6.1 Status of public prosecution services in 2025 (Q63-0)

Beneficiaries	Status of public prosecution services in 2025			
	Has an independent status as a separate entity among state institutions	Is part of the executive power	Is part of the judicial power but enjoys functional independence	Has other status
Albania				
Bosnia and Herzegovina				
Montenegro				
North Macedonia				
Serbia				
Kosovo*				

Yes
No
NA

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 3.6.2 Different roles of the different authorities involved in a pre-trial stage of criminal proceedings in 2025 (Q63)

Beneficiaries	Different roles of the different authorities involved in a pre-trial stage of criminal proceedings in 2025																																					
	Receive a complaint					Initiate investigation					Conduct investigation					Supervising investigation					Dismiss a case at the pre-trial stage					Bring a case to court					Decide an alternative to prosecution					Close a case by imposing or negotiating a penalty or measure				
	P	PP	IJ	J	O	P	PP	IJ	J	O	P	PP	IJ	J	O	P	PP	IJ	J	O	P	PP	IJ	J	O	P	PP	IJ	J	O	P	PP	IJ	J	O	P	PP	IJ	J	O
Albania	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Bosnia and Herzegovina	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Montenegro	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
North Macedonia	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Serbia	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Kosovo*	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■

Police P
Public prosecutor PP
Investigating judge IJ
Judge J
Other O

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 3.6.3 Public prosecution: Caseflow (severe cases, misdemeanour cases, excluding cases for which the perpetrator is unknown) and incoming/received cases for which the perpetrator is unknown in 2025 (Q62-a, Q62-b)

Beneficiaries	Public prosecution: Total number of first instance criminal cases (excluding cases for which the perpetrator is unknown) in 2025										Public prosecution: incoming/ received cases for which the perpetrator is unknown in 2025
	1. Pending cases on 1 Jan.	2. Incoming/ received cases	3. Processed cases (3.1+3.2+3.3)	3.1. Discontinued during the reference year (3.1.1 + 3.1.2 + 3.1.3)	*3.1.1 Discontinued by the public prosecutor due to the lack of an established offence*	*3.1.2 Discontinued by the public prosecutor for reasons of opportunity*	*3.1.3 Discontinued for other reasons*	3.2. Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	3.3. Cases brought to court for trial	4. Pending cases on 31 Dec.	
Albania	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Bosnia and Herzegovina	20 266	22 568	21 259	10 685	NA	NA	NA	32	10 542	21 575	19 593
Montenegro	3 180	8 855	8 329	5 380	4 111	750	519	67	4 515	3 706	1 145
North Macedonia	11 261	21 100	21 376	10 053	7 343	1 579	1 131	194	11 129	10 985	4 515
Serbia	94 577	72 694	69 386	39 242	24 312	11 390	3 540	2 452	27 692	97 885	37 449
Kosovo*	30 184	32 735	30 184	10 627	NAP	482	10 145	553	19 004	32 735	5 799
Average	32 321	31 304	30 088	16 340	11 922	4 573	1 730	686	13 470	33 538	15 676
Median	15 764	21 834	21 318	10 369	7 343	1 579	1 131	131	10 836	16 280	12 054
Minimum	3 180	8 855	8 329	5 380	4 111	750	519	32	4 515	3 706	1 145
Maximum	94 577	72 694	69 386	39 242	24 312	11 390	3 540	2 452	27 692	97 885	37 449

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Yes
No
NA

North Macedonia and **Serbia**: the data refer to the number of perpetrators and not to the number of cases.

Montenegro: incoming, resolved and pending cases are counted by case, while the type of processing is counted by perpetrator.

Serbia: only cases involving known perpetrators are reported; cases involving minors are excluded.

Table 3.6.4 Public prosecution: Caseflow (severe cases, misdemeanour cases, excluding cases for which the perpetrator is unknown) and incoming/received cases for which the perpetrator is unknown per 100 inhabitants in 2025 (Q62-a, Q62-b)

Beneficiaries	Public prosecution: Total number of first instance criminal cases (excluding cases for which the perpetrator is unknown) per 100 inhabitants in 2025										Public prosecution: incoming/ received cases for which the perpetrator is unknown per 100 inhabitants in 2025
	1. Pending cases on 1 Jan.	2. Incoming/ received cases	3. Processed cases (3.1+3.2+3.3)	3.1. Discontinued during the reference year (3.1.1 + 3.1.2 + 3.1.3)	*3.1.1 Discontinued by the public prosecutor due to the lack of an established offence*	*3.1.2 Discontinued by the public prosecutor for reasons of opportunity*	*3.1.3 Discontinued for other reasons*	3.2. Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	3.3. Cases brought to court for trial	4. Pending cases on 31 Dec.	
Albania	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Bosnia and Herzegovina	0,6	0,7	0,6	0,3	NA	NA	NA	0,0	0,3	0,6	0,6
Montenegro	0,5	1,4	1,3	0,9	0,7	0,1	0,1	0,0	0,7	0,6	0,2
North Macedonia	0,6	1,2	1,2	0,6	0,4	0,1	0,1	0,0	0,6	0,6	0,2
Serbia	1,4	1,1	1,1	0,6	0,4	0,2	0,1	0,0	0,4	1,5	0,6
Kosovo*	1,9	2,1	1,9	0,7	NAP	0,0	0,6	0,0	1,2	2,1	0,4
Average	0,8	1,1	1,0	0,6	0,5	0,1	0,1	0,0	0,5	0,8	0,4
Median	0,6	1,1	1,1	0,6	0,4	0,1	0,1	0,0	0,5	0,6	0,4
Minimum	0,5	0,7	0,6	0,3	0,4	0,1	0,1	0,0	0,3	0,6	0,2
Maximum	1,4	1,4	1,3	0,9	0,7	0,2	0,1	0,0	0,7	1,5	0,6

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

North Macedonia and **Serbia:** the data refer to the number of perpetrators and not to the number of cases.

Montenegro: incoming, resolved and pending cases are counted by case, while the type of processing is counted by perpetrator.

Serbia: only cases involving known perpetrators are reported; cases involving minors are excluded.

Table 3.6.5 Public prosecution: Distribution of different categories of processed cases within all processed cases (severe cases, misdemeanour cases, excluding cases for which the perpetrator is unknown in 2025 (Q62-a)

Beneficiaries	Public prosecution: Distribution of different categories of processed cases within all processed cases (excluding cases for which the perpetrator is unknown) in 2025 (see table 3.6.4)					
	% Discontinued during the reference year	% *Discontinued by the public prosecutor due to the lack of an established offence*	% *Discontinued by the public prosecutor for reasons of opportunity*	% *Discontinued for other reasons*	% Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	% Cases brought to court for trial
Albania	NAP	NAP	NAP	NAP	NAP	NAP
Bosnia and Herzegovina	50%	NA	NA	NA	0%	50%
Montenegro	65%	76%	14%	10%	1%	54%
North Macedonia	47%	73%	16%	11%	1%	52%
Serbia	57%	62%	29%	9%	4%	40%
Kosovo*	35,2%	NAP	4,5%	95,5%	1,8%	63,0%
Average	54,6%	70,5%	19,6%	10,0%	1,3%	48,9%
Median	53,4%	73,0%	15,7%	9,6%	0,9%	50,8%
Minimum	47,0%	62,0%	13,9%	9,0%	0,2%	39,9%
Maximum	64,6%	76,4%	29,0%	11,3%	3,5%	54,2%

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

North Macedonia and **Serbia:** the data refer to the number of perpetrators and not to the number of cases.

Montenegro: incoming, resolved and pending cases are counted by case, while the type of processing is counted by perpetrator.

Serbia: only cases involving known perpetrators are reported; cases involving minors are excluded.

Table 3.6.6 Public prosecution: Caseflow (severe cases, misdemeanour cases for which known and unknown perpetrators cannot be distinguished) in 2025 (Q62-c)

Beneficiaries	Public prosecution: Total number of first instance criminal cases for which known and unknown perpetrators cannot be distinguished in 2025									
	1. Pending cases on 1 Jan.	2. Incoming/ received cases	3. Processed cases (3.1+3.2+3.3)	3.1. Discontinued during the reference year (3.1.1 + 3.1.2 + 3.1.3)	*3.1.1 Discontinued by the public prosecutor due to the lack of an established offence*	*3.1.2 Discontinued by the public prosecutor for reasons of opportunity*	*3.1.3 Discontinued for other reasons*	3.2. Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	3.3. Cases brought to court for trial	4. Pending cases on 31 Dec.
Albania	22 400	27 048	20 352	9 726	2 922	NAP	6 804	227	10 399	22 825
Bosnia and Herzegovina	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Montenegro	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
North Macedonia	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Serbia	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Kosovo*	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Average	-	-	-	-	-	-	-	-	-	-
Median	-	-	-	-	-	-	-	-	-	-
Minimum	-	-	-	-	-	-	-	-	-	-
Maximum	-	-	-	-	-	-	-	-	-	-

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Yes
No
NA

Table 3.6.7 Public prosecution: Caseflow (severe cases, misdemeanour cases for which known and unknown perpetrators cannot be distinguished) per 100 inhabitants in 2025 (Q62-c)

Beneficiaries	Public prosecution: Total number of first instance criminal cases for which known and unknown perpetrators cannot be distinguished, per 100 inhabitants in 2025									
	1. Pending cases on 1 Jan.	2. Incoming/ received cases	3. Processed cases (3.1+3.2+3.3)	3.1. Discontinued during the reference year (3.1.1 + 3.1.2 + 3.1.3)	*3.1.1 Discontinued by the public prosecutor due to the lack of an established offence*	*3.1.2 Discontinued by the public prosecutor for reasons of opportunity*	*3.1.3 Discontinued for other reasons*	3.2. Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	3.3. Cases brought to court for trial	4. Pending cases on 31 Dec.
Albania	0,9	1,1	0,9	0,4	0,1	NAP	0,3	0,0	0,4	1,0
Bosnia and Herzegovina	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Montenegro	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
North Macedonia	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Serbia	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Kosovo*	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Average	-	-	-	-	-	-	-	-	-	-
Median	-	-	-	-	-	-	-	-	-	-
Minimum	-	-	-	-	-	-	-	-	-	-
Maximum	-	-	-	-	-	-	-	-	-	-

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 3.6.8 Public prosecution: Distribution of different categories of processed cases within all processed cases (severe cases, misdemeanour cases for which known and unknown perpetrators cannot be distinguished) in 2025 (Q62-c)

Beneficiaries	Public prosecution: Distribution of different categories of processed cases within all processed cases for which known and unknown perpetrators cannot be distinguished, in 2025 (see table 3.6.6)					
	% Discontinued during the reference year	% *Discontinued by the public prosecutor due to the lack of an established offence*	% *Discontinued by the public prosecutor for reasons of opportunity*	% *Discontinued for other reasons*	% Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	% Cases brought to court for trial
Albania	48%	30%	NAP	70%	1%	51%
Bosnia and Herzegovina	NAP	NAP	NAP	NAP	NAP	NAP
Montenegro	NAP	NAP	NAP	NAP	NAP	NAP
North Macedonia	NAP	NAP	NAP	NAP	NAP	NAP
Serbia	NAP	NAP	NAP	NAP	NAP	NAP
Kosovo*	NAP	NAP	NAP	NAP	NAP	NAP
Average	-	-	-	-	-	-
Median	-	-	-	-	-	-
Minimum	-	-	-	-	-	-
Maximum	-	-	-	-	-	-

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 3.6.9 Number of cases concluded with the guilty plea procedure in 2025 (Q64)

Beneficiaries	Number of cases concluded with the guilty plea procedure in 2025								
	Total			Before the main trial			During the main trial		
	Total	Severe criminal cases	Misdemeanour and / or minor criminal cases	Total	Severe criminal cases	Misdemeanour and / or minor criminal cases	Total	Severe criminal cases	Misdemeanour and / or minor criminal cases
Albania	144	NAP	NAP	144	NAP	NAP	NAP	NAP	NAP
Bosnia and Herzegovina	653	653	NAP	90	90	NAP	563	563	NAP
Montenegro	67	54	13	11	9	2	56	45	11
North Macedonia	203	203	NAP	203	203	NAP	NAP	NAP	NAP
Serbia	2 452	NA	NA	NA	NA	NA	NA	NA	NA
Kosovo*	821	NA	NA	NA	NA	NA	NA	NA	NA
Average	704	303	-	112	101	-	-	-	-
Median	203	203	-	117	90	-	-	-	-
Minimum	67	54	-	11	9	-	-	-	-
Maximum	2 452	653	-	203	203	-	-	-	-

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

3.7 ICT in judiciary

Table 3.7.1 IT Strategy and Case management system in 2025 (Q230, Q231, Q232, Q233 and Q234)

Beneficiaries	Existence of an IT strategy for the judiciary	Existence of a Case Management System (CSM)	Number of CMSs, in cases there exist more than one	Development of the running CMS or major redevelopment					Plans for a significant change in the present IT system in the judiciary in the next year
				In the last 2 years	Between 2 and 5 years	Between 5 and 10 years	More than 10 years	Other	
Albania			3						
Bosnia and Herzegovina			2						
Montenegro			NAP						
North Macedonia			NAP						
Serbia			3						
Kosovo*			NAP						

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 3.7.2 Online submission of cases in 2025 (Q01a)

Beneficiaries	Online submission of cases					
	Civil and commercial		Administrative		Criminal	
	Deployment rate	Usage rate	Deployment rate	Usage rate	Deployment rate	Usage rate
Albania	NAP	NAP	NAP	NAP	NAP	NAP
Bosnia and Herzegovina	1-25 %	50-75 %	NAP	NAP	NAP	NAP
Montenegro	NAP	NAP	NAP	NAP	NAP	NAP
North Macedonia	NAP	NAP	NAP	NAP	NAP	NAP
Serbia	NAP	NAP	95-100 %	1-25 %	NAP	NAP
Kosovo*	NAP	NAP	NAP	NAP	95-100 %	95-100 %
95-100 %	0	0	1	0	0	0
75-95 %	0	0	0	0	0	0
50-75 %	0	1	0	0	0	0
25-50 %	0	0	0	0	0	0
1-25 %	1	0	0	1	0	0
0%	0	0	0	0	0	0
NAP	4	4	4	4	5	5
NA	0	0	0	0	0	0

Table 3.7.3 Consultation of a case online in 2025 (Q04a)

Beneficiaries	Consultation of a case online					
	Civil and commercial		Administrative		Criminal	
	Deployment rate	Usage rate	Deployment rate	Usage rate	Deployment rate	Usage rate
Albania	NAP	NAP	NAP	NAP	NAP	NAP
Bosnia and Herzegovina	95-100 %	50-75 %	95-100 %	50-75 %	NAP	NAP
Montenegro	NAP	NAP	NAP	NAP	NAP	NAP
North Macedonia	NAP	NAP	NAP	NAP	NAP	NAP
Serbia	75-95 %	75-95 %	75-95 %	75-95 %	75-95 %	75-95 %
Kosovo*	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %
95-100 %	1	0	1	0	0	0
75-95 %	1	1	1	1	1	1
50-75 %	0	1	0	1	0	0
25-50 %	0	0	0	0	0	0
1-25 %	0	0	0	0	0	0
0%	0	0	0	0	0	0
NAP	3	3	3	3	4	4
NA	0	0	0	0	0	0

Table 3.7.4 Content of the case to be consulted online in 2025 (Q4b and Q4c)

Beneficiaries	Content of the case to be consulted online																	
	Civil and commercial						Administrative						Criminal					
	Case status	Documents	Notifications	Events/calendar	Court decision	Other	Case status	Documents	Notifications	Events/calendar	Court decision	Other	Case status	Documents	Notifications	Events/calendar	Court decision	Other
Albania																		
Bosnia and Herzegovina																		
Montenegro																		
North Macedonia																		
Serbia																		
Kosovo*																		

Yes	
No	
NA	
NAP	

Table 3.7.5 Case management system - Deployment and usage rates in 2025 (Q07a)

Beneficiaries	Case management system - Deployment and usage rates					
	Civil and commercial		Administrative		Criminal	
	Deployment rate	Usage rate	Deployment rate	Usage rate	Deployment rate	Usage rate
Albania	95-100 %	75-95 %	95-100 %	75-95 %	95-100 %	75-95 %
Bosnia and Herzegovina	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %
Montenegro	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %
North Macedonia	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %
Serbia	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %
Kosovo*	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %
95-100 %	5	4	5	4	5	4
75-95 %	0	1	0	1	0	1
50-75 %	0	0	0	0	0	0
25-50 %	0	0	0	0	0	0
1-25 %	0	0	0	0	0	0
0%	0	0	0	0	0	0
NAP	0	0	0	0	0	0
NA	0	0	0	0	0	0

Table 3.7.6 Case management system - Functionalities in 2025 (Q7b and Q7c)

| Beneficiaries | Case management system - Functionalities | | |

Table 3.7.7 Writing assistance tools in 2025 (Q08a)

Beneficiaries	Writing assistance tools					
	Civil and commercial		Administrative		Criminal	
	Deployment rate	Usage rate	Deployment rate	Usage rate	Deployment rate	Usage rate
Albania	NAP	NAP	NAP	NAP	NAP	NAP
Bosnia and Herzegovina	50-75 %	50-75 %	50-75 %	50-75 %	50-75 %	50-75 %
Montenegro	NAP	NAP	NAP	NAP	NAP	NAP
North Macedonia	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %
Serbia	25-50 %	NA	NAP	NAP	25-50 %	NA
Kosovo*	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %
95-100 %	1	1	1	1	1	1
75-95 %	0	0	0	0	0	0
50-75 %	1	1	1	1	1	1
25-50 %	1	0	0	0	1	0
1-25 %	0	0	0	0	0	0
0%	0	0	0	0	0	0
NAP	2	2	3	3	2	2
NA	0	1	0	0	0	1

Table 3.7.8 Writing assistance tools - Functionalities in 2025 (Q8b)

Beneficiaries	Writing assistance tools - Functionalities																						
	Civil and commercial							Administrative							Criminal								
	Templates	Automatically generated text	AI generated proposal for a decision and/or reasoning	AI for summarization of documents	Speech-to-text	Electronic signature	Other special functionality	Templates	Automatically generated text	AI generated proposal for a decision and/or reasoning	AI for summarization of documents	Speech-to-text	Electronic signature	Other special functionality	Templates	Automatically generated text	AI generated proposal for a decision and/or reasoning	AI for summarization of documents	Speech-to-text	Electronic signature	Other special functionality
Albania																					
Bosnia and Herzegovina																					
Montenegro																					
North Macedonia																					
Serbia																					
Kosovo*																					

Yes
No
NA
NAP

Table 3.7.9 Database of court decisions - Deployment rates in 2025 (Q10a)

Beneficiaries	Database of court decisions - Deployment rates								
	Civil and commercial			Administrative			Criminal		
	1st instance	2nd instance	Supreme court	1st instance	2nd instance	Supreme court	1st instance	2nd instance	Supreme court
Albania	75-95 %	75-95 %	75-95 %	75-95 %	75-95 %	75-95 %	75-95 %	75-95 %	75-95 %
Bosnia and Herzegovina	1-25 %	1-25 %	1-25 %	1-25 %	1-25 %	1-25 %	1-25 %	1-25 %	1-25 %
Montenegro	75-95 %	50-75 %	95-100 %	95-100 %	95-100 %	95-100 %	50-75 %	50-75 %	75-95 %
North Macedonia	95-100 %	95-100 %	95-100 %	50-75 %	50-75 %	95-100 %	50-75 %	50-75 %	95-100 %
Serbia	0%	25-50 %	95-100 %	95-100 %	95-100 %	95-100 %	0%	25-50 %	95-100 %
Kosovo*	50-75 %	75-95 %	95-100 %	50-75 %	95-100 %	95-100 %	50-75 %	75-95 %	95-100 %
95-100 %	1	1	3	2	2	3	0	0	2
75-95 %	2	1	1	1	1	1	1	1	2
50-75 %	0	1	0	1	1	0	2	2	0
25-50 %	0	1	0	0	0	0	0	1	0
1-25 %	1	1	1	1	1	1	1	1	1
0%	1	0	0	0	0	0	1	0	0
NAP	0	0	0	0	0	0	0	0	0
NA	0	0	0	0	0	0	0	0	0

Table 3.7.10 Database of court decisions - Modalities of publication in 2025 (Q10b)

Beneficiaries	Database of court decisions - Modalities of publication																														
	Civil and commercial									Administrative									Criminal												
	1st instance			2nd instance			Supreme court			1st instance			2nd instance			Supreme court			1st instance			2nd instance			Supreme court					
	Published online (public website)	Published in internal database	Other	Published online (public website)	Published in internal database	Other	Published online (public website)	Published in internal database	Other	Published online (public website)	Published in internal database	Other	Published online (public website)	Published in internal database	Other	Published online (public website)	Published in internal database	Other	Published online (public website)	Published in internal database	Other	Published online (public website)	Published in internal database	Other	Published online (public website)	Published in internal database	Other			
Albania																															
Bosnia and Herzegovina																															
Montenegro																															
North Macedonia																															
Serbia																															
Kosovo*																															

Yes
No
NA
NAP

Table 3.7.11 (1st) Database of court decisions - Functionalities at 1st instance in 2025 (Q10c)

| Beneficiaries | Database of court decisions - Functionalities at 1st instance | | |

Table 3.7.11 (2nd) Database of court decisions - Functionalities at 2nd instance in 2025 (Q10c)

| Beneficiaries | Database of court decisions - Functionalities at 2nd instance | | |

Table 3.7.11 (3rd) Database of court decisions - Functionalities at final instance in 2025 (Q10c)

Beneficiaries	Database of court decisions - Functionalities at final instance																																							
	Civil and commercial													Administrative												Criminal															
	AI anonymisation	Manual anonymisation	Free public online access	Link to the case law of the European Court of Human Rights (ECHR)	Open data	Advanced search engine	AI-based (LLM) exploration tool	Machine-readable content	Structured content	Metadata	European Case Law Identifier (ECLI)	Other special functionality	AI anonymisation	Manual anonymisation	Free public online access	Link to the case law of the European Court of Human Rights (ECHR)	Open data	Advanced search engine	AI-based (LLM) exploration tool	Machine-readable content	Structured content	Metadata	European Case Law Identifier (ECLI)	Other special functionality	AI anonymisation	Manual anonymisation	Free public online access	Link to the case law of the European Court of Human Rights (ECHR)	Open data	Advanced search engine	AI-based (LLM) exploration tool	Machine-readable content	Structured content	Metadata	European Case Law Identifier (ECLI)	Other special functionality
Albania																																							
Bosnia and Herzegovina																																							
Montenegro																																							
North Macedonia																																							
Serbia																																							
Kosovo*																																							

Yes
No
NA
NAP

Table 3.7.12 Statistical tools - Deployment rates in 2025 (Q11a)

Beneficiaries	Statistical tools - Deployment rates		
	Deployment rate		
	Civil and commercial	Administrative	Criminal
Albania	NAP	NAP	NAP
Bosnia and Herzegovina	95-100 %	95-100 %	95-100 %
Montenegro	95-100 %	95-100 %	95-100 %
North Macedonia	95-100 %	95-100 %	95-100 %
Serbia	NA	NA	NA
Kosovo*	95-100 %	95-100 %	95-100 %
95-100 %	3	3	3
75-95 %	0	0	0
50-75 %	0	0	0
25-50 %	0	0	0
1-25 %	0	0	0
0%	0	0	0
NAP	1	1	1
NA	1	1	1

Table 3.7.13 Statistical tools - Functionalities in 2025 (Q11b)

Beneficiaries	Statistical tools - Functionalities																																	
	Civil and commercial										Administrative										Criminal															
	Integration/connection with the CMS	Business intelligence software	Generation of predefined statistical reports	Generation of customised statistical reports	Internal page and/or dashboard	External page with statistics (public website)	Real-time data availability	Automatic consolidation of data at the national level	Other special functionality		Integration/connection with the CMS	Business intelligence software	Generation of predefined statistical reports	Generation of customised statistical reports	Internal page and/or dashboard	External page with statistics (public website)	Real-time data availability	Automatic consolidation of data at the national level	Other special functionality		Integration/connection with the CMS	Business intelligence software	Generation of predefined statistical reports	Generation of customised statistical reports	Internal page and/or dashboard	External page with statistics (public website)	Real-time data availability	Automatic consolidation of data at the national level	Other special functionality						
Albania																																		
Bosnia and Herzegovina																																		
Montenegro																																		
North Macedonia																																		
Serbia																																		
Kosovo*																																		

Yes
No
NA
NAP

Table 3.7.14 Statistical tools - Data available for statistical analysis in 2025 (Q11b)

Beneficiaries	Statistical tools - Data available for statistical analysis																								
	Civil and commercial									Administrative									Criminal								
	Case flow data (number of incoming, resolved, pending)	Age of a pending case	Length of proceedings	Number of hearings	Cases per judge	Case weights	Number of parties in a case	Indicator of appeal	Result of the appeal	Case flow data (number of incoming, resolved, pending)	Age of a pending case	Length of proceedings	Number of hearings	Cases per judge	Case weights	Number of parties in a case	Indicator of appeal	Result of the appeal	Case flow data (number of incoming, resolved, pending)	Age of a pending case	Length of proceedings	Number of hearings	Cases per judge	Case weights	Number of parties in a case	Indicator of appeal	Result of the appeal
Albania																											
Bosnia and Herzegovina																											
Montenegro																											
North Macedonia																											
Serbia																											
Kosovo*																											

Yes
No
NA
NAP

Indicator 3 - Efficiency and productivity

by country

52. Number of first instance “other than criminal” court cases.
53. Number of first instance criminal court cases.
54. Number of second instance (appeal) “other than criminal” court cases.
55. Number of second instance (appeal) criminal court cases.
56. Number of highest instance “other than criminal” court cases.
57. Number of highest instance criminal court cases.
58. Please describe the case types that are included in each category of the questions related to “other than criminal cases” at all three instances Q52, Q54 and Q56 (civil (and commercial) litigious cases, non-litigious cases, administrative cases, other cases). In case the content of these categories differs between instances please explain.

59. Please describe the case types included in each category of the questions related to criminal cases at all three instances Q53, Q55 and Q57 (severe criminal cases, misdemeanour criminal cases, other criminal cases). In case the content of these categories differs between instances please explain.
60. What is the average length of proceedings, for all instances for civil and commercial litigious cases, administrative cases and criminal cases (severe and misdemeanour cases)?

61. First instance specific cases
62. Total number of 1st instance criminal cases dealt by public prosecutors (severe cases, misdemeanour cases). Are you able to separate the criminal cases for which the perpetrator is known from those for which the perpetrator is unknown?
62-a. Total number of 1st instance criminal cases dealt by public prosecutors (severe cases, misdemeanour cases) without cases for which the perpetrator is unknown.
62-b. Total number of 1st instance criminal cases dealt by public prosecutors (severe cases, misdemeanour cases) for which the perpetrator is unknown.
62-c. Total number of 1st instance criminal cases dealt by public prosecutors (severe cases, misdemeanour cases) where known and unknown perpetrators cannot be separated.

63-0. What is the status of public prosecution services?
63. Please select the different roles of the different authorities involved in a pre-trial stage of criminal proceedings (multiple options possible)
64. If the guilty plea procedure exists, how many cases were concluded by this procedure?
230. Do you have an overall Information and Communication Technology (ICT) strategy in the judicial system?
231. Is there a case management system (CMS) ? (Software used for registering judicial proceedings and their management)
232. In case there is more than one CMS, how many are they? Please specify and explain.
233. When was the running CMS developed (or in case of major redevelopment when it was redesigned)?
234. Are there plans for a significant change in the present IT system in the judiciary in the next year? (Change of CMS or other main application)
01a. If it is possible to submit a case to a court electronically, what are the deployment and usage rates?

01b. If it is possible to submit a case to a court electronically, please specify the modalities:
01c. If it is possible to submit a case to a court electronically, please specify the modalities:
04a. If it is possible for external users to consult a case online, what are the deployment and usage rates?
04b. If it is possible for external users to consult a case online, please specify the modalities:
04c. If it is possible for external users to consult a case online, please specify the modalities:
07a. If one or more case management system(s) (CMS) exist, what are the deployment and usage rates?
07b. If one or more case management system(s) (CMS) exist, please specify the functionalities of these system(s):
07c. If one or more case management system(s) (CMS) exist, please specify the functionalities of these system(s):
08a. If writing assistance tools exist in courts and public prosecution service, what are their deployment and usage rates?
08b. If writing assistance tools exist in courts and public prosecution services, please describe their functionalities:
10a. If there is a national database of court decisions, please provide the percentage of the decisions published at each instance.
10b. If there is a national database of court decisions, please specify the modalities in publishing these decisions:
10c. If there is a database of court decisions at national level, what are the functionalities of this database?
11a. If there are statistical tools for analysing court and public prosecution cases data, what is their deployment rate?
11b. If there are statistical tools for analysing court case data, please describe their functionalities and the data available for statistical analysis:
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Albania

Q52 (2025): The increase in the number of cases pending adjudication for more than two years (from 2,436 in 2024 to 5,575 in 2025) may be explained by a combination of factors, including judicial vacancies within the court system; the accumulation of case backlog, which has led to a higher number of cases exceeding the two-year adjudication threshold; the prioritization of categories of cases subject to urgent deadlines; the complexity of cases, which necessitates multiple hearings and procedural steps, thereby prolonging their examination; and procedural delays, such as the postponement of hearings, difficulties in notifying the parties, and delays in the preparation of expert reports, all of which have also contributed to the extended duration of proceedings.
The increase in the number of cases pending adjudication for more than two years (from 2,436 in 2024 to 5,575 in 2025) may be explained by a combination of factors, including judicial vacancies within the court system; the accumulation of case backlog, which has led to a higher number of cases exceeding the two-year adjudication threshold; the prioritization of categories of cases subject to urgent deadlines; the complexity of cases, which necessitates multiple hearings and procedural steps, thereby prolonging their examination; and procedural delays, such as the postponement of hearings, difficulties in notifying the parties, and delays in the preparation of expert reports, all of which have also contributed to the extended duration of proceedings.
Q52 (2023): Regarding the number of administrative pending cases older than two years that have almost doubled from the previous cycle is a
Consequence of the transitional period which are related to the implementation of the new judicial map as well as the vetting process.

Q53 (2025): The decline in the number of newly filed cases before the courts, as well as the reduction in the number of adjudicated cases concerning criminal contraventions, may be attributed to a combination of legal, institutional, and social factors, including:
The enhanced role of administrative mechanisms – Law enforcement authorities, such as the police, have increasingly relied on administrative measures (e.g., the imposition of fines), thereby diminishing the necessity for judicial proceedings.
The prioritization of cases within the criminal justice system – There is a discernible shift towards the adjudication of criminal offences of greater social harmfulness, resulting in a reduced focus on contraventions. Moreover, the substantial caseload of other, more pressing matters (whether criminal or civil) may further slow the pace of examination of contravention cases.
Citizens' behavior – A decline in the number of complaints and reports relating to contraventions.
External (socio-economic) factors – Migration and demographic changes may also have an impact on the overall volume of cases.
Q53 (2024): 3.Other criminal cases "Administrative criminal cases" and "Anti-mafia law cases". From the data reflected here, anti-mafia law cases are 11 pending on January 1, 2024, 54 new cases, 49 adjudicated, 16 awaiting adjudicatory on December 31, 2024; 3 older than two years. The rest are administrative criminal cases.
Q53 (2023): Based on the table of statistics collected from the reporting of the courts "other cases" refers to "administrative criminal cases".
Q53 (2022): Other Criminal cases: a) criminal administrative cases (exe: probation requests, security measures etc) b) cases related to anti-mafia law.
The number of resolved cases during 2022 is believed to have been caused by the decrease of the number of judges in the second instance due to different factors such as resignations, vetting process, promotions. In addition, the inequal distribution of cases between courts is another factor contributing to the problem.
Q54 (2025): For Administrative law cases - The reduction of the backlog of pending cases – the courts have focused on decreasing the number of pending cases, thereby increasing the number of cases adjudicated.
The increase in the number of judges from 2024 to 2025 has directly contributed to enhanced adjudicatory capacity and to the acceleration of case processing.
The factors that may have contributed to the increase in the number of new cases filed at the appellate level include a more frequent exercise of the right of appeal by parties against first-instance court decisions, as well as an increase in the number of complex criminal cases, which tend to generate greater disputes and, consequently, a higher number of appeals.

Q54 (2023): The increase in the number of administrative resolved cases In 2023, the number of judges effectively in office is 8.3 judges marking an increase of 49% but again far from the full number of the corps of 13 judges. Also, the number of non-judge staff increased by 46% during 2023, reaching in 67 non-judge support staff.

Q54 (2022): The decrease in the number of resolved cases during 2022 is believed to have been caused by the decrease of the number of judges in the second instance due to different factors such as resignations, vetting process, promotions. In addition, the inequal distribution of cases between courts is another factor contributing to the problem.
As regards administrative cases, during 2022 the Administrative Appeal Court has functioned with 43% of judges.

Q55 (2024): 3. Other criminal cases "Administrative criminal cases" and "Anti-mafia law cases". From the data reflected here, anti-mafia law cases are 1 pending trial on January 1, 2024, 18 new cases, 19 adjudicated, 0 pending trial on December 31, 2024; there are no anti-mafia law cases older than two years. The rest are administrative criminal cases.

Q55 (2023): Based on the table of statistics collected from the reporting of the courts "other cases" refers to "administrative criminal cases".
Q55 (2022): Other Criminal cases: a) criminal administrative cases (exe: probation requests, security measures etc) b) cases related to anti-mafia law.
Long disposition time is due to the lack of judges and uneven distribution of workload.
Q56 (2025): The clearance of the accumulated backlog of cases (carried-over cases) – the court is adjudicating pending cases from previous years, not only newly filed cases for the current year; the prioritization of older or less complex cases, as well as the stabilization or reduction of the incoming caseload, has guided the court towards reducing the backlog through their adjudication.
For civil (and commercial) contentious cases (including enforcement cases and, where possible, excluding administrative law cases—see category 3):
"Completed data for general civil cases with opposing parties and commercial cases with opposing parties."
For non-litigious cases (civil and commercial non-litigious cases, registry cases, and other non-litigious matters):
"Completed data for civil cases without opposing parties."
Q56 (2022): Due to the state of the management system of cases used by the Supreme Court, it is impossible to realize the specification of the typology of civil cases according to the subcategories of the corner.
The registration of cases in the High Court is done similarly to other courts at the national level, both manually in registers and through the digital ICMIS system.
This information is directly related to the judges effectively on duty, which has changed. The number of judges in the High Court has increased in 2022, resulting in an increase in the number of cases adjudicated. It is to be also considered the number of judges graduated from 2020-2022, who are part of the judicial system . In addition, in response to the needs of courts, the HJC has used various legal mechanisms such as assignment of judges to another court and delegation scheme.
The total number of "other than criminal cases" while the number of civil litigious cases and non-litigious cases is NA due to the aggregation of data into three major divisions: civil, criminal, and administrative, which we have from the statistics provided by the Supreme Court.
Q57 (2025): The clearance of the accumulated case backlog (carried-over cases) – the court is adjudicating pending cases from previous years, not only newly filed cases from the current year; the prioritization of older or less complex cases; and the stabilization or reduction of the incoming caseload have collectively guided the court towards reducing the backlog through adjudication.

Q60 (2025): The average time required for the resolution of civil cases overall, administrative cases overall, and criminal cases overall has been calculated for each category using the following formula:
(total number of cases pending at the end of the year / total number of cases adjudicated during the year) × 365.
For Civil and commercial litigious cases the requested data concerning the average length of proceedings (Disposition Time – DT indicator) at the first and second instance levels for general civil cases with opposing parties and commercial cases with opposing parties cannot be provided, as their calculation would reflect an inaccurate situation.
In the absence of a breakdown into sub-sections, the analysis has been conducted at the level of the civil section as a whole, in accordance with the CEPEJ methodology. Under this approach, the DT indicator (average case disposition time) is approximately 297 days at the first instance level and approximately 2,318 days at the second instance level.
Also for Criminal cases (severe and misdemeanour) the requested data concerning the average length of proceedings (Disposition Time – DT indicator) at the first and second instance levels for criminal cases, including felonies and misdemeanors, cannot be provided, as their calculation would reflect an inaccurate situation.
In the absence of a breakdown into sub-sections, the analysis has been conducted at the level of the criminal section as a whole, in accordance with the CEPEJ methodology. Under this approach, the DT indicator (average case disposition time) is approximately 87 days at the first instance level and approximately 920 days at the second instance level.

Q60 (2022): In the present condition of the CMS system, we cannot calculate the exact average length of proceedings. We use the disposition time as a proxy.
Q62 (2025): Regarding categories such as suspended, transferred, joined/split, or reopened cases, these categories are treated dynamically within the prosecution case management system and do not always represent a definitive exit from the caseflow. Therefore, they may not always be directly reflected as ‘processed cases’, since their procedural status may change during the reporting period. For example, cases initially dismissed may later be returned by the court for further investigation, or cases sent for trial may be returned during the preparatory hearing phase for additional investigative actions, thus re-entering the active caseflow.
So, in line with the solution suggested, these categories may be reflected under ‘discontinued for other reasons’, in order to ensure horizontal consistency of the data.

Q62-c (2025): GPO-Article 328 of the Criminal Procedure Code Dismissal of charge or case 1. Upon termination of preliminary investigations, where it is proceeded against criminal misdemeanours, the prosecutor shall decide on dismissing the charge or case when: a) it is clear that the fact does not exist; b) the fact is not provided for by law as a criminal offence; c) the victim has not lodged a complaint or waives it, in cases where the proceedings are initiated on his request;)
ç the person cannot be taken as defendant or he may not be punished; d) there exists a reason that extinguishes the criminal offence or for which the criminal proceedings should not be initiated or continued; dh) it is proven that the defendant has not committed the offence or it is not proven that the defendant has committed the offence; e) the defendant has been adjudicated by a final court decision for the same act;)
ë the defendant dies; f) in other cases provided for by the law.
2. The prosecutor shall, within 5 days of the decision on dismissal being made, notify the defendant, his defence lawyer, the victim and their heirs, when their identity and domicile results from the proceeding acts, as well as the person having filed the criminal report or complaint, thus making known the right to get to know the acts, to take copies thereof and to file an appeal before the court.
Article 329/a Request for dismissal of a charge or case 1. Upon termination of the preliminary investigations, when it is being proceeded for crimes and when any of the cases provided for in paragraph 1 of Article 328 of this Code occurs, the prosecutor asks the judge of the preliminary hearing to dismiss the charge or the case.
2. In cases where the prosecutor has filed a request to send the case to trial, the request for dismissal of the charge or case, shall be adjudicated jointly with the request for sending the case to trial. 3. All acts and documents contained in the investigation file shall be attached to the request of the prosecutor, including also the acts carried out before the judge of preliminary investigations, as well as material evidence, unless they are stored in another location.
4. The request is notified to the defendant, their defence lawyer, the victim or their heirs, when their identity and residence emerge from proceedings acts, as well as to the person who has filed the criminal report or the complaint. They have the right to have access to the acts and evidence, and to take copies of them.
GPO-The prosecutor plays a central role in initiating and negotiating these 2 institutions, a penalty order and a plea agreement, which may be concluded with the defendant only when the legal conditions set out in the Criminal Procedure Code are met. Once the agreements are reached, they are submitted to the court for judicial review, and the court has the authority to approve or reject them. The data presented in the table reflect the number of requests submitted by prosecutors to the court, not the court's decisions.The data entered in the table (point 3.2), refers only to the requests of the prosecutor in front of the court, pursuant to the Criminal Procedure Code, articles Article 406/a- 406/ç for the penalty order and articles 406/d-406/f for the guilty plea agreement.
Specifically;
"Article 406/a
Request for approval of the penalty order
1. When the defendant is accused for committing a misdemeanour, the prosecutor, within three months from the registration of the name of the person to whom the criminal offence is attributed, shall issue a reasoned penalty order determining the punishment and request its approval by the court, if he deems that a prison sentence shall not apply.

Q62-c (2024): 2. Incoming/received cases- Proocedings registered for the year 2024.
3.1.1 -In albanian legislation this figure refers to suspension of investigation Art. 326 of Criminal Procedure Code Suspension of the investigation
“1. In case the defendant is unknown, or when the defendant suffers from a serious illness which prevents further investigations, the prosecutor shall decide the suspension of investigations....”
3.1.2- In albania legislation the legal defition in this table, refers to non initiation of investigation by the prosecutor, Art. 290 of the Albanian CPC. “Criminal proceedings shall not commence when:
A the person has died;
B the person has no criminal responsibility or has not reached the criminal liability age;
C the complaint of the victim is lacking or he/she withdraws the complaint;
Ç the act is not provided by law as a criminal offence or when it is clearly proven that the act does not exist;
D the criminal offence has been extinct;
Dh an amnesty has been issued;
E in all other cases provided for by the law.”
Following the clarification provided by the General Prosecutor's Office of Albania, it is important to note that the data reported under 3.1.2 ("Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation") do not represent criminal proceedings that were initiated and later discontinued. According to Article 290 of the Albanian Criminal Procedure Code, the figures reported under 3.1.2 refer to criminal complaints or referrals for which a decision was made not to initiate proceedings, and that were therefore never registered as official cases.
Furthermore, these cases are not included under "incoming cases" in the questionnaire, as they do not enter the official procedural flow. This methodological difference explains the apparent inconsistency in the data, as these complaints are not aligned with the CEPEJ definition of "discontinued cases".
Q62-c (2023): 2. Incoming/received cases Procedings registered for the year 2023.
3.1.1 In albanian legislation this figure refers to suspension of investigation Art. 326 of Criminal Procedure Code

Q63-0 (General Comment): The principle of the independence of public prosecution service is enriched in Article 148, of the Constitution, where it is confirmed that, the prosecution is an independent institution which guarantee well-functioning of, the control of its activity and respect the independence of the prosecutors during criminal investigation, according to the law. Article 149 of the Constitution establishes the High Prosecutorial Council as the independent governing body mandated to guarantee the independence, accountability, discipline, status and career of prosecutors.
Also, in Article 3, of the Law “On the status of judges and prosecutors in the Republic of Albania”, as amended and in Articles 3, 4 and 6 of the Law "On the organization and functioning of the Prosecution in the Republic of Albania", as amended, is provided that prosecutors exercise their functions in an independent way and the law guarantees the necessary independence and autonomy for decision-making during the exercise by prosecutors of their constitutional and legal function, regardless of illegal internal or external influence from any public or private authority. According to Article 148/b, letter “ç”, of the Constitution, the General Prosecutor propose and administer the budget of the prosecution office. Also, in Article 40, of the Law "On the organization and functioning of the Prosecution in the Republic of Albania", as amended, the prosecution has an independent budget, as part of the state budget and is provided in a separate item.
Article 148 of the Constitution of Albania
1. The Prosecution Office exercises criminal prosecution and represents accusation in court on behalf of the state. The Prosecution Office performs other duties in accordance with the law.
2. The Prosecution Office is an independent body, which shall ensure the coordination and control of its actions as well as respects the internal independence of prosecutors to investigate and prosecute, in accordance with the law.
3. The prosecution is organized and functions near the judiciary system.
4. A Special Prosecution Office, which is independent from the Prosecutor General, and an independent investigation unit, shall investigate and prosecute corruption, organized crime and crimes in accordance with article 135 paragraph 2 of the Constitution. The independent investigation unit shall be subordinate to the Special Prosecution Office.
Q63-0 (2025): Article 148 of the Albanian Constitution
1. The Prosecution Office exercises criminal prosecution and represents accusation in court on behalf of the state. The Prosecution Office performs other duties defined by law. 2. The Prosecution Office is an independent body, which shall ensure the coordination and control of its actions as well as respects the internal independence of prosecutors to investigate and prosecute, in accordance with the law. 3. The prosecution is organized and functions attached to the judiciary system. 4. The Special Prosecution Office and the Special Investigation Unit for the prosecution and investigation of criminal offences of corruption, organized crime and crimes in accordance with Article 135 paragraph 2 of the Constitution shall be independent from the Prosecutor General. The Special Investigation Unit shall be subordinated to the Special Prosecution Office.

Q63-0 (2024): The principle of the independence of public prosecution service is enriched in Article 148, of the Constitution, where it is confirmed that, the prosecution is an independent institution which guarantee well-functioning of, the control of its activity and respect the independence of the prosecutors during criminal investigation, according to the law. Article 149 of the Constitution establishes the High Prosecutorial Council as the independent governing body mandated to guarantee the independence, accountability, discipline, status and career of prosecutors.
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Q63 (General Comment): GPO- According to the Criminal Procedure Code of the Republic of Albania, the prosecutor plays a central and leading role in the criminal process, from the moment information about a criminal offence is received until the case is brought before the court. The prosecutor conducts criminal prosecution and represents the accusation before the court on behalf of the State. The prosecutor directs and controls preliminary investigations, supervises the activity of the judicial police, and is entitled to carry out any investigative action deemed necessary for establishing the acussation.
In this context, the prosecutor is the authority that decides on the initiation or non-initiation of criminal proceedings, the dismissal of the case or the charges, as well as on requesting that the case be brought to trial, in accordance with the cases and criteria provided by law. The prosecutor may also conclude cooperation agreements with collaborators of justice, reach agreements on the admission of guilt and the determination of the sentence, or submit a request to the court for the approval of a penal order. The prosecutor initiates where the law does not require a complaint by the victim, criminal prosecution ex officio.
The prosecutor exercises his or her functions independently, in accordance with the rules provided by law. Prosecutors of first instance exercise these functions during preliminary investigations and first-instance proceedings, and by prosecutors of appeal and the High Court in appealed cases. With regard to the judicial police, the Criminal Procedure Code establishes a clear relationship of functional subordination. The judicial police are obliged to become aware of criminal offences, prevent further consequences, identify perpetrators, and conduct investigations; however, all investigative actions are carried out under the orders and delegation of the prosecutor. Judicial police officers act as auxiliary bodies in support of the exercise of criminal prosecution.
The judicial police are accountable to the prosecutor for the activities carried out during criminal proceedings, are obliged to carry out the tasks assigned by the prosecutor, and must promptly inform the prosecutor of the results of the actions undertaken.
The prosecutor is therefore the authority that leads, supervises, and takes the key decisions throughout the criminal process, while the judicial police perform auxiliary and executive investigative functions under the functional authority of the prosecutor. This framework ensures a balance between the efficiency of investigations, procedural legality, and the independence of the prosecutor in the exercise of his or her constitutional and legal functions.

Q64 (2025): GPO- Pursuant to Articles 406/d -406/f of the Criminal Procedure Code, the prosecutor plays a central role in initiating and negotiating a guilty plea agreement, which may be concluded with the defendant only when the lega conditions are met, after which the agreement is submitted to the court for judicial review, with the court having the authority to approve or reject it. The data that in the table represent the number of requests made by the prosecutors in front of the court.
- Article 406/d of the Criminal Procedure Code;
Content of the agreement
"From the registration of the name of the person to whom the criminal offence is attributed until the beginning of judicial review, the prosecutor, the defendant or his special representative may propose to reach an agreement on the conditions of admission of guilt and setting punishment.
2. In the negotiation for reaching an agreement, the presence of the defence lawyer of the defendant is mandatory. The conclusion of the agreement shall be allowed for criminal offences for which the law provides for a maximum punishment of not more than 7 years of imprisonment. This restriction shall not apply in the case of the justice collaborator……."
Article 406/dh
Judicial review
1.Upon the conclusion of the agreement, the prosecutor submits it to the court for approval, together with all the acts of the preliminary investigation. Where the agreement is submitted during the preliminary hearing, the court shall decide in accordance with the provisions of Article 332/dh, paragraph 1, letter "b", of this Code……"

Q64 (2024): Article 406/d of the Criminal Procedure Code;
Content of the agreement
"From the registration of the name of the person to whom the criminal offence is attributed until the beginning of judicial review, the prosecutor, the defendant or his special representative may propose to reach an agreement on the conditions of admission of guilt and setting punishment.
2. In the negotiation for reaching an agreement, the presence of the defense lawyer of the defendant is mandatory. The conclusion of the agreement shall be allowed for criminal offences for which the law provides for a maximum punishment of not more than 7 years of imprisonment. This restriction shall not apply in the case of the justice collaborator……."

Q64 (2023): Severe criminal cases: The guilty plea agreement is reached before the trial has started and is allowed for criminal offenses for which the law provides for a maximum sentence of no more than 7 years.

Q230 (2025): The judicial system operates within an overall Information and Communication Technology (ICT) strategic framework. All major ICT-related projects within the judicial system are aligned with and based on the strategic decisions, policies, and governance directions approved by the Steering Board of the Justice Technology Centre (ICT).
The High Judicial Council (HJC) ensures that every significant project related to the judicial information systems is designed, implemented, and governed in accordance with these decisions. The resolutions and strategic guidelines adopted by the ICT Steering Board constitute the core ICT governance reference for the justice sector and provide a unified, coordinated, and sustainable approach to digital transformation.
All relevant decisions and strategic documents of the ICT Steering Board are publicly available on the official website:
www.qti.al

Q230 (2024): The HJC has approved a strategic 2 year plan, including the IT strategy. The strategic plan can be accessed only in albanian: https://klgj.al/wp-content/uploads/2022/05/Plani-Strategjik-Final_2022-2024.pdf
Q230 (2023): https://klgj.al/wp-content/uploads/2022/05/Plani-Strategjik-Final_2022-2024.pdf
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Q231 (2025): The judicial system currently operates a Case Management System (CMS) that is used for the registration and management of judicial proceedings.
At present, courts use existing case management solutions to support core activities such as case registration, assignment, procedural tracking, and basic reporting. However, these systems have limitations in terms of functionality, interoperability, and standardization across different courts and jurisdictions.
For this reason, the High Judicial Council (HJC) is leading the transition toward a new, fully integrated Case Management System (JURONIX). The new system is designed to replace the existing fragmented solutions with a unified, modern, and nationwide platform that will manage the entire lifecycle of judicial proceedings, enhance efficiency, ensure data integrity, and enable secure interaction with external stakeholders and other justice institutions.

Q231 (2022): Regarding the option "centralized or interoperable database" the answer changed from "yes" to "no", tbecause during 2022, due to cyber-attacks in Albania, some institutions such as the Civil Status Office and the National Business Center have disconnected interoperability with the case management system.
The status of integration with statistical tool changed from "integrated" to "not connected" because HJC has approved new statistical formats which have not yet been integrated with the case management system. These integrations are expected to end with the finalization of the new judicial map.

Q232 (2025): At present, three main systems are operational and functionally linked to the management of judicial cases.
Currently it turns out that out of 20 courts in the Albanian territory, 18 of them are using the ICMIS system, 2 of them using the ARKIT system. While, only two courts, respectively Tirana Judicial District Court and the Special Court of First Instance for Corruption and Organized Crime are using the ARKIT system

1. ICMIS (Integrated Case Management Information System)
   - Used primarily by courts of general jurisdiction.
   - Supports case registration, procedural tracking, scheduling, assignment of cases, and basic reporting.
   - While it covers essential case management functions, it has limitations in terms of interoperability, scalability, and support for fully digital case files.
2. ArkIT
   - Used mainly by administrative courts and for specific case registration and document management workflows.
   - Supports administrative and archival aspects of case handling.
   - Operates largely as a standalone system with limited integration with other judicial platforms.
3. FTR / RDA System (Digital Audio Recording System)
   - Used across courts for audio (and in some cases video) recording of court hearings.
   - Although it is not a standalone CMS, it operates in direct functional relation to judicial cases and hearings, as recordings are associated with specific cases and sessions.
   - Currently, it functions as a separate system and requires manual or semi-manual linkage with case management processes.

The coexistence of multiple systems has resulted in fragmentation of case-related data and workflows, increased manual effort, and limited end-to-end digital case management.
To address these challenges, the High Judicial Council (HJC) is implementing JURONIX, a new integrated Case Management System designed to consolidate and replace ICMIS and ArkIT, while also integrating the FTR/RDA system. This will enable seamless linkage of audio/video recordings with digital case files, ensuring a unified, efficient, and fully digital management of judicial proceedings

Q232 (2024): The Case Management Systems with which the Albanian courts operate are CMIS and ARKIT.
A broad consensus has been achieved in the Albanian judiciary about the need to replace both existing case management systems used by Albanian courts (ARK-IT and ICMIS, with their variants and their 2 and 36 local installations respectively) with a single new generation, state-of-the-art system.
The Centre for the IT in the Judiciary of Albania has adopted in December 2021, upon proposal of the High Judicial Council (HJC), a Road Map for the development of the new Albanian Court Case Management System. Among these, the relevant decisions of the Information Technology Centre in the High Judicial Council were approved in order to start work on the development of a new Court Case Management System. However, it’s obvious that the systems used in the Albanian courts are almost obsolete despite frequent updates with new features. Additionally, each of the courts have their own servers installed locally which are not unified. The internal network architecture across the courts is specific to each court and is not standardized and unified yet. The renewal of the licenses of the various software components used by the courts is managed by each court in particular. This also applies to security programs that must be used on each of the court servers.
In terms of security, the case management system operates offline and can only be accessed locally by court users. Each court through the institutions of the IT is responsible for guaranteeing security and implementing policies that protect the system from possible threats.

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In terms of security, the case management system operates offline and can only be accessed locally by court users. Each court through the institutions of the IT is responsible for guaranteeing security and implementing policies that protect the system from possible threats.
Q233 (2025): The currently running Case Management Systems (CMS) were initially developed in earlier phases, and since their first deployment they have undergone continuous improvements, incremental enhancements, and functional updates on an annual basis.
Rather than a single major redesign at one specific point in time, the CMS solutions have followed an evolutionary development model, which includes:
- Periodic functional upgrades in response to legal, procedural, and organizational changes;
- Ongoing technical improvements to address performance, security, and usability requirements;
- Continuous maintenance services, including the resolution of newly identified errors, bugs, and operational issues.

This approach has ensured the operational continuity of the systems and their adaptation to emerging needs. However, despite these regular developments and maintenance activities, the existing CMS platforms have reached structural and technological limitations, which is why the judicial system is now transitioning toward a new, fully integrated and modern Case Management System.

Q233 (2024): Thanks to the developments occurred in the field of Information Technology, for more than 15 years from now, services offered by courts are easily accessible online by citizens, media representatives, as well as other civil society actors. Since 2005, two different electronic case management systems have been operating in the Albanian courts (ARKIT and ICMIS). Currently it turns out that out of 20 courts in the Albanian territory, 18 of them are using the ICMIS system, 2 of them using the ARKIT system. While, only two courts, respectively Tirana Judicial District Court and the Special Court of First Instance for Corruption and Organized Crime are using the ARKIT system

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Q233 (2022): THE ARKIT system has been used since 2002, and the ICMIS system has been used since 2007.

Q234 (2025): There are concrete and formally approved plans for a significant change in the judicial IT landscape in the coming period, including the replacement of the existing Case Management Systems.
The High Judicial Council (HJC) has initiated and approved the implementation of a new, unified and integrated Case Management System (JURONIX). This system is planned to replace the current CMS platforms (ICMIS and ArkIT) and to integrate other key judicial IT solutions, including the Digital Audio Recording System (FTR/RDA).
The transition to JURONIX represents a major structural and technological change, aiming to:
- Standardize judicial workflows across all courts;
- Enable full digital case files and end-to-end electronic case management;
- Improve interoperability with other justice institutions;
- Enhance security, auditability, and data quality.

The upcoming period will therefore focus on development, piloting, gradual rollout, and user training, ensuring a controlled transition while maintaining continuity of judicial operations.

Q234 (2024): Preliminary steps (Governance structure setup, Preliminary decisions, Decision on migration of data from existing systems, etc);
Phase 1 (case handling, statistics, decisions);
Phase 2 (e-filing etc. for criminal cases);
Phase 3 (e-filing etc. for civil and admin. cases);
Legislation;
System support, operation and maintenance;
Taking into account that a newly developed judicial case management system should nowadays necessarily include a full digitization of all procedures, and considering the inherent complexity of such endeavor, a 5-year timeline for the completion of the whole project is proposed.

Q234 (2023): timeline including when the new system is expected to become operational:
Preliminary steps (Governance structure setup, Preliminary decisions, Decision on migration of data from existing systems, etc);
Phase 1 (case handling, statistics, decisions);
Phase 2 (e-filing etc. for criminal cases);
Phase 3 (e-filing etc. for civil and admin. cases);
Legislation;
System support, operation and maintenance;
Taking into account that a newly developed judicial case management system should nowadays necessarily include a full digitization of all procedures, and considering the inherent complexity of such endeavor, a 5-year timeline for the completion of the whole project is proposed.

Q234 (2022): Preliminary steps (Governance structure setup, Preliminary decisions, Decision on migration of data from existing systems, etc);
Phase 1 (case handling, statistics, decisions);
Phase 2 (e-filing etc. for criminal cases);
Phase 3 (e-filing etc. for civil and admin. cases);
Legislation;
System support, operation and maintenance;
Taking into account that a newly developed judicial case management system should nowadays necessarily include a full digitisation of all procedures, and considering the inherent complexity of such endeavor, a 5-year timeline for the completion of the whole project is proposed.

Q07a (2025): A CMS for public prosecution services does not exist, therefore the option NAP has been selected.
Q07b (2025): With the current systems, interoperability with other systems is no longer possible.
Q07c (2025): The advanced search engine in the judicial case management systems is functional for the data currently available. Therefore, we are proceeding with the selection of this functionality.

Bosnia and Herzegovina
Q52 (General Comment): The second instance courts of general jurisdiction have subject matter over the first instance administrative law cases. Therefore, the statistics incorporated in the table for Q 52 include data on the caseload of second instance courts regarding the first instance administrative law cases.

Q52 (2025): In 2025, a significant decrease was recorded at the Municipal Court in Sarajevo in the number of new first instance litigious cases related to unpaid utility bills, which was one of the main reasons for the reduction in the total number of incoming civil and litigious cases compared to 2024, as well as a decrease in the number of unresolved cases in this case category in the reporting year.
In accordance with that, the number of first instance pending civil and litigious cases at the end of 2025 that were more than two years old was reduced to some extent. It is important to note that the majority of the pending civil and commercial litigious cases older than two years were litigious small claims cases related to unpaid utility bills.
The total number of new non-litigious cases brought before courts slightly increased in several major courts in 2025, contrary to the situation in previous years. Courts, overall, continued to resolve non-litigious cases with a clearance rate of more than 100%, thus reducing backlogs. As in the previous years, the majority of case flow in terms of general civil non-litigious cases was consisted of enforcement cases that the state-owned utility companies initiate to recover unpaid bills for utility services. (e.g. heating, water, electricity, garbage collection, television subscription etc.). In addition, majority of the pending general non-litigious cases older than two years were cases related to the unpaid utility bills, i.e. the non-litigious enforcement cases. This backlog of old cases is concentrated in the several courts in the biggest cities in Bosnia and Herzegovina.
As in the previous years, several courts in their annual reports indicated that they did not have sufficient capacity to handle the workload that increased in the reference year within the project aiming to achieve harmonization between land register and cadaster data, which partly leads to a still high number of unresolved cases at the end of the reporting year. Besides, the largest first-instance court in the capital city of Bosnia and Herzegovina received and resolved a much higher of non-litigious land-registry cases and related matters in 2025, due to the resumption of the project for harmonizing the cadaster and land registry. Overall, this has resulted in an exceptionally large increase in workload in 2025 when it comes to non-litigious land-registry cases.
In 2025, statistical data regarding the handling of registration of business entities and related matters remained stable compared to 2024. Most courts managed to achieve a clearance rate of 100% during the reporting period.
Non-judge court staff deal with a substantial part of the caseload in terms of registry cases and land registry matters. After the number of new first instance administrative law cases slightly increased in 2024, that number continued to grow somewhat in 2025, which in several courts caused the clearance rate to fall below 100%, leading to an increase in the total number of pending cases in this case category. A mitigating factor was that some courts in 2025 managed to achieve clearance rates for first instance administrative law cases of more than 100% despite the increase in the number of new cases.

Q52 (2024): In 2024, there was a relatively significant increase in the number of new first instance litigious cases related to the unpaid utility bills. However, this did not lead to a significant increase in the number of unresolved first instance civil and commercial litigious cases at the end of the reporting year. In addition, the number of pending cases at the end of 2024 that were more than two years old did not change considerably. It is important to note that the majority of the pending civil and commercial litigious cases older than two years were litigious small claims cases related to the unpaid utility bills. The total number of new non-litigious cases brought before courts was smaller, which confirmed the downward trend in previous years. As in previous years, the majority of case flow in terms of general civil non-litigious cases was consisted of enforcement cases that the state-owned utility companies initiate to recover unpaid bills for utility services. (e.g. heating, water, electricity, garbage collection, television subscription etc.)
As in the previous years, several courts in their annual reports indicated that they did not have sufficient capacity to handle the workload that increased in the reference year within the project aiming to achieve harmonization between land register and cadaster data, which partly leads to a still high number of unresolved cases at the end of the reporting year. Besides, the largest first-instance court in the capital of Bosnia and Herzegovina received and resolved a smaller number of non-litigious land-registry cases and related matters in 2024, due to the temporary halt of the project for harmonizing the cadaster and land registry. Overall, this has resulted in an exceptionally large decrease in workload when it comes to non-litigious land-registry cases last year.
Regarding the registration of business entities and related matters, several first-instance courts have received more new cases compared to the previous year. They mostly managed to handle the increased caseload during the reporting period.
Non-judge court staff deal with a substantial part of the caseload in terms of registry cases and land registry matters. In addition, majority of the pending general non-litigious cases older than two years were cases related to the unpaid utility bills, i.e. the non-litigious enforcement cases. This backlog of old cases is concentrated in the several courts in the biggest cities in Bosnia and Herzegovina.
The overwhelming majority of the first instance administrative law cases are concentrated in the several courts in the biggest cities in Bosnia and Herzegovina. Several of those courts saw a slight increase in the number of incoming administrative cases during 2024. However, courts with jurisdiction over first instance administrative cases managed to have clearance rate above 100% in 2024, reducing the number of pending as well as older cases at the end of the year.

Q52 (2023): There has been a significant decrease in the influx of first instance civil and commercial litigious cases over recent years. This trend continued in 2023. In comparison to 2022, the number of pending cases at the end of 2023 that were more than two years old did not change significantly. It is important to note that the majority of the pending civil and commercial litigious cases older than two years are litigious small claims cases related to the unpaid utility bills.
The total number of new non-litigious cases brought before both courts was smaller, which confirms the downward trend in recent years. The majority of general civil non-litigious cases are enforcement proceedings that the state-owned utility companies initiate to recover unpaid bills for utility services. (e.g. heating, water, electricity, garbage collection, television subscription etc.).
As in the previous years, several courts in their annual reports indicated that they did not have sufficient capacity to handle the workload that increased in the reference year within the project aiming to achieve harmonization between land register and cadastre data. Non-judge court staff deal with a substantial part of the caseload in terms of registry cases and land registry matters. In addition, majority of the pending civil and commercial litigious cases and general non-litigious cases older than 2 years were cases related to the unpaid utility bills, i.e. the non-litigious enforcement cases. This backlog of old cases is concentrated in the several courts in the biggest cities in Bosnia and Herzegovina.
The overwhelming majority of the first administrative law cases are concentrated in the several courts in the biggest cities in Bosnia and Herzegovina. Several of those courts saw a decrease in the number of incoming administrative cases during 2023. In addition, courts with jurisdiction over first instance administrative cases managed to have clearance rate above 100% in 2023, reducing the number of pending cases at the end of the year.

Q52 (2022): There has been a significant decrease in the influx of first instance civil and commercial litigious cases over recent years. In 2020, the number of incoming cases dropped additionally compared to 2019, due to Covid-19 restrictions. In 2021, however, the number of incoming first instance civil and commercial litigious cases rose by 13% compared to 2020. Still, that number was smaller than the number of new first instance civil and commercial litigious cases received in 2019 and 2018. This trend continued in 2022., except that one of the biggest first-instance courts received a large number of relatively simple litigious small claims cases, which resulted in an increase in the total number of cases received compared to 2021. This was a one-time increase in the influx of cases, related specifically to this court's territorial jurisdiction, leading to the increase in the number of pending cases even though most of the courts surpassed the 100% clearance rate in the reference year. The number of pending cases that are more than two years old has decreased significantly, due to this report covering 2020, in which courts received a smaller number of cases because of the Covid-19 restrictions. Finally, it is important to note that the majority of the pending civil and commercial litigious cases older than two years are litigious small claims cases related to the unpaid utility bills.
The decreased number of incoming non-litigious cases was filed in the courts in 2022 in comparison to 2021. The majority of general civil non-litigious cases are enforcement proceedings that the state-owned utility companies initiate to recover unpaid bills for utility services. (e.g. heating, water, electricity, garbage collection, television subscription etc.).
As in the previous years, several courts in their annual reports indicated that they did not have sufficient capacity to handle the workload that increased in the reference year within the project aiming to achieve harmonization between land register and cadastre data. Non-judge court staff deal with a substantial part of the caseload in terms of registry cases and land registry matters. In addition, majority of the pending civil and commercial litigious cases and general non-litigious cases older than 2 years were cases related to the unpaid utility bills, i.e. the non-litigious enforcement cases. This backlog of old cases is concentrated in the several courts in the biggest cities in Bosnia and Herzegovina.
It is important to note an additional information on the inconsistency for general non-litigious pending cases between an end to 2021 and the beginning of 2022. Namely, the High Judicial and Prosecutorial Council of Bosnia and Herzegovina instructed one of the courts to correct technical mistakes made in the case management system about the registration of non-litigious enforcement cases the public companies had initiated with the courts previously for unpaid utility bills. The court increased the number of pending cases by implementing the instructions of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina.
The overwhelming majority of the administrative law cases are concentrated in the several courts in the biggest cities in Bosnia and Herzegovina. Several courts saw an increase in the influx of administrative cases during 2022, resulting in a surge in the number of pending cases at the end of the year; in addition, the number of pending administrative cases in some of the largest courts has escalated as some of the judges specialized in administrative cases were absent due to sick leave or they were retired during the year.

Q53 (General Comment): As of 2022, i.e. the Evaluation of the judicial systems 2024 (2022 data), the statistics for severe criminal cases and other cases for this question include data for criminal cases from the first instance jurisdiction of second instance courts. In addition, since 2025 statistical data on the investigation phase of criminal proceedings in Bosnia and Herzegovina, which falls under the competence of the prosecutor's offices, are not included in the other criminal cases category; also, from 2025 onwards, these data do not include statistics on decisions of judges on motions/applications submitted to a judge by prosecutors during the preliminary phase of the criminal case, nor data on cases for the execution of final convictions in criminal cases, hence the huge discrepancies in the statistical data values for 2025 compared to 2024.
Severe criminal offences: a criminal offense is an unlawful act which violates or jeopardizes the protected values and which is, because of the danger it represents, defined by law as a criminal offense and for which a punishment is prescribed. Criminal sanctions are: punishments, suspended sentence, security measures and educational measures. Examples of serious criminal offenses are: criminal acts against state, homicide, organized crime, criminal acts against official duty (i.e. corruption cases), theft and other crimes against property, rape and other crimes against sexual integrity, traffic accidents where a person suffered grievous bodily injury or a significant damage and other crimes against public transportation etc.
Statistics on severe criminal offences include data on the cases in which the main part of the proceedings has started following the confirmation of indictment by court.
Minor offence or misdemeanor cases: minor offences are violations of public order or of regulations on economic and financial operations defined as such by laws or other regulations, whose characteristics are described and for which sanctions are prescribed. The following sanctions may be imposed upon a person found responsible for commission of a minor offence: fine; suspended sentence; reprimand; and protective measures. The following measures may be imposed because of being found responsible for a minor offence: confiscation of gains; obligation to compensate damages; penalty points; and deprivation of liberty to compel payment of a fine. Examples of minor offences: traffic offences, violations of public order, begging etc.
Statistics on misdemeanor offences include data on the cases in which the main part of the misdemeanor proceedings has started.
Since 2025 statistics regarding the execution phase of misdemeanor cases are not included in the other criminal cases category, hence the huge discrepancies in the statistical data values for 2025 compared to 2024.

Q53 (2025): Criminal cases: As of 2022, i.e. the Evaluation of the judicial systems 2024 (2022 data), the statistics for severe criminal cases and other cases for this question include data for criminal cases from the first instance jurisdiction of second instance courts. In addition, since 2025 statistical data on the investigation phase of criminal proceedings in Bosnia and Herzegovina, which falls under the competence of the prosecutor's offices, are not included in the other criminal cases category; also, from 2025 onwards, these data do not include statistics on decisions of judges on motions/applications submitted to a judge by prosecutors during the preliminary phase of the criminal case, nor data on cases for the execution of final convictions in criminal cases, hence the huge discrepancies in the statistical data values for 2025 compared to 2024.
The general trends for the first instance criminal cases in 2025 remain similar to the tendencies from the previous reporting cycle, the main characteristics being that there has been a slight increase in the number of incoming and resolved cases, but without achieving a 100% clearance rate and with a continued slight increase in the number of unresolved cases.
Misdemeanor cases:
In 2025, the number of unresolved first-instance misdemeanor cases increased significantly - by 14%, the main reason being a drastic increase in the number of incoming cases by 22% compared to the number of new cases of this type received by courts in 2024.
As in previous years, the most significant increase in the influx of new cases occurred in several courts in major towns in the country, due to the increased number of requests for initiating misdemeanor proceedings from various administrative authorities and police (i.e., traffic violations). The first-instance court in the capital of Bosnia and Herzegovina has been receiving a particularly large number of new misdemeanor cases initiated by the police against citizens who committed traffic offenses, which is largely caused by the improvements police has made in terms of technical resources for registering traffic offences. Although the courts achieved a 37% increase in the number of resolved first-instance misdemeanor cases in 2025 compared to 2024, the courts' clearance rate in the reporting year was still below 100%, reaching 91% regarding this indicator. It is important to note that courts must dispose of minor offence cases quickly in order to meet the very short statutory statute of limitations timeframes.
Since 2025 statistics regarding the execution phase of misdemeanor cases are not included in the other criminal cases category, hence the huge discrepancies in the statistical data values for 2025 compared to 2024.

Q53 (2024): Criminal cases: As of 2022, i.e. the Evaluation of the judicial systems 2024 (data 2022), the statistics for severe criminal cases and other cases for this question include data for criminal cases from the first instance jurisdiction of second instance courts. Regardless of the above change, the general trends for criminal cases in 2024 remain similar to the tendencies from the previous reporting cycles.
Misdemeanor cases:
The number of pending first-instance misdemeanor cases increased significantly during 2024 – by 33%, unlike the previous year during which the number of pending cases rose only by 1%. The number of incoming cases continued to expand in 2024 – by 31%. The most significant increase in the influx of cases occurred in several courts in major towns, due to the increased number of requests for initiating misdemeanor proceedings from various administrative authorities and police (i.e. traffic violations). The first-instance court in the capital of Bosnia and Herzegovina has received a particularly large number of new misdemeanor cases initiated by the police against citizens for committed traffic violations. Furthermore, the courts resolved more cases in 2024 than in the previous year. However, the courts failed to achieve 100% clearance rate in 2024 (i.e. 77%).

Q53 (2023): Criminal cases As of 2022, i.e. the Evaluation of the judicial systems 2024 (data 2022), the statistics for severe criminal cases and other cases for this question include data for criminal cases from the first instance jurisdiction of second instance courts. Regardless of the above change, the general trends for criminal cases in 2023 remain similar to the tendencies from the previous reporting cycles.
Misdemeanor cases:
The number of pending first-instance misdemeanor cases increased by 1% during 2023, unlike the previous reporting year (i.e. 2022) during which the number of pending cases decreased by 12%. The number of incoming cases in 2023 was higher by 7% compared to 2022. The most significant increase in the influx of cases occurred in several courts in major towns, due to the increased number of requests for misdemeanor proceedings from various administrative authorities and police (i.e. traffic violations). Furthermore, the courts resolved more cases in 2023 than in the previous year. However, the courts failed to achieve 100% clearance rate in 2023 (i.e. 99%).
Q53 (2022): There has been a significant decrease in the influx of first instance severe criminal law cases over recent years. In 2020, the number of incoming cases dropped additionally compared to 2019, due to Covid-19 restrictions. In 2021, however, the number of incoming first instance severe criminal law cases rose by 8% compared to 2020. Still, that number is smaller than the number of incoming first instance severe criminal law cases registered in 2019 and 2018. Statistics on first-instance criminal cases in 2022 indicate that the situation in the courts is, basically, consistent with the parameters from 2021.
Unlike previous years, the number of incoming cases decreased in 2022. Consequently, the number of pending cases in the first instance decreased at the end of 2022. The reduction in the influx of cases was recorded, predominantly, in the largest courts. This is not a consequence of legislative changes. It remains to be seen whether such indicators will continue to be achieved in the coming period.
Certain number of pending severe criminal cases, which are older than 2 years, cannot be resolved due to the procedural gridlock that the courts cannot resolve (e.g. an accused person is not traceable). The majority of pending other cases older than 2 years are misdemeanour cases in which courts are lacking effective mechanisms to enforce outstanding monetary fines pronounced in the minor offence proceedings.
Statistics on "Other cases" include inter alia: statistics on the preliminary criminal proceedings before the main trial, i.e. during the investigative procedure which is conducted by the prosecutor’s office (e.g. seizure of evidence, detention and similar measures, confirmation of indictment etc.), statistics on the court decisions brought outside of the main criminal trial (e.g. detention and similar measures, the change of monetary sanction to imprisonment etc), statistics on criminal proceedings related to the enforcement of convictions pronounced in criminal proceedings; statistics for minor offence cases regarding related to the court decisions brought outside of the main misdemeanour proceedings and for the enforcement of pronounced penalties.

Q54 (2025): Civil (and commercial) litigious cases: In 2025, the trend of decreasing total number of unresolved civil commercial cases at the second level continued, as well as a decrease in the number of unresolved cases older than two years. This trend was especially facilitated by the continuous reduction of backlog in several of the largest courts that have jurisdiction over civil commercial disputes at the second stage. It is important to note that as in 2024 one of the second-level courts received a large number of simple cases, which were all resolved during the reporting year, contributing especially to the increase in the improvement of results in terms of clearance rate in the reporting year.
Administrative cases: The number of unresolved cases in this category has increased significantly because one of the courts continued to receive an increased number of cases in 2025, as it did in 2024, under those circumstances, this court was unable to increase the number of resolved cases and achieved a clearance rate of 68%. Other courts from this group achieved better results, but it was not enough to reduce the negative result generated by the above-mentioned court.

Q54 (2024): Civil (and commercial) litigious cases: In 2024, the trend of decreasing total number of unresolved civil commercial cases at the second level continued, as well as a decrease in the number of unresolved cases older than two years. This trend was especially facilitated by the continuous reduction of backlog in several of the largest courts that have jurisdiction over civil commercial disputes at the second stage. It is important to note that one of the second-level courts received a large number of simple cases, which were resolved during the reporting year, resulting in an increase in the total number of received cases compared to 2023, but this did not lead to an increase in the number of unresolved cases during 2024.
Administrative cases:
The courts registered the increased numbers of incoming administrative cases in 2024 in contrast to the previous year; the workload increased particularly in one of the courts, which had to decide urgently on the huge number of the complaints against the election commission's decisions in relation to the 2024 local elections. In addition, other courts have also received a somewhat higher number of administrative cases in 2024 compared to 2023, which has contributed to a slight increase in the number of unresolved cases in the reporting year.

Q54 (2023): Civil (and commercial) litigious cases: The number of incoming second instance civil commercial litigious cases declined in 2023, following a massive one-time increase in the influx of cases in one of the courts in 2022. The influx of this category of court cases in 2023 is in balance with the influx of cases in 2021. In addition, there has been a significant decrease in the number of second instance civil commercial litigious cases over recent years. This trend continued in 2023. It is particularly facilitated by the continuous reduction of backlog in several of the largest courts that have jurisdiction over second instance civil commercial litigious cases.
Administrative cases: The number of incoming second-instance administrative law cases remained stable in 2023 compared to the influx of cases in 2022 and 2021. In 2023, the courts continued to reduce the number of second-instance administrative law cases in 2023, which is in line with historical trends for this category of court cases.

Q54 (2022): There has been a significant decrease in the influx of second instance civil commercial litigious cases over recent years. In 2020, the number of incoming cases dropped additionally compared to 2019, due to Covid-19 restrictions decreasing the number of first instance court decisions; therefore, the number of appeals initiating the second instance court cases in 2020 was much lower, compared to the previous years. In 2021, however, the number of incoming second instance civil commercial litigious cases was increased by 9% compared to 2020; nevertheless, that number is by far smaller than the number of incoming second instance civil commercial litigious cases registered in 2019 and 2018. This trend continued in 2022. However, one of the second-instance courts received a large number of simple cases, which were resolved during the same year, which resulted in an increase in the total number of cases received compared to 2021. This was a one-time increase in the influx of cases, related specifically to this court's territorial jurisdiction. Furthermore, the courts with the biggest caseload in the country have managed to surpass the 100% clearance rate for many consecutive years, including the reference year; consequently, the number of pending second instance civil commercial litigious cases was lesser at the end of 2022. No major legislative reforms in terms of the laws on civil and commercial procedure took place in the recent years. When it comes to administrative court cases, the number of pending cases has been further reduced in 2022, confirming indicators from 2021.

Q55 (General Comment): As of 2022, i.e. the Evaluation of the judicial systems 2024 (2022 data), the statistics for severe criminal cases and other cases for this question include data for criminal cases from the first instance jurisdiction of second instance courts. In addition, since 2025 statistical data on the investigation phase of criminal proceedings in Bosnia and Herzegovina, which falls under the competence of the prosecutor's offices, are not included in the other criminal cases category; also, from 2025 onwards, these data do not include statistics on decisions of judges on motions/applications submitted to a judge by prosecutors during the preliminary phase of the criminal case, nor data on cases for the execution of final convictions in criminal cases, hence the huge discrepancies in the statistical data values for 2025 compared to 2024.
Second instance courts have a dual subject matter in criminal matters. The second instance courts have first instance jurisdiction for criminal offences for which more than 10 years of imprisonment is prescribed, they also have second instance jurisdiction to decide on appeals against the decisions brought by the first instance courts for criminal offences for which up to 10 years of imprisonment is prescribed. The statistics of second instance courts on criminal law cases (Q55, i.e. incoming, resolved, pending, pending older than two years) include only second instance cases within the jurisdiction of the second instance courts, whereas the first instance cases within their jurisdiction are included in the statistics under the question Q52 First instance courts: number of criminal law cases. In addition, the statistics included under the question Q040 do not include data on severe criminal cases managed by the three courts that are included in the category of supreme courts under the Q57 Highest instance courts (Supreme Court): Number of criminal law cases. Their caseload in terms of criminal law consists of the first (i.e. one of the courts in this category has both first and second instance criminal jurisdiction), second and third instance severe criminal cases. The courts of appeal have jurisdiction only to deal with the second-instance misdemeanor cases. Severe criminal offences: a criminal offense is an unlawful act which violates or jeopardizes the protected values, and which is, because of the danger it represents, defined by law as a criminal offense and for which a punishment is prescribed. Criminal sanctions are prison punishments, suspended sentence, security measures and educational measures. Examples of serious offenses are criminal acts against state, homicide, organized crime, criminal acts against official duty (i.e. corruption cases), theft and other crimes against property, rape and other crimes against sexual integrity, traffic accidents where a person suffered grievous bodily injury or a significant damage and other crimes against public transportation etc.
Minor offence cases: minor offences are violations of public order or of regulations on economic and financial operations defined as such by laws or other regulations, whose characteristics are described and for which sanctions are prescribed. The following sanctions may be imposed upon a person found responsible for commission of a minor offence: fine; suspended sentence; reprimand; and protective measures. The following measures may be imposed as a consequence of being found responsible for commission of a minor offence: confiscation of gains; obligation to compensate damages; penalty points; and deprivation of liberty to compel payment of a fine. Examples of minor offences are traffic offences, violations of public order, begging etc.
Statistics on misdemeanor offences include only data on the cases in which the main part of the misdemeanor proceedings has started.

Q55 (2025): Criminal cases: As of 2022, i.e. the Evaluation of the judicial systems 2024 (2022 data), the statistics for severe criminal cases and other cases for this question include data for criminal cases from the first instance jurisdiction of second instance courts. In addition, since 2025 statistical data on the investigation phase of criminal proceedings in Bosnia and Herzegovina, which falls under the competence of the prosecutor's offices, are not included in the other criminal cases category; also, from 2025 onwards, these data do not include statistics on decisions of judges on motions/applications submitted to a judge by prosecutors during the preliminary phase of the criminal case, nor data on cases for the execution of final convictions in criminal cases, hence the huge discrepancies in the statistical data values for 2025 compared to 2024.
The general trends for the second instance criminal cases in 2025 remain similar to the tendencies from the previous reporting cycle, with the only exception being that in percentage terms the number of pending cases older than 2 years from the date the case came to the second instance court has significantly increased, although in absolute terms that number of cases has not increased substantially.
Misdemeanor cases: In 2025, the total number of unresolved second-instance misdemeanor cases increased marginally in terms of absolute numbers, due to a somewhat weaker results in terms of clearance rate in some courts. Otherwise, in most courts, the caseflow of second-instance misdemeanor cases continues to be stable.

Q55 (2024): Criminal cases:
As of 2022, i.e. the Evaluation of the judicial systems 2024 (data 2022), the statistics for severe criminal cases and other cases for this question include only data for criminal cases from the second instance jurisdiction of relevant courts, whereas the statistics on cases generating from their first instance jurisdiction are included in the data for the first instance courts: number of criminal law cases. Regardless of the above change, the general trends for criminal cases for this question remain similar to the tendencies from the previous reporting cycles, with small increase in the number of pending cases being registered from year to year.
Misdemeanor cases:
The number of pending second-instance misdemeanor cases was decreased during 2023 by 39%, unlike the previous reporting year (i.e. 2023) during which the number of pending cases was increased by 13%. However, it is important to note that this modification was not significant in absolute terms. The number of incoming and resolved cases remained relatively stable in the reporting year compared to 2023.

Q55 (2023): Criminal cases:
As of 2022, i.e. the Evaluation of the judicial systems 2024 (data 2022), the statistics for severe criminal cases and other cases for this question include only data for criminal cases from the second instance jurisdiction of relevant courts, whereas the statistics on cases generating from their first instance jurisdiction are included in the data for the first instance courts: number of criminal law cases. This change may lead to some inconsistencies between data for 2023 and the previous reporting cycle. Regardless of the above change, the general trends for criminal cases for this question remain similar to the tendencies from the previous reporting cycles.
Misdemeanor cases:
The number of pending second-instance misdemeanor cases rose during 2023 by 13%, unlike the previous reporting year (i.e. 2022) during which the number of pending cases decreased by 10%. However, it is important to note that this modification was not significant in absolute terms. The number of incoming and resolved cases remained stable in the reporting year compared to 2022.

Q55 (2022): Second instance courts have a dual subject matter in criminal matters. The second instance courts have first instance jurisdiction for criminal offences for which more than 10 years of imprisonment is prescribed, they also have second instance jurisdiction to decide on appeals against the decisions brought by the first instance courts for criminal offences for which up to 10 years of imprisonment is prescribed. The statistics of second instance courts on criminal law cases (Q 40, i.e. incoming, resolved, pending, pending older than two years) include only second instance cases within the jurisdiction of the second instance courts. These statistics do not include data on severe criminal cases managed by the three courts that are included in the category of supreme courts; their caseload in terms of criminal law consists of the first (i.e. one of the courts in this category has both first and second instance criminal jurisdiction), second and third instance severe criminal cases. There has been a significant decrease of the first instance severe criminal cases over recent years to the second instance courts of the aforementioned category. The trend advanced in 2020 due to the decrease of activity of public prosecutors and judges in the context of measures implemented against the spread of Covid-19 virus. In addition, in 2020 the number of incoming second instance criminal cases dropped additionally compared to 2019, due to Covid-19 restrictions decreasing the number of first instance court decisions. As a result, the number of appeals initiating the second instance severe criminal cases in 2020 was much lower than in 2019 and 2018. The number of the first instance severe criminal cases remained stable in 2021 and 2022.

Q56 (2022): In 2022, the courts in this category maintained the trend from the previous reporting cycles to make a certain decrease of the number of pending non-criminal cases. Also, these courts continued to keep the low number of pending cases older than 2 years from the date the cases came to the courts, due to the consistent implementation of the principle to deal with cases chronologically within their respective backlog reduction plans.
Q57 (2022): In 2022, the courts in this category achieved a clearance rate of 100%, reversing the consequences of COVID-19 in 2020, when there was a temporary increase in the number of pending criminal cases.

Q58 (General Comment): Administrative cases (Administrative disputes):
In Bosnia and Herzegovina, an administrative dispute (i.e. administrative case) is a court procedure regulated by thematic legislation at four levels of government. It is a court procedure carried out by courts of general jurisdiction through which disputes between individuals (natural or legal persons) and administrative bodies or institutions are resolved. It is a special form of judicial procedure initiated by natural or legal persons and relates to challenging administrative decisions or actions made or taken by administrative bodies. The defendant in an administrative dispute is the competent administrative authority whose administrative act is being contested. An administrative dispute can also be initiated when the competent authority has not issued the appropriate administrative act regarding a party's request or appeal (i.e. administrative silence).
Under the conditions set in the above-mentioned legislation, a party can challenge a court decision by which an administrative dispute was resolved in the first instance by submitting a request for its review in the second instance court procedure.
As indicated in the general comments for Q52, courts of general jurisdiction handle administrative cases in the first and second instance. In the first instance, administrative cases are handled by the courts of general jurisdiction, which in other types of cases act as second instance courts (i.e., second instance civil and commercial litigious cases), while regarding other types of cases, these courts deal with both first instance and second instance cases (i.e., criminal cases) depending on the severity of punishment prescribed by criminal legislation. In the second instance, administrative cases on the appealed legal remedy are handled by courts classified in the group of highest instance courts, with that part of the caseload included in the answer to question Q54.
Civil and commercial litigious cases:
In Bosnia and Herzegovina, a civil and commercial litigious case is a court procedure regulated by civil procedure legislation at four levels of government. It is a court procedure initiated by a plaintiff with a civil lawsuit against defendant which is carried out by courts of general jurisdiction based on which courts conduct hearings and make decisions in civil law disputes with regard to matters such as: determination of ownership of real estate, claims for damages, non-fulfillment of contractual obligations, labor disputes, property disputes, interference with property, small claims disputes, commercial disputes, divorce proceedings and other family matters etc.
Under the conditions set in the above-mentioned legislation, a party can challenge a first instance court decision by submitting an appeal to the second instance court.
In addition, the parties may file the request for revision of the final second instance judgment within thirty (30) days from the day of the service of the judgment. The revision shall not be allowed if the value of the contested part of the final judgment does not exceed 15,000 €. In addition, the revision may also allow be allowed in all cases if it finds that deciding on revision is important for the application of law in other cases.
Exceptionally, in one of the jurisdictions in Bosnia and Herzegovina, commercial litigation cases (e.g. disputes between business companies, bankruptcy proceedings) are dealt with by specialized first-instance and second-instance commercial court, while these cases at the third instance are resolved by the relevant court of general jurisdiction.
Non litigious cases (civil and commercial non litigious cases, registry cases, other non-litigious)
The most relevant categories among civil and commercial non-litigious cases are non-litigious enforcement cases initiated by creditors on the basis of uncontested payment orders or court verdicts delivered in civil or commercial litigious cases, inheritance proceedings, non-contentious proceedings related to personal and family matters (e.g. establishing that

Q59 (General Comment): Q53
Severe criminal offences: a criminal offense is an unlawful act which violates or jeopardizes the protected values and which is, because of the danger it represents, defined by law as a criminal offense and for which a punishment is prescribed. Criminal sanctions are: punishments, suspended sentence, security measures and educational measures. Examples of serious criminal offenses are: criminal acts against state, homicide, organized crime, criminal acts against official duty (i.e. corruption cases), theft and other crimes against property, rape and other crimes against sexual integrity, traffic accidents where a person suffered grievous bodily injury or a significant damage and other crimes against public transportation etc.
Statistics on severe criminal offences include data on the cases in which the main part of the proceedings has started following the confirmation of indictment by court.
Minor offence or misdemeanor cases: minor offences are violations of public order or of regulations on economic and financial operations defined as such by laws or other regulations, whose characteristics are described and for which sanctions are prescribed. The following sanctions may be imposed upon a person found responsible for commission of a minor offence: fine; suspended sentence; reprimand; and protective measures. The following measures may be imposed because of being found responsible for a minor offence: confiscation of gains; obligation to compensate damages; penalty points; and deprivation of liberty to compel payment of a fine. Examples of minor offences: traffic offences, violations of public order, begging etc.
Statistics on misdemeanor offences include data on the cases in which the main part of the misdemeanor proceedings has started.
Since 2025 statistics regarding the execution phase of misdemeanor cases are not included in the other criminal cases category, hence the huge discrepancies in the statistical data values for 2025 compared to 2024.
As of 2022, i.e. the Evaluation of the judicial systems 2024 (2022 data), the statistics for severe criminal cases and other cases for this question include data for criminal cases from the first instance jurisdiction of second instance courts. In addition, since 2025 statistical data on the investigation phase of criminal proceedings in Bosnia and Herzegovina, which falls under the competence of the prosecutor's offices, are not included in the other criminal cases category; also, from 2025 onwards, these data do not include statistics on decisions of judges on motions/applications submitted to a judge by prosecutors during the preliminary phase of the criminal case, nor data on cases for the execution of final convictions in criminal cases, hence the huge discrepancies in the statistical data values for 2025 compared to 2024.
Q55
Second instance courts have a dual subject matter in criminal matters. The second instance courts have first instance jurisdiction for criminal offences for which more than 10 years of imprisonment is prescribed, they also have second instance jurisdiction to decide on appeals against the decisions brought by the first instance courts for criminal offences for which up to 10 years of imprisonment is prescribed. The statistics of second instance courts on criminal law cases (Q55, i.e. incoming, resolved, pending, pending older than two years) include only second instance cases within the jurisdiction of the second instance courts, whereas the first instance cases within their jurisdiction are included in the statistics under the question Q52 First instance courts: number of criminal law cases. In addition, the statistics included under the question Q55 do not include data on severe criminal cases dealt with by the three courts that are included in the category of supreme courts under the Q57 Highest instance courts (Supreme Court): Number of criminal law cases. Their

Q60 (General Comment): Description of calculation method: The average length of court procedure is calculated as the average of time needed to resolve a case for cases resolved during the reporting year. The average length of court procedure for resolving the case is calculated separately for different phases of the court procedure - from the day of initiating the phase of the court procedure to its completion. The data are retrieved from the case management system.
Average total length of the total procedure:
The average length of the total procedure is calculated as the average of time needed to resolve a case for all cases resolved in the different phases of court procedure during the year. (e. g. The first instance civil case is resolved in 100 days from its lodging with the first instance court, second instance civil case is resolved in 120 days from its lodging with the second instance court, and third instance civil case was resolved in 120 days. The average length of the total procedure is calculated as follows: 100+120+120/3=113,3 days.)

Q60 (2025): In 2025, the average duration of resolved civil and commercial litigious proceedings decreased at all three levels of the court system compared to the values reported in 2024.
Average length of resolved cases in the first instance got reduced slightly (i.e. 6%), which is in line with this indicator at a value of about 500 days in the previous two reporting years (2023 and 2024), as well as in line with a certain decrease in the number of unresolved cases of this category in the reporting year.
Average length of resolved cases in the 2nd instance got reduced considerably (i.e.28%) because the backlog of old cases is continuously decreasing and new cases are being resolved faster, also, as in 2024, one of the courts from this group had to resolve a large number of new simple cases in a short period of time, as indicated in the commentary for Q54 Second instance courts (appeal): Number of 'other than criminal law' cases.
Average length of resolved cases in the 3rd instance got reduced substantially (i.e. 40%) mostly because one of the courts in this category drastically reduced the number of old cases, which allows that court to resolve new cases in a very short time, reducing the overall duration of proceedings at this level of the court system in 2025.

Q60 (2024): In 2024, data on the average duration of civil and commercial litigious proceedings remains mostly stable, with the exception of a significant reduction in the average length of second instance cases. This reduction is largely due to the fact that one of the courts had to resolve a large number of new cases in a short period of time, as indicated in the commentary for 039 Second instance courts (appeal): Number of 'other than criminal law' cases.
As in previous years, changes have been recorded in the data for this reporting year compared to the previous year regarding other types of court cases under 041 (Contested divorce cases, Termination cases, Insolvency cases, Robbery cases and Intentional homicide, Bribery cases, Influence peddling). It is important to place these differences in the following context. Primarily, the variations are registered within a relatively small number of cases, so the variations could be influenced significantly by the length of proceedings and other circumstances of individual cases (e.g. robberies and intentional homicides) or the registered variations are high percentage wise but they are not significant in absolute terms (e.g. litigious divorce cases, employment dismissal cases, insolvency cases). When it comes to the Bribery cases and Trading in influence cases, it is important to note that the prosecutors' offices and the courts in Bosnia and Herzegovina process very often the corruption cases as the cases of the Abuse of Office (i.e. An official or responsible person who, by taking advantage of his office or official authority and by exceeding the limits of his official authority or by failing to perform his official duty, acquires a benefit to himself or to another person or causes damage to another person or seriously violates the rights of another, shall be punished by imprisonment). The statistics included in the reply for the Question 41 do not include the court cases in which Bribery and Trading in influence are dealt with together in conjunction with the Organized crime and other criminal offences.

Q60 (2023): In 2023, an average duration of proceedings continued to get reduced for the resolved first and third instance civil and commercial litigious cases, which is consistent with the decrease in the number of pending cases for both case categories during the reporting year. Unlike 2022, the average duration of second-instance civil and commercial cases rose slightly in 2023. This occurred mostly because the courts with the biggest number of pending cases resolved certain number of very old cases during the reporting year. It is important to note that the backlog of old first instance litigious small claims cases for unpaid utility bills is concentrated in the several first instance courts in the biggest cities in Bosnia and Herzegovina.
As in previous years, as far as other types of court cases are concerned under the Question 41 (Litigious divorce cases, Employment dismissal cases, Insolvency cases, Robbery cases, and Intentional homicides, Bribery cases, Trading in influence), it is important to put these differences into the following context. Primarily, the variations are registered within a relatively small number of cases, so the variations could be influenced significantly by the length of proceedings and other circumstances of individual cases (e.g. robberies and intentional homicides) or the registered variations are high percentage-wise but they are not significant in absolute terms (e.g. litigious divorce cases, employment dismissal cases, insolvency cases). When it comes to the Bribery cases and Trading in influence cases, it is important to note that the prosecutors' offices and the courts in Bosnia and Herzegovina process very often the corruption cases as the cases of the Abuse of Office (i.e. An official or responsible person who, by taking advantage of his office or official authority and by exceeding the limits of his official authority or by failing to perform his official duty, acquires a benefit to himself or to another person or causes damage to another person or seriously violates the rights of another, shall be punished by imprisonment). The statistics included in the reply for the Question 41 do not include the court cases in which Bribery and Trading in influence are dealt with together in conjunction with the Organized crime and other criminal offences.

Q60 (2022): Generally, the relevant indicators regarding civil and commercial litigious cases for the reference year are consistent with the statistical information for such cases in 2021. It is important to note that the backlog of old litigious small claims cases for unpaid utility bills is concentrated in the several first instance courts in the biggest cities in Bosnia and Herzegovina.
The average duration of second-instance litigation and economic resolved cases decreased significantly due to the increase in the number of resolved cases in the largest courts of second instance in Bosnia and Herzegovina.
As in previous years, as far as other types of court cases are concerned under the Question 41 (Litigious divorce cases, Employment dismissal cases, Insolvency cases, Robbery cases, and Intentional homicides, Bribery cases, Trading in influence), it is important to put these differences into the following context. Primarily, the variations are registered within a relatively small number of cases, so the variations could be influenced significantly by the length of proceedings and other circumstances of individual cases (e.g. robberies and intentional homicides) or the registered variations are high percentage-wise but they are not significant in absolute terms (e.g. litigious divorce cases, employment dismissal cases, insolvency cases). When it comes to the Bribery cases and Trading in influence cases, it is important to note that the prosecutors' offices and the courts in Bosnia and Herzegovina process very often the corruption cases as the cases of the Abuse of Office (i.e. An official or responsible person who, by taking advantage of his office or official authority and by exceeding the limits of his official authority or by failing to perform his official duty, acquires a benefit to himself or to another person or causes damage to another person or seriously violates the rights of another, shall be punished by imprisonment). The statistics included in the reply for the Question 41 do not include the court cases in which Bribery and Trading in influence are dealt with together in conjunction with the Organized crime and other criminal offences.

Q61 (2025): Overall, the statistics on the case flow of specific cases in the first instance courts, which are concerned under Q61, remain relatively stable in the reference year (i.e. 2025) compared to the previous relevant reporting period (i.e. 2022). Primarily, the variations exist within a relatively small number of cases. In addition, the registered variations are high percentage wise but they are not significant in absolute terms. It is important to note that certain number of pending criminal cases (i.e. robbery cases, homicide cases), which are older than 2 years, cannot be resolved due to the procedural gridlock that the courts cannot resolve (e.g. an accused person is not traceable). When it comes to the Bribery, Trading in influence, it is important to note that the prosecutors' offices and the courts in Bosnia and Herzegovina process very often the corruption cases as the cases of the Abuse of Office (i.e. An official or responsible person who, by taking advantage of his office or official authority and by exceeding the limits of his official authority or by failing to perform his official duty, acquires a benefit to himself or to another person or causes damage to another person or seriously violates the rights of another, shall be punished by imprisonment). In addition, the statistics included in the reply for Q61 do not include the court cases in which Bribery, Trading in influence, and Money laundering are dealt with together in conjunction with Organized crime and other criminal offences.

Q62-a (General Comment): Traffic offence cases are dealt with by the courts under the legislation on misdemeanor proceedings. In general, the misdemeanor offences are determined by the law and other regulations as violations of public order punishable by fines. The police, not the prosecution, initiate and present traffic offence cases in the courts.
Q62-b (General Comment): Traffic offence cases are dealt with by the courts under the legislation on misdemeanor proceedings. In general, the misdemeanor offences are determined by the law and other regulations as violations of public order punishable by fines. The police, not the prosecution, initiate and present traffic offence cases in the courts.
Q62-b (2025): Out of 19 593 received cases in 2025 in this category, the prosecutors' offices in Bosnia and Herzegovina received 48% of cases in which their perpetrators could not be identified by the police when the case was filed (KTN cases), while the prosecutors' offices received 52% of cases in which a prosecutor needs to preliminarily establish if an illegal behavior constitutes a criminal act (KTA cases).
Prosecutors are not responsible for traffic offences.
Namely, in Bosnia and Herzegovina traffic offences (e.g. speeding) are dealt with by police as minor offences. When the legal conditions are met, the police submit a request to initiate misdemeanor proceedings against the perpetrator of the misdemeanor to the competent court of general jurisdiction.
Other minor offences are violations of public order or of regulations on economic and financial operations defined as such by laws or other regulations. The following sanctions may be imposed upon a person found responsible for commission of a minor offence: fine, suspended sentence, reprimand, and protective measures. The following protective measures may be imposed as a consequence of being found responsible for committing a minor offence: confiscation of gains; obligation to compensate damages; penalty points; and deprivation of liberty to compel payment of a fine.

Q62-c (2024): Around 84% of pending cases on 31 December 2024 were cases involving criminal acts in which their perpetrators could not be identified by police when the case was filed, cases in which a prosecutor needs to preliminarily establish if an illegal behavior constitutes a criminal act. Additionally, around 16% of pending cases were cases against known minor and adult perpetrators. These cases are considered to be more important for the society and the criminal justice system compared to the other group of cases (cases involving criminal acts in which their perpetrators could not be identified by police when the case was filed, cases in which a prosecutor needs to preliminarily establish if an illegal behavior constitutes a criminal act). The number of unresolved cases in prosecutor's offices at the end of 2023 is lower by about 18000 than the number of unresolved cases at the beginning of 2024. This inconsistency occurred because during 2024, the High Judicial and Prosecutorial Council of Bosnia and Herzegovina and some prosecutor's offices noticed in the Case Management System in prosecutor's offices that some prosecutors did not mark as completed cases that were resolved in previous years. Mostly these were cases involving criminal acts in which their perpetrators could not be identified by police when the case was filed, cases in which a prosecutor needs to preliminarily establish if an illegal behavior constitutes a criminal act. As a result, these cases were marked during the reporting year as resolved in the Case Management System in Prosecutor's Offices, which led to the aforementioned inconsistency in the data on the work of prosecutors' offices.

Q62-c (2023): Around 88% of pending cases on 31 December 2023 were cases involving criminal acts in which their perpetrators could not be identified by police when the case was filed, cases in which a prosecutor needs to preliminarily establish if an illegal behavior constitutes a criminal act. Additionally, around 12% of pending cases were cases against known minor and adult perpetrators. These cases are considered to be more important for the society and the criminal justice system compared to the other group of cases (cases involving criminal acts in which their perpetrators could not be identified by police when the case was filed, cases in which a prosecutor needs to preliminarily establish if an illegal behavior constitutes a criminal act).

Q63-0 (General Comment): The judicial system in in Bosnia and Herzegovina is consisted of both courts and prosecutor's offices, as mutually independent institutions in performing their powers. The law establishes prosecutor's offices and courts as autonomous institutions. Judges and prosecutors are considered to be judicial office holders. The High Judicial and Prosecutorial Council of Bosnia and Herzegovina– an institution with mixed composition- appoints judges and prosecutors; it has identical competences over issues regarding both judges and prosecutors/courts and prosecutor's offices. The same legislation regulates salaries of public prosecutors and judges. Prosecutor's offices have their own respective budgets, adopted by parliaments in the procedure applicable to all other public institutions. Pursuant to the specific legislation regulating the legal status of prosecutors' offices in Bosnia and Herzegovina, they constitute independent authorities which prosecute perpetrators of criminal offenses and file legal expedients for the purpose of protecting legality and constitutionality. Public prosecution offices shall perform their functions on the basis of the constitution and the law. No one shall have the right to influence the public prosecutor's office in the execution of its constitutional and legal functions.

The basic right and the basic duty of the prosecutor is the detection and prosecution of perpetrators of criminal offenses. The prosecutor has have the following rights and duties: a) as soon as the prosecutor becomes aware that there are grounds for suspicion that a criminal offense has been committed, to take necessary steps to discover it and investigate it, to identify the suspect(s), guide and supervise the investigation, as well as direct the activities of authorized officials pertaining to the identification of suspect(s) and the gathering of information and evidence; b) to conduct an investigation in accordance with the law; c) to grant immunity in accordance with law; d) to request information from governmental bodies, companies and other physical and legal persons; e) to issue summonses and orders and to propose the issuance of summonses and orders in accordance with the law; f) to order authorized officials to execute an order issued by the court as provided by the law; g) to propose the issuance of a warrant for pronouncement of the sentence; h) to issue and defend indictment before the court; i) to file legal remedies; j) to perform other tasks as provided by the law.

The Chief Prosecutor shall have the right and duty to give mandatory instructions to the public prosecutor regarding his/her work, and may, apart from that: take certain actions which are in the competence of the public prosecutor; authorize a different public prosecutor to process individual cases that are within the competence of the public prosecutor; authorize a public prosecutor to perform individual activities that are within the competence of another public prosecutor. The Chief Prosecutor may perform criminal prosecution within the competence of a public prosecutor, and in doing so, s/he may: undertake necessary measures related to detection of crimes and identification of perpetrators with the purpose of directing preceding criminal proceedings; request investigation conduct; bring and represent indictment, i.e. indictment proposals and other proposals before competent court; file appeals against unlawful court decisions, i.e. withdraw already filed appeals.

The High Judicial and Prosecutorial Council of Bosnia and Herzegovina has the following competencies: appointing Chief Prosecutors, Deputy Chief Prosecutors and prosecutors; receiving complaints against prosecutors, conducting disciplinary proceedings, determining disciplinary liability, and imposing disciplinary measures on prosecutors; deciding upon appeals in disciplinary proceedings; deciding upon suspensions of prosecutors; deciding upon issues of incompatibility of other functions performed by prosecutors; deciding upon the temporary assignment or transfer of prosecutors to another prosecutor's office; supervising the advanced professional training of prosecutors and advising the Centers for Judicial and Prosecutorial Training in their adoption of programmes of advanced professional training for prosecutors; determining the minimum amount of advanced professional training to be undertaken by every prosecutor each year; determining the induction training for candidates chosen for prosecutorial office and supervising the provision of such

Q63 (General Comment): PUBLIC PROSECUTOR:
Pursuant to the criminal procedure legislation in Bosnia and Herzegovina, the basic duty of the prosecutor is the detection and prosecution of perpetrators of criminal offenses. The prosecutor has the following powers: a) as soon as the prosecutor becomes aware that there are grounds for suspicion that a criminal offense has been committed, to take necessary steps to discover it and investigate it, to identify the suspect(s), guide and supervise the investigation, as well as direct the activities of authorized officials pertaining to the identification of suspect(s) and the gathering of information and evidence; b) to conduct an investigation in accordance with the law; c) to grant immunity in accordance with law; d) to request information from governmental bodies, companies and other physical and legal persons; e) to issue summonses and orders and to propose the issuance of summonses and orders in accordance with the law; f) to order authorized officials to execute an order issued by the court as provided by the law; g) to propose the issuance of a warrant for pronouncement of the sentence; h) to issue and defend indictment before the court; i) to file legal remedies; j) to perform other tasks as provided by the law.
According to the legislation in Bosnia and Herzegovina on the protection and treatment of children and minors in criminal proceedings, prosecutor may end the cases against juvenile offenders by imposing certain types of criminal sanctions - i.e. cases in which prosecutors impose educational measures against minor defendants without bringing them to court. In addition, for criminal offenses punishable by a fine or imprisonment of up to five years, the prosecutor may decide not to initiate preliminary proceedings even if there is evidence that the minor has committed a criminal offense, if he considers that it would not be appropriate to conduct proceedings against the minor, taking into account the nature of the criminal offense and the circumstances under which it was committed, the minor's previous life, and his personal characteristics. The prosecutor may act in the same manner in the case of a criminal offense punishable by imprisonment of more than five years if such action is in accordance with the principle of proportionality as stated in Article 9 of this law. To determine these circumstances, the prosecutor may request information from the parents, i.e., the guardian of the minor, other persons and institutions, and when necessary, may summon these persons and the minor for direct information. The prosecutor seeks the opinion of the guardianship authority on the appropriateness of initiating proceedings against the minor.
JUDGE:
The preliminary proceeding judge is a judge who acts during the investigative procedure in accordance with the criminal procedure legislation in Bosnia and Herzegovina. For example, the preliminary proceedings judge decides at the request of the prosecutor on the issuance of a search warrant.
POLICE: An authorised official person is a person having an appropriate authorisation within the police authorities in Bosnia and Herzegovina. In acordance with the criminal procedure legislation in Bosnia and Herzegovina, if there are grounds for suspicion that a criminal offense has been committed that carries a prison sentence of more than five (5) years, an authorized official shall immediately inform the prosecutor and shall under the Prosecutor’s direction take the steps necessary to locate the perpetrator, to prevent the suspect or accomplice from hiding or fleeing, to detect and secure the clues to the criminal offense and objects which might serve as evidence, and to gather all information that might be of use for the criminal proceedings. If there are grounds for suspicion that a criminal offense has been committed that carries a prison sentence of more than five (5) years, and the delay would pose a risk, an authorized official is obligated to carry out necessary actions in order to fulfil the above mentioned tasks. When carrying out these actions, the authorized official is obligated to act in accordance with the criminal procedure legislation. The authorized official shall be bound to inform the prosecutor on all taken

Q64 (2025): The number of cases with an indictment filed based on a plea agreement was significantly lower in several prosecutor's offices in 2025 compared to 2024. These indicators are not the result of the application of any special guidelines or legislative changes. Otherwise, in 2025, the trend from previous years continued, with the overall number of criminal cases resolved through plea agreements between prosecutors and perpetrators of criminal offenses decreasing in Bosnia and Herzegovina.

Q230 (2022): The High Judicial and Prosecutorial Council of Bosnia and Herzegovina has formed a working group for drafting a medium-term strategy for the development and implementation of information technologies in the judiciary.

Q231 (2022): Correction of technical mistake: The reply from the previous reporting cycles regarding the status of criminal case online should be changed from "Accessible to parties" to "Not accessible at all".
Q232 (2025): There are 2 CMS/TCMS version currently in use: -CMS/TCMS v3 which was implemented during 2024 and it has been in use in all judiciary institutions for most of the functionalities, -CMS/TCMS v1 which is still used in judiciary institutions for just a few administrative functionalities and for some of the statistical reports.
Both versions of CMS are based on a single database. Two versions of the application are being used, both accessing the same data, until the final transition to the CMS/TCMS v3 version is completed.
Q232 (2024): Currently there are 3 CMS/TCMS versions in use: CMS/TCMS v3 which is implemented during 2024 and is in use in all judiciary institutions except the Court of Bosnia and Herzegovina and the Municipal Court in Sarajevo (implementation planned for January 2025); CMS/TCMS v2 which is still used only in the Court of Bosnia and Herzegovina and the Municipal Court in Sarajevo; CMS/TCMS v1 which is still used in all judiciary institutions for a few administrative functionalities and for some of the reports.

Q232 (2023): Currently there are 3 CMS (courts)/TCMS (prosecutor's offices) versions in use: CMS/TCMS v1 that is used in all judiciary institutions for majority of functionalities, CMS/TCMS v2 used in all judiciary institutions for a few functionalities and CMS/TCMS v3 which is implemented in 7 pilot institutions, as it was planned.
Q233 (2025): CMS/TCMS v1 was developed more than 10 years ago, CMS/TCMS v3 was developed between 2 and 5 years ago.
Q233 (2024): CMS/TCMS v1 was developed more than 10 years ago, CMS/TCMS v2 was developed between 5 and 10 years ago, CMS/TCMS v3 was developed between 2 and 5 years ago.
Q233 (2023): CMS/TCMS v1 was developed more than 10 years ago, CMS/TCMS v2 was developed between 5 and 10 years ago, CMS/TCMS v3 was developed in the last 2 years.

Q233 (2022): Currently there are two running versions of the Case Management System in the judicial system of Bosnia and Herzegovina: -CMS v1 was developed more than 10 years ago,
-CMS v2 was developed between 2 and 5 years ago.
Both versions are used on the same database.
Q234 (2025): It is planned to completely shut down CMS/TCMS v1 during 2026.
It is planned to transfer from Oracle 11g to Oracle 19c database.

Q234 (2024): It is planned to completely shut down CMS/TCMS v1 and CMS/TCMS v2 during 2025.
Q234 (2023): CMS/TCMS v3 is based on a new WEB technologies and has been tested in 7 judiciary institutions from September to December 2023. The full-scale implementation will take place in 2024.
Q234 (2022): The new version of the Case Management System (version 3.0) will be tested in several courts and prosecutors' offices during 2023. It is based on new WEB technologies. The full-scale implementation of the new version of the Case Management System will take place in 2024.

Q01a (General Comment): The High Judicial and Prosecutorial Council of Bosnia and Herzegovina has deployed the System for electronic filing of enforcement and small claims cases in all of the first instance courts (i.e. civil cases), that use it to register the new cases and receive documentation in the existing cases the utility companies submit electronically. It is important to note that the cases may be transferred from the System to the general case management system in courts, if certain procedural requirements have been met. However, the use of the System is optional for utility companies. Accordingly, the utility companies in certain local communities are yet to begin to send cases to the courts electronically.

Q01a (2025): The High Judicial and Prosecutorial Council of Bosnia and Herzegovina has deployed the System for electronic filing of enforcement and small claims cases in all of the first instance courts (i.e. civil cases), that use it to register the new cases and receive documentation in the existing cases the utility companies submit electronically. It is important to note that the cases may be transferred from the System to the general case management system in courts, if certain procedural requirements have been met. However, the use of the System is optional for utility companies. Accordingly, the utility companies in certain local communities are yet to begin to send cases to the courts electronically. Deployment Rate_ reasoning: As for 2025, all 61 competent courts in Bosnia and Herzegovina have the aforementioned System. The number of new court cases registered through the System in the reporting year was 104 925. The number of pending cases in the System at the end of 2025 was 1 201 870. Bearing in mind that the total number of new relevant cases received in the courts of first instance was 1 061 543 in 2025 (i.e. Q52, Civil + Non litigious cases), the deployment rate was 10% (i.e. 1-25%). Usage Rate_ reasoning: 43 (i.e. 70%) courts out of the aforementioned number of first instance courts registered new cases and/or received documentation in the existing cases using the System. Consequently, the usage rate was 50-75%.

Q04a (General Comment): The electronic consultation of court case files for the parties is possible in civil and administrative matters. The High Judicial and Prosecutorial Council of Bosnia and Herzegovina approves the requests of parties in court cases for the issuance of a uniform access code. Detailed requirements for issuing the code are prescribed by the Rulebook on the Case Management System in Courts, which is adopted by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. The code can be used in the Online Case Access Module to get case information. The access through the Module is available to parties in court proceedings and their lawyers. The Module can be accessed through the website of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. In addition, lawyers can also use the mobile app to access cases in which they represent their clients. This is an official app developed by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. If the parties have multiple cases in the courts, they must apply for a single access code for each of these cases, but they are provided with a possibility to create a user account that allows access to all these cases in one place. The same possibility is given to lawyers for all civil and administrative cases in which they represent their clients.

Q04b (General Comment): The electronic consultation of court case files for the parties is possible in civil and administrative matters. The High Judicial and Prosecutorial Council of Bosnia and Herzegovina approves the requests of parties in court cases for the issuance of a uniform access code. Detailed requirements for issuing the code are prescribed by the Rulebook on the Case Management System in Courts, which is adopted by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. The code can be used in the Online Case Access Module to get case information. The access through the Module is available to parties in court proceedings and their lawyers. The Module can be accessed through the website of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. In addition, lawyers can also use the mobile app to access cases in which they represent their clients. This is an official app developed by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. If the parties have multiple cases in the courts, they must apply for a single access code for each of these cases, but they are provided with a possibility to create a user account that allows access to all these cases in one place. The same possibility is given to lawyers for all civil and administrative cases in which they represent their clients.

Q07b (General Comment): Interoperability with other systems: There is an interoperability function between the Case Management System and the database of the Agency for Identification Documents, Registers and Data Exchange of Bosnia and Herzegovina, through which the two systems are connected ensuring exchange of data between police agencies and courts. Namely, courts, when registering new cases, take the personal data of the parties in those cases from the database of the Agency for Identification Documents, Registers and Data Exchange of Bosnia and Herzegovina, if the information on Unique Master Citizen Number of the parties in new cases is available to them. This information is then automatically displayed in the Case Management System. In this way, data from the official register for citizens in Bosnia and Herzegovina are registered into the Case Management System.
In addition, the electronic consultation of court case files for the parties is possible in civil and administrative matters. The High Judicial and Prosecutorial Council of Bosnia and Herzegovina approves the requests of parties in court cases for the issuance of a uniform access code. Detailed requirements for issuing the code are prescribed by the Rulebook on the Case Management System in Courts, which is adopted by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. The code can be used in the Online Case Access Module to get case information. The access through the Module is available to parties in court proceedings and their lawyers. The Module can be accessed through the website of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. In addition, lawyers can also use the mobile app to access cases in which they represent their clients. This is an official app developed by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. If the parties have multiple cases in the courts, they must apply for a single access code for each of these cases, but they are provided with a possibility to create a user account that allows access to all these cases in one place. The same possibility is given to lawyers for all civil and administrative cases in which they represent their clients.

Q07c (General Comment): Interoperability with other systems:
There is an interoperability function between the Case Management System and the database of the Agency for Identification Documents, Registers and Data Exchange of Bosnia and Herzegovina, through which the two systems are connected ensuring exchange of data between police agencies and prosecution offices. Namely, courts in criminal matters, when registering new cases, take the personal data of the parties in those cases from the database of the Agency for Identification Documents, Registers and Data Exchange of Bosnia and Herzegovina, if the information on Unique Master Citizen Number of the parties in new cases is available to them. This information is then automatically displayed in the Case Management System. In this way, data from the official register for citizens in Bosnia and Herzegovina is registered into the Case.

Q08a (General Comment): Writing tools are consisted of two groups of templates of various legal documents that can be used by judges, prosecutors and other staff (i.e. users) at the judicial institutions: (i) templates with headers and case details, which also include auto-generated text, and (ii) templates with headers and case details. Considering the needs of judges, prosecutors, and other staff it is estimated that that templates of 50 – 75% of relevant documents are made available in the Case Management System for all the users. As for the usage rate, it is estimated that 50-75% of users are using the available templates. The templates are developed by the judges and prosecutors selected by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. The templates are integrated into the Case Management System. The use of templates is optional.

Q10a (2025): There are two national databases where court decisions are published: 1. Database of court decisions accessible online: https://portalfo1.pravosudje.ba/vstvfo/B/142/kategorije-vijesti/141/simple, which focuses primarily on publication of selected decisions of all court levels, focusing on cases of public interest. 2. "Case-law portal", accessible online https://sudskapraksa.pravosudje.ba/, which focuses primarily on publication of selected decisions of highest instance courts, focusing on cases that impacts case-law.
All publication is done in line with the Guidelines for publication of judicial decisions, acts and information about cases which was issued by High Judicial and Prosecutorial Council of Bosnia and Herzegovina and the Rulebook for court decisions' publication issued by the Ministry of Justice of Republika Srpska.

Q10b (2025): Additional internal databases exist within various courts, but not on national level.
Q10c (2025): Database called "Case-law portal" also contain legal stances of courts of highest instances in addition to their selected court decisions.
Database called "Database of court decisions" contain summaries of war crimes cases and cases of high corruption, publicly accessible through the Map of court cases of public interest: https://mapepredmeta.pravosudje.ba/?lang=E.

Q11b (General Comment): In the judicial system of Bosnia and Herzegovina, an Information System for Reporting and Decision Support (hereinafter: SIPO) is in use. The SIPO system provides support to court presidents in proactively managing courts, with the goal of ensuring more efficient, higher-quality, and more reliable use of statistical data through improved statistical reports. SIPO is designed to integrate data from all information systems used within the judiciary of Bosnia and Herzegovina (CMS/TCMS, HRMIS, SOKOP). Reports can be generated incomparably faster and more securely than from the databases in which they were originally created, ensuring consistency of reports produced by various institutions within the justice sector. In addition, the system facilitates stronger cooperation and information exchange with institutions operating within the justice sector, as well as with the media and other public and non-profit organizations, thereby increasing transparency in the work of the judiciary. Another major advantage of the SIPO system is the ability to generate pre-prepared reports and automatically deliver them to a predefined location (e-mail address) at a predetermined time. In this way, the system ensures not only the accuracy and quality of the information provided to judicial management, but also the timeliness of its delivery, which is a key factor in the effective management of judicial institutions. Other statistical indicators systematically calculated based on the available data are Most of the data recorded in the aforementioned information systems used in the judiciary of Bosnia and Herzegovina can be processed within the SIPO system. These include, among others: implementation of the plan for resolving old cases, calculation of the achievement of the indicative norm, predicted timeframes for case resolution, statute of limitations, inheritance cases referred to notaries, finality of decisions, unresolved cases, records of criminal proceedings, discrimination cases in first-instance courts, overview of cases assigned to judges working with legal associates, overview of cases assigned to independent legal associates, cases with or without a decision etc.
Additionally, the HJPC BiH developed a website where the public can monitor the Overall Efficiency Indicators, Efficiency, Human and Budgetary Resources, Quality Indicators, and Quality Indicators by Case Type for all courts in Bosnia and Herzegovina (https://public.tableau.com/app/profile/hjpc/viz/DashboardsHJPCBH_17473883136560/1-OverallEfficiencyindicator)

Montenegro

Q52 (2025): In the reporting period, a decrease in incoming cases compared to the previous year was observed, while the number of resolved cases remained at a high level, leading to a reduction in the number of pending cases at the end of the period.
As regards administrative cases, the Administrative Court of Montenegro started a project for faster case resolution within the EUROL 4 program, supported by the European Union. The project focuses on resolving old cases, especially cases related to “administrative silence”, improving court efficiency, and digitalizing court procedures.
In November 2025, the Court introduced a new application for faster case processing, in cooperation with the Secretariat of the Judicial Council. The application uses prepared decision templates and automatically transfers data from the Judicial Information System, which reduces administrative work and saves time.
The new system has made the whole process faster, from preparing decisions to electronic processing and sending documents. This project shows the Court’s commitment to improving efficiency and ensuring citizens receive justice within a reasonable time.
As a result, 5% of all cases resolved during the year were completed within two months.
The reported figures may present minor deviations from the standard CEPEJ case-flow formula (pending cases at the end of the year = pending cases at the beginning of the year + incoming cases − resolved cases) due to cases that were delegated or transferred to other competent courts during the reference year. Such transfers affect the number of pending cases and may therefore result in small discrepancies in horizontal consistency checks.

Q52 (2024): The issue with high number of administrative cases is as it is already known is related to the high number of law suits related to the application of the Law on Free Access to Public Information. For the "silence of administration" upon the freedom of information request, the law suit can be filed before Administrative court. Also for negative responses of public authorities in terms of reasons for decisions not providing an information upon the request. Alos, there are organizations filing massive numbers of law suits to the Administrative court.
Q52 (2023): The issue with increase of administrative cases is as it is already known is related to the high number of law suits related to the application of the Law on Free Access to Public Information. For the "silence of administration" upon the freedom of information request, the law suit can be filed before Administrative court. Also for negative responses of public authorities in terms of reasons for decisions not providing an information upon the request. Alos, there are organisations filing massive numbers of law suits to the Administrative court.
Q52 (2022): comments as in sections.
The significant increase if administrative cases is predominantly generated due to the high number of initiated cases before the Administrative Court against the decisions of the public authorities. This is also related to the application of the Law on Free Access to Information and there have been high number of requests towards the authorities (institutions) for free access to information which ended by decisions against which the complaints are not allowed or there have been requests which remained unanswered, the institution did not decide on request or complaint in the administrative procedure. According to the Law on Administrative dispute, such or similar situations provide legal basis that administrative dispute may be initiated, which means a law suit to the Administrative court may be filed. In practice, many law suits were initiated by different subjects such as civil society organizations dealing with promotion of the right to free access to information, citizens or legal persons.
Q53 (2025): The observed increase in the number of resolved cases in first-instance criminal matters is primarily due to the higher inflow of cases, particularly in misdemeanour cases handled by specialised courts.
Category 3 (“Other criminal cases”) now includes only investigation judge cases registered under the “Kri” (Basic Courts) and “Kris” (Higher Court) case registers.
IPS cases from the Misdemeanour Courts were excluded from this category. “IPS” case registers relate to the execution/enforcement of misdemeanour sanctions and measures.
Category 2 (“Misdemeanour and/or minor criminal cases”) includes “Pp” case registers from the Misdemeanour Courts. “Pp” case registers refer to main misdemeanour cases handled by the Misdemeanour Courts.
Last year, IPS subjects were included. This year, based on the change of CEPEJ methodology, IPS subjects were excluded, and this has been implemented accordingly. The reported figures may present minor deviations from the standard CEPEJ case-flow formula (pending cases at the end of the year = pending cases at the beginning of the year + incoming cases − resolved cases) due to cases that were delegated or transferred to other competent courts during the reference year. Such transfers affect the number of pending cases and may therefore result in small discrepancies in horizontal consistency checks.

Q53 (2024): Other cases are Misdemeanor cases - Execution cases for misdemeanor (IPS)
Q53 (2023): reason that sum up numbers do not match is that certain number of cases were delegated, and there is no option to show it. (souce Judicial Coucil)
other criminal cases - Misdemeanor cases - Execution cases for misdemeanor (IPS)
Q53 (2022): Higher inflow (number of received cases by misdemeanour courts due to the fact in practice that the subject with jurisdiction of issuing misdemeanour orders (fines) were using the legal possibility to initiate misdemeanour proceedings before the courts instead. That led to higher inflow of cases which reflected to the number of unresolved cases. This was mainly the issue related to the slowdown of public procurance system (major cyber attacks etc.) in the refence year and a lack of relevant forms for issuing misdemeanour orders (fines).

Q54 (2025): The observed increase in the number of resolved cases in second-instance civil casses is a result of the higher number of incoming cases during the reporting period.
The reported figures may present minor deviations from the standard CEPEJ case-flow formula (pending cases at the end of the year = pending cases at the beginning of the year + incoming cases − resolved cases) due to cases that were delegated or transferred to other competent courts during the reference year. Such transfers affect the number of pending cases and may therefore result in small discrepancies in horizontal consistency checks.
Q54 (2023): These are different types execution cases, execution of payments, cases upon constitutional appeal in commercial cases etc.
Decreasing number of resolved is a general issue, because of higher inflow of cases and same or less capacities.
Q54 (2022): higher inflow of cases in 2022
Q55 (2025): The increase in resolved cases in second-instance criminal matters is linked to a higher inflow of cases during the reporting period, which also resulted in a higher number of pending cases at the end of the period.
The reported figures may present minor deviations from the standard CEPEJ case-flow formula (pending cases at the end of the year = pending cases at the beginning of the year + incoming cases − resolved cases) due to cases that were delegated or transferred to other competent courts during the reference year. Such transfers affect the number of pending cases and may therefore result in small discrepancies in horizontal consistency checks.
Q55 (2022): During 2021 the High Court in Podgorica operated with 6 judges less. In the same year there were no new appointments to fill the missing judicial positions in the court. That affected the efficiency of the court, which is the one with the highest number of criminal cases in the second instance.
Q56 (2022): By decision of the Judicial Council in August 2021, the function of the acting president and 5 judges of the Supreme Court ended, so the Supreme Court at the end of 2021 remained with 6 judges out of 19 (including president). This situation significantly affected workload and as a consequence the backlog of cases increased.
Q57 (2022): section 2. does not include misdemeanour cases, no such cases before Supreme Court
Other cases can be: cases upon requests to expedite the proceedings (the control request) and a claim for just satisfaction, cases of solving issues of jurisdiction etc.
Q60 (2025): An increase in the average length of proceedings is observed in both the first instance (from 391 to 490 days) and the overall duration (from 399 to 511 days).
This corresponds to an increase of approximately 25% and 28%.
The increase is mainly due to a higher proportion of older and more complex cases being resolved during the reporting period, as well as cases processed

Q62-a (2025): The displayed data refer to known adult, minor and legal entities perpetrators. Numbers 1,2,3 and 4 are shown by cases. Number 3.1,3.1.1,3.1.2,3.1.3,3.2 and 3.3 are shown by persons/ perpetrators. Prosecutors make decisions by perpetrators in cases where there are more than one perpetrator, and those decisions may be different by perpetrator.
Q62-c (2024): Source: According to the data from Annual Work Report by Prosecutorial Council
3.3. indictments and plea bargains that go to court
3.2 includes opportunity
Note: since having only these categories filled, 3.1.4 has been calculated the rest of cases, ensuring vertical consistency
These figures refer to the number of perpetrators rather than the number of cases.
Q62-c (2023): Some PPO offices in points 3.1 3.1.1, 3.1.2, 3.1.3 and 3.1.4 provided data on reported persons because they were not able to differentiate data as requested in the questionnaire. That is one of the reasons number do not sum up.

Q63-0 (General Comment): Constitution of Montenegro
STATE PROSECUTION
Status and responsibility
Article 134
The State Prosecution shall be a unique and independent state authority that
performs the affairs of prosecution of the perpetrators of criminal offenses and other
punishable acts who are prosecuted ex officio.

Q63-0 (2025): Article 134 of the Constitution of Montenegro provides that the State Prosecutor's Office is a unified and independent state body responsible for prosecuting perpetrators of criminal offences and other punishable acts prosecuted ex officio.
Q63 (2025): According to the Criminal Procedure Code, the State Prosecutor directs the investigation and issues an order for the conduct of an investigation where there are reasonable grounds to suspect that a criminal offence has been committed. The police act upon the orders of the State Prosecutor, collect evidence and undertake investigative actions. The investigating judge decides on the imposition of coercive measures (such as detention and searches).
The State Prosecutor plays a central role in the pre-investigation and investigation phases of criminal proceedings. The prosecutor is competent for the prosecution of perpetrators of criminal offences prosecuted ex officio and directs the proceedings. In this capacity, the State Prosecutor directs and supervises the work of the police and other competent authorities in the pre-investigation phase, adopts decisions on the initiation and conduct of investigations, undertakes evidentiary actions, decides on the deferral of criminal prosecution or the dismissal of criminal complaints, concludes plea agreements, and files and represents indictments or charging proposals before the competent court.
The police and other state authorities (such as customs and tax authorities, military police and others) participate in the detection of criminal offences and their perpetrators, undertake actions within the pre-investigation phase and act upon the binding orders of the State Prosecutor. Except in urgent circumstances, they are obliged to notify the State Prosecutor prior to undertaking such actions and to act in accordance with the prosecutor's instructions.
At this stage, the court does not decide on criminal liability, but participates through the judicial control of the legality of specific procedural actions, particularly by deciding on measures that interfere with fundamental rights and freedoms (for example detention and special investigative measures), in accordance with the law.
Accordingly, prior to trial, criminal proceedings are conducted under the direction of the State Prosecutor, with operational activities carried out by the police and other competent authorities, and with judicial oversight ensuring the legality of the most significant procedural measures.
The investigating judge decides on detention and other measures involving human rights matters

Q230 (2025): The overall ICT strategy for the judiciary is available via the referenced links. The current Judiciary ICT Strategy covers the period 2025–2028 (2024 is not part of the current action plan and strategy doc). The latest official English translation will is provided by the Ministry of Justice :
https://mail.sudstvo.me/service/shf/BFW4gHd+SJSpAO6MtEf7EY3jugm+3Eg4tGeelc6LIMsBAAJ2Mg==

Q230 (2024): Currently document only in Montenegrin

Q230 (2022): https://www.gov.me/dokumenta/7af1b58d-a6aa-4e62-8de2-75979dd42d0c
Judicial Council remark: This plan's main activity is building the new information system called - ISP (abbreviation for information system of Judiciary - in Montenegrin, "Informacioni Sistem Pravosuđa"). Due to the delays and problems with the company selected on the tender to build the system, we have decided to cancel the contract with them and search for other options. We were forced on this because they failed to deliver parts of the system and documentation on time, even after many prolongations and compromises from our side.
Q231 (2025): There is only one CMS in use.
Q233 (2025): The CMS was originally developed more than 15 years ago. The most recent major update was carried out in 2024–2025, when we added a large number of reports and parameters and developed additional modules within the existing CMS for misdemeanor courts, including their reporting and templating functionality.
Q234 (2025): Regarding changes within the existing CMS, the planned activities are primarily security-focused and aligned with 2026 requirements. This would include upgrading application server and database versions, performing data transformation/migration, and potentially adjusting parts of the database relational model. Major changes are planned for other supporting subsystems used to support and optimize user processes.
Q234 (2024): We are improving the existing case management system by cleaning up existing data, adding new automated reports for court users, and introducing additional metadata about processes and phases. This helps us track quality and increase transparency across the judiciary.
Internally, we have developed a new module for handling misdemeanour cases. This module went live on 9 January 2025, and training sessions for staff in the respective courts began on the same date. Currently, the Higher Misdemeanour Court and the Misdemeanour Court in Budva (including branch offices in Bar and Ulcinj) have gone live with the new system. We plan to continue the rollout on a week-by-week basis to other branch offices in the south (under Budva's jurisdiction), followed by the northern region (Bijelo Polje and its branch offices), and ultimately the central region, aiming for full coverage of all Misdemeanour Courts. The functionality for random case assignment is already operational in courts where the new system is active.
We are encountering several challenges: limited staffing (only two ICT staff members within the Secretariat of the Judicial Council are responsible for user training across the entire country, encompassing 17 Misdemeanour Courts), no approved budget yet for additional engagement of external trainers or staff, outdated hardware in some courts, and a shortfall in administrative personnel that delays certain processes. Despite these obstacles, the rollout is ongoing, and we expect further improvements in efficiency and user adoption as the system continues to be implemented throughout the judiciary.
After achieving full coverage, we plan to update the entire system to the latest version of our technology stack. Additionally, due to staffing shortages in many courts, it remains difficult to collect and process historical (cause they need to collect around 50.000 data for cases) data for unresolved cases as of 1 January 2025. Once these data are gathered, however, we will be able to provide automated reporting functionality for Misdemeanour Courts—similar to the level already in place for regular courts.

Q234 (2023): Update of current system planned in 2024. Significant changes to the current IT system in the judiciary are planned with the implementation of PRIS version 2. This update will feature cleansed data, enhanced reporting capabilities, and the integration of misdemeanor courts. The new system is expected to become operational by the first quarter of 2025 at the latest.

Q01a (2025): Electronic submission of cases is currently not available. The e-submission project is planned to be enabled in 2027: the system development is scheduled to be completed by the end of 2026, and production deployment is expected to start during 2027. Therefore, deployment and usage rates are not applicable at this time.
Q04a (2025): Online case consultation for external users is in the final testing phase and preparation of public-facing templates/forms. Usage rates are not yet available; after deployment we plan promotion activities and aim for high uptake in the first two years (targeting >50% usage, subject to rollout and adoption).

Q07c (2025): PRIS, the Judicial Information System, is a centralized case management system used in Montenegro and serves as the main tool supporting the daily work of all courts. The system is established in 100% of courts and provides a unified, standardized and efficient approach to the registration, processing, monitoring and archiving of cases. PRIS is used to manage all processes, from the receipt of the initial filing and case creation, through the assignment of cases to judges and the recording of all procedural actions and decisions, up to the final resolution and archiving of cases. The system enables continuous monitoring of the work of judges and the status of cases, thereby contributing to greater efficiency, transparency and quality of judicial work.
PRIS supports the random allocation of cases in accordance with established rules and procedures. It enables the identification and tracking of cases through different procedural stages, electronic document management, access to active and closed cases, advanced search capabilities, as well as the maintenance of user activity records through secured log files.
The system also supports the preparation of statistical reports, analytical overviews and other data necessary for monitoring court performance, resource management and decision-making based on relevant indicators. In addition, PRIS enables the exchange and use of data with other relevant information systems, in accordance with legal and technical requirements, thereby improving procedural efficiency and reducing the need for multiple data entries.
The system's deployment rate is assessed at 100%, as PRIS is implemented in all courts in Montenegro. The usage rate is also assessed at 100%, given that case registration, allocation, processing, monitoring and management are carried out through this system as an integral part of the courts' daily operations.
The functionalities indicated in questions 07-b and 07-c correspond to the functionalities currently available within PRIS and are used on a daily basis in the work of the courts. In this way, PRIS represents a key instrument of digitalisation of the judiciary in Montenegro and significantly contributes to more efficient case management, improved organisation of work and the overall strengthening of the effectiveness of the judicial system.

Q08a (2025): Writing assistance tools are not yet in production. Following the procurement of a server in December 2025, we are developing models/tools for this purpose. Templates exist, but we treat templating separately (not as writing assistance). Deployment and usage rates are not applicable yet.
Q10a (General Comment): In the CMS are stored all court decisions except those from misdemeanor courts. However, it should be noted that at the website of courts final judgements are published, and with with anonymization. So it is about percentage of final decisions. It is also important to know that some types of court decisions are not published regardless of anonymization, e.g. decision on minors and similar categories with the privacy sensitive aspects.
The percentage of decisions published bz the supreme court is around 85%
Q10b (General Comment): fter becoming final, anonymized judgements are published at the website https://sudovi.me/sdvi/odluke available on search.

Q11b (2025): PRIS, the Judicial Information System in Montenegro, is an integrated platform that includes reporting and statistical functionalities enabling the analysis of court case data. Statistical data is generated based on information recorded in the case management system and is used for monitoring court performance, workload distribution and efficiency indicators. Statistical tools are deployed in all courts, covering 100% of registries and cases, as well as the overall functioning of the courts. This high level of deployment reflects the fact that statistical reporting is an integral part of the court information system and is routinely used in daily operations and institutional reporting. The system enables the generation of predefined statistical reports and, to a certain extent, customised reports according to user needs. Statistical outputs are mainly available through internal reporting functionalities and dashboards linked to the case management system. Data is automatically consolidated at the national level, ensuring consistent reporting across all courts. The data available for statistical analysis includes key performance indicators such as case flow, including incoming, resolved and pending cases, the age of pending cases, the length of proceedings, the number of hearings, the number of cases per judge, case distribution and workload indicators, as well as information on procedural outcomes and appeals. Statistical reporting is based on real-time data, ensuring reliable monitoring of judicial efficiency and case management trends. These tools are used for internal analysis, institutional reporting and strategic planning within the judicial system.

North Macedonia

Q52 (2025): 4. Other cases - Liquidation and bankruptcy cases. The inconsistency of the Pending cases on 1 Jan. 2025 administrative cases with the Pending cases on 31 Dec.previous year is the result of the following: until the completion of the questionnaire from the previous cycle (data for 2024), the data were processed semi-automatically (the process was partially digitalized). As of 2024, the Judicial Council introduced a module for a fully automated process of collecting statistic for all types of cases, and during the previous cycle this module was in a testing phase. During that testing period, a technical error occurred in a specific category of administrative cases (public procurement cases — either backlog cases from 2023 or incoming cases in 2024 amounting to 600 cases).This inconsistency has continued into the current year as well (although this year the module within ACCMIS is functioning fully).
The number of incoming non litigious cases has decreased because, before 2025, the possibility for legalization of vessels and other means of transport was discontinued, and in 2025 the court did not process this type of cases.
Q52 (2024): Category 2.2.3. Other Registry cases consists cases for registration of political parties.
Q52 (2023): Category 2.2.3. Other Registry cases consists cases for registration of political parties.
Pending cases increased as a result of big number of incoming cases the previous year.
Q52 (2022): Category 1. In 2022 there were still Covid-19 effects on the proceedings before the courts. In the second part of the year, at 1-st of July 2022 started high number of retirements of the judges (see also new general comment to Q 104). Judicial Council on 1 July 2022 adopted a Conclusion for termination of the judicial office of 42 judges due to new condition for age retirement, the age of 64 years as a new compulsory age for retirement in North Macedonia, according to the new amendments in article 104 of the Labor Relation law. Category 2.2.3. Other Registry cases are cases for registration of political parties.
Q53 (2023): Pending cases increased due to the low clearance rate last year as a result of insufficient number of judges
Q53 (2022): Category 2. Please, see also the comment for Q 35. High number of judge retirements in 2022 caused by new compulsory age of retirement probably is the reason for higher number of unsolved cases. Also, in 2023 we are expecting more retirements of judges due to this reason.

Q54 (2025): The reason for increase of the incoming civil and commercial cases in 2025 is result of increased efficiency of first instance courts in 2024 compared to 2023 (36960 in 2023 and 38156 in 2024) as a result of new appointed first instance judges from the rank of the candidates form the Academy. These causes increasement of appeals in 2024 as a result of increased resolved first instance civil cases in 2024 comparing to 2023.
As regards administrative cases, the increase of Disposition Time is a result of a rapid increase of cases (backlog) at the end of 2024 and low CR. The increase in cases at the end of 2024 is the result of the non-implementation of the High Administrative Court conclusion regarding the amount of the costs in proceedings by the lower court, which has led to a higher number of appeals.
At the same time, the low CR is a result of an insufficient number of judges in the High Administrative Court.
Q54 (2024): The increase in the number of pending cases is result of insufficient number of judges.
Q54 (2023): Law clearance rate for civil and administrative cases is a result of insufficient number of judges.
Q54 (2022): Category 1 - In 2022 there was no reason for larger number of income cases as it was in 2021 (see explanation in previous cycle).

Q55 (2025): Reason for the increase of Pending cases on 1 Jan. ref. year (severe criminal cases) is constatnt increase of incoming caces in 2025 and 2024 in comparison to 2023.

Q55 (2024): The reduction in the number of pending cases is the result of new appointed judges which resulted with high clearance rate (above 100%)
Q55 (2023): Law clearance rate from previous year for severe criminal cases is a result of insufficient number of judges.
Q55 (2022): Category 1. In 2022, we still had some negative effects from Covid -19 virus on the proceedings before courts.
Q56 (General Comment): Other cases - According to the Law on Courts, the Supreme Court decides on cases related to the length of the procedure before national courts prior parties' submission of an application to the European Court of Human Rights.
Q56 (2022): Other cases - According to the Law on Courts, the Supreme Court decides on cases related to the length of the procedure before national courts prior parties' submission of an application to the European Court of Human Rights. Such kind of resolved cases in 2022 in the Supreme Court increased as a result of the action undertaken by the Supreme Court aimed to decrease its backlog. Namely, judges dealing with these cases gave them priority in deciding.
Q57 (General Comment): Supreme Court deals with misdemeanor cases only upon the request for protection of legality and requests for repetition of the criminal procedure. However, the number of this kind of cases is negligible.
Q57 (2025): In general, it is not justified to compare the performance data of the Supreme Court for 2025 with the latest available data from the CEPEJ Questionnaire for 2022, for two reasons: first, there is a significant temporal gap between the two datasets (2022 and 2025); and second, the 2022 court performance data are not suitable for comparison due to the case backlog imbalance arising as a consequence of the COVID-19 crisis.
Q57 (2022): The main reason for the decrease of -34.43 % for incoming severe criminal cases compared to 2020 is the decreased number of cases brought to the courts by public prosecutors Q 107 (from 14.161 cases in 2020 to 10.374 cases in 2022). Also, in CORONA years work of the courts was reduced. As a result of that, a few years after there was a decrease of appeals and extraordinary legal remedies before the Supreme Court.
Q60 (2025): Until now, these data were calculated manually by the courts. Starting this year, a new tool has been introduced in the software application for their automatic calculation. Additionally, the results in this reporting cycle are calculated using a new formula that provides a fully accurate picture of the duration of proceedings.

Q60 (2022): It must be emphasized that the data are collected manually from the ICT system in all courts within North Macedonia. After that, the data are calculated manually in the courts and in the Ministry of justice (Excel calculation). Some of data are only from one court (for example: 130 days at first instance - trading in influence cases). 2/27 from courts didn't answer correctly to the tables, so 2 courts are excluded from calculations. According to this, the collection of data for these questions is without guarantees for total accuracy.

Q62-a (2025): Presented data are not on the category of cases but offenders.

3.1.3 Discontinued for other reasons -

Q62-c (2024): Presented data are not on the category of cases but offenders.

This year we have available date for Penal warrant and indictment for children. Therefore we included this number in the category of resolved cases (Penal warrant-4345+ indictment 1188 + indictment application-4501+indictment for children-669=10703).

This year under the category „offender could not be identified“ we put NAP due to the fact that in our legal system these cases are ongoing and not discontinued. However, we count this cases under the category incoming cases/ 4546 as unknown offender.

Q62-c (2023): Presented data are not on the category of cases but offenders.

Q63-0 (General Comment): The guarantees are part of the Constitution and the Law on Public Prosecution office.
Constitution of Republic of North Macedonia
Article 106
Public Prosecution Office
The Public Prosecution Office is a single and autonomous state body prosecuting persons that have committed crimes and other punishable acts determined by a law and performs other activities determined by a law.
The Public Prosecution Office performs its duties on the basis of the Constitution and the laws and the international agreements ratified in accordance with the Constitution.
The function of the Public Prosecution Office is performed by the public prosecutor of the Republic of North Macedonia and by the public prosecutors.
The competences, establishment, termination, organization and operation of the Public Prosecution Office is regulated by a law adopted by a two thirds majority vote of the total number of representatives.
The public prosecutor of the Republic of North Macedonia is appointed and dismissed by the Assembly of the Republic of North Macedonia for a term of six years with the right to reelection.
The public prosecutors are elected by the Council of Public Prosecutors without limitation of the duration of the term of office.
Law on Public Prosecution office (2020)
Article 2
The public prosecutor's office shall be the sole independent state body prosecuting perpetrators of criminal offences and other acts punishable by law, and performs other duties as stipulated by law.
Article 3
The public prosecutor's office shall be organized according to the principles of hierarchy and subordination.
The public prosecutor's office shall be an independent state body.
The observance of the principles referred to in paragraph (1) of this Article shall not jeopardize the independence and responsibility of each public prosecutor in the performance of their function.
Article 6
The public prosecutorial office is incompatible with the performance of any other public office or profession, except in cases determined by law or in case of membership of a political party or participation in the activities of a political party.

Q63-0 (2025): The guarantees are part of the Constitution and the Law on Public Prosecution office.
Constitution of Republic of North Macedonia
Article 106
Public Prosecution Office
The Public Prosecution Office is a single and autonomous state body prosecuting persons that have committed crimes and other punishable acts determined by a law and performs other activities determined by a law.
The Public Prosecution Office performs its duties on the basis of the Constitution and the laws and the international agreements ratified in accordance with the Constitution.
The function of the Public Prosecution Office is performed by the public prosecutor of the Republic of North Macedonia and by the public prosecutors.
The competences, establishment, termination, organization and operation of the Public Prosecution Office is regulated by a law adopted by a two thirds majority vote of the total number of representatives.
The public prosecutor of the Republic of North Macedonia is appointed and dismissed by the Assembly of the Republic of North Macedonia for a term of six years with the right to reelection.
The public prosecutors are elected by the Council of Public Prosecutors without limitation of the duration of the term of office.
Law on Public Prosecution office (2020)
Article 2
The public prosecutor's office shall be the sole independent state body prosecuting perpetrators of criminal offences and other acts punishable by law, and performs other duties as stipulated by law.
Article 3
The public prosecutor's office shall be organized according to the principles of hierarchy and subordination.
The public prosecutor's office shall be an independent state body.
The observance of the principles referred to in paragraph (1) of this Article shall not jeopardize the independence and responsibility of each public prosecutor in the performance of their function.
Article 6
The public prosecutorial office is incompatible with the performance of any other public office or profession, except in cases determined by law or in case of membership of a political party or participation in the activities of a political party.

Q63 (2025): According to the Law on Criminal Procedure, the investigative procedure is conducted by the competent public prosecutor, with the judicial police at his disposal. The judicial police include the Ministry of Interior, the Financial Police, officials of the Customs Administration working on the detection of criminal offences, and officials of the Ministry of Defence working on the detection and reporting of criminal offences.
The public prosecutor shall reject the criminal charges with a decision, if, from the criminal report itself, one may conclude that the reported crime is not a criminal offense that is being prosecuted ex-officio, or if the statute of limitation applies or if the criminal offense is subject to amnesty or pardon, or if there are other circumstances that exclude any prosecution or if there are no grounds for suspicion that the reported person has committed the crime.
According to the Article 43 „Conditional postponement of the criminal prosecution“ paragraph 1 form CPC, in agreement with the injured party, the public prosecutor, with a decision, may postpone the criminal prosecution for a criminal offense that entails a prison sentence of up to three years, if the suspect is willing to behave according to the instructions given by the public prosecutor and fulfill certain obligations that would reduce or eliminate the harmful consequences from the criminal offense, put an end to the disturbances that have resulted from the criminal offense, i.e. influence is exerted in order to reintegrate the suspect. Such obligations may include the following:
1) obviating or compensating for the damages;
2) returning any items that have been taken away;
3) making a monetary contribution in favor to the Budget of Republic of Macedonia or to some other institution with a public authority or for humanitarian purposes;
4) fulfilling any obligations regarding subsistence;
5) undergoing treatment for any addictions;
6) undergoing psychosocial therapy in order to eliminate any violent behavior;
7) prohibited visits or contacts with the victims of the crime as well as with third parties as determined by the public prosecutor for a period that shall not exceed six months;
8) community work in a duration of 40-120 hours; or
9) when the conditions for release are met as a result of damage compensation as determined by the Criminal Code.
(2) With regards to the obligations as referred to in paragraph 1, items 1, 2, 3, 4, 7, 8 and 9 of this article, if the suspect has fulfilled his or her obligation in a period not longer than six months, i.e. he or she observed the ban, the public prosecutor shall enact a decision, thus not criminally prosecuting the suspect for the criminal offense referred to in paragraph 1 of this Article.
(3) With regards to the obligations as referred to in paragraph 1, items 5 and 6 of this Article, the public prosecutor shall determine the duration of the conditional postponement in consultation with a specialized institution for treatment of addictions, i.e. with the competent center for social work. The duration of the conditional postponement shall not be longer than one year.
(4) If the perpetrator has started, but not completed the imposed obligations in the prescribed deadline, the public prosecutor shall file an application for initiation of a summary procedure, also taking into account the portion of the obligations that has been completed.

Q230 (2024): The last ICT Strategy for judiciary covered the period 2019-2024, currently the ICT Council at the Ministry of Justice is preparing a new ICT Strategy for judiciary 2025-2030

Q230 (2023): The strategy for ICT in the judiciary was adopted in 2019 for the time period of 2019-2024.
The strategy expired in 2024. It is still being implemented, and this year, the Council for ICT in the Judiciary will start a procedure for adopting a new strategy for the next 5 years, as well as new revised operational plan.
At this moment there is no new strategy and no new operational plan.
During 2023, according to the operational plan for digitization in the judiciary, a complete change of the CMS system is planned with the introduction of a new modern and integrated system of management and movement of cases, which will be compatible with the new software, and new applications will be created at the same time namely, an application for issuing certificates from criminal records, for issuing certificates from misdemeanor records, creation of the E-delivery platform, which will establish full two-way communication between the courts and all parties, i.e. state authorities and institutions, development of the platform for a mobile application, which will enable unhindered access of the parties to the electronic file of the case, as well as the creation of web services with 12 state organs and institutions.
According to the operational plan and the provided budget funds, the Court Budget Council has created a plan and program with dynamics and necessary financial resources for the digitization of the courts in 2023, namely:
1. Upgrade and installation of the Femida True Records system for audio recording in civil courts and audio-video recording in criminal courts.
- upgrade means the installation of Femida True Records or SRS Femida software, based on an existing Femida license installed on a computer in the courts (through previous purchases), regardless of whether it is currently in operation or not;
- a new license implies the installation of Femida True Records or SRS Femida software on an additional number of computers, which are not included in the number of existing licenses in the courts.
2. Procurement and replacement of hardware equipment for the courts – 410 computers.
3. Current maintenance of the hardware and software for the operation of the ACMISS system and the equipment for issuing certificates from criminal records.
4.Upgrade and ongoing maintenance of centralized hardware and system software for centralized backup/restore of the court database.
5. Restoration of Kaspersky Anti-virus and Trend Micro inter Scan messaging for personal computer protection in the court system and Gateway virus protection in the Supreme Court of RNM.
6. Ongoing maintenance of software for recording events by collating logs from ICT devices located in the Supreme Court of the RNM.
Creation of a mobile application for access to the electronic file of the case - a service for reviewing the files in the case by the parties in the procedure. Service for a complete review of a court case by the parties in the case (prosecutors, lawyers and all involved parties, natural and legal persons). Web Portal and mobile application through which each of the parties after prior authentication (service for identification of persons at the MIOA state level) can view all data and acts in the case that are available to the parties. DETAILED DESCRIPTION OF THE SERVICE AND BASIC FEATURES
Possibility for reviewing of all data and documents from the court case for the participants in the case from the court web portal and mobile application.

Q230 (2022): The strategy for ICT in the judiciary was adopted in 2019 for the time period of 2019-2024.
Digitization, digital transformation and the increasing development of information technology inevitably led to it being integrated in all the pores of the justice system, and especially in the last 2 years, through digital transformation in all courts and public prosecutor's offices by developing new web pages for the courts, with hardware and software for audio recording, system for audio visual recording, electronic issuance of documents, creation of web services, software development and case management, as well as platforms for two-way communication between the courts and the parties and access to the electronic file of the case.
Given that the strategy has a time period until 2024, it is still being implemented, and this year, the Council for ICT in the Judiciary will start a procedure for adopting a new strategy for the next 5 years, as well as new revised operational plan.
At this moment there is no new strategy and no new operational plan.

Q234 (2025): Project Title:
Improved Digitalization of State Institutions in the Areas of Judiciary and the Fight against Corruption.
Reference:
EC-ENEST/SKP/2025/EA-RP/0011
Contracting Authority
Delegation of the European Union to North Macedonia
Partner Country
Republic of North Macedonia
Project Objectives and Components
The main objective and impact to which this project contributes is improved efficiency of the judiciary system and the fight against corruption in North Macedonia. The specific objective (result) of this project is improved digitalization of selected state institutions in the areas of judiciary and the fight against corruption. This objective is implemented through the following components:
• Component 1 – Improving IT management and implementing standards-based security measures
• Component 2 – Design, development and implementation of an electronic case management system for the prosecution offices
• Component 3 – Design, development and implementation of an electronic case management system for the State Attorney's Office
• Component 4 – Design, development and implementation of the AKstats case tracking system
• Component 5 – Upgrading the case management system in the State Commission for the Prevention of Corruption
Beneficiary institutions
The institutions that directly benefit from this project (beneficiary institutions) are the following:
Public Prosecution Office (PO) and Public Prosecutors' Council (PPC) for Component 1 and Component 2
• State Attorney's Office (SPO) for Component 1 and Component 3
• Ministry of Justice (MOJ) for Component 4
• State Commission for the Prevention of Corruption (SCPC) for Component 1 and Component 5

Q234 (2024): Within the framework of the prosecution office, a project for a completely new CMS has been launched. In this regard, multi-layered in-depth investigations have been carried out in the field and an analysis of the functioning and functionality of the existing system has been made. It has been concluded that it is outdated and cannot be upgraded, but a completely new system is needed that will satisfy modern communication flows with other state bodies as well as the court, and will enable both a rapid flow of information and the purposeful preservation of data as a Register and meta data from each criminal case separately, regardless of which Register the case is entered into, with the possibility of horizontal and vertical movement of the case. Given that it is a joint project of the state and the EU, supported by the EU Rule of Law Mission, it has an international character and a short listing has been prepared for companies that would participate in the procedure, with an announcement for international companies to be able to participate in it. It is expected to be used in production in 2027.
01.07.2027 Acceptance
01.11.2027 Maintenance under contract
01.12.2028 Approval of the final report
01.09.2027 Second year of the warranty
01.09.2028 Final acceptance
01.11.2027 Second year of the warranty
01.11.2028 Third year of the warranty
Q234 (2023): During 2023, according to the operational plan for digitization in the judiciary, a complete change of the CMS system is planned with the introduction of a new modern and integrated system of management and movement of cases, which will be compatible with the new software, and new applications will be created at the same time namely, an application for issuing certificates from criminal records, for issuing certificates from misdemeanor records, creation of the E-delivery platform, which will establish full two-way communication between the courts and all parties, i.e. state authorities and institutions, development of the platform for a mobile application, which will enable unhindered access of the parties to the electronic file of the case, as well as the creation of web services with 12 state organs and institutions.
According to the operational plan and the provided budget funds, the Court Budget Council has created a plan and program with dynamics and necessary financial resources for the digitization of the courts

Q234 (2022): During 2023, according to the operational plan for digitization in the judiciary, a complete change of the CMS system is planned with the introduction of a new modern and integrated system of management and movement of cases, which will be compatible with the new software, and new applications will be created at the same time namely, an application for issuing certificates from criminal records, for issuing certificates from misdemeanor records, creation of the E-delivery platform, which will establish full two-way communication between the courts and all parties, i.e. state authorities and institutions, development of the platform for a mobile application, which will enable unhindered access of the parties to the electronic file of the case, as well as the creation of web services with 12 state organs and institutions.
According to the operational plan and the provided budget funds, the Court Budget Council has created a plan and program with dynamics and necessary financial resources for the digitization of the courts in 2023, namely:
1. Upgrade and installation of the Femida True Records system for audio recording in civil courts and audio-video recording in criminal courts.
- upgrade means the installation of Femida True Records or SRS Femida software, based on an existing Femida license installed on a computer in the courts (through previous purchases), regardless of whether it is currently in operation or not;
- a new license implies the installation of Femida True Records or SRS Femida software on an additional number of computers, which are not included in the number of existing licenses in the courts.
2. Procurement and replacement of hardware equipment for the courts – 410 computers.
3. Current maintenance of the hardware and software for the operation of the ACMISS system and the equipment for issuing certificates from criminal records.
4.Upgrade and ongoing maintenance of centralized hardware and system software for centralized backup/restore of the court database.
5. Restoration of Kaspersky Anti-virus and Trend Micro inter Scan messaging for personal computer protection in the court system and Gateway virus protection in the Supreme Court of RNM.
6. Ongoing maintenance of software for recording events by collating logs from ICT devices located in the Supreme Court of the RNM.
Creation of a mobile application for access to the electronic file of the case - a service for reviewing the files in the case by the parties in the procedure. Service for a complete review of a court case by the parties in the case (prosecutors, lawyers and all involved parties, natural and legal persons). Web Portal and mobile application through which each of the parties after prior authentication (service for identification of persons at the MIOA state level) can view all data and acts in the case that are available to the parties. DETAILED DESCRIPTION OF THE SERVICE AND BASIC FEATURES
Possibility for reviewing of all data and documents from the court case for the participants in the case from the court web portal and mobile application.
Availability of the service:
- Computer, laptop - view via browser
- Mobile devices (phone) – separate mobile application.
The service will provide the following subject data:

Q01b (2025): There are legal grounds to submit a case to a court electronically, but in a practice there are still not technical possibilities for implementation of that tool.
Q01c (2025): There are legal grounds to submit a case to a court electronically, but in a practice there are still not technical possibilities for implementation of that tool.

Q07b (2025): The allocation is automatic based on predefined rules.
In terms of case weighting, the distribution is based on several criteria, namely repeated cases, life imprisonment, organized crime, a five-judge panel, public session, detention, urgent case, more than 5 parties in the proceedings, bankruptcy and other criteria by grounds, types of grounds, registers, types of cases, etc.
In the CMS - ACCMIS, there is a special module for data anonymization that is automatic, but is additionally checked manually if the module has not recognized any personal data.

Q07c (2025): The allocation is automatic based on predefined rules.
In terms of case weighting, the distribution is based on several criteria, namely repeated cases, life imprisonment, organized crime, a five-judge panel, public session, detention, urgent case, more than 5 parties in the proceedings, bankruptcy and other criteria by grounds, types of grounds, registers, types of cases, etc.
In the CMS - ACCMIS, there is a special module for data anonymization that is automatic, but is additionally checked manually if the module has not recognized any personal data.

Q08a (2025): As a writing assistance tools OpenOffice is used in the courts.
Q10c (2025): There is an anonymization module through AI, where manual rechecking is additionally performed.

Serbia
Q52 (2025): The increase in the number of pending cases older than two years (+52.61%), despite a slight decrease in the total number of pending cases (–4.15%), is primarily due to the extreme influx of newly filed cases in 2022 and 2023. In those years, the Administrative Court received more cases than all four Appellate Courts combined (63,534 in 2022 and 78,017 in 2023), while the number of judges was significantly lower than necessary. The insufficient number of judges and court staff could not handle this influx, which consequently led to the accumulation of older cases that later entered the statistics of pending cases older than two years.
A significant increase in the number of resolved cases, which is 36,05% higher compared to 2024, and a decrease in the total number of pending cases by 4.15% in the most recent period, is directly related to the increase in the number of judges in the Administrative Court (from 46 in 2024 to 58 in 2025).
In addition to strengthening human resources, in 2025 the Administrative Court adopted the Backlog Reduction Programme for 2025, in line with the Uniform Backlog Reduction Programme in the Republic of Serbia 2021–2025. During the implementation of the Programme, measures and techniques were applied to more successfully resolve backlog cases and prevent their occurrence by accelerating court proceedings.
Within this program, the following measures were undertaken:
• old cases were given priority,
• a Team for Reducing the Backlog Cases was established,
• the Procedure for drafting pilot decisions in groups of cases (customs, tax, etc.) was applied, with initial acts from 2023, 2024, and 2025 (by plaintiff and defendant); judicial panels were tasked with drafting decisions in the oldest cases of each group to enable more efficient resolution of the remaining cases in the group,
• the court statistician kept special records and regularly reported to the President of the Court and the Team for Reducing the Backlog Cases on the trends of backlog cases,
• presidents of chambers, in accordance with the Backlog Reduction Programme for 2025, prepared individual programs for case resolution.
These measures made it possible to increase efficiency, accelerate proceedings, and reduce the overall number of pending cases, while at the same time significantly increasing the number of resolved cases.

Q52 (2024): According to the available statistical data, the significant decrease in the number of incoming cases before the Administrative Court can primarily be attributed to the so-called Uću cases—lawsuits initiated due to the silence of the administration, most frequently against the Republic Pension and Disability Insurance Fund.
In 2023, the Administrative Court received a total of 78 017 cases, of which 61 794 were Uću cases.
In 2024, the number of incoming cases dropped to 42 741, including 27 113 Uću cases.
This substantial reduction indicates that the competent administrative bodies have improved their responsiveness, managing to resolve submitted requests within the legal timeframes and thereby preventing the need for litigation due to administrative silence.
However, the issue related to the implementation of the Law on Free Access to Information of Public Importance remains unchanged, as no amendments have yet been made to the relevant legislation.

Q52 (2023): Official informations obtained by the Supreme Court
Q52 (2022): 1.The lower number of incoming cases in 2022 is primarily explained by the decrease inflows in civil and commercial cases in basic and commercial courts. During 2019, 2020 and 2021 there was a large number of specific type of cases related to the costs of bank loans. After supplementing the legal position of the Supreme Court of Cassation from September 16, 2021, number of these cases gradually decreases. However, due to the mentioned repetitive cases (litigation for reimbursement of costs
bank loans), courts were unable to handle such a large influx from the previous year (regardless of the fact that the inflow in 2022 was lower), so the number of pending cases also increased.
2.1.The Supreme Court of Cassation paid special attention to the problem of pending backlog
enforcement cases, since in the previous period they affected the efficiency of the courts.
Exceptional results were achieved through the cooperation of the Supreme Court of Cassation, the
High Court Council and the Ministry of Justice, with the additional help of the IPA 2012 Projects
“Improving Judicial Efficiency in the Republic of Serbia”, “EU for Serbia – Support to the Supreme
Court of Cassation” and “EU for Serbia – Support to the High Court Council”, in the period from 2016
to the end of 2022 in the reduction of pending backlog court cases, and especially pending backlog
IV cases in basic courts.
2.3. In this group of cases, the number of cases related to the trial in
within a reasonable time (the number of complaints filed under the Law on the Protection of Rights to
trial within a reasonable time) was decreased. .
3. Administrative cases: There is no special explanation, the Administrative Court has more incoming cases and the same number of resolved cases as in previous few years.

Q53 (2025): Please note that in accordance with the new explanatory no cases are reported under 3. OTHER CASES. However, the registers listed below must also be mentioned, as they significantly affect the workload of judges (143,531 incoming cases and 143,655 resolved). Although, according to the Explanatory note, they do not constitute investigative cases in court, they nevertheless account for a considerable number of cases within the courts of Serbia.
Higher Courts:
POM I3– outgoing mutual legal assistance requests in criminal matters
POM Ik - outgoing mutual legal assistance requests in criminal matters
POM IK2 -outgoing mutual legal assistance requests in criminal matters
PomI3 Po1 - outgoing mutual legal assistance requests in criminal matters (organized crime)
PomI3 Po2 - Outgoing mutual legal assistance requests in criminal matters (war crimes)
IVM – Register on the enforcement of educational measures
IVN - Register on the enforcement of educational orders
Ik-Po1 - Enforcement of criminal sanctions for persons referred to serve prison sentences in a special department for serving prison sentences (organized crime)
Ik Po2- Enforcement of criminal sanctions in criminal matters (war crimes)
Kv - Criminal chamber outside the main hearing
Kv Po1 - Register for the criminal chamber (organized crime)
Kv Po2 - Register for the criminal chamber (war crimes)
KVM – Criminal chamber outside the main hearing in proceedings against juveniles KP – Pardon cases
KP Po1 - Register of pardon cases (organized crime)
KP Po2 - Register of pardon cases (war crimes)
KPP - Decisions related to measures ensuring the presence of the defendant in the preliminary proceedings and the unobstructed conduct of the criminal proceedings
KPP –Po1 - Decisions related to measures ensuring the presence of the defendant in the preliminary proceedings and the unobstructed conduct of the criminal proceedings (organized crime)
KPP –Po2 - Decisions related to measures ensuring the presence of the defendant in the preliminary proceedings and the unobstructed conduct of the criminal proceedings (war crimes)
KPP- Po3 - Decisions related to measures ensuring the presence of the defendant in the preliminary proceedings and the unobstructed conduct of the criminal proceedings (cyber crime)
KPPR-Po1 - Various actions in the preliminary proceedings (organized crime)

Q53 (2024): Following the CEPEJ clarification, the figures initially submitted under Q38 were revised. Administrative acts (e.g. issuance of certificates, parole procedures) previously included in the total number of criminal cases have now been excluded in compliance with the CEPEJ methodology.
Q53 (2023): Official information obtained by the Supreme Court
According to the CEPEJ methodology we we excluded the requested category of misdemeanor cases
Q53 (2022): All answers were provided by the competent institution (Supreme Court of Cassation)

Q54 (General Comment): Courts deciding in the second instance (on appeal) in the "non-criminal" cases, as courts of general jurisdiction are: Higher courts: they decide upon the decisions in civil disputes and the judgment in small claims and the non-contentious proceedings.
Appellate courts: upon the decisions of higher courts and judgements of the basic courts in civil disputes unless deciding on appeals is not under the competence of higher court.
Commercial Court of Appeal: second instance commercial proceedings involving appeals, conflict and delegation of jurisdiction between commercial courts.
Misdemeanour Court of Appeal: proceedings involving appeals against first instance decisions of misdemeanour courts in cases related to whistle-blowers and conflict and delegation of jurisdiction between misdemeanour courts (cases not misdemeanour as such).
There is no second instance in administrative disputes.
With regard to "non-litigious cases", and more particularly "other non-litigious cases", it should be pointed out that, in 2015, amendments to the Law on the Court Organization and the new Law on Protection of the Right to a Trial within a Reasonable Time have shifted responsibility for protection of this right from the Constitutional Court to the courts of general and special jurisdiction.

Q54 (2025): The reason for the significant and continuous decrease in both incoming and resolved non-litigious cases at second instance is the reduced inflow of cases based on the implementation of the Law on the Protection of the Right to Trial within a Reasonable Time ("Official Gazette of RS", no. 40/2015 and 92/2023). The amendments to the Law on the Protection of the Right to Trial within a Reasonable Time and the Law on the Constitutional Court from 2023 have enabled a constitutional complaint to be filed, if the right to a trial within a reasonable time has been violated, in proceedings relating to the long duration of enforcement and bankruptcy proceedings conducted for the settlement of recognized or established claims in which the bankruptcy or enforcement debtor is a company with majority social or state capital, even if legal remedies have not been exhausted. This enables the Constitutional Court to decide on a violation of the right to a trial within a reasonable time in a single procedure. (This reform relates to the execution of the judgment in the group of cases "Kačapor and others v. Serbia" No. 2269/06; see the decision of the Committee of Ministers of the Council of Europe https://hudoc.exec.coe.int/?i=CM/Del/Dec(2025)1531/H46-35E).
Q54 (2024): Official information obtained by the Supreme Court
Q54 (2023): Official information obtained by the Supreme Court
Q54 (2022): 1.The lower number of incoming cases in second instance in 2022 is primarily explained by the decrease of incoming civil and commercial cases in basic and commercial courts. During 2019, 2020 and 2021 there was a large number of specific type of cases related to the costs of bank loans. After supplementing the legal position of the Supreme Court of Cassation from September 16, 2021, number of these cases gradually decreases. However, due to the mentioned repetitive cases (litigation for reimbursement of costs bank loans), second instance courts were unable to handle such a large influx from the previous year (regardless of the fact that the inflow in 2022 was lower), so the number cases increased.

Q55 (2025): Please note that in accordance with the new explanatory no cases are reported under 3. OTHER CASES. The registers listed below must also be mentioned, as they significantly affect the workload of judges in second instance criminal court (3,766 incoming cases and 3,769 resolved cases). Although, according to the Explanatory note, they do not constitute investigative cases in court, they nevertheless account for a considerable number of cases within the courts of Serbia.
Appellate courts:
Krm- In the register 'Krm', other juvenile criminal cases are recorded which are not entered in the registers 'Kim', 'Km', and 'Kvm'.
Kr, Kr Po1, Kr Po2, Kr Po3- the register 'Kr' records all submissions related to criminal proceedings which are not entered in other registers.
Kž-uo- second-instance criminal cases of conditional release
Kžm-r- various second-instance criminal cases in juvenile proceedings
Kž-r- criminal cases of motions for extension of detention and various second-instance criminal cases
Kž-Kre- second-instance criminal cases of extradition of defendants and transfer of convicted persons.
Kžr-As- criminal cases of conflicts of jurisdiction
Kžmr-As- criminal cases in juvenile proceedings of conflicts of jurisdiction
Kž-Po2-uo- second-instance criminal cases of war crimes concerning conditional release
Kž-Po1-uo- second-instance criminal cases of organized crime of conditional release
Kž-Po2-Kre- second-instance criminal cases of war crimes of extradition of defendants and transfer of convicted persons
Kž-Po1-Kre- second-instance criminal cases of organized crime of extradition of defendants and transfer of convicted persons
Kž-r-Po3- criminal cases of cyber crime of motions for extension of detention and various second-instance criminal cases of cyber crime
Kžm-Uo- second-instance criminal cases on conditional release in juvenile proceedings
Q55 (2024): Official information obtained by the Supreme Court
Q55 (2023): Official information obtained by the Supreme Court
Q55 (2022): All answers were provided by the competent authority
Q56 (2022): Taken from Dashboard.
Q57 (2022): Report on the work of the Supreme Court
Q60 (2025): The average length of proceedings is calculated on the annual basis, and it is determined based on the following formula:
number of pending cases at the end Average duration = _____ x 365 number of disposed cases during the year With regard to civil and commercial litigious cases, these comprise all those specified in question no. 52.1, 54.1 and 56.1, and the relevant registers may be consulted within the response to question no.58.
Regarding administrative cases (Q.no. 52.3 and 56.3), relevant registers may be consulted within the response to question no.58 (under administrative cases).
With regard to criminal cases (severe and misdemeanor), these comprise all those specified in question no. 53.1, 53.2; 55.1, 55.2; and 57.1, 57.2, and the relevant registers may be consulted within the response to question no.59.

Q60 (2024): As already stated in previous reports only data on the insolvency cases is available (according to the calculation of the Commercial Appellate Court). The notable decrease in the average duration of second-instance proceedings (41 days in the 2025 report compared to 52 days in the 2024 report) is primarily due to the resolution of several long-standing bankruptcy cases, some of which had been pending for more than 20 years.
These cases concerned former socially-owned enterprises (including banks) whose assets were located in various republics of the former SFRY. Since the Agreement on Succession Issues did not address this matter, bankruptcy proceedings against such entities could not be concluded for years before the Commercial Court of Appeal.
In 2023, the Supreme Court issued four legal opinions in the field of commercial law, which facilitated the resolution or suspension of a number of these long-pending cases (see: https://www.vrh.sud.rs/sr/2023-0). This had a direct impact on reducing the average duration of proceedings before the second-instance commercial court.
According to the CEPEJ formula:
In 2023: 396 cases were resolved and 56 remained pending → average duration: 51,61 days
In 2024: 351 cases were resolved and 39 remained pending → average duration: 40,55 days
Q60 (2023): As already stated in previous reports only data on the insolvency cases is available (according to the calculation of the Commercial Appellate Court)
Q62-a (2025): According to the Public Prosecution statistical reporting methodology, all data presented in this table reffer to number of known adult suspects/defendants, not to number of cases.
Please note that data presented in column 3.2. Concluded by a penalty or a measure imposed or negotiated by the public prosecutor were excluded from the column 3. Processed cases, since that data in already included in 3.3. Cases brought to court in order to avoid double counting of the same data.

Q62-c (2024): According to the Public Prosecution statistical reporting methodology, all data presented in this table refer to number of known adult suspects/defendants, and not to the number of cases.
Data presented in 3.2 "Concluded by a penalty or a measure imposed or negotiated by the public prosecutor" were excluded from the total of processed cases, since that data is already included in 3.3 "Cases brought to court" to avoid double counting.
Q62-c (2023): According to the Public Prosecution statistical reporting methodology, all data presented in this table reffer to number of known adult suspects/defendants, not to overall number of cases. Data presented in 3.2 "Concluded by a penalty or a measure imposed or negotiated by the public prosecutor" were excluded from the total of processed cases, since that data is already included in 3.3 "Cases brought to court" to avoid double counting.

Q63-0 (General Comment): "CONSTITUTION OF THE REPUBLIC OF SERBIA ("Official Gazette of RS", no. 98/2006 and 115/2021)
8. Public prosecutions
Position
Article 155
The Public Prosecutor's Office is a unique and independent state body that prosecutes perpetrators of criminal and other punishable acts and performs other responsibilities that protect the public interest determined by law.
The Public Prosecutor's Office exercises its powers on the basis of the Constitution, confirmed international treaties, laws, generally accepted rules of international law and other general acts adopted in accordance with the law.
No one outside the Public Prosecutor's Office can influence the Public Prosecutor's Office and the holders of the Public Prosecutor's office in handling and deciding on a particular case.
The establishment, termination, organization and jurisdiction of the public prosecutor's office are regulated by law.
The highest public prosecution in the Republic of Serbia is the Supreme Public Prosecutor's Office, which is headed by the Supreme Public Prosecutor.
The function of public prosecution is performed by the Supreme Public Prosecutor, Chief Public Prosecutors and Public Prosecutors.
The supreme public prosecutor and the chief public prosecutor in the management of public prosecutions have hierarchical powers in relation to the actions of lower chief public prosecutors and public prosecutors in a specific case.
Hierarchical powers and legal remedies against them are more closely regulated by law.
Responsibility
Article 156
The supreme public prosecutor is responsible for the work of the public prosecution and his work to the National Assembly. The Supreme Public Prosecutor is not responsible to the National Assembly for handling a particular case.
The Chief Public Prosecutor is responsible for the work of the Public Prosecutor's Office and for his work to the Supreme Public Prosecutor and the immediately superior Chief Public Prosecutor, in accordance with the law.
Public prosecutors are responsible for their work to the chief public prosecutor, in accordance with the law.
Mandatory instructions for the actions of the chief public prosecutor and public prosecutors
Article 157
The Supreme Public Prosecutor issues general mandatory instructions for the actions of all chief public prosecutors in order to achieve legality, effectiveness and uniformity in their actions.

Q63-0 (2024): CONSTITUTION OF THE REPUBLIC OF SERBIA ("Official Gazette of RS", no. 98/2006 and 115/2021)
8. Public prosecutions
Position
Article 155
The Public Prosecutor's Office is a unique and independent state body that prosecutes perpetrators of criminal and other punishable acts and performs other responsibilities that protect the public interest determined by law.
The Public Prosecutor's Office exercises its powers on the basis of the Constitution, confirmed international treaties, laws, generally accepted rules of international law and other general acts adopted in accordance with the law.
No one outside the Public Prosecutor's Office can influence the Public Prosecutor's Office and the holders of the Public Prosecutor's office in handling and deciding on a particular case.
The establishment, termination, organization and jurisdiction of the public prosecutor's office are regulated by law.
The highest public prosecution in the Republic of Serbia is the Supreme Public Prosecutor's Office, which is headed by the Supreme Public Prosecutor.
The function of public prosecution is performed by the Supreme Public Prosecutor, Chief Public Prosecutors and Public Prosecutors.
The supreme public prosecutor and the chief public prosecutor in the management of public prosecutions have hierarchical powers in relation to the actions of lower chief public prosecutors and public prosecutors in a specific case.
Hierarchical powers and legal remedies against them are more closely regulated by law.
THE LAW ON THE PUBLIC PROSECUTOR'S OFFICE ("Official Gazette of RS", No. 10/2023)Public prosecution
Article 2
The Public Prosecutor's Office is a unique and independent state body that prosecutes perpetrators of criminal and other punishable acts and performs other responsibilities that protect the public interest determined by law.
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Q63-0 (2023): CONSTITUTION OF THE REPUBLIC OF SERBIA
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Q63-0 (2022): Constitution of the Republic of Serbia, Article 155 (1): The Public Prosecutor's Office is a unique and independent state body that prosecutes perpetrators of criminal and other punishable acts and performs other responsibilities that protect the public interest determined by law.

Q63 (2025): The basic right and the basic duty of the public prosecutor is to prosecute the perpetrators of criminal offences. In the case of criminal offences prosecutable ex officio, the public prosecutor is authorised to: manage pre-investigation proceedings; decide on not undertaking or deferring criminal prosecution; conduct investigations; conclude plea agreements and agreements on giving testimony; file and represent an indictment before a competent court; abandon charges; file appeals against court decisions which are not final and submit extraordinary legal remedies against final court decisions; conduct other actions when specified by the Criminal Procedure Code.
Furthermore, all authorities participating in pre-investigation proceedings are obliged to act upon the requests of the public prosecutor and inform them of the actions taken.
The public prosecutor is obliged to protect the victim or witness from insults, threats, and any other attacks. Additionally, for a victim or witness who is particularly vulnerable due to age, life experience, lifestyle, gender, health status, the nature, manner, or consequences of the committed criminal offense, or other circumstances of the case, the public prosecutor may, ex officio or at the request of the parties or the victim or witness themselves, grant the status of especially vulnerable witness.

Q64 (2024): According to the Criminal Procedure Code, every plea agreement, wheather it`s concluded before or during the main trial, needs to be confirmed by the court and it is the only way to conclude the case by this procedure.
Information on number of guilty plea procedures reffer to number of suspects/defenfants who concluded plea agreements with the Public Prosecution which were confirmed by the court in 2023.
Please note that improsonment is foreseen as a sanction for every criminal act envisaged by the Criminal Code.
Depending on the gravity of criminal act, imprisonment is foreseen in defferent forms: as the only sanction, together with the money fine or alternatively to the money fine. For that reason, it is not possible to make a distinction between severe and misdemeanour/minor criminal case as described in the Explanatory note.
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the money fine or alternatively to the money fine. For that reason, it is not possible to make a distinction between severe
and misdemeanour/minor criminal case as described in the Explanatory note.
Q230 (General Comment): IT strategy was adopted by ICT Sectorial Council on February 4th 2022.
The document in English will be provided later.

Q230 (2025): There is one, but a new ICT strategy needs to be developed. The existing ICT does not have an English version.
Q230 (2024): No official English version has been prepared.
Q230 (2023): No official English version has been prepared.
Q230 (2022): ICT Strategy in Judiciary 2022-2027 with Action Plan. Not available in English
Q231 (2025): There are AVP applications for the needs of the business processes of basic, higher, and commercial courts, the SAPS application for the needs of appellate courts, the Supreme Court, and the Administrative Court, and the SIPRES application for the needs of misdemeanor courts.

Q231 (2023): There are several ICT systems. The most represented is the AVP which is used in basic, higher, and commercial courts. This system is decentralized, and it has been in use for more than 10 years for the time being. On the other hand, CMS used by appellate courts, Administrative court and Supreme Court is called SAPS, and it is relatively newly developed. Also, misdemeanor courts are provided with SIPRES newest developed CMS.
The strategic act has foreseen rollout of SAPS called SUPER SAPS to replace old AVP in basic, higher, and commercial courts. It is important to emphasize that there are other applications for electronic communication with the courts such as eCOURT for administrative disputes, and eCOURT for enforcement proceedings before the commercial courts and enforcement agents. Public prosecutorial offices are using SAPO CMS.
Q231 (2022): In civil and commercial cases, parties can see the status of case online.
CMS is fully integrated in sense that it uses data from cases from court DMS via web services to generate predefined and ad hoc reports.
Q232 (2025): There are AVP applications for the needs of the business processes of basic, higher, and commercial courts, the SAPS application for the needs of appellate courts, the Supreme Court, and the Administrative Court, and the SIPRES application for the needs of misdemeanor courts.
Comment from Supreme Public Prosecution Office: There is one pilot CMS (SAPO) for public prosecution which is in use in 13 public prosecution offices since 2013. However, new CMS was developted which is in use in additional 10 public prosecution office. This new SAPO is updated and upgraded version of 2013 software. Staff of an additional three public prosecution offices have completed the training; however, the CMS is not yet operational in these offices due to issues arising from the data migration from the pilot SAPO software. Addressing of the identified shortcomings is underway and the re-testing of the migrated data is underway. Implementation of new CMS in all 90 public prosecution is planed after all shortcomings have been resolved.

Q232 (2024): There are several ICT systems. The most represented is the AVP which is used in basic, higher, and commercial courts. This system is decentralized, and it has been in use for more than 10 years for the time being. On the other hand, CMS used by appellate courts, Administrative court and Supreme Court is called SAPS, and it is relatively newly developed. Also, misdemeanor courts are provided with SIPRES newest developed CMS.
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Q233 (2024): CMS for basics, higher, and commercial courts 2010.
CMS for misdemeanor court 2015
CMS for appellate, administrative and supreme court 2013
Q233 (2023): CMS for basics, higher, and commercial courts 2010.
CMS for misdemeanor court 2015
CMS for appellate, administrative and supreme court 2013

Q234 (2025): The improvement of the AVP system is planned through the improvement of the court fees module, in accordance with the new amendments to the Law on Court Fees. In the coming period, it is planned to replace the entire CMS with a newer version of the platform, which will be integrated with other existing systems in judicial authorities.

Q234 (2024): According to the project plan financed by the EU - Supply of IT Equipment, Software and Ancillary Services for Improvement of Centralized Case Management System (CCMS) in Courts (Tender reference number NEAR/BEG/2021/EA-OP/0003) during 2025, the new system Super SAPS to be in production (to replace old AVP in basic, higher and commercial courts).
Q234 (2023): According to the project plan financed by the EU - Supply of IT Equipment, Software and Ancillary Services for Improvement of Centralized Case Management System (CCMS) in Courts (Tender reference number NEAR/BEG/2021/EA-OP/0003) during 2025, the new system Super SAPS to be in production (to replace old AVP in basic, higher and commercial courts).
Q234 (2022): The implementation of the new centralized CMS is underway, it is planned to be completed by the end of 2024. Funds for the project were provided from IPA 2017 and the tender was conducted by the Delegation of the European Union in Serbia.
Q01b (2025): The introduction of the option of recording interveners in digital administrative procedures is based on the need to ensure full procedural protection of persons who have a direct legal interest in the subject matter of the procedure. The Law on General Administrative Procedure primarily regulates the position of the party and the interested party, while case law in administrative disputes before the Administrative Court confirms that the absence of participation of a person whose rights may be affected by an administrative act constitutes a significant violation of the rules of procedure and a basis for annulment of the decision. Especially in situations where the legal interest arises from the right of pre-emption, prior ownership or tenancy right, failure to enable procedural participation increases the risk of initiating and succeeding in an administrative dispute. Digital recording of interveners contributes to the legality of the procedure, the prevention of judicial annulments and the strengthening of legal certainty of adopted administrative acts.

Kosovo*
Q52 (2025): Civil and Commercial Litigious Cases:
During 2024, the number of received cases was significantly higher due to lawsuits related to jubilee salary payments. In contrast, during 2025, the number of cases of this nature was lower. Regarding resolved cases, in 2024 salary-related cases were, according to the Council’s decision, classified as cases that should be resolved with priority. However, in 2025 there were fewer resolved cases of this type.
Administrative Cases:
The failure to achieve a satisfactory level of efficiency during the reporting period is mainly related to the temporary absence of judges from performing their duties. This shortage has resulted from maternity leave, promotions to higher positions, as well as the transfer of judges to other departments within the judicial system.

Q52 (2024): In section one, which deals with general civil and commercial cases, enforcement litigious cases are included because in Kosovo, enforcement procedure is contested procedure (In the past these cases were included in the non-litigious section, but we wish to correct this practice, see Article 17 of the Law on Enforcement Procedure).
Please note that registry cases are not dealt by the court in Kosovo. In 2023, the Basic Court in Prishtina – Administrative Department accepted a total of 2,418 cases, while in 2024, it accepted a total of 5,152 cases. Expressed as a percentage, this means the Court accepted 113% more cases than in the previous year, while the number of judges remained the same.
It is worth noting that of the increased number of cases accepted in 2024, around 25% of them are related to pension schemes funded by the state, or in total, they account for nearly half of these cases.
The reasons for the increase in cases are mainly related to the dissatisfaction of parties with decisions regarding the recognition of pension rights by state institutions – the Ministry of Education, in administrative procedures depending on the specific pension categories according to the law. As a result, the parties have sought to enforce these rights through legal procedures in the courts.

Q52 (2023): The calculation follows this logic: Civil Litigious Cases + Commercial + Përmbarimore (Enforcement cases).
In section 2 and 2.1. the number includes only non-litigious cases.
Whereas in section 3 the number includes only administrative cases.
In section one, which deals with general civil and commercial cases, enforcement litigious cases are included because in Kosovo, enforcement procedure is contested procedure (In the past these cases were included in the non-litigious section, but we wish to correct this practice, see Article 17 of the Law on Enforcement Procedure).
Please note that registry cases are not dealt by the court in Kosovo.
Concerning the discrepancy in the number of pending administrative law cases at first instance between the end of 2022 and the beginning of 2023, this variation (−28%) is due to the establishment of the Commercial Court. A number of cases were transferred to this new jurisdiction, thus reducing the total number of pending administrative cases registered in the general court system.

Q53 (2025): During 2025, a continuous process of verification, cleansing, and improvement of data quality in the SMIL system was carried out, with the aim of ensuring the most accurate and reliable statistical reporting possible. Within the framework of this process, cases of inaccurate reporting, duplicate registrations, and categories that should not have been recorded as active cases were identified and corrected.
Regarding the discrepancy between the number of civil and commercial unresolved cases reported on 31 December 2024 (146,387) and the number of unresolved cases on 1 January 2025 (138,329), resulting in a difference of 8,058 cases, we clarify that this decrease occurred as a result of the cleansing and correction of statistical records.
In enforcement matters, procedural costs that should not have been reported as separate enforcement cases were removed from the records. Likewise, in the civil field, several cases were identified as having been mistakenly registered as civil cases, although they were merely procedural requests and not civil lawsuits. For this reason, these cases were corrected and were not included in the number of unresolved cases for 2025.
Regarding the discrepancy between the number of "other" unresolved cases on 31 December 2024 (4,286) and the number of unresolved cases on 1 January 2025 (3,914), resulting in a difference of 372 cases, we clarify that, following verification of the records, several requests for the initiation of investigations were identified as having been mistakenly reported as pending cases in the preliminary procedure.
After the correction of the statistical data, these cases were removed from the records of unresolved cases, as they should not have been reported as active cases in the preliminary procedure.
The process of verification and improvement of data quality in SMIL will continue throughout 2026, with a focus on harmonizing statistical records and ensuring reporting that is as accurate, transparent, and compliant with judicial reporting standards as possible.
Q53 (2024): In section one which deals with severe criminal cases, we have included the criminal cases in the general department, the criminal cases in the serious crimes department and the criminal cases in the special department. Juvenile criminal cases are included in misdemeanor/minor cases section.
In section three, other cases we have included the number of criminal cases that are still in pre-trial proceedings.
Q53 (2023): In section one which deals with severe criminal cases, we have included the criminal cases in the general department, the criminal cases in the serious crimes department, the criminal and the cases in the special department. In section two misdemeanor refers to kundërvajtje, which are minor offenses that are usually punishable by a fee. In this section juvenile cases are included as well. In section three, other cases we have included the number of criminal cases that are still in pre-trial proceedings in the general department, in the serious crimes department, in the special department and juvenile department. In the previous years those data were not included in any category.

Q54 (2025): Administrative Cases:
The failure to achieve a satisfactory level of efficiency during the reporting period is mainly related to the temporary absence of judges from performing their duties. This shortage has resulted from promotions to higher positions.

Q54 (2024): In section one, which deals with general civil and commercial cases, enforcement litigious cases are included because in Kosovo, enforcement procedure is contested procedure (In the past these cases were included in the non-litigious section, but we wish to correct this practice, see Article 17 of the Law on Enforcement Procedure).
Please note that registry cases are not dealt by the court in Kosovo. With regard to civil litigation cases at the second instance, a total of 8,875 such cases were received by the Court during 2023, whereas in 2024 a total of 15,774 cases were received, representing a 78% increase. (The number indicated here refers only to commercial litigious cases)
The reasons behind this significant rise in these cases are linked to the unwillingness of the relevant institutions to ensure the enforcement of workers' rights arising from employment relationships. More specifically, the increase relates to specific monetary claims derived from applicable legislation, including relevant laws for various categories of employees, the non-implementation of the General Collective Agreement of Kosovo, the respective Collective Agreements in the Education sector, the Sectoral Collective Agreement in the Health sector, and relevant secondary legislation regulating monetary rights from employment relationships for the Kosovo Police and the Kosovo Security Force. As a result of these lawsuits—specifically the cases resolved by first-instance courts—there has also been a corresponding increase in the number of such cases before the Court of Appeals of Kosovo.
With regard to the cases handled by the second-instance chambers of the Commercial Court, it should be emphasized that the underlying causes are related to the operationalization of this Court. Although the Kosovo Judicial Council (KJC) undertook all necessary actions within the legal timeframe to make the Court functional, this has been an ongoing process that began in 2022. Following the consolidation and full operationalization of the Court, the first-instance judges were able to resolve more cases in the following years, particularly in 2023, as conditions were created that improved the efficiency of the work process. This, in turn, directly contributed to an increase in the number of cases appealed to the second-instance chambers of the Commercial Court.

Q54 (2023): See the first instance case-flow data comment. Non-litigious cases number in the second instance started being provided from 2024. Regarding the administrative cases, the discrepancy is due to the establishment of the Commercial Court on 1 August 2022. As a result, business administrative cases were transferred to this new court, which explains the drop in the number of pending administrative cases at the beginning of 2023 compared to the end of 2022.

Q55 (2025): Criminal cases:
In the Criminal Department at the second instance, achieving 100% efficiency is not always possible due to the nature of the case flow and the timing of their receipt. Specifically, a considerable number of cases are received during the last quarter of the year, which limits the actual possibility of reviewing and adjudicating them within the same calendar year.

Q55 (2024): In section one which deals with severe criminal cases, we have included the criminal cases in the general department, the criminal cases in the serious crimes department and the criminal cases in the special department. Juvenile criminal cases are included in misdemeanor/minor cases section.
In section three, other cases we have included the number of criminal cases that are still in pre-trial proceedings.
Q55 (2023): See the first instance case-flow data

Q62-a (2025): The statistics reported in the table are in PERSONS.
So in the beginning of 2025 there were cases for 30,184 persons pending (adult and juvenile). There were cases received for 32,735 persons.
3.1. For 10,627 persons the cases were discontinued for the following reasons:
3.1.2. Discontinued by the public prosecutor for reasons of opportunity for 482 persons (Juvenile)
3.1.3. Discontinued for other reasons for 10,145 persons (adults and Juvenile) as follows:
- For 5,774 persons the criminal reports were dismissed (Adult)
- For 1,947 persons the investigation was terminated (adult)
- For 13 persons the procedure was terminated due to statute of limitation (adult)
- For 1,605 persons sent to competency (adult)
- For 119 persons the preparatory procedure was terminated (juvenile)
- For 451 persons the criminal reports were dismissed (juvenile)
- For 236 persons solved in other ways (juvenile)

3.2. Concluded by a penalty or a measure imposed or negotiated by the public prosecutor for 553 persons (adult and juvenile)
- For 135 persons measures for compulsive treatment were imposed (adult and juvenile)
- For 133 persons through mediation (juvenile)
- For 285 persons diversity measures were imposed (juvenile)

3.3 Cases brought to court for trial for 19,004 persons
- For 7,433 persons direct indictment (adult)
- For 1,786 persons indictment for issuing a punitive order(adult)
- For 8,654 persons indictment after the investigative procedure (adult)
- For 204 persons proposal for disciplinary measures (juvenile)
- For 755 persons proposal for measures of intensive supervision (juvenile)
- For 117 persons proposal for institutional measures (juvenile)
- For 17 persons proposal for fine (juvenile)
- For 10 persons proposal for Order for community service work (juvenile)
- For 28 persons proposal for juvenile imprisonment sentence

Q63-0 (General Comment): State Prosecutors and the Kosovo Prosecutorial Council are independent institutions whose independence is guaranteed by the Constitution and by law.

Q63-0 (2025): Based on Kosovo Constitution, under Chapter VII Justice System:
Article 109 [State Prosecutor]
1. The State Prosecutor is an independent institution with authority and responsibility for the prosecution of persons charged with committing criminal acts and other acts specified by law.
Article 110 [Kosovo Prosecutorial Council]
1. The Kosovo Prosecutorial Council is a fully independent institution in the performance of its functions in accordance with law. The Kosovo Prosecutorial Council shall ensure that all persons have equal access to justice. The Kosovo Prosecutorial Council shall ensure that the State Prosecutor is independent, professional and impartial and reflects the multiethnic nature of Kosovo and the principles of gender equality.
Q63-0 (2024): State Prosecutor and Kosovo Prosecutorial Council are independent institutions whose independence is guaranteed with Constitution and law.
Q63-0 (2023): State Prosecutor and Kosovo Prosecutorial Council are independent institutions whose independence is guaranteed with Constitution and law.
Q63-0 (2022): State Prosecutors and the Kosovo Prosecutorial Council are independent institutions whose independence is guaranteed by the Constitution (Articles 109-110), the Law on State Prosecution (Article 3), and the Law on the Kosovo Prosecutorial Council (Articles 3-4).

Q63 (2025): 1. Receive a complaint: In the Republic of Kosovo, a criminal complaint/report can be filed by the victim, citizens or public or private institutions, the media, etc. After receiving information that a criminal offense is suspected to have been committed, the police begin investigations with the authorization of the state prosecutor.
2. Initiate investigation: it is the sole competence of the state prosecutor who issues a decision to initiate investigations when there is reasonable suspicion that a criminal offense has been committed. Therefore, the State Prosecutor is the only authority that decides to initiate an investigation.
The police do not have the authority to initiate a formal investigation, but act in the pre-investigation phase by collecting initial information.
3. Conduct investigations: investigations are conducted by the police with the authorization of the prosecutor and under the supervision of the prosecutor.
4. Supervising investigations: it is the exclusive competence of the state prosecutor, ensuring that investigative actions are legal, the rights of the suspect are respected, and the police act within legal authorizations.
5. Dismissal of criminal charges or suspension of investigations: If during the investigation it is concluded that: there is no reasonable doubt that the suspect has committed the criminal offense; the committed offense is not a criminal offense that is prosecuted ex officio or upon proposal; the statute of limitations for criminal prosecution has expired or the criminal offense has been included in an amnesty, pardon, has been judged by a final decision; the suspect enjoys immunity and its dismissal is not possible or has not been approved by the competent body or there are circumstances that exclude criminal liability, then the State Prosecutor is the competent authority for the termination of the investigation or the dismissal of the criminal report.
6. Bringing the case to court: is done by the state prosecutor after the completion of the investigation when it results from the collection of evidence that there is a well-founded suspicion that the defendant has committed a criminal offense and files an indictment. Whereas for criminal offenses for which the maximum penalty is not more than three years and the state prosecutor assesses that there is a well-founded suspicion to support the indictment, he may file an indictment without issuing a ruling to initiate the investigation.
7. Decide an alternative to prosecution: The state prosecutor decides, where alternatives include, for example: mediation procedure, temporary suspension of the procedure, conditions when prosecution is not mandatory. While the pre-trial judge decides on diversion according to the proposal of the state prosecutor.
8. Close a case by imposing or negotiating a penalty or measure: The state prosecutor decides, as is the case in the mediation procedure, dismissal of criminal charges, termination of investigations, etc.
In the preliminary procedure, the main role is played by the state prosecutor, who is the sole authority competent for the initiation, development and completion of investigations, including decisions to dismiss criminal charges, suspension of investigations or file indictments. Police acts as an auxiliary body, undertaking investigative actions only under the guidance and supervision of the prosecutor, without the authority to make final procedural decisions. The police carry out evidence-gathering actions (e.g., raid, questioning of witnesses, and seizure of evidence) only under the instructions of the prosecutor.
State prosecutor initiates criminal proceedings with a ruling to initiate investigations when there is reasonable suspicion that a criminal offense has been committed. After collecting evidence, the prosecutor decides whether there is sufficient evidence to file an indictment against the suspect. This means when the evidence collected provides a well-founded suspicion that the defendant has committed a criminal offense.

Q64 (2025): The number is reported in persons
Q230 (2024): ICT Strategic Plan of the Kosovo Judicial Council 2024 – 2029
chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.gjyqesori-rks.org/wp-content/uploads/reports/13969_KJC_IT_Strategic_Plan_of_the_Kosovo_Judicial_Council_2024_2029.pdf
Q230 (2023): https://www.gjyqesori-rks.org/wp-content/uploads/reports/13969_KJC_IT_Strategic_Plan_of_the_Kosovo_Judicial_Council_2024_2029.pdf

Q231 (2022): In the KJC web portal, on September 2022 are deployed two web applications; the Case Tracking Mechanism (CTM) and Open Data Platfor, (ODP). In the CTM, parties can follow their case status data, while in the OPD are available all statistical reports of the CMIS.
Q234 (2025): KJC Comment: In coming years, KJC aims to upgrade the CMIS technology, extend the interoperability of the system with other systems, such as: Police system for minor offence cases, cadaster system, prisons etc. extend online services, implement electronic signature etc. KPC Comment: In 2025, a questionnaire was conducted with prosecutors and administrative staff of the Basic Prosecution Offices in Prishtina, Prizren and Mitrovica, with the aim of identifying the practical needs of users and advancing the Case Management Information System (CMIS) in accordance with their real operational requirements.
Based on the findings of this questionnaire, during 2026, it is planned to advance the CMIS in the following main directions:
• simplifying processes by reducing steps and tasks in CMIS, in order to facilitate and accelerate data recording;
• advancing and standardizing existing templates, in accordance with the functional needs of prosecutors and administrative staff;
• improving the electronic exchange of data and documents with the courts and the Kosovo Police, in order to increase efficiency and reduce manual procedures.
Q01a (2025): The Case Management Information System (CMIS) is available in all courts, in three instances for the processing the all type of cases; Civil, Criminal, Commercial, administrative etc. Regarding the Civil and Administrative cases, parties can submit or initiate the case in the courts only manually with paper file. The court clerk, enter reference data, scans these cases and uploads into the system and initiate the case.
While, for the Criminal Cases system receives all cases electronically from prosecution office through the interoperability of the CMIS of courts with the CMIS in prosecution offices. The interoperability of the CMIS in courts with the CMIS in prosecution offices, transfers on real time the criminal case created or initiated in the prosecution offices with the all-structured data and documents. For this purpose, the answer is: Deployment rate - 95-100 % and Usage Rate – 95 – 100.
Q01b (2025): test
Q01c (2025): The Case Management Information System (CMIS) in the Courts is fully interoperable with the CMIS in Prosecution Offices. Interoperability supports the manual work, the exchange of documents and reference data. Example, the prosecutor initiates and create the criminal case in the CMIS. Once the case is ready to submit in the courts, the last step in the CMIS is to transfer the electronic file in the courts. After this step, the prosecutor sends the manual case in the courts.
After receiving the case in the courts electronically and manually, court clerk proceeds the case in the court. In this phase, CMIS in the courts link the case number in the court with the case number in prosecution office and then all communication is linked through case numbers on real time.
Q04a (2025): The Case Tracking Mechanism is a web application that allows online access to individual court case records, through which it is accessible to all citizens of Kosovo from the KJC portal and E-Kososova platform.
After successful identification through eKosova, the CTM will check whether the individual is involved in any court case in the CMIS (Case Management Information System). If party has a case into the CMIS, then CTM shows all data regarding the case. Some of the date available on CTM are; unique case number, initiation date, the date of case assignment to the judge, name of the judge, information of the sessions, information about decisions, length of procedures etc. The CTM is read only system that enables party to follow activities taken by the court regarding its cases, while party cannot initiate actions or submit documents through the CTM. The CTM is available tool for all type of cases and provides information for three court instances (Basic Courts, Appellate Court, and Supreme Court).
Q07a (2025): The CMIS is web application, developed in .net Microsoft technology, and its database is in SQL. Database is cartelized with one database. System is accessible only from internal courts ICT infrastructure. Users can access system only from office. System is not accessible from Internet.
Regarding the functionalities, CMIS supports work processes in the court for all types of cases in three court instances. Workflow includes action with the case from receiving, selecting the judge, resolving, execution, until archiving.

Q08a (2025): Regarding the writing assistance tool, we can consider the CMIS feature of ''Templates''. For the all-court documents, applicable in the court, CMIS provides template. Templates provides all case data, including predefined text relevant for that document. No other tools applicable.
Q10a (2025): Publication of court decision of the Commercial Court in two instances:
I. First Instance:
- Commercial: 95-100 %
- Administrative: 100 %
- Fiscal: 100%
II. Second Instance: 100%

Indicator 3 - Efficiency and productivity

by question No.

52. Number of first instance “other than criminal” court cases.
53. Number of first instance criminal court cases.
54. Number of second instance (appeal) “other than criminal” court cases.
55. Number of second instance (appeal) criminal court cases.
56. Number of highest instance “other than criminal” court cases.
57. Number of highest instance criminal court cases.
58. Please describe the case types that are included in each category of the questions related to “other than criminal cases” at all three instances Q52, Q54 and Q56 (civil (and commercial) litigious cases, non-litigious cases, administrative cases, other cases). In case the content of these categories differs between instances please explain.

59. Please describe the case types included in each category of the questions related to criminal cases at all three instances Q53, Q55 and Q57 (severe criminal cases, misdemeanour criminal cases, other criminal cases). In case the content of these categories differs between instances please explain.
60. What is the average length of proceedings, for all instances for civil and commercial litigious cases, administrative cases and criminal cases (severe and misdemeanour cases)?

61. First instance specific cases
62. Total number of 1st instance criminal cases dealt by public prosecutors (severe cases, misdemeanour cases). Are you able to separate the criminal cases for which the perpetrator is known from those for which the perpetrator is unknown?
62-a. Total number of 1st instance criminal cases dealt by public prosecutors (severe cases, misdemeanour cases) without cases for which the perpetrator is unknown.
62-b. Total number of 1st instance criminal cases dealt by public prosecutors (severe cases, misdemeanour cases) for which the perpetrator is unknown.
62-c. Total number of 1st instance criminal cases dealt by public prosecutors (severe cases, misdemeanour cases) where known and unknown perpetrators cannot be separated.

63-0. What is the status of public prosecution services?
63. Please select the different roles of the different authorities involved in a pre-trial stage of criminal proceedings (multiple options possible)
64. If the guilty plea procedure exists, how many cases were concluded by this procedure?
230. Do you have an overall Information and Communication Technology (ICT) strategy in the judicial system?
231. Is there a case management system (CMS) ? (Software used for registering judicial proceedings and their management)
232. In case there is more than one CMS, how many are they? Please specify and explain.
233. When was the running CMS developed (or in case of major redevelopment when it was redesigned)?
234. Are there plans for a significant change in the present IT system in the judiciary in the next year? (Change of CMS or other main application)
01a. If it is possible to submit a case to a court electronically, what are the deployment and usage rates?
01b. If it is possible to submit a case to a court electronically, please specify the modalities:

01c. If it is possible to submit a case to a court electronically, please specify the modalities:
04a. If it is possible for external users to consult a case online, what are the deployment and usage rates?
04b. If it is possible for external users to consult a case online, please specify the modalities:
04c. If it is possible for external users to consult a case online, please specify the modalities:
07a. If one or more case management system(s) (CMS) exist, what are the deployment and usage rates?
07b. If one or more case management system(s) (CMS) exist, please specify the functionalities of these system(s):
07c. If one or more case management system(s) (CMS) exist, please specify the functionalities of these system(s):
08a. If writing assistance tools exist in courts and public prosecution service, what are their deployment and usage rates?
08b. If writing assistance tools exist in courts and public prosecution services, please describe their functionalities:
10a. If there is a national database of court decisions, please provide the percentage of the decisions published at each instance.
10b. If there is a national database of court decisions, please specify the modalities in publishing these decisions:
10c. If there is a database of court decisions at national level, what are the functionalities of this database?
11a. If there are statistical tools for analysing court and public prosecution cases data, what is their deployment rate?
11b. If there are statistical tools for analysing court case data, please describe their functionalities and the data available for statistical analysis:
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Question 52

Albania

(2025): The increase in the number of cases pending adjudication for more than two years (from 2,436 in 2024 to 5,575 in 2025) may be explained by a combination of factors, including judicial vacancies within the court system; the accumulation of case backlog, which has led to a higher number of cases exceeding the two-year adjudication threshold; the prioritization of categories of cases subject to urgent deadlines; the complexity of cases, which necessitates multiple hearings and procedural steps, thereby prolonging their examination; and procedural delays, such as the postponement of hearings, difficulties in notifying the parties, and delays in the preparation of expert reports, all of which have also contributed to the extended duration of proceedings.
The increase in the number of cases pending adjudication for more than two years (from 2,436 in 2024 to 5,575 in 2025) may be explained by a combination of factors, including judicial vacancies within the court system; the accumulation of case backlog, which has led to a higher number of cases exceeding the two-year adjudication threshold; the prioritization of categories of cases subject to urgent deadlines; the complexity of cases, which necessitates multiple hearings and procedural steps, thereby prolonging their examination; and procedural delays, such as the postponement of hearings, difficulties in notifying the parties, and delays in the preparation of expert reports, all of which have also contributed to the extended duration of proceedings.

(2023): Regarding the number of administrative pending cases older than two years that have almost doubled from the previous cycle is a Consequence of the transitional period which are related to the implementation of the new judicial map as well as the vetting process.

Bosnia and Herzegovina

(General Comment): The second instance courts of general jurisdiction have subject matter over the first instance administrative law cases. Therefore, the statistics incorporated in the table for Q 52 include data on the caseload of second instance courts regarding the first instance administrative law cases.

(2025): In 2025, a significant decrease was recorded at the Municipal Court in Sarajevo in the number of new first instance litigious cases related to unpaid utility bills, which was one of the main reasons for the reduction in the total number of incoming civil and litigious cases compared to 2024, as well as a decrease in the number of unresolved cases in this case category in the reporting year.
In accordance with that, the number of first instance pending civil and litigious cases at the end of 2025 that were more than two years old was reduced to some extent. It is important to note that the majority of the pending civil and commercial litigious cases older than two years were litigious small claims cases related to unpaid utility bills.
The total number of new non-litigious cases brought before courts slightly increased in several major courts in 2025, contrary to the situation in previous years. Courts, overall, continued to resolve non-litigious cases with a clearance rate of more than 100%, thus reducing backlogs. As in the previous years, the majority of case flow in terms of general civil non-litigious cases was consisted of enforcement cases that the state-owned utility companies initiate to recover unpaid bills for utility services. (e.g. heating, water, electricity, garbage collection, television subscription etc.). In addition, majority of the pending general non-litigious cases older than two years were cases related to the unpaid utility bills, i.e. the non-litigious enforcement cases. This backlog of old cases is concentrated in the several courts in the biggest cities in Bosnia and Herzegovina.
As in the previous years, several courts in their annual reports indicated that they did not have sufficient capacity to handle the workload that increased in the reference year within the project aiming to achieve harmonization between land register and cadaster data, which partly leads to a still high number of unresolved cases at the end of the reporting year. Besides, the largest first-instance court in the capital city of Bosnia and Herzegovina received and resolved a much higher of non-litigious land-registry cases and related matters in 2025, due to the resumption of the project for harmonizing the cadaster and land registry. Overall, this has resulted in an exceptionally large increase in workload in 2025 when it comes to non-litigious land-registry cases.
In 2025, statistical data regarding the handling of registration of business entities and related matters remained stable compared to 2024. Most courts managed to achieve a clearance rate of 100% during the reporting period.
Non-judge court staff deal with a substantial part of the caseload in terms of registry cases and land registry matters. After the number of new first instance administrative law cases slightly increased in 2024, that number continued to grow somewhat in 2025, which in several courts caused the clearance rate to fall below 100%, leading to an increase in the total number of pending cases in this case category. A mitigating factor was that some courts in 2025 managed to achieve clearance rates for first instance administrative law cases of more than 100% despite the increase in the number of new cases.

(2024): In 2024, there was a relatively significant increase in the number of new first instance litigious cases related to the unpaid utility bills. However, this did not lead to a significant increase in the number of unresolved first instance civil and commercial litigious cases at the end of the reporting year. In addition, the number of pending cases at the end of 2024 that were more than two years old did not change considerably. It is important to note that the majority of the pending civil and commercial litigious cases older than two years were litigious small claims cases related to the unpaid utility bills. The total number of new non-litigious cases brought before courts was smaller, which confirmed the downward trend in previous years. As in previous years, the majority of case flow in terms of general civil non-litigious cases was consisted of enforcement cases that the state-owned utility companies initiate to recover unpaid bills for utility services. (e.g. heating, water, electricity, garbage collection, television subscription etc.)

As in the previous years, several courts in their annual reports indicated that they did not have sufficient capacity to handle the workload that increased in the reference year within the project aiming to achieve harmonization between land register and cadaster data, which partly leads to a still high number of unresolved cases at the end of the reporting year. Besides, the largest first-instance court in the capital of Bosnia and Herzegovina received and resolved a smaller number of non-litigious land-registry cases and related matters in 2024, due to the temporary halt of the project for harmonizing the cadaster and land registry. Overall, this has resulted in an exceptionally large decrease in workload when it comes to non-litigious land-registry cases last year.

Regarding the registration of business entities and related matters, several first-instance courts have received more new cases compared to the previous year. They mostly managed to handle the increased caseload during the reporting period.

Non-judge court staff deal with a substantial part of the caseload in terms of registry cases and land registry matters. In addition, majority of the pending general non-litigious cases older than two years were cases related to the unpaid utility bills, i.e. the non-litigious enforcement cases. This backlog of old cases is concentrated in the several courts in the biggest cities in Bosnia and Herzegovina.

The overwhelming majority of the first instance administrative law cases are concentrated in the several courts in the biggest cities in Bosnia and Herzegovina. Several of those courts saw a slight increase in the number of incoming administrative cases during 2024. However, courts with jurisdiction over first instance administrative cases managed to have clearance rate above 100% in 2024, reducing the number of pending as well as older cases at the end of the year.

(2023): There has been a significant decrease in the influx of first instance civil and commercial litigious cases over recent years. This trend continued in 2023. In comparison to 2022, the number of pending cases at the end of 2023 that were more than two years old did not change significantly. It is important to note that the majority of the pending civil and commercial litigious cases older than two years are litigious small claims cases related to the unpaid utility bills.
The total number of new non-litigious cases brought before both courts was smaller, which confirms the downward trend in recent years. The majority of general civil non-litigious cases are enforcement proceedings that the state-owned utility companies initiate to recover unpaid bills for utility services. (e.g. heating, water, electricity, garbage collection, television subscription etc.).
As in the previous years, several courts in their annual reports indicated that they did not have sufficient capacity to handle the workload that increased in the reference year within the project aiming to achieve harmonization between land register and cadastre data. Non-judge court staff deal with a substantial part of the caseload in terms of registry cases and land registry matters. In addition, majority of the pending civil and commercial litigious cases and general non-litigious cases older than 2 years were cases related to the unpaid utility bills, i.e. the non-litigious enforcement cases. This backlog of old cases is concentrated in the several courts in the biggest cities in Bosnia and Herzegovina.
The overwhelming majority of the first administrative law cases are concentrated in the several courts in the biggest cities in Bosnia and Herzegovina. Several of those courts saw a decrease in the number of incoming administrative cases during 2023. In addition, courts with jurisdiction over first instance administrative cases managed to have clearance rate above 100% in 2023, reducing the number of pending cases at the end of the year.

(2022): There has been a significant decrease in the influx of first instance civil and commercial litigious cases over recent years. In 2020, the number of incoming cases dropped additionally compared to 2019, due to Covid-19 restrictions. In 2021, however, the number of incoming first instance civil and commercial litigious cases rose by 13% compared to 2020. Still, that number was smaller than the number of new first instance civil and commercial litigious cases received in 2019 and 2018. This trend continued in 2022., except that one of the biggest first-instance courts received a large number of relatively simple litigious small claims cases, which resulted in an increase in the total number of cases received compared to 2021. This was a one-time increase in the influx of cases, related specifically to this court's territorial jurisdiction, leading to the increase in the number of pending cases even though most of the courts surpassed the 100% clearance rate in the reference year. The number of pending cases that are more than two years old has decreased significantly, due to this report covering 2020, in which courts received a smaller number of cases because of the Covid-19 restrictions. Finally, it is important to note that the majority of the pending civil and commercial litigious cases older than two years are litigious small claims cases related to the unpaid utility bills.
The decreased number of incoming non-litigious cases was filed in the courts in 2022 in comparison to 2021. The majority of general civil non-litigious cases are enforcement proceedings that the state-owned utility companies initiate to recover unpaid bills for utility services. (e.g. heating, water, electricity, garbage collection, television subscription etc.).
As in the previous years, several courts in their annual reports indicated that they did not have sufficient capacity to handle the workload that increased in the reference year within the project aiming to achieve harmonization between land register and cadastre data. Non-judge court staff deal with a substantial part of the caseload in terms of registry cases and land registry matters. In addition, majority of the pending civil and commercial litigious cases and general non-litigious cases older than 2 years were cases related to the unpaid utility bills, i.e. the non-litigious enforcement cases. This backlog of old cases is concentrated in the several courts in the biggest cities in Bosnia and Herzegovina.
It is important to note an additional information on the inconsistency for general non-litigious pending cases between an end to 2021 and the beginning of 2022. Namely, the High Judicial and Prosecutorial Council of Bosnia and Herzegovina instructed one of the courts to correct technical mistakes made in the case management system about the registration of non-litigious enforcement cases the public companies had initiated with the courts previously for unpaid utility bills. The court increased the number of pending cases by implementing the instructions of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina.
The overwhelming majority of the administrative law cases are concentrated in the several courts in the biggest cities in Bosnia and Herzegovina. Several courts saw an increase in the influx of administrative cases during 2022, resulting in a surge in the number of pending cases at the end of the year; in addition, the number of pending administrative cases in some of the largest courts has escalated as some of the judges specialized in administrative cases were absent due to sick leave or they were retired during the year.

Montenegro

(2025): In the reporting period, a decrease in incoming cases compared to the previous year was observed, while the number of resolved cases remained at a high level, leading to a reduction in the number of pending cases at the end of the period.
As regards administrative cases, the Administrative Court of Montenegro started a project for faster case resolution within the EUROL 4 program, supported by the European Union. The project focuses on resolving old cases, especially cases related to “administrative silence”, improving court efficiency, and digitalizing court procedures.
In November 2025, the Court introduced a new application for faster case processing, in cooperation with the Secretariat of the Judicial Council. The application uses prepared decision templates and automatically transfers data from the Judicial Information System, which reduces administrative work and saves time.
The new system has made the whole process faster, from preparing decisions to electronic processing and sending documents. This project shows the Court’s commitment to improving efficiency and ensuring citizens receive justice within a reasonable time.
As a result, 5% of all cases resolved during the year were completed within two months.
The reported figures may present minor deviations from the standard CEPEJ case-flow formula (pending cases at the end of the year = pending cases at the beginning of the year + incoming cases − resolved cases) due to cases that were delegated or transferred to other competent courts during the reference year. Such transfers affect the number of pending cases and may therefore result in small discrepancies in horizontal consistency checks.

(2024): The issue with high number of administrative cases is as it is already known is related to the high number of law suits related to the application of the Law on Free Access to Public Information. For the "silence of administration" upon the freedom of information request, the law suit can be filed before Administrative court. Also for negative responses of public authorities in terms of reasons for decisions not providing an information upon the request. Alos, there are organizations filing massive numbers of law suits to the Administrative court.

(2023): The issue with increase of administrative cases is as it is already known is related to the high number of law suits related to the application of the Law on Free Access to Public Information. For the "silence of administration" upon the freedom of information request, the law suit can be filed before Administrative court. Also for negative responses of public authorities in terms of reasons for decisions not providing an information upon the request. Alos, there are organisations filing massive numbers of law suits to the Administrative court.

(2022): comments as in sections.
The significant increase if administrative cases is predominantly generated due to the high number of initiated cases before the Administrative Court against the decisions of the public authorities. This is also related to the application of the Law on Free Access to Information and there have been high number of requests towards the authorities (institutions) for free access to information which ended by decisions against which the complaints are not allowed or there have been requests which remained unanswered, the institution did not decide on request or complaint in the administrative procedure. According to the Law on Administrative dispute, such or similar situations provide legal basis that administrative dispute may be initiated, which means a law suit to the Administrative court may be filed. In practice, many law suits were initiated by different subjects such as civil society organizations dealing with promotion of the right to free access to information, citizens or legal persons.

North Macedonia

(2025): 4. Other cases - Liquidation and bankruptcy cases. The inconsistency of the Pending cases on 1 Jan. 2025 administrative cases with the Pending cases on 31 Dec.previous year is the result of the following: until the completion of the questionnaire from the previous cycle (data for 2024), the data were processed semi-automatically (the process was partially digitalized). As of 2024, the Judicial Council introduced a module for a fully automated process of collecting statistic for all types of cases, and during the previous cycle this module was in a testing phase. During that testing period, a technical error occurred in a specific category of administrative cases (public procurement cases — either backlog cases from 2023 or incoming cases in 2024 amounting to 600 cases).This inconsistency has continued into the current year as well (although this year the module within ACCMIS is functioning fully).
The number of incoming non litigious cases has decreased because, before 2025, the possibility for legalization of vessels and other means of transport was discontinued, and in 2025 the court did not process this type of cases.

(2024): Category 2.2.3. Other Registry cases consists cases for registration of political parties.

(2023): Category 2.2.3. Other Registry cases consists cases for registration of political parties.
Pending cases increased as a result of big number of incoming cases the previous year.

(2022): Category 1. In 2022 there were still Covid-19 effects on the proceedings before the courts. In the second part of the year, at 1-st of July 2022 started high number of retirements of the judges (see also new general comment to Q 104). Judicial Council on 1 July 2022 adopted a Conclusion for termination of the judicial office of 42 judges due to new condition for age retirement, the age of 64 years as a new compulsory age for retirement in North Macedonia, according to the new amendments in article 104 of the Labor Relation law. Category 2.2.3. Other Registry cases are cases for registration of political parties.

Serbia

(2025): The increase in the number of pending cases older than two years (+52.61%), despite a slight decrease in the total number of pending cases (–4.15%), is primarily due to the extreme influx of newly filed cases in 2022 and 2023. In those years, the Administrative Court received more cases than all four Appellate Courts combined (63,534 in 2022 and 78,017 in 2023), while the number of judges was significantly lower than necessary. The insufficient number of judges and court staff could not handle this influx, which consequently led to the accumulation of older cases that later entered the statistics of pending cases older than two years.
A significant increase in the number of resolved cases, which is 36,05% higher compared to 2024, and a decrease in the total number of pending cases by 4.15% in the most recent period, is directly related to the increase in the number of judges in the Administrative Court (from 46 in 2024 to 58 in 2025).
In addition to strengthening human resources, in 2025 the Administrative Court adopted the Backlog Reduction Programme for 2025, in line with the Uniform Backlog Reduction Programme in the Republic of Serbia 2021–2025. During the implementation of the Programme, measures and techniques were applied to more successfully resolve backlog cases and prevent their occurrence by accelerating court proceedings.
Within this program, the following measures were undertaken:
• old cases were given priority,
• a Team for Reducing the Backlog Cases was established,
• the Procedure for drafting pilot decisions in groups of cases (customs, tax, etc.) was applied, with initial acts from 2023, 2024, and 2025 (by plaintiff and defendant); judicial panels were tasked with drafting decisions in the oldest cases of each group to enable more efficient resolution of the remaining cases in the group,
• the court statistician kept special records and regularly reported to the President of the Court and the Team for Reducing the Backlog Cases on the trends of backlog cases,
• presidents of chambers, in accordance with the Backlog Reduction Programme for 2025, prepared individual programs for case resolution.
These measures made it possible to increase efficiency, accelerate proceedings, and reduce the overall number of pending cases, while at the same time significantly increasing the number of resolved cases.

(2024): According to the available statistical data, the significant decrease in the number of incoming cases before the Administrative Court can primarily be attributed to the so-called Uću cases—lawsuits initiated due to the silence of the administration, most frequently against the Republic Pension and Disability Insurance Fund.
In 2023, the Administrative Court received a total of 78 017 cases, of which 61 794 were Uću cases.
In 2024, the number of incoming cases dropped to 42 741, including 27 113 Uću cases.
This substantial reduction indicates that the competent administrative bodies have improved their responsiveness, managing to resolve submitted requests within the legal timeframes and thereby preventing the need for litigation due to administrative silence.
However, the issue related to the implementation of the Law on Free Access to Information of Public Importance remains unchanged, as no amendments have yet been made to the relevant legislation.

(2023): Official informations obtained by the Supreme Court

(2022): 1.The lower number of incoming cases in 2022 is primarily explained by the decrease inflows in civil and commercial cases in basic and commercial courts. During 2019, 2020 and 2021 there was a large number of specific type of cases related to the costs of bank loans. After supplementing the legal position of the Supreme Court of Cassation from September 16, 2021, number of these cases gradually decreases. However, due to the mentioned repetitive cases (litigation for reimbursement of costs
bank loans), courts were unable to handle such a large influx from the previous year (regardless of the fact that the inflow in 2022 was lower), so the number of pending cases also increased.
2.1.The Supreme Court of Cassation paid special attention to the problem of pending backlog
enforcement cases, since in the previous period they affected the efficiency of the courts.
Exceptional results were achieved through the cooperation of the Supreme Court of Cassation, the
High Court Council and the Ministry of Justice, with the additional help of the IPA 2012 Projects
"Improving Judicial Efficiency in the Republic of Serbia", "EU for Serbia – Support to the Supreme
Court of Cassation" and "EU for Serbia – Support to the High Court Council", in the period from 2016
to the end of 2022 in the reduction of pending backlog court cases, and especially pending backlog
IV cases in basic courts.
2.3. In this group of cases, the number of cases related to the trial in
within a reasonable time (the number of complaints filed under the Law on the Protection of Rights to
trial within a reasonable time) was decreased. .
3. Administrative cases: There is no special explanation, the Administrative Court has more incoming cases and the same number of resolved cases as in previous few years.

Kosovo*

(2025): Civil and Commercial Litigious Cases:
During 2024, the number of received cases was significantly higher due to lawsuits related to jubilee salary payments. In contrast, during 2025, the number of cases of this nature was lower. Regarding resolved cases, in 2024 salary-related cases were, according to the Council's decision, classified as cases that should be resolved with priority. However, in 2025 there were fewer resolved cases of this type.
Administrative Cases:
The failure to achieve a satisfactory level of efficiency during the reporting period is mainly related to the temporary absence of judges from performing their duties. This shortage has resulted from maternity leave, promotions to higher positions, as well as the transfer of judges to other departments within the judicial system.

(2024): In section one, which deals with general civil and commercial cases, enforcement litigious cases are included because in Kosovo, enforcement procedure is contested procedure (In the past these cases were included in the non-litigious section, but we wish to correct this practice, see Article 17 of the Law on Enforcement Procedure).
Please note that registry cases are not dealt by the court in Kosovo. In 2023, the Basic Court in Prishtina – Administrative Department accepted a total of 2,418 cases, while in 2024, it accepted a total of 5,152 cases. Expressed as a percentage, this means the Court accepted 113% more cases than in the previous year, while the number of judges remained the same.
It is worth noting that of the increased number of cases accepted in 2024, around 25% of them are related to pension schemes funded by the state, or in total, they account for nearly half of these cases.
The reasons for the increase in cases are mainly related to the dissatisfaction of parties with decisions regarding the recognition of pension rights by state institutions – the Ministry of Education, in administrative procedures depending on the specific pension categories according to the law. As a result, the parties have sought to enforce these rights through legal procedures in the courts.

(2023): The calculation follows this logic: Civil Litigious Cases + Commercial + Përmbarimore (Enforcement cases).
In section 2 and 2.1. the number includes only non-litigious cases.
Whereas in section 3 the number includes only administrative cases.
In section one, which deals with general civil and commercial cases, enforcement litigious cases are included because in Kosovo, enforcement procedure is contested procedure (In the past these cases were included in the non-litigious section, but we wish to correct this practice, see Article 17 of the Law on Enforcement Procedure).
Please note that registry cases are not dealt by the court in Kosovo.
Concerning the discrepancy in the number of pending administrative law cases at first instance between the end of 2022 and the beginning of 2023, this variation (−28%) is due to the establishment of the Commercial Court. A number of cases were transferred to this new jurisdiction, thus reducing the total number of pending administrative cases registered in the general court system.

Question 53

Albania

(2025): The decline in the number of newly filed cases before the courts, as well as the reduction in the number of adjudicated cases concerning criminal contraventions, may be attributed to a combination of legal, institutional, and social factors, including:
The enhanced role of administrative mechanisms – Law enforcement authorities, such as the police, have increasingly relied on administrative measures (e.g., the imposition of fines), thereby diminishing the necessity for judicial proceedings.
The prioritization of cases within the criminal justice system – There is a discernible shift towards the adjudication of criminal offences of greater social harmfulness, resulting in a reduced focus on contraventions. Moreover, the substantial caseload of other, more pressing matters (whether criminal or civil) may further slow the pace of examination of contravention cases.
Citizens' behavior – A decline in the number of complaints and reports relating to contraventions.
External (socio-economic) factors – Migration and demographic changes may also have an impact on the overall volume of cases.

(2024): 3.Other criminal cases "Administrative criminal cases" and "Anti-mafia law cases". From the data reflected here, anti-mafia law cases are 11 pending on January 1, 2024, 54 new cases, 49 adjudicated, 16 awaiting adjudicatory on December 31, 2024; 3 older than two years. The rest are administrative criminal cases.

(2023): Based on the table of statistics collected from the reporting of the courts "other cases" refers to "administrative criminal cases".

(2022): Other Criminal cases: a) criminal administrative cases (exe: probation requests, security measures etc) b) cases related to anti-mafia law.
The number of resolved cases during 2022 is believed to have been caused by the decrease of the number of judges in the second instance due to different factors such as resignations, vetting process, promotions. In addition, the inequal distribution of cases between courts is another factor contributing to the problem.

Bosnia and Herzegovina

(General Comment): As of 2022, i.e. the Evaluation of the judicial systems 2024 (2022 data), the statistics for severe criminal cases and other cases for this question include data for criminal cases from the first instance jurisdiction of second instance courts. In addition, since 2025 statistical data on the investigation phase of criminal proceedings in Bosnia and Herzegovina, which falls under the competence of the prosecutor's offices, are not included in the other criminal cases category; also, from 2025 onwards, these data do not include statistics on decisions of judges on motions/applications submitted to a judge by prosecutors during the preliminary phase of the criminal case, nor data on cases for the execution of final convictions in criminal cases, hence the huge discrepancies in the statistical data values for 2025 compared to 2024.
Severe criminal offences: a criminal offense is an unlawful act which violates or jeopardizes the protected values and which is, because of the danger it represents, defined by law as a criminal offense and for which a punishment is prescribed. Criminal sanctions are: punishments, suspended sentence, security measures and educational measures. Examples of serious criminal offenses are: criminal acts against state, homicide, organized crime, criminal acts against official duty (i.e. corruption cases), theft and other crimes against property, rape and other crimes against sexual integrity, traffic accidents where a person suffered grievous bodily injury or a significant damage and other crimes against public transportation etc.
Statistics on severe criminal offences include data on the cases in which the main part of the proceedings has started following the confirmation of indictment by court.
Minor offence or misdemeanor cases: minor offences are violations of public order or of regulations on economic and financial operations defined as such by laws or other regulations, whose characteristics are described and for which sanctions are prescribed. The following sanctions may be imposed upon a person found responsible for commission of a minor offence: fine; suspended sentence; reprimand; and protective measures. The following measures may be imposed because of being found responsible for a minor offence: confiscation of gains; obligation to compensate damages; penalty points; and deprivation of liberty to compel payment of a fine. Examples of minor offences: traffic offences, violations of public order, begging etc.
Statistics on misdemeanor offences include data on the cases in which the main part of the misdemeanor proceedings has started.
Since 2025 statistics regarding the execution phase of misdemeanor cases are not included in the other criminal cases category, hence the huge discrepancies in the statistical data values for 2025 compared to 2024.

(2025): Criminal cases: As of 2022, i.e. the Evaluation of the judicial systems 2024 (2022 data), the statistics for severe criminal cases and other cases for this question include data for criminal cases from the first instance jurisdiction of second instance courts. In addition, since 2025 statistical data on the investigation phase of criminal proceedings in Bosnia and Herzegovina, which falls under the competence of the prosecutor's offices, are not included in the other criminal cases category; also, from 2025 onwards, these data do not include statistics on decisions of judges on motions/applications submitted to a judge by prosecutors during the preliminary phase of the criminal case, nor data on cases for the execution of final convictions in criminal cases, hence the huge discrepancies in the statistical data values for 2025 compared to 2024.
The general trends for the first instance criminal cases in 2025 remain similar to the tendencies from the previous reporting cycle, the main characteristics being that there has been a slight increase in the number of incoming and resolved cases, but without achieving a 100% clearance rate and with a continued slight increase in the number of unresolved cases.
Misdemeanor cases:
In 2025, the number of unresolved first-instance misdemeanor cases increased significantly - by 14%, the main reason being a drastic increase in the number of incoming cases by 22% compared to the number of new cases of this type received by courts in 2024.
As in previous years, the most significant increase in the influx of new cases occurred in several courts in major towns in the country, due to the increased number of requests for initiating misdemeanor proceedings from various administrative authorities and police (i.e., traffic violations). The first-instance court in the capital of Bosnia and Herzegovina has been receiving a particularly large number of new misdemeanor cases initiated by the police against citizens who committed traffic offenses, which is largely caused by the improvements police has made in terms of technical resources for registering traffic offences. Although the courts achieved a 37% increase in the number of resolved first-instance misdemeanor cases in 2025 compared to 2024, the courts' clearance rate in the reporting year was still below 100%, reaching 91% regarding this indicator. It is important to note that courts must dispose of minor offence cases quickly in order to meet the very short statutory statute of limitations timeframes.
Since 2025 statistics regarding the execution phase of misdemeanor cases are not included in the other criminal cases category, hence the huge discrepancies in the statistical data values for 2025 compared to 2024.

(2024): Criminal cases: As of 2022, i.e. the Evaluation of the judicial systems 2024 (data 2022), the statistics for severe criminal cases and other cases for this question include data for criminal cases from the first instance jurisdiction of second instance courts. Regardless of the above change, the general trends for criminal cases in 2024 remain similar to the tendencies from the previous reporting cycles.
Misdemeanor cases:
The number of pending first-instance misdemeanor cases increased significantly during 2024 – by 33%, unlike the previous year during which the number of pending cases rose only by 1%. The number of incoming cases continued to expand in 2024 – by 31%. The most significant increase in the influx of cases occurred in several courts in major towns, due to the increased number of requests for initiating misdemeanor proceedings from various administrative authorities and police (i.e. traffic violations). The first-instance court in the capital of Bosnia and Herzegovina has received a particularly large number of new misdemeanor cases initiated by the police against citizens for committed traffic violations.
Furthermore, the courts resolved more cases in 2024 than in the previous year. However, the courts failed to achieve 100% clearance rate in 2024 (i.e. 77%).

(2023): Criminal cases As of 2022, i.e. the Evaluation of the judicial systems 2024 (data 2022), the statistics for severe criminal cases and other cases for this question include data for criminal cases from the first instance jurisdiction of second instance courts. Regardless of the above change, the general trends for criminal cases in 2023 remain similar to the tendencies from the previous reporting cycles.
Misdemeanor cases:
The number of pending first-instance misdemeanor cases increased by 1% during 2023, unlike the previous reporting year (i.e. 2022) during which the number of pending cases decreased by 12%. The number of incoming cases in 2023 was higher by 7% compared to 2022. The most significant increase in the influx of cases occurred in several courts in major towns, due to the increased number of requests for misdemeanor proceedings from various administrative authorities and police (i.e. traffic violations). Furthermore, the courts resolved more cases in 2023 than in the previous year. However, the courts failed to achieve 100% clearance rate in 2023 (i.e. 99%).

(2022): There has been a significant decrease in the influx of first instance severe criminal law cases over recent years. In 2020, the number of incoming cases dropped additionally compared to 2019, due to Covid-19 restrictions. In 2021, however, the number of incoming first instance severe criminal law cases rose by 8% compared to 2020. Still, that number is smaller than the number of incoming first instance severe criminal law cases registered in 2019 and 2018. Statistics on first-instance criminal cases in 2022 indicate that the situation in the courts is, basically, consistent with the parameters from 2021.
Unlike previous years, the number of incoming cases decreased in 2022. Consequently, the number of pending cases in the first instance decreased at the end of 2022. The reduction in the influx of cases was recorded, predominantly, in the largest courts. This is not a consequence of legislative changes. It remains to be seen whether such indicators will continue to be achieved in the coming period.
Certain number of pending severe criminal cases, which are older than 2 years, cannot be resolved due to the procedural gridlock that the courts cannot resolve (e.g. an accused person is not traceable). The majority of pending other cases older than 2 years are misdemeanour cases in which courts are lacking effective mechanisms to enforce outstanding monetary fines pronounced in the minor offence proceedings.
Statistics on "Other cases" include inter alia: statistics on the preliminary criminal proceedings before the main trial, i.e. during the investigative procedure which is conducted by the prosecutor’s office (e.g. seizure of evidence, detention and similar measures, confirmation of indictment etc.), statistics on the court decisions brought outside of the main criminal trial (e.g. detention and similar measures, the change of monetary sanction to imprisonment etc), statistics on criminal proceedings related to the enforcement of convictions pronounced in criminal proceedings; statistics for minor offence cases regarding related to the court decisions brought outside of the main misdemeanour proceedings and for the enforcement of pronounced penalties.

Montenegro

(2025): The observed increase in the number of resolved cases in first-instance criminal matters is primarily due to the higher inflow of cases, particularly in misdemeanour cases handled by specialised courts.
Category 3 ("Other criminal cases") now includes only investigation judge cases registered under the "Kri" (Basic Courts) and "Kris" (Higher Court) case registers.
IPS cases from the Misdemeanour Courts were excluded from this category. "IPS" case registers relate to the execution/enforcement of misdemeanour sanctions and measures.
Category 2 ("Misdemeanour and/or minor criminal cases") includes "Pp" case registers from the Misdemeanour Courts. "Pp" case registers refer to main misdemeanour cases handled by the Misdemeanour Courts.
Last year, IPS subjects were included. This year, based on the change of CEPEJ methodology, IPS subjects were excluded, and this has been implemented accordingly. The reported figures may present minor deviations from the standard CEPEJ case-flow formula (pending cases at the end of the year = pending cases at the beginning of the year + incoming cases − resolved cases) due to cases that were delegated or transferred to other competent courts during the reference year. Such transfers affect the number of pending cases and may therefore result in small discrepancies in horizontal consistency checks.

(2024): Other cases are Misdemeanor cases - Execution cases for misdemeanor (IPS)

(2023): reason that sum up numbers do not match is that certain number of cases were delegated, and there is no option to show it. (souce Judicial Coucil)
other criminal cases - Misdemeanor cases - Execution cases for misdemeanor (IPS)

(2022): Higher inflow (number of received cases by misdemeanour courts due to the fact in practice that the subject with jurisdiction of issuing misdemeanour orders (fines) were using the legal possibility to initiate misdemeanour proceedings before the courts instead. That led to higher inflow of cases which reflected to the number of unresolved cases. This was mainly the issue related to the slowdown of public procurance system (major cyber attacks etc.) in the refence year and a lack of relevant forms for issuing misdemeanour orders (fines).

North Macedonia
(2023): Pending cases increased due to the low clearance rate last year as a result of insufficient number of judges

(2022): Category 2. Please, see also the comment for Q 35. High number of judge retirements in 2022 caused by new compulsory age of retirement probably is the reason for higher number of unsolved cases. Also, in 2023 we are expecting more retirements of judges due to this reason.

Serbia

(2025): Please note that in accordance with the new explanatory no cases are reported under 3. OTHER CASES. However, the registers listed below must also be mentioned, as they significantly affect the workload of judges (143,531 incoming cases and 143,655 resolved). Although, according to the Explanatory note, they do not constitute investigative cases in court, they nevertheless account for a considerable number of cases within the courts of Serbia.
Higher Courts:
POM I3– outgoing mutual legal assistance requests in criminal matters
POM Ik - outgoing mutual legal assistance requests in criminal matters
POM IK2 -outgoing mutual legal assistance requests in criminal matters
PomI3 Po1 - outgoing mutual legal assistance requests in criminal matters (organized crime)
PomI3 Po2 - Outgoing mutual legal assistance requests in criminal matters (war crimes)
IVM – Register on the enforcement of educational measures
IVN - Register on the enforcement of educational orders
Ik-Po1 - Enforcement of criminal sanctions for persons referred to serve prison sentences in a special department for serving prison sentences (organized crime)
Ik Po2- Enforcement of criminal sanctions in criminal matters (war crimes)
Kv - Criminal chamber outside the main hearing
Kv Po1 - Register for the criminal chamber (organized crime)
Kv Po2 - Register for the criminal chamber (war crimes)
KVM – Criminal chamber outside the main hearing in proceedings against juveniles KP – Pardon cases
KP Po1 - Register of pardon cases (organized crime)
KP Po2 - Register of pardon cases (war crimes)
KPP - Decisions related to measures ensuring the presence of the defendant in the preliminary proceedings and the unobstructed conduct of the criminal proceedings
KPP –Po1 - Decisions related to measures ensuring the presence of the defendant in the preliminary proceedings and the unobstructed conduct of the criminal proceedings (organized crime)
KPP –Po2 - Decisions related to measures ensuring the presence of the defendant in the preliminary proceedings and the unobstructed conduct of the criminal proceedings (war crimes)
KPP- Po3 - Decisions related to measures ensuring the presence of the defendant in the preliminary proceedings and the unobstructed conduct of the criminal proceedings (cyber crime)
KPPR-Po1 - Various actions in the preliminary proceedings (organized crime)

(2024): Following the CEPEJ clarification, the figures initially submitted under Q38 were revised. Administrative acts (e.g. issuance of certificates, parole procedures) previously included in the total number of criminal cases have now been excluded in compliance with the CEPEJ methodology.

(2023): Official information obtained by the Supreme Court
According to the CEPEJ methodology we we excluded the requested category of misdemeanor cases

(2022): All answers were provided by the competent institution (Supreme Court of Cassation)

Kosovo*

(2025): During 2025, a continuous process of verification, cleansing, and improvement of data quality in the SMIL system was carried out, with the aim of ensuring the most accurate and reliable statistical reporting possible. Within the framework of this process, cases of inaccurate reporting, duplicate registrations, and categories that should not have been recorded as active cases were identified and corrected.
Regarding the discrepancy between the number of civil and commercial unresolved cases reported on 31 December 2024 (146,387) and the number of unresolved cases on 1 January 2025 (138,329), resulting in a difference of 8,058 cases, we clarify that this decrease occurred as a result of the cleansing and correction of statistical records.
In enforcement matters, procedural costs that should not have been reported as separate enforcement cases were removed from the records. Likewise, in the civil field, several cases were identified as having been mistakenly registered as civil cases, although they were merely procedural requests and not civil lawsuits. For this reason, these cases were corrected and were not included in the number of unresolved cases for 2025.
Regarding the discrepancy between the number of "other" unresolved cases on 31 December 2024 (4,286) and the number of unresolved cases on 1 January 2025 (3,914), resulting in a difference of 372 cases, we clarify that, following verification of the records, several requests for the initiation of investigations were identified as having been mistakenly reported as pending cases in the preliminary procedure.
After the correction of the statistical data, these cases were removed from the records of unresolved cases, as they should not have been reported as active cases in the preliminary procedure.
The process of verification and improvement of data quality in SMIL will continue throughout 2026, with a focus on harmonizing statistical records and ensuring reporting that is as accurate, transparent, and compliant with judicial reporting standards as possible.

(2024): In section one which deals with severe criminal cases, we have included the criminal cases in the general department, the criminal cases in the serious crimes department and the criminal cases in the special department. Juvenile criminal cases are included in misdemeanor/minor cases section.
In section three, other cases we have included the number of criminal cases that are still in pre-trial proceedings.

(2023): In section one which deals with severe criminal cases, we have included the criminal cases in the general department, the criminal cases in the serious crimes department, the criminal and the cases in the special department. In section two misdemeanor refers to kundërvajtje, which are minor offenses that are usually punishable by a fee. In this section juvenile cases are included as well. In section three, other cases we have included the number of criminal cases that are still in pre-trial proceedings in the general department, in the serious crimes department, in the special department and juvenile department. In the previous years those data were not included in any category.

Question 54

Albania

(2025): For Administrative law cases - The reduction of the backlog of pending cases – the courts have focused on decreasing the number of pending cases, thereby increasing the number of cases adjudicated.
The increase in the number of judges from 2024 to 2025 has directly contributed to enhanced adjudicatory capacity and to the acceleration of case processing.
The factors that may have contributed to the increase in the number of new cases filed at the appellate level include a more frequent exercise of the right of appeal by parties against first-instance court decisions, as well as an increase in the number of complex criminal cases, which tend to generate greater disputes and, consequently, a higher number of appeals.

(2023): The increase in the number of administrative resolved cases In 2023, the number of judges effectively in office is 8.3 judges marking an increase of 49% but again far from the full number of the corps of 13 judges. Also, the number of non-judge staff increased by 46% during 2023, reaching in 67 non-judge support staff.

(2022): The decrease in the number of resolved cases during 2022 is believed to have been caused by the decrease of the number of judges in the second instance due to different factors such as resignations, vetting process, promotions. In addition, the inequal distribution of cases between courts is another factor contributing to the problem.
As regards administrative cases, during 2022 the Administrative Appeal Court has functioned with 43% of judges.

Bosnia and Herzegovina
(2025): Civil (and commercial) litigious cases: In 2025, the trend of decreasing total number of unresolved civil commercial cases at the second level continued, as well as a decrease in the number of unresolved cases older than two years. This trend was especially facilitated by the continuous reduction of backlog in several of the largest courts that have jurisdiction over civil commercial disputes at the second stage. It is important to note that as in 2024 one of the second-level courts received a large number of simple cases, which were all resolved during the reporting year, contributing especially to the increase in the improvement of results in terms of clearance rate in the reporting year.
Administrative cases: The number of unresolved cases in this category has increased significantly because one of the courts continued to receive an increased number of cases in 2025, as it did in 2024, under those circumstances, this court was unable to increase the number of resolved cases and achieved a clearance rate of 68%. Other courts from this group achieved better results, but it was not enough to reduce the negative result generated by the above-mentioned court.

(2024): Civil (and commercial) litigious cases: In 2024, the trend of decreasing total number of unresolved civil commercial cases at the second level continued, as well as a decrease in the number of unresolved cases older than two years. This trend was especially facilitated by the continuous reduction of backlog in several of the largest courts that have jurisdiction over civil commercial disputes at the second stage. It is important to note that one of the second-level courts received a large number of simple cases, which were resolved during the reporting year, resulting in an increase in the total number of received cases compared to 2023, but this did not lead to an increase in the number of unresolved cases during 2024.
Administrative cases:
The courts registered the increased numbers of incoming administrative cases in 2024 in contrast to the previous year; the workload increased particularly in one of the courts, which had to decide urgently on the huge number of the complaints against the election commission's decisions in relation to the 2024 local elections. In addition, other courts have also received a somewhat higher number of administrative cases in 2024 compared to 2023, which has contributed to a slight increase in the number of unresolved cases in the reporting year.

(2023): Civil (and commercial) litigious cases: The number of incoming second instance civil commercial litigious cases declined in 2023, following a massive one-time increase in the influx of cases in one of the courts in 2022. The influx of this category of court cases in 2023 is in balance with the influx of cases in 2021. In addition, there has been a significant decrease in the number of second instance civil commercial litigious cases over recent years. This trend continued in 2023. It is particularly facilitated by the continuous reduction of backlog in several of the largest courts that have jurisdiction over second instance civil commercial litigious cases.
Administrative cases: The number of incoming second-instance administrative law cases remained stable in 2023 compared to the influx of cases in 2022 and 2021. In 2023, the courts continued to reduce the number of second-instance administrative law cases in 2023, which is in line with historical trends for this category of court cases.

(2022): There has been a significant decrease in the influx of second instance civil commercial litigious cases over recent years. In 2020, the number of incoming cases dropped additionally compared to 2019, due to Covid-19 restrictions decreasing the number of first instance court decisions; therefore, the number of appeals initiating the second instance court cases in 2020 was much lower, compared to the previous years. In 2021, however, the number of incoming second instance civil commercial litigious cases was increased by 9% compared to 2020; nevertheless, that number is by far smaller than the number of incoming second instance civil commercial litigious cases registered in 2019 and 2018. This trend continued in 2022. However, one of the second-instance courts received a large number of simple cases, which were resolved during the same year, which resulted in an increase in the total number of cases received compared to 2021. This was a one-time increase in the influx of cases, related specifically to this court's territorial jurisdiction. Furthermore, the courts with the biggest caseload in the country have managed to surpass the 100% clearance rate for many consecutive years, including the reference year; consequently, the number of pending second instance civil commercial litigious cases was lesser at the end of 2022. No major legislative reforms in terms of the laws on civil and commercial procedure took place in the recent years. When it comes to administrative court cases, the number of pending cases has been further reduced in 2022, confirming indicators from 2021.

Montenegro

(2025): The observed increase in the number of resolved cases in second-instance civil casses is a result of the higher number of incoming cases during the reporting period. The reported figures may present minor deviations from the standard CEPEJ case-flow formula (pending cases at the end of the year = pending cases at the beginning of the year + incoming cases − resolved cases) due to cases that were delegated or transferred to other competent courts during the reference year. Such transfers affect the number of pending cases and may therefore result in small discrepancies in horizontal consistency checks.

(2023): These are different types execution cases, execution of payments, cases upon constitutional appeal in commercial cases etc.
Decreasing number of resolved is a general issue, because of higher inflow of cases and same or less capacities.

(2022): higher inflow of cases in 2022

North Macedonia

(2025): The reason for increase of the incoming civil and commercial cases in 2025 is result of increased efficiency of first instance courts in 2024 compared to 2023 (36960 in 2023 and 38156 in 2024) as a result of new appointed first instance judges from the rank of the candidates form the Academy. These causes increasement of appeals in 2024 as a result of increased resolved first instance civil cases in 2024 comparing to 2023.
As regards administrative cases, the increase of Disposition Time is a result of a rapid increase of cases (backlog) at the end of 2024 and low CR. The increase in cases at the end of 2024 is the result of the non-implementation of the High Administrative Court conclusion regarding the amount of the costs in proceedings by the lower court, which has led to a higher number of appeals.
At the same time, the low CR is a result of an insufficient number of judges in the High Administrative Court.

(2024): The increase in the number of pending cases is result of insufficient number of judges.

(2023): Law clearance rate for civil and administrative cases is a result of insufficient number of judges.

(2022): Category 1 - In 2022 there was no reason for larger number of income cases as it was in 2021 (see explanation in previous cycle).

Serbia

(General Comment): Courts deciding in the second instance (on appeal) in the "non-criminal" cases, as courts of general jurisdiction are: Higher courts: they decide upon the decisions in civil disputes and the judgment in small claims and the non-contentious proceedings.
Appellate courts: upon the decisions of higher courts and judgements of the basic courts in civil disputes unless deciding on appeals is not under the competence of higher court.
Commercial Court of Appeal: second instance commercial proceedings involving appeals, conflict and delegation of jurisdiction between commercial courts.
Misdemeanour Court of Appeal: proceedings involving appeals against first instance decisions of misdemeanour courts in cases related to whistle-blowers and conflict and delegation of jurisdiction between misdemeanour courts (cases not misdemeanour as such).
There is no second instance in administrative disputes.
With regard to "non-litigious cases", and more particularly "other non-litigious cases", it should be pointed out that, in 2015, amendments to the Law on the Court Organization and the new Law on Protection of the Right to a Trial within a Reasonable Time have shifted responsibility for protection of this right from the Constitutional Court to the courts of general and special jurisdiction.

(2025): The reason for the significant and continuous decrease in both incoming and resolved non-litigious cases at second instance is the reduced inflow of cases based on the implementation of the Law on the Protection of the Right to Trial within a Reasonable Time ("Official Gazette of RS", no. 40/2015 and 92/2023). The amendments to the Law on the Protection of the Right to Trial within a Reasonable Time and the Law on the Constitutional Court from 2023 have enabled a constitutional complaint to be filed, if the right to a trial within a reasonable time has been violated, in proceedings relating to the long duration of enforcement and bankruptcy proceedings conducted for the settlement of recognized or established claims in which the bankruptcy or enforcement debtor is a company with majority social or state capital, even if legal remedies have not been exhausted. This enables the Constitutional Court to decide on a violation of the right to a trial within a reasonable time in a single procedure. (This reform relates to the execution of the judgment in the group of cases "Kačapor and others v. Serbia" No. 2269/06; see the decision of the Committee of Ministers of the Council of Europe https://hudoc.exec.coe.int/?i=CM/Del/Dec(2025)1531/H46-35E).

(2024): Official information obtained by the Supreme Court

(2023): Official information obtained by the Supreme Court

(2022): 1.The lower number of incoming cases in second instance in 2022 is primarily explained by the decrease of incoming civil and commercial cases in basic and commercial courts. During 2019, 2020 and 2021 there was a large number of specific type of cases related to the costs of bank loans. After supplementing the legal position of the Supreme Court of Cassation from September 16, 2021, number of these cases gradually decreases. However, due to the mentioned repetitive cases (litigation for reimbursement of costs bank loans), second instance courts were unable to handle such a large influx from the previous year (regardless of the fact that the inflow in 2022 was lower), so the number cases increased.

Kosovo*

(2025): Administrative Cases:
The failure to achieve a satisfactory level of efficiency during the reporting period is mainly related to the temporary absence of judges from performing their duties. This shortage has resulted from promotions to higher positions.

(2024): In section one, which deals with general civil and commercial cases, enforcement litigious cases are included because in Kosovo, enforcement procedure is contested procedure (In the past these cases were included in the non-litigious section, but we wish to correct this practice, see Article 17 of the Law on Enforcement Procedure).
Please note that registry cases are not dealt by the court in Kosovo. With regard to civil litigation cases at the second instance, a total of 8,875 such cases were received by the Court during 2023, whereas in 2024 a total of 15,774 cases were received, representing a 78% increase. (The number indicated here refers only to commercial litigious cases)
The reasons behind this significant rise in these cases are linked to the unwillingness of the relevant institutions to ensure the enforcement of workers' rights arising from employment relationships. More specifically, the increase relates to specific monetary claims derived from applicable legislation, including relevant laws for various categories of employees, the non-implementation of the General Collective Agreement of Kosovo, the respective Collective Agreements in the Education sector, the Sectoral Collective Agreement in the Health sector, and relevant secondary legislation regulating monetary rights from employment relationships for the Kosovo Police and the Kosovo Security Force. As a result of these lawsuits—specifically the cases resolved by first-instance courts—there has also been a corresponding increase in the number of such cases before the Court of Appeals of Kosovo.
With regard to the cases handled by the second-instance chambers of the Commercial Court, it should be emphasized that the underlying causes are related to the operationalization of this Court. Although the Kosovo Judicial Council (KJC) undertook all necessary actions within the legal timeframe to make the Court functional, this has been an ongoing process that began in 2022. Following the consolidation and full operationalization of the Court, the first-instance judges were able to resolve more cases in the following years, particularly in 2023, as conditions were created that improved the efficiency of the work process. This, in turn, directly contributed to an increase in the number of cases appealed to the second-instance chambers of the Commercial Court.

(2023): See the first instance case-flow data comment. Non-litigious cases number in the second instance started being provided from 2024. Regarding the administrative cases, the discrepancy is due to the establishment of the Commercial Court on 1 August 2022. As a result, business administrative cases were transferred to this new court, which explains the drop in the number of pending administrative cases at the beginning of 2023 compared to the end of 2022.

Question 55

Albania

(2024): 3. Other criminal cases “Administrative criminal cases” and “Anti-mafia law cases”. From the data reflected here, anti-mafia law cases are 1 pending trial on January 1, 2024, 18 new cases, 19 adjudicated, 0 pending trial on December 31, 2024; there are no anti-mafia law cases older than two years. The rest are administrative criminal cases.

(2023): Based on the table of statistics collected from the reporting of the courts “other cases” refers to “administrative criminal cases”.

(2022): Other Criminal cases: a) criminal administrative cases (exe: probation requests, security measures etc) b) cases related to anti-mafia law.
Long disposition time is due to the lack of judges and uneven distribution of workload.

Bosnia and Herzegovina

(General Comment): As of 2022, i.e. the Evaluation of the judicial systems 2024 (2022 data), the statistics for severe criminal cases and other cases for this question include data for criminal cases from the first instance jurisdiction of second instance courts. In addition, since 2025 statistical data on the investigation phase of criminal proceedings in Bosnia and Herzegovina, which falls under the competence of the prosecutor's offices, are not included in the other criminal cases category; also, from 2025 onwards, these data do not include statistics on decisions of judges on motions/applications submitted to a judge by prosecutors during the preliminary phase of the criminal case, nor data on cases for the execution of final convictions in criminal cases, hence the huge discrepancies in the statistical data values for 2025 compared to 2024.
Second instance courts have a dual subject matter in criminal matters. The second instance courts have first instance jurisdiction for criminal offences for which more than 10 years of imprisonment is prescribed, they also have second instance jurisdiction to decide on appeals against the decisions brought by the first instance courts for criminal offences for which up to 10 years of imprisonment is prescribed. The statistics of second instance courts on criminal law cases (Q55, i.e. incoming, resolved, pending, pending older than two years) include only second instance cases within the jurisdiction of the second instance courts, whereas the first instance cases within their jurisdiction are included in the statistics under the question Q52 First instance courts: number of criminal law cases. In addition, the statistics included under the question Q040 do not include data on severe criminal cases managed by the three courts that are included in the category of supreme courts under the Q57 Highest instance courts (Supreme Court): Number of criminal law cases. Their caseload in terms of criminal law consists of the first (i.e. one of the courts in this category has both first and second instance criminal jurisdiction), second and third instance severe criminal cases. The courts of appeal have jurisdiction only to deal with the second-instance misdemeanor cases. Severe criminal offences: a criminal offense is an unlawful act which violates or jeopardizes the protected values, and which is, because of the danger it represents, defined by law as a criminal offense and for which a punishment is prescribed. Criminal sanctions are prison punishments, suspended sentence, security measures and educational measures. Examples of serious offenses are criminal acts against state, homicide, organized crime, criminal acts against official duty (i.e. corruption cases), theft and other crimes against property, rape and other crimes against sexual integrity, traffic accidents where a person suffered grievous bodily injury or a significant damage and other crimes against public transportation etc.
Minor offence cases: minor offences are violations of public order or of regulations on economic and financial operations defined as such by laws or other regulations, whose characteristics are described and for which sanctions are prescribed. The following sanctions may be imposed upon a person found responsible for commission of a minor offence: fine; suspended sentence; reprimand; and protective measures. The following measures may be imposed as a consequence of being found responsible for commission of a minor offence: confiscation of gains; obligation to compensate damages; penalty points; and deprivation of liberty to compel payment of a fine. Examples of minor offences are traffic offences, violations of public order, begging etc.
Statistics on misdemeanor offences include only data on the cases in which the main part of the misdemeanor proceedings has started.

(2025): Criminal cases: As of 2022, i.e. the Evaluation of the judicial systems 2024 (2022 data), the statistics for severe criminal cases and other cases for this question include data for criminal cases from the first instance jurisdiction of second instance courts. In addition, since 2025 statistical data on the investigation phase of criminal proceedings in Bosnia and Herzegovina, which falls under the competence of the prosecutor's offices, are not included in the other criminal cases category; also, from 2025 onwards, these data do not include statistics on decisions of judges on motions/applications submitted to a judge by prosecutors during the preliminary phase of the criminal case, nor data on cases for the execution of final convictions in criminal cases, hence the huge discrepancies in the statistical data values for 2025 compared to 2024.
The general trends for the second instance criminal cases in 2025 remain similar to the tendencies from the previous reporting cycle, with the only exception being that in percentage terms the number of pending cases older than 2 years from the date the case came to the second instance court has significantly increased, although in absolute terms that number of cases has not increased substantially.
Misdemeanor cases: In 2025, the total number of unresolved second-instance misdemeanor cases increased marginally in terms of absolute numbers, due to a somewhat weaker results in terms of clearance rate in some courts. Otherwise, in most courts, the caseflow of second-instance misdemeanor cases continues to be stable.

(2024): Criminal cases:
As of 2022, i.e. the Evaluation of the judicial systems 2024 (data 2022), the statistics for severe criminal cases and other cases for this question include only data for criminal cases from the second instance jurisdiction of relevant courts, whereas the statistics on cases generating from their first instance jurisdiction are included in the data for the first instance courts: number of criminal law cases. Regardless of the above change, the general trends for criminal cases for this question remain similar to the tendencies from the previous reporting cycles, with small increase in the number of pending cases being registered from year to year.
Misdemeanor cases:
The number of pending second-instance misdemeanor cases was decreased during 2023 by 39%, unlike the previous reporting year (i.e. 2023) during which the number of pending cases was increased by 13%. However, it is important to note that this modification was not significant in absolute terms. The number of incoming and resolved cases remained relatively stable in the reporting year compared to 2023.

(2023): Criminal cases:
As of 2022, i.e. the Evaluation of the judicial systems 2024 (data 2022), the statistics for severe criminal cases and other cases for this question include only data for criminal cases from the second instance jurisdiction of relevant courts, whereas the statistics on cases generating from their first instance jurisdiction are included in the data for the first instance courts: number of criminal law cases. This change may lead to some inconsistencies between data for 2023 and the previous reporting cycle. Regardless of the above change, the general trends for criminal cases for this question remain similar to the tendencies from the previous reporting cycles.
Misdemeanor cases:
The number of pending second-instance misdemeanor cases rose during 2023 by 13%, unlike the previous reporting year (i.e. 2022) during which the number of pending cases decreased by 10%. However, it is important to note that this modification was not significant in absolute terms. The number of incoming and resolved cases remained stable in the reporting year compared to 2022.

(2022): Second instance courts have a dual subject matter in criminal matters. The second instance courts have first instance jurisdiction for criminal offences for which more than 10 years of imprisonment is prescribed, they also have second instance jurisdiction to decide on appeals against the decisions brought by the first instance courts for criminal offences for which up to 10 years of imprisonment is prescribed. The statistics of second instance courts on criminal law cases (Q 40, i.e. incoming, resolved, pending, pending older than two years) include only second instance cases within the jurisdiction of the second instance courts. These statistics do not include data on severe criminal cases managed by the three courts that are included in the category of supreme courts; their caseload in terms of criminal law consists of the first (i.e. one of the courts in this category has both first and second instance criminal jurisdiction), second and third instance severe criminal cases. There has been a significant decrease of the first instance severe criminal cases over recent years to the second instance courts of the aforementioned category. The trend advanced in 2020 due to the decrease of activity of public prosecutors and judges in the context of measures implemented against the spread of Covid-19 virus. In addition, in 2020 the number of incoming second instance criminal cases dropped additionally compared to 2019, due to Covid-19 restrictions decreasing the number of first instance court decisions. As a result, the number of appeals initiating the second instance severe criminal cases in 2020 was much lower than in 2019 and 2018. The number of the first instance severe criminal cases remained stable in 2021 and 2022.

Montenegro

(2025): The increase in resolved cases in second-instance criminal matters is linked to a higher inflow of cases during the reporting period, which also resulted in a higher number of pending cases at the end of the period.
The reported figures may present minor deviations from the standard CEPEJ case-flow formula (pending cases at the end of the year = pending cases at the beginning of the year + incoming cases − resolved cases) due to cases that were delegated or transferred to other competent courts during the reference year. Such transfers affect the number of pending cases and may therefore result in small discrepancies in horizontal consistency checks.

(2022): During 2021 the High Court in Podgorica operated with 6 judges less. In the same year there were no new appointments to fill the missing judicial positions in the court. That affected the efficiency of the court, which is the one with the highest number of criminal cases in the second instance.

North Macedonia

(2025): Reason for the increase of Pending cases on 1 Jan. ref. year (severe criminal cases) is constatnt increase of incoming caces in 2025 and 2024 in comparison to 2023.

(2024): The reduction in the number of pending cases is the result of new appointed judges which resulted with high clearance rate (above 100%)

(2023): Law clearance rate from previous year for severe criminal cases is a result of insufficient number of judges.

(2022): Category 1. In 2022, we still had some negative effects from Covid -19 virus on the proceedings before courts.

Serbia

(2025): Please note that in accordance with the new explanatory no cases are reported under 3. OTHER CASES. The registers listed below must also be mentioned, as they significantly affect the workload of judges in second instance criminal court (3,766 incoming cases and 3,769 resolved cases). Although, according to the Explanatory note, they do not constitute investigative cases in court, they nevertheless account for a considerable number of cases within the courts of Serbia.
Appellate courts:
Krm- In the register 'Krm', other juvenile criminal cases are recorded which are not entered in the registers 'Kim', 'Km', and 'Kvm'.
Kr, Kr Po1, Kr Po2, Kr Po3- the register 'Kr' records all submissions related to criminal proceedings which are not entered in other registers.
Kž-uo- second-instance criminal cases of conditional release
Kžm-r- various second-instance criminal cases in juvenile proceedings
Kž-r- criminal cases of motions for extension of detention and various second-instance criminal cases
Kž-Kre- second-instance criminal cases of extradition of defendants and transfer of convicted persons.
Kžr-As- criminal cases of conflicts of jurisdiction
Kžmr-As- criminal cases in juvenile proceedings of conflicts of jurisdiction
Kž-Po2-uo- second-instance criminal cases of war crimes concerning conditional release
Kž-Po1-uo- second-instance criminal cases of organized crime of conditional release
Kž-Po2-Kre- second-instance criminal cases of war crimes of extradition of defendants and transfer of convicted persons
Kž-Po1-Kre- second-instance criminal cases of organized crime of extradition of defendants and transfer of convicted persons
Kž-r-Po3- criminal cases of cyber crime of motions for extension of detention and various second-instance criminal cases of cyber crime
Kžm-Uo- second-instance criminal cases on conditional release in juvenile proceedings

(2024): Official information obtained by the Supreme Court

(2023): Official information obtained by the Supreme Court

(2022): All answers were provided by the competent authority

Kosovo*

(2025): Criminal cases:
In the Criminal Department at the second instance, achieving 100% efficiency is not always possible due to the nature of the case flow and the timing of their receipt. Specifically, a considerable number of cases are received during the last quarter of the year, which limits the actual possibility of reviewing and adjudicating them within the same calendar year.

(2024): In section one which deals with severe criminal cases, we have included the criminal cases in the general department, the criminal cases in the serious crimes department and the criminal cases in the special department. Juvenile criminal cases are included in misdemeanor/minor cases section.
In section three, other cases we have included the number of criminal cases that are still in pre-trial proceedings.

(2023): See the first instance case-flow data

Question 56

Albania

(2025): The clearance of the accumulated backlog of cases (carried-over cases) – the court is adjudicating pending cases from previous years, not only newly filed cases for the current year; the prioritization of older or less complex cases, as well as the stabilization or reduction of the incoming caseload, has guided the court towards reducing the backlog through their adjudication.
For civil (and commercial) contentious cases (including enforcement cases and, where possible, excluding administrative law cases—see category 3):
“Completed data for general civil cases with opposing parties and commercial cases with opposing parties.”
For non-litigious cases (civil and commercial non-litigious cases, registry cases, and other non-litigious matters):
“Completed data for civil cases without opposing parties.”

(2022): Due to the state of the management system of cases used by the Supreme Court, it is impossible to realize the specification of the typology of civil cases according to the subcategories of the corner.
The registration of cases in the High Court is done similarly to other courts at the national level, both manually in registers and through the digital ICMIS system.
This information is directly related to the judges effectively on duty, which has changed. The number of judges in the High Court has increased in 2022, resulting in an increase in the number of cases adjudicated. It is to be also considered the number of judges graduated from 2020-2022, who are part of the judicial system . In addition, in response to the needs of courts, the HJC has used various legal mechanisms such as assignment of judges to another court and delegation scheme.
The total number of “other than criminal cases” while the number of civil litigious cases and non-litigious cases is NA due to the aggregation of data into three major divisions: civil, criminal, and administrative, which we have from the statistics provided by the Supreme Court.

Bosnia and Herzegovina
(2022): In 2022, the courts in this category maintained the trend from the previous reporting cycles to make a certain decrease of the number of pending non-criminal cases. Also, these courts continued to keep the low number of pending cases older than 2 years from the date the cases came to the courts, due to the consistent implementation of the principle to deal with cases chronologically within their respective backlog reduction plans.

Montenegro
(2022): By decision of the Judicial Council in August 2021, the function of the acting president and 5 judges of the Supreme Court ended, so the Supreme Court at the end of 2021 remained with 6 judges out of 19 (including president). This situation significantly affected workload and as a consequence the backlog of cases increased.

North Macedonia
(General Comment): Other cases - According to the Law on Courts, the Supreme Court decides on cases related to the length of the procedure before national courts prior parties' submission of an application to the European Court of Human Rights.

(2022): Other cases - According to the Law on Courts, the Supreme Court decides on cases related to the length of the procedure before national courts prior parties' submission of an application to the European Court of Human Rights. Such kind of resolved cases in 2022 in the Supreme Court increased as a result of the action undertaken by the Supreme Court aimed to decrease its backlog. Namely, judges dealing with these cases gave them priority in deciding.

Serbia
(2022): Taken from Dashboard.

Question 57

Albania

(2025): The clearance of the accumulated case backlog (carried-over cases) – the court is adjudicating pending cases from previous years, not only newly filed cases from the current year; the prioritization of older or less complex cases; and the stabilization or reduction of the incoming caseload have collectively guided the court towards reducing the backlog through adjudication.

Bosnia and Herzegovina

(2022): In 2022, the courts in this category achieved a clearance rate of 100%, reversing the consequences of COVID-19 in 2020, when there was a temporary increase in the number of pending criminal cases.

Montenegro

(2022): section 2. does not include misdemeanour cases, no such cases before Supreme Court
Other cases can be: cases upon requests to expedite the proceedings (the control request) and a claim for just satisfaction, cases of solving issues of jurisdiction etc.

North Macedonia

(General Comment): Supreme Court deals with misdemeanor cases only upon the request for protection of legality and requests for repetition of the criminal procedure. However, the number of this kind of cases is negligible.

(2025): In general, it is not justified to compare the performance data of the Supreme Court for 2025 with the latest available data from the CEPEJ Questionnaire for 2022, for two reasons: first, there is a significant temporal gap between the two datasets (2022 and 2025); and second, the 2022 court performance data are not suitable for comparison due to the case backlog imbalance arising as a consequence of the COVID-19 crisis.

(2022): The main reason for the decrease of -34.43 % for incoming severe criminal cases compared to 2020 is the decreased number of cases brought to the courts by public prosecutors Q 107 (from 14.161 cases in 2020 to 10.374 cases in 2022). Also, in CORONA years work of the courts was reduced. As a result of that, a few years after there was a decrease of appeals and extraordinary legal remedies before the Supreme Court.

Serbia

(2022): Report on the work of the Supreme Court

Question 58

Bosnia and Herzegovina

(General Comment): Administrative cases (Administrative disputes):

In Bosnia and Herzegovina, an administrative dispute (i.e. administrative case) is a court procedure regulated by thematic legislation at four levels of government. It is a court procedure carried out by courts of general jurisdiction through which disputes between individuals (natural or legal persons) and administrative bodies or institutions are resolved. It is a special form of judicial procedure initiated by natural or legal persons and relates to challenging administrative decisions or actions made or taken by administrative bodies. The defendant in an administrative dispute is the competent administrative authority whose administrative act is being contested. An administrative dispute can also be initiated when the competent authority has not issued the appropriate administrative act regarding a party's request or appeal (i.e. administrative silence).

Under the conditions set in the above-mentioned legislation, a party can challenge a court decision by which an administrative dispute was resolved in the first instance by submitting a request for its review in the second instance court procedure.

As indicated in the general comments for Q52, courts of general jurisdiction handle administrative cases in the first and second instance. In the first instance, administrative cases are handled by the courts of general jurisdiction, which in other types of cases act as second instance courts (i.e., second instance civil and commercial litigious cases), while regarding other types of cases, these courts deal with both first instance and second instance cases (i.e., criminal cases) depending on the severity of punishment prescribed by criminal legislation. In the second instance, administrative cases on the appealed legal remedy are handled by courts classified in the group of highest instance courts, with that part of the caseload included in the answer to question Q54.

Civil and commercial litigious cases:

In Bosnia and Herzegovina, a civil and commercial litigious case is a court procedure regulated by civil procedure legislation at four levels of government. It is a court procedure initiated by a plaintiff with a civil lawsuit against defendant which is carried out by courts of general jurisdiction based on which courts conduct hearings and make decisions in civil law disputes with regard to matters such as: determination of ownership of real estate, claims for damages, non-fulfillment of contractual obligations, labor disputes, property disputes, interference with property, small claims disputes, commercial disputes, divorce proceedings and other family matters etc.

Under the conditions set in the above-mentioned legislation, a party can challenge a first instance court decision by submitting an appeal to the second instance court.

In addition, the parties may file the request for revision of the final second instance judgment within thirty (30) days from the day of the service of the judgment. The revision shall not be allowed if the value of the contested part of the final judgment does not exceed 15,000 €. In addition, the revision may also allow be allowed in all cases if it finds that deciding on revision is important for the application of law in other cases.

Exceptionally, in one of the jurisdictions in Bosnia and Herzegovina, commercial litigation cases (e.g. disputes between business companies, bankruptcy proceedings) are dealt with by specialized first-instance and second-instance commercial court, while these cases at the third instance are resolved by the relevant court of general jurisdiction.

Non litigious cases (civil and commercial non litigious cases, registry cases, other non-litigious)

The most relevant categories among civil and commercial non-litigious cases are non-litigious enforcement cases initiated by creditors on the basis of uncontested payment orders or court verdicts delivered in civil or commercial litigious cases, inheritance proceedings, non-contentious proceedings related to personal and family matters (e.g. establishing that

Question 59

Bosnia and Herzegovina

(General Comment): Q53
Severe criminal offences: a criminal offense is an unlawful act which violates or jeopardizes the protected values and which is, because of the danger it represents, defined by law as a criminal offense and for which a punishment is prescribed. Criminal sanctions are: punishments, suspended sentence, security measures and educational measures. Examples of serious criminal offenses are: criminal acts against state, homicide, organized crime, criminal acts against official duty (i.e. corruption cases), theft and other crimes against property, rape and other crimes against sexual integrity, traffic accidents where a person suffered grievous bodily injury or a significant damage and other crimes against public transportation etc.
Statistics on severe criminal offences include data on the cases in which the main part of the proceedings has started following the confirmation of indictment by court.
Minor offence or misdemeanor cases: minor offences are violations of public order or of regulations on economic and financial operations defined as such by laws or other regulations, whose characteristics are described and for which sanctions are prescribed. The following sanctions may be imposed upon a person found responsible for commission of a minor offence: fine; suspended sentence; reprimand; and protective measures. The following measures may be imposed because of being found responsible for a minor offence: confiscation of gains; obligation to compensate damages; penalty points; and deprivation of liberty to compel payment of a fine. Examples of minor offences: traffic offences, violations of public order, begging etc.
Statistics on misdemeanor offences include data on the cases in which the main part of the misdemeanor proceedings has started.
Since 2025 statistics regarding the execution phase of misdemeanor cases are not included in the other criminal cases category, hence the huge discrepancies in the statistical data values for 2025 compared to 2024.
As of 2022, i.e. the Evaluation of the judicial systems 2024 (2022 data), the statistics for severe criminal cases and other cases for this question include data for criminal cases from the first instance jurisdiction of second instance courts. In addition, since 2025 statistical data on the investigation phase of criminal proceedings in Bosnia and Herzegovina, which falls under the competence of the prosecutor's offices, are not included in the other criminal cases category; also, from 2025 onwards, these data do not include statistics on decisions of judges on motions/applications submitted to a judge by prosecutors during the preliminary phase of the criminal case, nor data on cases for the execution of final convictions in criminal cases, hence the huge discrepancies in the statistical data values for 2025 compared to 2024.
Q55
Second instance courts have a dual subject matter in criminal matters. The second instance courts have first instance jurisdiction for criminal offences for which more than 10 years of imprisonment is prescribed, they also have second instance jurisdiction to decide on appeals against the decisions brought by the first instance courts for criminal offences for which up to 10 years of imprisonment is prescribed. The statistics of second instance courts on criminal law cases (Q55, i.e. incoming, resolved, pending, pending older than two years) include only second instance cases within the jurisdiction of the second instance courts, whereas the first instance cases within their jurisdiction are included in the statistics under the question Q52 First instance courts: number of criminal law cases. In addition, the statistics included under the question Q55 do not include data on severe criminal cases dealt with by the three courts that are included in the category of supreme courts under the Q57 Highest instance courts (Supreme Court): Number of criminal law cases. Their

Question 60

Albania

(2025): The average time required for the resolution of civil cases overall, administrative cases overall, and criminal cases overall has been calculated for each category using the following formula:
(total number of cases pending at the end of the year / total number of cases adjudicated during the year) × 365.
For Civil and commercial litigious cases the requested data concerning the average length of proceedings (Disposition Time – DT indicator) at the first and second instance levels for general civil cases with opposing parties and commercial cases with opposing parties cannot be provided, as their calculation would reflect an inaccurate situation.
In the absence of a breakdown into sub-sections, the analysis has been conducted at the level of the civil section as a whole, in accordance with the CEPEJ methodology. Under this approach, the DT indicator (average case disposition time) is approximately 297 days at the first instance level and approximately 2,318 days at the second instance level.
Also for Criminal cases (severe and misdemeanour) the requested data concerning the average length of proceedings (Disposition Time – DT indicator) at the first and second instance levels for criminal cases, including felonies and misdemeanors, cannot be provided, as their calculation would reflect an inaccurate situation.
In the absence of a breakdown into sub-sections, the analysis has been conducted at the level of the criminal section as a whole, in accordance with the CEPEJ methodology. Under this approach, the DT indicator (average case disposition time) is approximately 87 days at the first instance level and approximately 920 days at the second instance level.

(2022): In the present condition of the CMS system, we cannot calculate the exact average length of proceedings. We use the disposition time as a proxy.

Bosnia and Herzegovina
(General Comment): Description of calculation method: The average length of court procedure is calculated as the average of time needed to resolve a case for cases resolved during the reporting year. The average length of court procedure for resolving the case is calculated separately for different phases of the court procedure - from the day of initiating the phase of the court procedure to its completion. The data are retrieved from the case management system.
Average total length of the total procedure:
The average length of the total procedure is calculated as the average of time needed to resolve a case for all cases resolved in the different phases of court procedure during the year. (e. g. The first instance civil case is resolved in 100 days from its lodging with the first instance court, second instance civil case is resolved in 120 days from its lodging with the second instance court, and third instance civil case was resolved in 120 days. The average length of the total procedure is calculated as follows: 100+120+120/3=113,3 days.)

(2025): In 2025, the average duration of resolved civil and commercial litigious proceedings decreased at all three levels of the court system compared to the values reported in 2024.
Average length of resolved cases in the first instance got reduced slightly (i.e. 6%), which is in line with this indicator at a value of about 500 days in the previous two reporting years (2023 and 2024), as well as in line with a certain decrease in the number of unresolved cases of this category in the reporting year.
Average length of resolved cases in the 2nd instance got reduced considerably (i.e.28%) because the backlog of old cases is continuously decreasing and new cases are being resolved faster, also, as in 2024, one of the courts from this group had to resolve a large number of new simple cases in a short period of time, as indicated in the commentary for Q54 Second instance courts (appeal): Number of 'other than criminal law' cases.
Average length of resolved cases in the 3rd instance got reduced substantially (i.e. 40%) mostly because one of the courts in this category drastically reduced the number of old cases, which allows that court to resolve new cases in a very short time, reducing the overall duration of proceedings at this level of the court system in 2025.

(2024): In 2024, data on the average duration of civil and commercial litigious proceedings remains mostly stable, with the exception of a significant reduction in the average length of second instance cases. This reduction is largely due to the fact that one of the courts had to resolve a large number of new cases in a short period of time, as indicated in the commentary for 039 Second instance courts (appeal): Number of 'other than criminal law' cases.
As in previous years, changes have been recorded in the data for this reporting year compared to the previous year regarding other types of court cases under 041 (Contested divorce cases, Termination cases, Insolvency cases, Robbery cases and Intentional homicide, Bribery cases, Influence peddling). It is important to place these differences in the following context. Primarily, the variations are registered within a relatively small number of cases, so the variations could be influenced significantly by the length of proceedings and other circumstances of individual cases (e.g. robberies and intentional homicides) or the registered variations are high percentage wise but they are not significant in absolute terms (e.g. litigious divorce cases, employment dismissal cases, insolvency cases). When it comes to the Bribery cases and Trading in influence cases, it is important to note that the prosecutors’ offices and the courts in Bosnia and Herzegovina process very often the corruption cases as the cases of the Abuse of Office (i.e. An official or responsible person who, by taking advantage of his office or official authority and by exceeding the limits of his official authority or by failing to perform his official duty, acquires a benefit to himself or to another person or causes damage to another person or seriously violates the rights of another, shall be punished by imprisonment). The statistics included in the reply for the Question 41 do not include the court cases in which Bribery and Trading in influence are dealt with together in conjunction with the Organized crime and other criminal offences.

(2023): In 2023, an average duration of proceedings continued to get reduced for the resolved first and third instance civil and commercial litigious cases, which is consistent with the decrease in the number of pending cases for both case categories during the reporting year. Unlike 2022, the average duration of second-instance civil and commercial cases rose slightly in 2023. This occurred mostly because the courts with the biggest number of pending cases resolved certain number of very old cases during the reporting year. It is important to note that the backlog of old first instance litigious small claims cases for unpaid utility bills is concentrated in the several first instance courts in the biggest cities in Bosnia and Herzegovina.
As in previous years, as far as other types of court cases are concerned under the Question 41 (Litigious divorce cases, Employment dismissal cases, Insolvency cases, Robbery cases, and Intentional homicides, Bribery cases, Trading in influence), it is important to put these differences into the following context. Primarily, the variations are registered within a relatively small number of cases, so the variations could be influenced significantly by the length of proceedings and other circumstances of individual cases (e.g. robberies and intentional homicides) or the registered variations are high percentage-wise but they are not significant in absolute terms (e.g. litigious divorce cases, employment dismissal cases, insolvency cases). When it comes to the Bribery cases and Trading in influence cases, it is important to note that the prosecutors' offices and the courts in Bosnia and Herzegovina process very often the corruption cases as the cases of the Abuse of Office (i.e. An official or responsible person who, by taking advantage of his office or official authority and by exceeding the limits of his official authority or by failing to perform his official duty, acquires a benefit to himself or to another person or causes damage to another person or seriously violates the rights of another, shall be punished by imprisonment). The statistics included in the reply for the Question 41 do not include the court cases in which Bribery and Trading in influence are dealt with together in conjunction with the Organized crime and other criminal offences.

(2022): Generally, the relevant indicators regarding civil and commercial litigious cases for the reference year are consistent with the statistical information for such cases in 2021. It is important to note that the backlog of old litigious small claims cases for unpaid utility bills is concentrated in the several first instance courts in the biggest cities in Bosnia and Herzegovina.
The average duration of second-instance litigation and economic resolved cases decreased significantly due to the increase in the number of resolved cases in the largest courts of second instance in Bosnia and Herzegovina.
As in previous years, as far as other types of court cases are concerned under the Question 41 (Litigious divorce cases, Employment dismissal cases, Insolvency cases, Robbery cases, and Intentional homicides, Bribery cases, Trading in influence), it is important to put these differences into the following context. Primarily, the variations are registered within a relatively small number of cases, so the variations could be influenced significantly by the length of proceedings and other circumstances of individual cases (e.g. robberies and intentional homicides) or the registered variations are high percentage-wise but they are not significant in absolute terms (e.g. litigious divorce cases, employment dismissal cases, insolvency cases). When it comes to the Bribery cases and Trading in influence cases, it is important to note that the prosecutors' offices and the courts in Bosnia and Herzegovina process very often the corruption cases as the cases of the Abuse of Office (i.e. An official or responsible person who, by taking advantage of his office or official authority and by exceeding the limits of his official authority or by failing to perform his official duty, acquires a benefit to himself or to another person or causes damage to another person or seriously violates the rights of another, shall be punished by imprisonment). The statistics included in the reply for the Question 41 do not include the court cases in which Bribery and Trading in influence are dealt with together in conjunction with the Organized crime and other criminal offences.

Montenegro

(2025): An increase in the average length of proceedings is observed in both the first instance (from 391 to 490 days) and the overall duration (from 399 to 511 days).
This corresponds to an increase of approximately 25% and 28%.
The increase is mainly due to a higher proportion of older and more complex cases being resolved during the reporting period, as well as cases processed

North Macedonia

(2025): Until now, these data were calculated manually by the courts. Starting this year, a new tool has been introduced in the software application for their automatic calculation. Additionally, the results in this reporting cycle are calculated using a new formula that provides a fully accurate picture of the duration of proceedings.

(2022): It must be emphasized that the data are collected manually from the ICT system in all courts within North Macedonia. After that, the data are calculated manually in the courts and in the Ministry of justice (Excel calculation). Some of data are only from one court (for example: 130 days at first instance - trading in influence cases). 2/27 from courts didn't answer correctly to the tables, so 2 courts are excluded from calculations. According to this, the collection of data for these questions is without guarantees for total accuracy.

Serbia

(2025): The average length of proceedings is calculated on the annual basis, and it is determined based on the following formula:
number of pending cases at the end Average duration = _____ x 365 number of disposed cases during the year With regard to civil and commercial litigious cases, these comprise all those specified in question no. 52.1, 54.1 and 56.1, and the relevant registers may be consulted within the response to question no.58.
Regarding administrative cases (Q.no. 52.3 and 56.3), relevant registers may be consulted within the response to question no.58 (under administrative cases).
With regard to criminal cases (severe and misdemeanor), these comprise all those specified in question no. 53.1, 53.2; 55.1, 55.2; and 57.1, 57.2, and the relevant registers may be consulted within the response to question no.59.

(2024): As already stated in previous reports only data on the insolvency cases is available (according to the calculation of the Commercial Appellate Court). The notable decrease in the average duration of second-instance proceedings (41 days in the 2025 report compared to 52 days in the 2024 report) is primarily due to the resolution of several long-standing bankruptcy cases, some of which had been pending for more than 20 years.
These cases concerned former socially-owned enterprises (including banks) whose assets were located in various republics of the former SFRY. Since the Agreement on Succession Issues did not address this matter, bankruptcy proceedings against such entities could not be concluded for years before the Commercial Court of Appeal.
In 2023, the Supreme Court issued four legal opinions in the field of commercial law, which facilitated the resolution or suspension of a number of these long-pending cases (see: https://www.vrh.sud.rs/sr/2023-0). This had a direct impact on reducing the average duration of proceedings before the second-instance commercial court.
According to the CEPEJ formula:
In 2023: 396 cases were resolved and 56 remained pending → average duration: 51,61 days
In 2024: 351 cases were resolved and 39 remained pending → average duration: 40,55 days

(2023): As already stated in previous reports only data on the insolvency cases is available (according to the calculation of the Commercial Appellate Court)

Question 61

Bosnia and Herzegovina
(2025): Overall, the statistics on the case flow of specific cases in the first instance courts, which are concerned under Q61, remain relatively stable in the reference year (i.e. 2025) compared to the previous relevant reporting period (i.e. 2022). Primarily, the variations exist within a relatively small number of cases. In addition, the registered variations are high percentage wise but they are not significant in absolute terms. It is important to note that certain number of pending criminal cases (i.e. robbery cases, homicide cases), which are older than 2 years, cannot be resolved due to the procedural gridlock that the courts cannot resolve (e.g. an accused person is not traceable). When it comes to the Bribery, Trading in influence, it is important to note that the prosecutors' offices and the courts in Bosnia and Herzegovina process very often the corruption cases as the cases of the Abuse of Office (i.e. An official or responsible person who, by taking advantage of his office or official authority and by exceeding the limits of his official authority or by failing to perform his official duty, acquires a benefit to himself or to another person or causes damage to another person or seriously violates the rights of another, shall be punished by imprisonment). In addition, the statistics included in the reply for Q61 do not include the court cases in which Bribery, Trading in influence, and Money laundering are dealt with together in conjunction with Organized crime and other criminal offences.

Question 62

Albania

(2025): Regarding categories such as suspended, transferred, joined/split, or reopened cases, these categories are treated dynamically within the prosecution case management system and do not always represent a definitive exit from the caseflow. Therefore, they may not always be directly reflected as 'processed cases', since their procedural status may change during the reporting period. For example, cases initially dismissed may later be returned by the court for further investigation, or cases sent for trial may be returned during the preparatory hearing phase for additional investigative actions, thus re-entering the active caseflow.
So, in line with the solution suggested, these categories may be reflected under 'discontinued for other reasons', in order to ensure horizontal consistency of the data.

Question 62-a

Bosnia and Herzegovina
(General Comment): Traffic offence cases are dealt with by the courts under the legislation on misdemeanor proceedings. In general, the misdemeanor offences are determined by the law and other regulations as violations of public order punishable by fines. The police, not the prosecution, initiate and present traffic offence cases in the courts.

Montenegro
(2025): The displayed data refer to known adult, minor and legal entities perpetrators. Numbers 1,2,3 and 4 are shown by cases. Number 3.1,3.1.1,3.1.2,3.1.3,3.2 and 3.3 are shown by persons/ perpetrators. Prosecutors make decisions by perpetrators in cases where there are more than one perpetrator, and those decisions may be different by perpetrator.

North Macedonia
(2025): Presented data are not on the category of cases but offenders.
3.1.3 Discontinued for other reasons -

Serbia
(2025): According to the Public Prosecution statistical reporting methodology, all data presented in this table reffer to number of known adult suspects/defendants, not to number of cases.
Please note that data presented in column 3.2. Concluded by a penalty or a measure imposed or negotiated by the public prosecutor were excluded from the column 3. Processed cases, since that data in already included in 3.3. Cases brought to court in order to avoid double counting of the same data.

Kosovo*

(2025): The statistics reported in the table are in PERSONS.
So in the beginning of 2025 there were cases for 30,184 persons pending (adult and juvenile). There were cases received for 32,735 persons.
3.1. For 10,627 persons the cases were discontinued for the following reasons:
3.1.2. Discontinued by the public prosecutor for reasons of opportunity for 482 persons (Juvenile)
3.1.3. Discontinued for other reasons for 10,145 persons (adults and Juvenile) as follows:
- For 5,774 persons the criminal reports were dismissed (Adult)
- For 1,947 persons the investigation was terminated (adult)
- For 13 persons the procedure was terminated due to statute of limitation (adult)
- For 1,605 persons sent to competency (adult)
- For 119 persons the preparatory procedure was terminated (juvenile)
- For 451 persons the criminal reports were dismissed (juvenile)
- For 236 persons solved in other ways (juvenile)

3.2. Concluded by a penalty or a measure imposed or negotiated by the public prosecutor for 553 persons (adult and juvenile)
- For 135 persons measures for compulsive treatment were imposed (adult and juvenile)
- For 133 persons through mediation (juvenile)
- For 285 persons diversity measures were imposed (juvenile)

3.3 Cases brought to court for trial for 19,004 persons
- For 7,433 persons direct indictment (adult)
- For 1,786 persons indictment for issuing a punitive order(adult)
- For 8,654 persons indictment after the investigative procedure (adult)
- For 204 persons proposal for disciplinary measures (juvenile)
- For 755 persons proposal for measures of intensive supervision (juvenile)
- For 117 persons proposal for institutional measures (juvenile)
- For 17 persons proposal for fine (juvenile)
- For 10 persons proposal for Order for community service work (juvenile)
- For 28 persons proposal for juvenile imprisonment sentence

Question 62-b

Bosnia and Herzegovina
(General Comment): Traffic offence cases are dealt with by the courts under the legislation on misdemeanor proceedings. In general, the misdemeanor offences are determined by the law and other regulations as violations of public order punishable by fines. The police, not the prosecution, initiate and present traffic offence cases in the courts.

(2025): Out of 19 593 received cases in 2025 in this category, the prosecutors' offices in Bosnia and Herzegovina received 48% of cases in which their perpetrators could not be identified by the police when the case was filed (KTN cases), while the prosecutors' offices received 52% of cases in which a prosecutor needs to preliminarily establish if an illegal behavior constitutes a criminal act (KTA cases).
Prosecutors are not responsible for traffic offences.
Namely, in Bosnia and Herzegovina traffic offences (e.g. speeding) are dealt with by police as minor offences. When the legal conditions are met, the police submit a request to initiate misdemeanor proceedings against the perpetrator of the misdemeanor to the competent court of general jurisdiction.
Other minor offences are violations of public order or of regulations on economic and financial operations defined as such by laws or other regulations. The following sanctions may be imposed upon a person found responsible for commission of a minor offence: fine, suspended sentence, reprimand, and protective measures. The following protective measures may be imposed as a consequence of being found responsible for committing a minor offence: confiscation of gains; obligation to compensate damages; penalty points; and deprivation of liberty to compel payment of a fine.

Question 62-c

Albania

(2025): GPO-Article 328 of the Criminal Procedure Code Dismissal of charge or case 1. Upon termination of preliminary investigations, where it is proceeded against criminal misdemeanours, the prosecutor shall decide on dismissing the charge or case when: a) it is clear that the fact does not exist; b) the fact is not provided for by law as a criminal offence; c) the victim has not lodged a complaint or waives it, in cases where the proceedings are initiated on his request;)
ç the person cannot be taken as defendant or he may not be punished; d) there exists a reason that extinguishes the criminal offence or for which the criminal proceedings should not be initiated or continued; dh) it is proven that the defendant has not committed the offence or it is not proven that the defendant has committed the offence; e) the defendant has been adjudicated by a final court decision for the same act;)
ë the defendant dies; f) in other cases provided for by the law.
2. The prosecutor shall, within 5 days of the decision on dismissal being made, notify the defendant, his defence lawyer, the victim and their heirs, when their identity and domicile results from the proceeding acts, as well as the person having filed the criminal report or complaint, thus making known the right to get to know the acts, to take copies thereof and to file an appeal before the court.
Article 329/a Request for dismissal of a charge or case 1. Upon termination of the preliminary investigations, when it is being proceeded for crimes and when any of the cases provided for in paragraph 1 of Article 328 of this Code occurs, the prosecutor asks the judge of the preliminary hearing to dismiss the charge or the case.
2. In cases where the prosecutor has filed a request to send the case to trial, the request for dismissal of the charge or case, shall be adjudicated jointly with the request for sending the case to trial. 3. All acts and documents contained in the investigation file shall be attached to the request of the prosecutor, including also the acts carried out before the judge of preliminary investigations, as well as material evidence, unless they are stored in another location.
4. The request is notified to the defendant, their defence lawyer, the victim or their heirs, when their identity and residence emerge from proceedings acts, as well as to the person who has filed the criminal report or the complaint. They have the right to have access to the acts and evidence, and to take copies of them.
GPO-The prosecutor plays a central role in initiating and negotiating these 2 institutions, a penalty order and a plea agreement, which may be concluded with the defendant only when the legal conditions set out in the Criminal Procedure Code are met. Once the agreements are reached, they are submitted to the court for judicial review, and the court has the authority to approve or reject them. The data presented in the table reflect the number of requests submitted by prosecutors to the court, not the court's decisions.The data entered in the table (point 3.2), refers only to the requests of the prosecutor in front of the court, pursuant to the Criminal Procedure Code, articles Article 406/a- 406/ç for the penalty order and articles 406/d-406/f for the guilty plea agreement.
Specifically;
"Article 406/a
Request for approval of the penalty order
1. When the defendant is accused for committing a misdemeanour, the prosecutor, within three months from the registration of the name of the person to whom the criminal offence is attributed, shall issue a reasoned penalty order determining the punishment and request its approval by the court, if he deems that a prison sentence shall not apply.

(2024): 2. Incoming/received cases- Proocedings registered for the year 2024.
3.1.1 -In albanian legislation this figure refers to suspension of investigation Art. 326 of Criminal Procedure Code Suspension of the investigation
“1. In case the defendant is unknown, or when the defendant suffers from a serious illness which prevents further investigations, the prosecutor shall decide the suspension of investigations....”
3.1.2- In albania legislation the legal defition in this table, refers to non initiation of investigation by the prosecutor, Art. 290 of the Albanian CPC. “Criminal proceedings shall not commence when:
A the person has died;
B the person has no criminal responsibility or has not reached the criminal liability age;
C the complaint of the victim is lacking or he/she withdraws the complaint;
Ç the act is not provided by law as a criminal offence or when it is clearly proven that the act does not exist;
D the criminal offence has been extinct;
Dh an amnesty has been issued;
E in all other cases provided for by the law.”
Following the clarification provided by the General Prosecutor's Office of Albania, it is important to note that the data reported under 3.1.2 ("Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation") do not represent criminal proceedings that were initiated and later discontinued. According to Article 290 of the Albanian Criminal Procedure Code, the figures reported under 3.1.2 refer to criminal complaints or referrals for which a decision was made not to initiate proceedings, and that were therefore never registered as official cases.
Furthermore, these cases are not included under "incoming cases" in the questionnaire, as they do not enter the official procedural flow. This methodological difference explains the apparent inconsistency in the data, as these complaints are not aligned with the CEPEJ definition of "discontinued cases".

(2023): 2. Incoming/received cases Procedings registered for the year 2023.
3.1.1 In albanian legislation this figure refers to suspension of investigation Art. 326 of Criminal Procedure Code

Bosnia and Herzegovina

(2024): Around 84% of pending cases on 31 December 2024 were cases involving criminal acts in which their perpetrators could not be identified by police when the case was filed, cases in which a prosecutor needs to preliminarily establish if an illegal behavior constitutes a criminal act. Additionally, around 16% of pending cases were cases against known minor and adult perpetrators. These cases are considered to be more important for the society and the criminal justice system compared to the other group of cases (cases involving criminal acts in which their perpetrators could not be identified by police when the case was filed, cases in which a prosecutor needs to preliminarily establish if an illegal behavior constitutes a criminal act). The number of unresolved cases in prosecutor's offices at the end of 2023 is lower by about 18000 than the number of unresolved cases at the beginning of 2024. This inconsistency occurred because during 2024, the High Judicial and Prosecutorial Council of Bosnia and Herzegovina and some prosecutor's offices noticed in the Case Management System in prosecutor's offices that some prosecutors did not mark as completed cases that were resolved in previous years. Mostly these were cases involving criminal acts in which their perpetrators could not be identified by police when the case was filed, cases in which a prosecutor needs to preliminarily establish if an illegal behavior constitutes a criminal act. As a result, these cases were marked during the reporting year as resolved in the Case Management System in Prosecutor's Offices, which led to the aforementioned inconsistency in the data on the work of prosecutors' offices.

(2023): Around 88% of pending cases on 31 December 2023 were cases involving criminal acts in which their perpetrators could not be identified by police when the case was filed, cases in which a prosecutor needs to preliminarily establish if an illegal behavior constitutes a criminal act. Additionally, around 12% of pending cases were cases against known minor and adult perpetrators. These cases are considered to be more important for the society and the criminal justice system compared to the other group of cases (cases involving criminal acts in which their perpetrators could not be identified by police when the case was filed, cases in which a prosecutor needs to preliminarily establish if an illegal behavior constitutes a criminal act).

Montenegro

(2024): Source: According to the data from Annual Work Report by Prosecutorial Council
3.3. indictments and plea bargains that go to court
3.2 includes opportunity
Note: since having only these categories filled, 3.1.4 has been calculated the rest of cases, ensuring vertical consistency
These figures refer to the number of perpetrators rather than the number of cases.

(2023): Some PPO offices in points 3.1 3.1.1, 3.1.2, 3.1.3 and 3.1.4 provided data on reported persons because they were not able to differentiate data as requested in the questionnaire. That is one of the reasons number do not sum up.

North Macedonia

(2024): Presented data are not on the category of cases but offenders.
This year we have available date for Penal warrant and indictment for children. Therefore we included this number in the category of resolved cases (Penal warrant-4345+ indictment 1188 + indictment application-4501+indictment for children-669=10703).
This year under the category „offender could not be identified“ we put NAP due to the fact that in our legal system these cases are ongoing and not discontinued. However, we count this cases under the category incoming cases/ 4546 as unknown offender.

(2023): Presented data are not on the category of cases but offenders.

Serbia

(2024): According to the Public Prosecution statistical reporting methodology, all data presented in this table refer to number of known adult suspects/defendants, and not to the number of cases.
Data presented in 3.2 "Concluded by a penalty or a measure imposed or negotiated by the public prosecutor" were excluded from the total of processed cases, since that data is already included in 3.3 "Cases brought to court" to avoid double counting.

(2023): According to the Public Prosecution statistical reporting methodology, all data presented in this table reffer to number of known adult suspects/defendants, not to overall number of cases. Data presented in 3.2 "Concluded by a penalty or a measure imposed or negotiated by the public prosecutor" were excluded from the total of processed cases, since that data is already included in 3.3 "Cases brought to court" to avoid double counting.

Question 63-0

Albania

(General Comment): The principle of the independence of public prosecution service is enriched in Article 148, of the Constitution, where it is confirmed that, the prosecution is an independent institution which guarantee well-functioning of, the control of its activity and respect the independence of the prosecutors during criminal investigation, according to the law. Article 149 of the Constitution establishes the High Prosecutorial Council as the independent governing body mandated to guarantee the independence, accountability, discipline, status and career of prosecutors.
Also, in Article 3, of the Law “On the status of judges and prosecutors in the Republic of Albania”, as amended and in Articles 3, 4 and 6 of the Law "On the organization and functioning of the Prosecution in the Republic of Albania", as amended, is provided that prosecutors exercise their functions in an independent way and the law guarantees the necessary independence and autonomy for decision-making during the exercise by prosecutors of their constitutional and legal function, regardless of illegal internal or external influence from any public or private authority. According to Article 148/b, letter “ç”, of the Constitution, the General Prosecutor propose and administer the budget of the prosecution office. Also, in Article 40, of the Law "On the organization and functioning of the Prosecution in the Republic of Albania", as amended, the prosecution has an independent budget, as part of the state budget and is provided in a separate item.
Article 148 of the Constitution of Albania
1. The Prosecution Office exercises criminal prosecution and represents accusation in court on behalf of the state. The Prosecution Office performs other duties in accordance with the law.
2. The Prosecution Office is an independent body, which shall ensure the coordination and control of its actions as well as respects the internal independence of prosecutors to investigate and prosecute, in accordance with the law.
3. The prosecution is organized and functions near the judiciary system.
4. A Special Prosecution Office, which is independent from the Prosecutor General, and an independent investigation unit, shall investigate and prosecute corruption, organized crime and crimes in accordance with article 135 paragraph 2 of the Constitution. The independent investigation unit shall be subordinate to the Special Prosecution Office.

(2025): Article 148 of the Albanian Constitution
1. The Prosecution Office exercises criminal prosecution and represents accusation in court on behalf of the state. The Prosecution Office performs other duties defined by law. 2. The Prosecution Office is an independent body, which shall ensure the coordination and control of its actions as well as respects the internal independence of prosecutors to investigate and prosecute, in accordance with the law. 3. The prosecution is organized and functions attached to the judiciary system. 4. The Special Prosecution Office and the Special Investigation Unit for the prosecution and investigation of criminal offences of corruption, organized crime and crimes in accordance with Article 135 paragraph 2 of the Constitution shall be independent from the Prosecutor General. The Special Investigation Unit shall be subordinated to the Special Prosecution Office.

(2024): The principle of the independence of public prosecution service is enriched in Article 148, of the Constitution, where it is confirmed that, the prosecution is an independent institution which guarantee well-functioning of, the control of its activity and respect the independence of the prosecutors during criminal investigation, according to the law. Article 149 of the Constitution establishes the High Prosecutorial Council as the independent governing body mandated to guarantee the independence, accountability, discipline, status and career of prosecutors.
Also, in Article 3, of the Law “On the status of judges and prosecutors in the Republic of Albania”, as amended and in Articles 3, 4 and 6 of the Law "On the organization and functioning of the Prosecution in the Republic of Albania", as amended, is provided that prosecutors exercise their functions in an independent way and the law guarantees the necessary independence and autonomy for decision-making during the exercise by prosecutors of their constitutional and legal function, regardless of illegal internal or external influence from any public or private authority. According to Article 148/b, letter “ç”, of the Constitution, the General Prosecutor propose and administer the budget of the prosecution office. Also, in Article 40, of the Law "On the organization and functioning of the Prosecution in the Republic of Albania", as amended, the prosecution has an independent budget, as part of the state budget and is provided in a separate item.

Bosnia and Herzegovina

(General Comment): The judicial system in in Bosnia and Herzegovina is consisted of both courts and prosecutor's offices, as mutually independent institutions in performing their powers. The law establishes prosecutor's offices and courts as autonomous institutions. Judges and prosecutors are considered to be judicial office holders. The High Judicial and Prosecutorial Council of Bosnia and Herzegovina– an institution with mixed composition- appoints judges and prosecutors; it has identical competences over issues regarding both judges and prosecutors/courts and prosecutor's offices. The same legislation regulates salaries of public prosecutors and judges. Prosecutor's offices have their own respective budgets, adopted by parliaments in the procedure applicable to all other public institutions. Pursuant to the specific legislation regulating the legal status of prosecutors' offices in Bosnia and Herzegovina, they constitute independent authorities which prosecute perpetrators of criminal offenses and file legal expedients for the purpose of protecting legality and constitutionality. Public prosecution offices shall perform their functions on the basis of the constitution and the law. No one shall have the right to influence the public prosecutor's office in the execution of its constitutional and legal functions.

The basic right and the basic duty of the prosecutor is the detection and prosecution of perpetrators of criminal offenses. The prosecutor has have the following rights and duties: a) as soon as the prosecutor becomes aware that there are grounds for suspicion that a criminal offense has been committed, to take necessary steps to discover it and investigate it, to identify the suspect(s), guide and supervise the investigation, as well as direct the activities of authorized officials pertaining to the identification of suspect(s) and the gathering of information and evidence; b) to conduct an investigation in accordance with the law; c) to grant immunity in accordance with law; d) to request information from governmental bodies, companies and other physical and legal persons; e) to issue summonses and orders and to propose the issuance of summonses and orders in accordance with the law; f) to order authorized officials to execute an order issued by the court as provided by the law; g) to propose the issuance of a warrant for pronouncement of the sentence; h) to issue and defend indictment before the court; i) to file legal remedies; j) to perform other tasks as provided by the law.

The Chief Prosecutor shall have the right and duty to give mandatory instructions to the public prosecutor regarding his/her work, and may, apart from that: take certain actions which are in the competence of the public prosecutor; authorize a different public prosecutor to process individual cases that are within the competence of the public prosecutor; authorize a public prosecutor to perform individual activities that are within the competence of another public prosecutor. The Chief Prosecutor may perform criminal prosecution within the competence of a public prosecutor, and in doing so, s/he may: undertake necessary measures related to detection of crimes and identification of perpetrators with the purpose of directing preceding criminal proceedings; request investigation conduct; bring and represent indictment, i.e. indictment proposals and other proposals before competent court; file appeals against unlawful court decisions, i.e. withdraw already filed appeals.

The High Judicial and Prosecutorial Council of Bosnia and Herzegovina has the following competencies: appointing Chief Prosecutors, Deputy Chief Prosecutors and prosecutors; receiving complaints against prosecutors, conducting disciplinary proceedings, determining disciplinary liability, and imposing disciplinary measures on prosecutors; deciding upon appeals in disciplinary proceedings; deciding upon suspensions of prosecutors; deciding upon issues of incompatibility of other functions performed by prosecutors; deciding upon the temporary assignment or transfer of prosecutors to another prosecutor's office; supervising the advanced professional training of prosecutors and advising the Centers for Judicial and Prosecutorial Training in their adoption of programmes of advanced professional training for prosecutors; determining the minimum amount of advanced professional training to be undertaken by every prosecutor each year; determining the induction training for candidates chosen for prosecutorial office and supervising the provision of such

Montenegro

(General Comment): Constitution of Montenegro
STATE PROSECUTION
Status and responsibility
Article 134
The State Prosecution shall be a unique and independent state authority that performs the affairs of prosecution of the perpetrators of criminal offenses and other punishable acts who are prosecuted ex officio.

(2025): Article 134 of the Constitution of Montenegro provides that the State Prosecutor's Office is a unified and independent state body responsible for prosecuting perpetrators of criminal offences and other punishable acts prosecuted ex officio.

North Macedonia

(General Comment): The guarantees are part of the Constitution and the Law on Public Prosecution office.
Constitution of Republic of North Macedonia
Article 106
Public Prosecution Office
The Public Prosecution Office is a single and autonomous state body prosecuting persons that have committed crimes and other punishable acts determined by a law and performs other activities determined by a law.
The Public Prosecution Office performs its duties on the basis of the Constitution and the laws and the international agreements ratified in accordance with the Constitution.
The function of the Public Prosecution Office is performed by the public prosecutor of the Republic of North Macedonia and by the public prosecutors.
The competences, establishment, termination, organization and operation of the Public Prosecution Office is regulated by a law adopted by a two thirds majority vote of the total number of representatives.
The public prosecutor of the Republic of North Macedonia is appointed and dismissed by the Assembly of the Republic of North Macedonia for a term of six years with the right to reelection.
The public prosecutors are elected by the Council of Public Prosecutors without limitation of the duration of the term of office.
Law on Public Prosecution office (2020)
Article 2
The public prosecutor's office shall be the sole independent state body prosecuting perpetrators of criminal offences and other acts punishable by law, and performs other duties as stipulated by law.
Article 3
The public prosecutor's office shall be organized according to the principles of hierarchy and subordination.
The public prosecutor's office shall be an independent state body.
The observance of the principles referred to in paragraph (1) of this Article shall not jeopardize the independence and responsibility of each public prosecutor in the performance of their function.
Article 6
The public prosecutorial office is incompatible with the performance of any other public office or profession, except in cases determined by law or in case of membership of a political party or participation in the activities of a political party.

(2025): The guarantees are part of the Constitution and the Law on Public Prosecution office.
Constitution of Republic of North Macedonia
Article 106
Public Prosecution Office
The Public Prosecution Office is a single and autonomous state body prosecuting persons that have committed crimes and other punishable acts determined by a law and performs other activities determined by a law.
The Public Prosecution Office performs its duties on the basis of the Constitution and the laws and the international agreements ratified in accordance with the Constitution.
The function of the Public Prosecution Office is performed by the public prosecutor of the Republic of North Macedonia and by the public prosecutors.
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The public prosecutor's office shall be the sole independent state body prosecuting perpetrators of criminal offences and other acts punishable by law, and performs other duties as stipulated by law.
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The public prosecutor's office shall be organized according to the principles of hierarchy and subordination.
The public prosecutor's office shall be an independent state body.
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Article 6
The public prosecutorial office is incompatible with the performance of any other public office or profession, except in cases determined by law or in case of membership of a political party or participation in the activities of a political party.

Serbia

(General Comment): "CONSTITUTION OF THE REPUBLIC OF SERBIA ("Official Gazette of RS", no. 98/2006 and 115/2021)
8. Public prosecutions
Position
Article 155
The Public Prosecutor's Office is a unique and independent state body that prosecutes perpetrators of criminal and other punishable acts and performs other responsibilities that protect the public interest determined by law.
The Public Prosecutor's Office exercises its powers on the basis of the Constitution, confirmed international treaties, laws, generally accepted rules of international law and other general acts adopted in accordance with the law.
No one outside the Public Prosecutor's Office can influence the Public Prosecutor's Office and the holders of the Public Prosecutor's office in handling and deciding on a particular case.
The establishment, termination, organization and jurisdiction of the public prosecutor's office are regulated by law.
The highest public prosecution in the Republic of Serbia is the Supreme Public Prosecutor's Office, which is headed by the Supreme Public Prosecutor.
The function of public prosecution is performed by the Supreme Public Prosecutor, Chief Public Prosecutors and Public Prosecutors.
The supreme public prosecutor and the chief public prosecutor in the management of public prosecutions have hierarchical powers in relation to the actions of lower chief public prosecutors and public prosecutors in a specific case.
Hierarchical powers and legal remedies against them are more closely regulated by law.
Responsibility
Article 156
The supreme public prosecutor is responsible for the work of the public prosecution and his work to the National Assembly. The Supreme Public Prosecutor is not responsible to the National Assembly for handling a particular case.
The Chief Public Prosecutor is responsible for the work of the Public Prosecutor's Office and for his work to the Supreme Public Prosecutor and the immediately superior Chief Public Prosecutor, in accordance with the law.
Public prosecutors are responsible for their work to the chief public prosecutor, in accordance with the law.
Mandatory instructions for the actions of the chief public prosecutor and public prosecutors
Article 157
The Supreme Public Prosecutor issues general mandatory instructions for the actions of all chief public prosecutors in order to achieve legality, effectiveness and uniformity in their actions.

(2024): CONSTITUTION OF THE REPUBLIC OF SERBIA ("Official Gazette of RS", no. 98/2006 and 115/2021)
8. Public prosecutions
Position
Article 155
The Public Prosecutor's Office is a unique and independent state body that prosecutes perpetrators of criminal and other punishable acts and performs other responsibilities that protect the public interest determined by law.
The Public Prosecutor's Office exercises its powers on the basis of the Constitution, confirmed international treaties, laws, generally accepted rules of international law and other general acts adopted in accordance with the law.
No one outside the Public Prosecutor's Office can influence the Public Prosecutor's Office and the holders of the Public Prosecutor's office in handling and deciding on a particular case.
The establishment, termination, organization and jurisdiction of the public prosecutor's office are regulated by law.
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The function of public prosecution is performed by the Supreme Public Prosecutor, Chief Public Prosecutors and Public Prosecutors.
The supreme public prosecutor and the chief public prosecutor in the management of public prosecutions have hierarchical powers in relation to the actions of lower chief public prosecutors and public prosecutors in a specific case.
Hierarchical powers and legal remedies against them are more closely regulated by law.
THE LAW ON THE PUBLIC PROSECUTOR'S OFFICE ("Official Gazette of RS", No. 10/2023)Public prosecution
Article 2
The Public Prosecutor's Office is a unique and independent state body that prosecutes perpetrators of criminal and other punishable acts and performs other responsibilities that protect the public interest determined by law.
The Public Prosecutor's Office exercises its competences on the basis of the Constitution, a confirmed international treaty, laws, generally accepted rules of international law and other general acts adopted in accordance with the law.

(2023): CONSTITUTION OF THE REPUBLIC OF SERBIA
("Official Gazette of RS", no. 98/2006 and 115/2021)
8. Public prosecutions
Position
Article 155
The Public Prosecutor's Office is a unique and independent state body that prosecutes perpetrators of criminal and other punishable acts and performs other responsibilities that protect the public interest determined by law.
The Public Prosecutor's Office exercises its powers on the basis of the Constitution, confirmed international treaties, laws, generally accepted rules of international law and other general acts adopted in accordance with the law.
No one outside the Public Prosecutor's Office can influence the Public Prosecutor's Office and the holders of the Public Prosecutor's office in handling and deciding on a particular case.
The establishment, termination, organization and jurisdiction of the public prosecutor's office are regulated by law.
The highest public prosecution in the Republic of Serbia is the Supreme Public Prosecutor's Office, which is headed by the Supreme Public Prosecutor.
The function of public prosecution is performed by the Supreme Public Prosecutor, Chief Public Prosecutors and Public Prosecutors.
The supreme public prosecutor and the chief public prosecutor in the management of public prosecutions have hierarchical powers in relation to the actions of lower chief public prosecutors and public prosecutors in a specific case.
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Article 2
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The Public Prosecutor's Office exercises its competences on the basis of the Constitution, a confirmed international treaty, laws, generally accepted rules of international law and other general acts adopted in accordance with the law.

(2022): Constitution of the Republic of Serbia, Article 155 (1): The Public Prosecutor's Office is a unique and independent state body that prosecutes perpetrators of criminal and other punishable acts and performs other responsibilities that protect the public interest determined by law.

Kosovo*

(General Comment): State Prosecutors and the Kosovo Prosecutorial Council are independent institutions whose independence is guaranteed by the Constitution and by law.

(2025): Based on Kosovo Constitution, under Chapter VII Justice System:
Article 109 [State Prosecutor]
1. The State Prosecutor is an independent institution with authority and responsibility for the prosecution of persons charged with committing criminal acts and other acts specified by law.
Article 110 [Kosovo Prosecutorial Council]
1. The Kosovo Prosecutorial Council is a fully independent institution in the performance of its functions in accordance with law. The Kosovo Prosecutorial Council shall ensure that all persons have equal access to justice. The Kosovo Prosecutorial Council shall ensure that the State Prosecutor is independent, professional and impartial and reflects the multiethnic nature of Kosovo and the principles of gender equality.

(2024): State Prosecutor and Kosovo Prosecutorial Council are independent institutions whose independence is guaranteed with Constitution and law.

(2023): State Prosecutor and Kosovo Prosecutorial Council are independent institutions whose independence is guaranteed with Constitution and law.

(2022): State Prosecutors and the Kosovo Prosecutorial Council are independent institutions whose independence is guaranteed by the Constitution (Articles 109-110), the Law on State Prosecution (Article 3), and the Law on the Kosovo Prosecutorial Council (Articles 3-4).

Question 63

Albania

(General Comment): GPO- According to the Criminal Procedure Code of the Republic of Albania, the prosecutor plays a central and leading role in the criminal process, from the moment information about a criminal offence is received until the case is brought before the court. The prosecutor conducts criminal prosecution and represents the accusation before the court on behalf of the State. The prosecutor directs and controls preliminary investigations, supervises the activity of the judicial police, and is entitled to carry out any investigative action deemed necessary for establishing the acussation.
In this context, the prosecutor is the authority that decides on the initiation or non-initiation of criminal proceedings, the dismissal of the case or the charges, as well as on requesting that the case be brought to trial, in accordance with the cases and criteria provided by law. The prosecutor may also conclude cooperation agreements with collaborators of justice, reach agreements on the admission of guilt and the determination of the sentence, or submit a request to the court for the approval of a penal order. The prosecutor initiates where the law does not require a complaint by the victim, criminal prosecution ex officio.
The prosecutor exercises his or her functions independently, in accordance with the rules provided by law. Prosecutors of first instance exercise these functions during preliminary investigations and first-instance proceedings, and by prosecutors of appeal and the High Court in appealed cases. With regard to the judicial police, the Criminal Procedure Code establishes a clear relationship of functional subordination. The judicial police are obliged to become aware of criminal offences, prevent further consequences, identify perpetrators, and conduct investigations; however, all investigative actions are carried out under the orders and delegation of the prosecutor. Judicial police officers act as auxiliary bodies in support of the exercise of criminal prosecution.
The judicial police are accountable to the prosecutor for the activities carried out during criminal proceedings, are obliged to carry out the tasks assigned by the prosecutor, and must promptly inform the prosecutor of the results of the actions undertaken.
The prosecutor is therefore the authority that leads, supervises, and takes the key decisions throughout the criminal process, while the judicial police perform auxiliary and executive investigative functions under the functional authority of the prosecutor. This framework ensures a balance between the efficiency of investigations, procedural legality, and the independence of the prosecutor in the exercise of his or her constitutional and legal functions.

Bosnia and Herzegovina

(General Comment): PUBLIC PROSECUTOR:
Pursuant to the criminal procedure legislation in Bosnia and Herzegovina, the basic duty of the prosecutor is the detection and prosecution of perpetrators of criminal offenses. The prosecutor has the following powers: a) as soon as the prosecutor becomes aware that there are grounds for suspicion that a criminal offense has been committed, to take necessary steps to discover it and investigate it, to identify the suspect(s), guide and supervise the investigation, as well as direct the activities of authorized officials pertaining to the identification of suspect(s) and the gathering of information and evidence; b) to conduct an investigation in accordance with the law; c) to grant immunity in accordance with law; d) to request information from governmental bodies, companies and other physical and legal persons; e) to issue summonses and orders and to propose the issuance of summonses and orders in accordance with the law; f) to order authorized officials to execute an order issued by the court as provided by the law; g) to propose the issuance of a warrant for pronouncement of the sentence; h) to issue and defend indictment before the court; i) to file legal remedies; j) to perform other tasks as provided by the law.
According to the legislation in Bosnia and Herzegovina on the protection and treatment of children and minors in criminal proceedings, prosecutor may end the cases against juvenile offenders by imposing certain types of criminal sanctions - i.e. cases in which prosecutors impose educational measures against minor defendants without bringing them to court. In addition, for criminal offenses punishable by a fine or imprisonment of up to five years, the prosecutor may decide not to initiate preliminary proceedings even if there is evidence that the minor has committed a criminal offense, if he considers that it would not be appropriate to conduct proceedings against the minor, taking into account the nature of the criminal offense and the circumstances under which it was committed, the minor's previous life, and his personal characteristics. The prosecutor may act in the same manner in the case of a criminal offense punishable by imprisonment of more than five years if such action is in accordance with the principle of proportionality as stated in Article 9 of this law. To determine these circumstances, the prosecutor may request information from the parents, i.e., the guardian of the minor, other persons and institutions, and when necessary, may summon these persons and the minor for direct information. The prosecutor seeks the opinion of the guardianship authority on the appropriateness of initiating proceedings against the minor.
JUDGE:
The preliminary proceeding judge is a judge who acts during the investigative procedure in accordance with the criminal procedure legislation in Bosnia and Herzegovina. For example, the preliminary proceedings judge decides at the request of the prosecutor on the issuance of a search warrant.
POLICE: An authorised official person is a person having an appropriate authorisation within the police authorities in Bosnia and Herzegovina. In acordance with the criminal procedure legislation in Bosnia and Herzegovina, if there are grounds for suspicion that a criminal offense has been committed that carries a prison sentence of more than five (5) years, an authorized official shall immediately inform the prosecutor and shall under the Prosecutor’s direction take the steps necessary to locate the perpetrator, to prevent the suspect or accomplice from hiding or fleeing, to detect and secure the clues to the criminal offense and objects which might serve as evidence, and to gather all information that might be of use for the criminal proceedings. If there are grounds for suspicion that a criminal offense has been committed that carries a prison sentence of more than five (5) years, and the delay would pose a risk, an authorized official is obligated to carry out necessary actions in order to fulfil the above mentioned tasks. When carrying out these actions, the authorized official is obligated to act in accordance with the criminal procedure legislation. The authorized official shall be bound to inform the prosecutor on all taken

Montenegro

(2025): According to the Criminal Procedure Code, the State Prosecutor directs the investigation and issues an order for the conduct of an investigation where there are reasonable grounds to suspect that a criminal offence has been committed. The police act upon the orders of the State Prosecutor, collect evidence and undertake investigative actions. The investigating judge decides on the imposition of coercive measures (such as detention and searches).
The State Prosecutor plays a central role in the pre-investigation and investigation phases of criminal proceedings. The prosecutor is competent for the prosecution of perpetrators of criminal offences prosecuted ex officio and directs the proceedings. In this capacity, the State Prosecutor directs and supervises the work of the police and other competent authorities in the pre-investigation phase, adopts decisions on the initiation and conduct of investigations, undertakes evidentiary actions, decides on the deferral of criminal prosecution or the dismissal of criminal complaints, concludes plea agreements, and files and represents indictments or charging proposals before the competent court.
The police and other state authorities (such as customs and tax authorities, military police and others) participate in the detection of criminal offences and their perpetrators, undertake actions within the pre-investigation phase and act upon the binding orders of the State Prosecutor. Except in urgent circumstances, they are obliged to notify the State Prosecutor prior to undertaking such actions and to act in accordance with the prosecutor's instructions.
At this stage, the court does not decide on criminal liability, but participates through the judicial control of the legality of specific procedural actions, particularly by deciding on measures that interfere with fundamental rights and freedoms (for example detention and special investigative measures), in accordance with the law.
Accordingly, prior to trial, criminal proceedings are conducted under the direction of the State Prosecutor, with operational activities carried out by the police and other competent authorities, and with judicial oversight ensuring the legality of the most significant procedural measures.
The investigating judge decides on detention and other measures involving human rights matters

North Macedonia

(2025): According to the Law on Criminal Procedure, the investigative procedure is conducted by the competent public prosecutor, with the judicial police at his disposal. The judicial police include the Ministry of Interior, the Financial Police, officials of the Customs Administration working on the detection of criminal offences, and officials of the Ministry of Defence working on the detection and reporting of criminal offences.
The public prosecutor shall reject the criminal charges with a decision, if, from the criminal report itself, one may conclude that the reported crime is not a criminal offense that is being prosecuted ex-officio, or if the statute of limitation applies or if the criminal offense is subject to amnesty or pardon, or if there are other circumstances that exclude any prosecution or if there are no grounds for suspicion that the reported person has committed the crime.
According to the Article 43 „Conditional postponement of the criminal prosecution“ paragraph 1 form CPC, in agreement with the injured party, the public prosecutor, with a decision, may postpone the criminal prosecution for a criminal offense that entails a prison sentence of up to three years, if the suspect is willing to behave according to the instructions given by the public prosecutor and fulfill certain obligations that would reduce or eliminate the harmful consequences from the criminal offense, put an end to the disturbances that have resulted from the criminal offense, i.e. influence is exerted in order to reintegrate the suspect. Such obligations may include the following:
1) obviating or compensating for the damages;
2) returning any items that have been taken away;
3) making a monetary contribution in favor to the Budget of Republic of Macedonia or to some other institution with a public authority or for humanitarian purposes;
4) fulfilling any obligations regarding subsistence;
5) undergoing treatment for any addictions;
6) undergoing psychosocial therapy in order to eliminate any violent behavior;
7) prohibited visits or contacts with the victims of the crime as well as with third parties as determined by the public prosecutor for a period that shall not exceed six months;
8) community work in a duration of 40-120 hours; or
9) when the conditions for release are met as a result of damage compensation as determined by the Criminal Code.
(2) With regards to the obligations as referred to in paragraph 1, items 1, 2, 3, 4, 7, 8 and 9 of this article, if the suspect has fulfilled his or her obligation in a period not longer than six months, i.e. he or she observed the ban, the public prosecutor shall enact a decision, thus not criminally prosecuting the suspect for the criminal offense referred to in paragraph 1 of this Article.
(3) With regards to the obligations as referred to in paragraph 1, items 5 and 6 of this Article, the public prosecutor shall determine the duration of the conditional postponement in consultation with a specialized institution for treatment of addictions, i.e. with the competent center for social work. The duration of the conditional postponement shall not be longer than one year.
(4) If the perpetrator has started, but not completed the imposed obligations in the prescribed deadline, the public prosecutor shall file an application for initiation of a summary procedure, also taking into account the portion of the obligations that has been completed.

Serbia

(2025): The basic right and the basic duty of the public prosecutor is to prosecute the perpetrators of criminal offences. In the case of criminal offences prosecutable ex officio, the public prosecutor is authorised to: manage pre-investigation proceedings; decide on not undertaking or deferring criminal prosecution; conduct investigations; conclude plea agreements and agreements on giving testimony; file and represent an indictment before a competent court; abandon charges; file appeals against court decisions which are not final and submit extraordinary legal remedies against final court decisions; conduct other actions when specified by the Criminal Procedure Code.
Furthermore, all authorities participating in pre-investigation proceedings are obliged to act upon the requests of the public prosecutor and inform them of the actions taken.
The public prosecutor is obliged to protect the victim or witness from insults, threats, and any other attacks. Additionally, for a victim or witness who is particularly vulnerable due to age, life experience, lifestyle, gender, health status, the nature, manner, or consequences of the committed criminal offense, or other circumstances of the case, the public prosecutor may, ex officio or at the request of the parties or the victim or witness themselves, grant the status of especially vulnerable witness.

Kosovo*

(2025): 1. Receive a complaint: In the Republic of Kosovo, a criminal complaint/report can be filed by the victim, citizens or public or private institutions, the media, etc. After receiving information that a criminal offense is suspected to have been committed, the police begin investigations with the authorization of the state prosecutor.
2. Initiate investigation: it is the sole competence of the state prosecutor who issues a decision to initiate investigations when there is reasonable suspicion that a criminal offense has been committed. Therefore, the State Prosecutor is the only authority that decides to initiate an investigation.
The police do not have the authority to initiate a formal investigation, but act in the pre-investigation phase by collecting initial information.
3. Conduct investigations: investigations are conducted by the police with the authorization of the prosecutor and under the supervision of the prosecutor.
4. Supervising investigations: it is the exclusive competence of the state prosecutor, ensuring that investigative actions are legal, the rights of the suspect are respected, and the police act within legal authorizations.
5. Dismissal of criminal charges or suspension of investigations: If during the investigation it is concluded that: there is no reasonable doubt that the suspect has committed the criminal offense; the committed offense is not a criminal offense that is prosecuted ex officio or upon proposal; the statute of limitations for criminal prosecution has expired or the criminal offense has been included in an amnesty, pardon, has been judged by a final decision; the suspect enjoys immunity and its dismissal is not possible or has not been approved by the competent body or there are circumstances that exclude criminal liability, then the State Prosecutor is the competent authority for the termination of the investigation or the dismissal of the criminal report.
6. Bringing the case to court: is done by the state prosecutor after the completion of the investigation when it results from the collection of evidence that there is a well-founded suspicion that the defendant has committed a criminal offense and files an indictment. Whereas for criminal offenses for which the maximum penalty is not more than three years and the state prosecutor assesses that there is a well-founded suspicion to support the indictment, he may file an indictment without issuing a ruling to initiate the investigation.
7. Decide an alternative to prosecution: The state prosecutor decides, where alternatives include, for example: mediation procedure, temporary suspension of the procedure, conditions when prosecution is not mandatory. While the pre-trial judge decides on diversion according to the proposal of the state prosecutor.
8. Close a case by imposing or negotiating a penalty or measure: The state prosecutor decides, as is the case in the mediation procedure, dismissal of criminal charges, termination of investigations, etc.
In the preliminary procedure, the main role is played by the state prosecutor, who is the sole authority competent for the initiation, development and completion of investigations, including decisions to dismiss criminal charges, suspension of investigations or file indictments. Police acts as an auxiliary body, undertaking investigative actions only under the guidance and supervision of the prosecutor, without the authority to make final procedural decisions. The police carry out evidence-gathering actions (e.g., raid, questioning of witnesses, and seizure of evidence) only under the instructions of the prosecutor.
State prosecutor initiates criminal proceedings with a ruling to initiate investigations when there is reasonable suspicion that a criminal offense has been committed. After collecting evidence, the prosecutor decides whether there is sufficient evidence to file an indictment against the suspect. This means when the evidence collected provides a well-founded suspicion that the defendant has committed a criminal offense.

Question 64

Albania

(2025): GPO- Pursuant to Articles 406/d -406/f of the Criminal Procedure Code, the prosecutor plays a central role in initiating and negotiating a guilty plea agreement, which may be concluded with the defendant only when the lega conditions are met, after which the agreement is submitted to the court for judicial review, with the court having the authority to approve or reject it. The data that in the table represent the number of requests made by the prosecutors in front of the court.
- Article 406/d of the Criminal Procedure Code;
Content of the agreement
“From the registration of the name of the person to whom the criminal offence is attributed until the beginning of judicial review, the prosecutor, the defendant or his special representative may propose to reach an agreement on the conditions of admission of guilt and setting punishment.
2. In the negotiation for reaching an agreement, the presence of the defence lawyer of the defendant is mandatory. The conclusion of the agreement shall be allowed for criminal offences for which the law provides for a maximum punishment of not more than 7 years of imprisonment. This restriction shall not apply in the case of the justice collaborator…….”
Article 406/dh
Judicial review
1.Upon the conclusion of the agreement, the prosecutor submits it to the court for approval, together with all the acts of the preliminary investigation. Where the agreement is submitted during the preliminary hearing, the court shall decide in accordance with the provisions of Article 332/dh, paragraph 1, letter “b”, of this Code……”

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Content of the agreement
“From the registration of the name of the person to whom the criminal offence is attributed until the beginning of judicial review, the prosecutor, the defendant or his special representative may propose to reach an agreement on the conditions of admission of guilt and setting punishment.
2. In the negotiation for reaching an agreement, the presence of the defense lawyer of the defendant is mandatory. The conclusion of the agreement shall be allowed for criminal offences for which the law provides for a maximum punishment of not more than 7 years of imprisonment. This restriction shall not apply in the case of the justice collaborator…….”

(2023): Severe criminal cases: The guilty plea agreement is reached before the trial has started and is allowed for criminal offenses for which the law provides for a maximum sentence of no more than 7 years.

Bosnia and Herzegovina

(2025): The number of cases with an indictment filed based on a plea agreement was significantly lower in several prosecutor's offices in 2025 compared to 2024. These indicators are not the result of the application of any special guidelines or legislative changes. Otherwise, in 2025, the trend from previous years continued, with the overall number of criminal cases resolved through plea agreements between prosecutors and perpetrators of criminal offenses decreasing in Bosnia and Herzegovina.

Serbia

(2024): According to the Criminal Procedure Code, every plea agreement, wheather it`s concluded before or during the main trial, needs to be confirmed by the court and it is the only way to conclude the case by this procedure.
Information on number of guilty plea procedures reffer to number of suspects/defenfants who concluded plea agreements with the Public Prosecution which were confirmed by the court in 2023.
Please note that improsonment is foreseen as a sanction for every criminal act envisaged by the Criminal Code.
Depending on the gravity of criminal act, imprisonment is foreseen in defferent forms: as the only sanction, together with the money fine or alternatively to the money fine. For that reason, it is not possible to make a distinction between severe and misdemeanour/minor criminal case as described in the Explanatory note.

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Kosovo*

(2025): The number is reported in persons

Question 230

Albania

(2025): The judicial system operates within an overall Information and Communication Technology (ICT) strategic framework. All major ICT-related projects within the judicial system are aligned with and based on the strategic decisions, policies, and governance directions approved by the Steering Board of the Justice Technology Centre (ICT).
The High Judicial Council (HJC) ensures that every significant project related to the judicial information systems is designed, implemented, and governed in accordance with these decisions. The resolutions and strategic guidelines adopted by the ICT Steering Board constitute the core ICT governance reference for the justice sector and provide a unified, coordinated, and sustainable approach to digital transformation.
All relevant decisions and strategic documents of the ICT Steering Board are publicly available on the official website:
www.qti.al

(2024): The HJC has approved a strategic 2 year plan, including the IT strategy. The strategic plan can be accessed only in albanian: https://klgj.al/wp-content/uploads/2022/05/Plani-Strategjik-Final_2022-2024.pdf

(2023): https://klgj.al/wp-content/uploads/2022/05/Plani-Strategjik-Final_2022-2024.pdf

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Bosnia and Herzegovina

(2022): The High Judicial and Prosecutorial Council of Bosnia and Herzegovina has formed a working group for drafting a medium-term strategy for the development and implementation of information technologies in the judiciary.

Montenegro

(2025): The overall ICT strategy for the judiciary is available via the referenced links. The current Judiciary ICT Strategy covers the period 2025–2028 (2024 is not part of the current action plan and strategy doc). The latest official English translation will is provided by the Ministry of Justice :
https://mail.sudstvo.me/service/shf/BFW4gHd+SJSpAO6MtEf7EY3jugm+3Eg4tGeelc6LIMsBAAJ2Mg==

(2024): Currently document only in Montenegrin

(2022): https://www.gov.me/dokumenta/7af1b58d-a6aa-4e62-8de2-75979dd42d0c
Judicial Council remark: This plan's main activity is building the new information system called - ISP (abbreviation for information system of Judiciary - in Montenegrin, "Informacioni Sistem Pravosuđa"). Due to the delays and problems with the company selected on the tender to build the system, we have decided to cancel the contract with them and search for other options. We were forced on this because they failed to deliver parts of the system and documentation on time, even after many prolongations and compromises from our side.

North Macedonia
(2024): The last ICT Strategy for judiciary covered the period 2019-2024, currently the ICT Council at the Ministry of Justice is preparing a new ICT Strategy for judiciary 2025-2030

(2023): The strategy for ICT in the judiciary was adopted in 2019 for the time period of 2019-2024.
The strategy expired in 2024. It is still being implemented, and this year, the Council for ICT in the Judiciary will start a procedure for adopting a new strategy for the next 5 years, as well as new revised operational plan.
At this moment there is no new strategy and no new operational plan.
During 2023, according to the operational plan for digitization in the judiciary, a complete change of the CMS system is planned with the introduction of a new modern and integrated system of management and movement of cases, which will be compatible with the new software, and new applications will be created at the same time namely, an application for issuing certificates from criminal records, for issuing certificates from misdemeanor records, creation of the E-delivery platform, which will establish full two-way communication between the courts and all parties, i.e. state authorities and institutions, development of the platform for a mobile application, which will enable unhindered access of the parties to the electronic file of the case, as well as the creation of web services with 12 state organs and institutions.
According to the operational plan and the provided budget funds, the Court Budget Council has created a plan and program with dynamics and necessary financial resources for the digitization of the courts in 2023, namely:
1. Upgrade and installation of the Femida True Records system for audio recording in civil courts and audio-video recording in criminal courts.
- upgrade means the installation of Femida True Records or SRS Femida software, based on an existing Femida license installed on a computer in the courts (through previous purchases), regardless of whether it is currently in operation or not;
- a new license implies the installation of Femida True Records or SRS Femida software on an additional number of computers, which are not included in the number of existing licenses in the courts.
2. Procurement and replacement of hardware equipment for the courts – 410 computers.
3. Current maintenance of the hardware and software for the operation of the ACMISS system and the equipment for issuing certificates from criminal records.
4.Upgrade and ongoing maintenance of centralized hardware and system software for centralized backup/restore of the court database.
5. Restoration of Kaspersky Anti-virus and Trend Micro inter Scan messaging for personal computer protection in the court system and Gateway virus protection in the Supreme Court of RNM.
6. Ongoing maintenance of software for recording events by collating logs from ICT devices located in the Supreme Court of the RNM.
Creation of a mobile application for access to the electronic file of the case - a service for reviewing the files in the case by the parties in the procedure. Service for a complete review of a court case by the parties in the case (prosecutors, lawyers and all involved parties, natural and legal persons). Web Portal and mobile application through which each of the parties after prior authentication (service for identification of persons at the MIOA state level) can view all data and acts in the case that are available to the parties. DETAILED DESCRIPTION OF THE SERVICE AND BASIC FEATURES
Possibility for reviewing of all data and documents from the court case for the participants in the case from the court web portal and mobile application.

(2022): The strategy for ICT in the judiciary was adopted in 2019 for the time period of 2019-2024.
Digitization, digital transformation and the increasing development of information technology inevitably led to it being integrated in all the pores of the justice system, and especially in the last 2 years, through digital transformation in all courts and public prosecutor's offices by developing new web pages for the courts, with hardware and software for audio recording, system for audio visual recording, electronic issuance of documents, creation of web services, software development and case management, as well as platforms for two-way communication between the courts and the parties and access to the electronic file of the case.
Given that the strategy has a time period until 2024, it is still being implemented, and this year, the Council for ICT in the Judiciary will start a procedure for adopting a new strategy for the next 5 years, as well as new revised operational plan.
At this moment there is no new strategy and no new operational plan.

Serbia
(General Comment): IT strategy was adopted by ICT Sectorial Council on February 4th 2022.
The document in English will be provided later.

(2025): There is one, but a new ICT strategy needs to be developed. The existing ICT does not have an English version.

(2024): No official English version has been prepared.

(2023): No official English version has been prepared.

(2022): ICT Strategy in Judiciary 2022-2027 with Action Plan. Not available in English

Kosovo*
(2024): ICT Strategic Plan of the Kosovo Judicial Council 2024 – 2029
chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.gjyqesori-rks.org/wp-content/uploads/reports/13969_KJC_IT_Strategic_Plan_of_the_Kosovo_Judicial_Council_2024_2029.pdf

(2023): https://www.gjyqesori-rks.org/wp-content/uploads/reports/13969_KJC_IT_Strategic_Plan_of_the_Kosovo_Judicial_Council_2024_2029.pdf

Question 231

Albania

(2025): The judicial system currently operates a Case Management System (CMS) that is used for the registration and management of judicial proceedings.
At present, courts use existing case management solutions to support core activities such as case registration, assignment, procedural tracking, and basic reporting. However, these systems have limitations in terms of functionality, interoperability, and standardization across different courts and jurisdictions.
For this reason, the High Judicial Council (HJC) is leading the transition toward a new, fully integrated Case Management System (JURONIX). The new system is designed to replace the existing fragmented solutions with a unified, modern, and nationwide platform that will manage the entire lifecycle of judicial proceedings, enhance efficiency, ensure data integrity, and enable secure interaction with external stakeholders and other justice institutions.

(2022): Regarding the option "centralized or interoperable database" the answer changed from "yes" to "no", tbecause during 2022, due to cyber-attacks in Albania, some institutions such as the Civil Status Office and the National Business Center have disconnected interoperability with the case management system.
The status of integration with statistical tool changed from "integrated" to "not connected" because HJC has approved new statistical formats which have not yet been integrated with the case management system. These integrations are expected to end with the finalization of the new judicial map.

Bosnia and Herzegovina

(2022): Correction of technical mistake: The reply from the previous reporting cycles regarding the status of criminal case online should be changed from "Accessible to parties" to "Not accessible at all".

Montenegro

(2025): There is only one CMS in use.

Serbia

(2025): There are AVP applications for the needs of the business processes of basic, higher, and commercial courts, the SAPS application for the needs of appellate courts, the Supreme Court, and the Administrative Court, and the SIPRES application for the needs of misdemeanor courts.

(2023): There are several ICT systems. The most represented is the AVP which is used in basic, higher, and commercial courts. This system is decentralized, and it has been in use for more than 10 years for the time being. On the other hand, CMS used by appellate courts, Administrative court and Supreme Court is called SAPS, and it is relatively newly developed. Also, misdemeanor courts are provided with SIPRES newest developed CMS.
The strategic act has foreseen rollout of SAPS called SUPER SAPS to replace old AVP in basic, higher, and commercial courts. It is important to emphasize that there are other applications for electronic communication with the courts such as eCOURT for administrative disputes, and eCOURT for enforcement proceedings before the commercial courts and enforcement agents. Public prosecutorial offices are using SAPO CMS.

(2022): In civil and commercial cases, parties can see the status of case online.
CMS is fully integrated in sense that it uses data from cases from court DMS via web services to generate predefined and ad hoc reports.

Kosovo*
(2022): In the KJC web portal, on September 2022 are deployed two web applications; the Case Tracking Mechanism (CTM) and Open Data Platfor, (ODP). In the CTM, parties can follow their case status data, while in the OPD are available all statistical reports of the CMIS.

Question 232

Albania
(2025): At present, three main systems are operational and functionally linked to the management of judicial cases.
Currently it turns out that out of 20 courts in the Albanian territory, 18 of them are using the ICMIS system, 2 of them using the ARKIT system. While, only two courts, respectively Tirana Judicial District Court and the Special Court of First Instance for Corruption and Organized Crime are using the ARKIT system
1. ICMIS (Integrated Case Management Information System)
   - Used primarily by courts of general jurisdiction.
   - Supports case registration, procedural tracking, scheduling, assignment of cases, and basic reporting.
   - While it covers essential case management functions, it has limitations in terms of interoperability, scalability, and support for fully digital case files.
2. ArkIT Used mainly by administrative courts and for specific case registration and document management workflows.
   - Supports administrative and archival aspects of case handling.
   - Operates largely as a standalone system with limited integration with other judicial platforms.
3. FTR / RDA System (Digital Audio Recording System)
   - Used across courts for audio (and in some cases video) recording of court hearings.
   - Although it is not a standalone CMS, it operates in direct functional relation to judicial cases and hearings, as recordings are associated with specific cases and sessions.
   - Currently, it functions as a separate system and requires manual or semi-manual linkage with case management processes.

The coexistence of multiple systems has resulted in fragmentation of case-related data and workflows, increased manual effort, and limited end-to-end digital case management. To address these challenges, the High Judicial Council (HJC) is implementing JURONIX, a new integrated Case Management System designed to consolidate and replace ICMIS and ArkIT, while also integrating the FTR/RDA system. This will enable seamless linkage of audio/video recordings with digital case files, ensuring a unified, efficient, and fully digital management of judicial proceedings

(2024): The Case Management Systems with which the Albanian courts operate are CMIS and ARKIT.
A broad consensus has been achieved in the Albanian judiciary about the need to replace both existing case management systems used by Albanian courts (ARK-IT and ICMIS, with their variants and their 2 and 36 local installations respectively) with a single new generation, state-of-the-art system.
The Centre for the IT in the Judiciary of Albania has adopted in December 2021, upon proposal of the High Judicial Council (HJC), a Road Map for the development of the new Albanian Court Case Management System. Among these, the relevant decisions of the Information Technology Centre in the High Judicial Council were approved in order to start work on the development of a new Court Case Management System. However, it's obvious that the systems used in the Albanian courts are almost obsolete despite frequent updates with new features. Additionally, each of the courts have their own servers installed locally which are not unified. The internal network architecture across the courts is specific to each court and is not standardized and unified yet. The renewal of the licenses of the various software components used by the courts is managed by each court in particular. This also applies to security programs that must be used on each of the court servers.
In terms of security, the case management system operates offline and can only be accessed locally by court users. Each court through the institutions of the IT is responsible for guaranteeing security and implementing policies that protect the system from possible threats.

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In terms of security, the case management system operates offline and can only be accessed locally by court users. Each court through the institutions of the IT is responsible for guaranteeing security and implementing policies that protect the system from possible threats.

Bosnia and Herzegovina
(2025): There are 2 CMS/TCMS version currently in use: - CMS/TCMS v3 which was implemented during 2024 and it has been in use in all judiciary institutions for most of the functionalities, - CMS/TCMS v1 which is still used in judiciary institutions for just a few administrative functionalities and for some of the statistical reports.
Both versions of CMS are based on a single database. Two versions of the application are being used, both accessing the same data, until the final transition to the CMS/TCMS v3 version is completed.

(2024): Currently there are 3 CMS/TCMS versions in use: CMS/TCMS v3 which is implemented during 2024 and is in use in all judiciary institutions except the Court of Bosnia and Herzegovina and the Municipal Court in Sarajevo (implementation planned for January 2025); CMS/TCMS v2 which is still used only in the Court of Bosnia and Herzegovina and the Municipal Court in Sarajevo; CMS/TCMS v1 which is still used in all judiciary institutions for a few administrative functionalities and for some of the reports.

(2023): Currently there are 3 CMS (courts)/TCMS (prosecutor's offices) versions in use: CMS/TCMS v1 that is used in all judiciary institutions for majority of functionalities, CMS/TCMS v2 used in all judiciary institutions for a few functionalities and CMS/TCMS v3 which is implemented in 7 pilot institutions, as it was planned.

Serbia

(2025): There are AVP applications for the needs of the business processes of basic, higher, and commercial courts, the SAPS application for the needs of appellate courts, the Supreme Court, and the Administrative Court, and the SIPRES application for the needs of misdemeanor courts.
Comment from Supreme Public Prosecution Office: There is one pilot CMS (SAPO) for public prosecution which is in use in 13 public prosecution offices since 2013. However, new CMS was developted which is in use in additional 10 public prosecution office. This new SAPO is updated and upgraded version of 2013 software. Staff of an additional three public prosecution offices have completed the training; however, the CMS is not yet operational in these offices due to issues arising from the data migration from the pilot SAPO software. Addressing of the identified shortcomings is underway and the re-testing of the migrated data is underway. Implementation of new CMS in all 90 public prosecution is planed after all shortcomings have been resolved.

(2024): There are several ICT systems. The most represented is the AVP which is used in basic, higher, and commercial courts. This system is decentralized, and it has been in use for more than 10 years for the time being. On the other hand, CMS used by appellate courts, Administrative court and Supreme Court is called SAPS, and it is relatively newly developed. Also, misdemeanor courts are provided with SIPRES newest developed CMS.
The strategic act has foreseen rollout of SAPS called SUPER SAPS to replace old AVP in basic, higher, and commercial courts. It is important to emphasize that there are other applications for electronic communication with the courts such as eCOURT for administrative disputes, and eCOURT for enforcement proceedings before the commercial courts and enforcement agents. Public prosecutorial offices are using SAPO CMS.

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Question 233

Albania

(2025): The currently running Case Management Systems (CMS) were initially developed in earlier phases, and since their first deployment they have undergone continuous improvements, incremental enhancements, and functional updates on an annual basis.
Rather than a single major redesign at one specific point in time, the CMS solutions have followed an evolutionary development model, which includes:
- Periodic functional upgrades in response to legal, procedural, and organizational changes;
- Ongoing technical improvements to address performance, security, and usability requirements;
- Continuous maintenance services, including the resolution of newly identified errors, bugs, and operational issues.

This approach has ensured the operational continuity of the systems and their adaptation to emerging needs. However, despite these regular developments and maintenance activities, the existing CMS platforms have reached structural and technological limitations, which is why the judicial system is now transitioning toward a new, fully integrated and modern Case Management System.

(2024): Thanks to the developments occurred in the field of Information Technology, for more than 15 years from now, services offered by courts are easily accessible online by citizens, media representatives, as well as other civil society actors. Since 2005, two different electronic case management systems have been operating in the Albanian courts (ARKIT and ICMIS). Currently it turns out that out of 20 courts in the Albanian territory, 18 of them are using the ICMIS system, 2 of them using the ARKIT system. While, only two courts, respectively Tirana Judicial District Court and the Special Court of First Instance for Corruption and Organized Crime are using the ARKIT system

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(2022): THE ARKIT system has been used since 2002, and the ICMIS system has been used since 2007.

Bosnia and Herzegovina

(2025): CMS/TCMS v1 was developed more than 10 years ago, CMS/TCMS v3 was developed between 2 and 5 years ago.

(2024): CMS/TCMS v1 was developed more than 10 years ago, CMS/TCMS v2 was developed between 5 and 10 years ago, CMS/TCMS v3 was developed between 2 and 5 years ago.

(2023): CMS/TCMS v1 was developed more than 10 years ago, CMS/TCMS v2 was developed between 5 and 10 years ago, CMS/TCMS v3 was developed in the last 2 years.

(2022): Currently there are two running versions of the Case Management System in the judicial system of Bosnia and Herzegovina: -CMS v1 was developed more than 10 years ago,
-CMS v2 was developed between 2 and 5 years ago.
Both versions are used on the same database.

Montenegro

(2025): The CMS was originally developed more than 15 years ago. The most recent major update was carried out in 2024–2025, when we added a large number of reports and parameters and developed additional modules within the existing CMS for misdemeanor courts, including their reporting and templating functionality.

Serbia

(2024): CMS for basics, higher, and commercial courts 2010.
CMS for misdemeanor court 2015
CMS for appellate, administrative and supreme court 2013

(2023): CMS for basics, higher, and commercial courts 2010.
CMS for misdemeanor court 2015
CMS for appellate, administrative and supreme court 2013

Question 234

Albania

(2025): There are concrete and formally approved plans for a significant change in the judicial IT landscape in the coming period, including the replacement of the existing Case Management Systems.
The High Judicial Council (HJC) has initiated and approved the implementation of a new, unified and integrated Case Management System (JURONIX). This system is planned to replace the current CMS platforms (ICMIS and ArkIT) and to integrate other key judicial IT solutions, including the Digital Audio Recording System (FTR/RDA).
The transition to JURONIX represents a major structural and technological change, aiming to:
- Standardize judicial workflows across all courts;
- Enable full digital case files and end-to-end electronic case management;
- Improve interoperability with other justice institutions;
- Enhance security, auditability, and data quality.

The upcoming period will therefore focus on development, piloting, gradual rollout, and user training, ensuring a controlled transition while maintaining continuity of judicial operations.

(2024): Preliminary steps (Governance structure setup, Preliminary decisions, Decision on migration of data from existing systems, etc);
Phase 1 (case handling, statistics, decisions);
Phase 2 (e-filing etc. for criminal cases);
Phase 3 (e-filing etc. for civil and admin. cases);
Legislation;
System support, operation and maintenance;
Taking into account that a newly developed judicial case management system should nowadays necessarily include a full digitization of all procedures, and considering the inherent complexity of such endeavor, a 5-year timeline for the completion of the whole project is proposed.

(2023): timeline including when the new system is expected to become operational:
Preliminary steps (Governance structure setup, Preliminary decisions, Decision on migration of data from existing systems, etc);
Phase 1 (case handling, statistics, decisions);
Phase 2 (e-filing etc. for criminal cases);
Phase 3 (e-filing etc. for civil and admin. cases);
Legislation;
System support, operation and maintenance;
Taking into account that a newly developed judicial case management system should nowadays necessarily include a full digitization of all procedures, and considering the inherent complexity of such endeavor, a 5-year timeline for the completion of the whole project is proposed.

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Phase 3 (e-filing etc. for civil and admin. cases);
Legislation;
System support, operation and maintenance;
Taking into account that a newly developed judicial case management system should nowadays necessarily include a full digitisation of all procedures, and considering the inherent complexity of such endeavor, a 5-year timeline for the completion of the whole project is proposed.

Bosnia and Herzegovina

(2025): It is planned to completely shut down CMS/TCMS v1 during 2026.
It is planned to transfer from Oracle 11g to Oracle 19c database.

(2024): It is planned to completely shut down CMS/TCMS v1 and CMS/TCMS v2 during 2025.

(2023): CMS/TCMS v3 is based on a new WEB technologies and has been tested in 7 judiciary institutions from September to December 2023. The full-scale implementation will take place in 2024.

(2022): The new version of the Case Management System (version 3.0) will be tested in several courts and prosecutors' offices during 2023. It is based on new WEB technologies. The full-scale implementation of the new version of the Case Management System will take place in 2024.

Montenegro

(2025): Regarding changes within the existing CMS, the planned activities are primarily security-focused and aligned with 2026 requirements. This would include upgrading application server and database versions, performing data transformation/migration, and potentially adjusting parts of the database relational model. Major changes are planned for other supporting subsystems used to support and optimize user processes.

(2024): We are improving the existing case management system by cleaning up existing data, adding new automated reports for court users, and introducing additional metadata about processes and phases. This helps us track quality and increase transparency across the judiciary.
Internally, we have developed a new module for handling misdemeanour cases. This module went live on 9 January 2025, and training sessions for staff in the respective courts began on the same date. Currently, the Higher Misdemeanour Court and the Misdemeanour Court in Budva (including branch offices in Bar and Ulcinj) have gone live with the new system. We plan to continue the rollout on a week-by-week basis to other branch offices in the south (under Budva's jurisdiction), followed by the northern region (Bijelo Polje and its branch offices), and ultimately the central region, aiming for full coverage of all Misdemeanour Courts. The functionality for random case assignment is already operational in courts where the new system is active.
We are encountering several challenges: limited staffing (only two ICT staff members within the Secretariat of the Judicial Council are responsible for user training across the entire country, encompassing 17 Misdemeanour Courts), no approved budget yet for additional engagement of external trainers or staff, outdated hardware in some courts, and a shortfall in administrative personnel that delays certain processes. Despite these obstacles, the rollout is ongoing, and we expect further improvements in efficiency and user adoption as the system continues to be implemented throughout the judiciary.
After achieving full coverage, we plan to update the entire system to the latest version of our technology stack. Additionally, due to staffing shortages in many courts, it remains difficult to collect and process historical (cause they need to collect around 50.000 data for cases) data for unresolved cases as of 1 January 2025. Once these data are gathered, however, we will be able to provide automated reporting functionality for Misdemeanour Courts—similar to the level already in place for regular courts.

(2023): Update of current system planned in 2024. Significant changes to the current IT system in the judiciary are planned with the implementation of PRIS version 2. This update will feature cleansed data, enhanced reporting capabilities, and the integration of misdemeanor courts. The new system is expected to become operational by the first quarter of 2025 at the latest.

North Macedonia

(2025): Project Title:
Improved Digitalization of State Institutions in the Areas of Judiciary and the Fight against Corruption.
Reference:
EC-ENEST/SKP/2025/EA-RP/0011
Contracting Authority
Delegation of the European Union to North Macedonia
Partner Country
Republic of North Macedonia
Project Objectives and Components
The main objective and impact to which this project contributes is improved efficiency of the judiciary system and the fight against corruption in North Macedonia. The specific objective (result) of this project is improved digitalization of selected state institutions in the areas of judiciary and the fight against corruption. This objective is implemented through the following components:
• Component 1 – Improving IT management and implementing standards-based security measures
• Component 2 – Design, development and implementation of an electronic case management system for the prosecution offices
• Component 3 – Design, development and implementation of an electronic case management system for the State Attorney's Office
• Component 4 – Design, development and implementation of the AKstats case tracking system
• Component 5 – Upgrading the case management system in the State Commission for the Prevention of Corruption
Beneficiary institutions
The institutions that directly benefit from this project (beneficiary institutions) are the following:
Public Prosecution Office (PO) and Public Prosecutors' Council (PPC) for Component 1 and Component 2
• State Attorney's Office (SPO) for Component 1 and Component 3
• Ministry of Justice (MOJ) for Component 4
• State Commission for the Prevention of Corruption (SCPC) for Component 1 and Component 5

(2024): Within the framework of the prosecution office, a project for a completely new CMS has been launched. In this regard, multi-layered in-depth investigations have been carried out in the field and an analysis of the functioning and functionality of the existing system has been made. It has been concluded that it is outdated and cannot be upgraded, but a completely new system is needed that will satisfy modern communication flows with other state bodies as well as the court, and will enable both a rapid flow of information and the purposeful preservation of data as a Register and meta data from each criminal case separately, regardless of which Register the case is entered into, with the possibility of horizontal and vertical movement of the case. Given that it is a joint project of the state and the EU, supported by the EU Rule of Law Mission, it has an international character and a short listing has been prepared for companies that would participate in the procedure, with an announcement for international companies to be able to participate in it. It is expected to be used in production in 2027.
01.07.2027 Acceptance
01.11.2027 Maintenance under contract
01.12.2028 Approval of the final report
01.09.2027 Second year of the warranty
01.09.2028 Final acceptance
01.11.2027 Second year of the warranty
01.11.2028 Third year of the warranty

(2023): During 2023, according to the operational plan for digitization in the judiciary, a complete change of the CMS system is planned with the introduction of a new modern and integrated system of management and movement of cases, which will be compatible with the new software, and new applications will be created at the same time namely, an application for issuing certificates from criminal records, for issuing certificates from misdemeanor records, creation of the E-delivery platform, which will establish full two-way communication between the courts and all parties, i.e. state authorities and institutions, development of the platform for a mobile application, which will enable unhindered access of the parties to the electronic file of the case, as well as the creation of web services with 12 state organs and institutions.
According to the operational plan and the provided budget funds, the Court Budget Council has created a plan and program with dynamics and necessary financial resources for the digitization of the courts

(2022): During 2023, according to the operational plan for digitization in the judiciary, a complete change of the CMS system is planned with the introduction of a new modern and integrated system of management and movement of cases, which will be compatible with the new software, and new applications will be created at the same time namely, an application for issuing certificates from criminal records, for issuing certificates from misdemeanor records, creation of the E-delivery platform, which will establish full two-way communication between the courts and all parties, i.e. state authorities and institutions, development of the platform for a mobile application, which will enable unhindered access of the parties to the electronic file of the case, as well as the creation of web services with 12 state organs and institutions.
According to the operational plan and the provided budget funds, the Court Budget Council has created a plan and program with dynamics and necessary financial resources for the digitization of the courts in 2023, namely:
1. Upgrade and installation of the Femida True Records system for audio recording in civil courts and audio-video recording in criminal courts.
- upgrade means the installation of Femida True Records or SRS Femida software, based on an existing Femida license installed on a computer in the courts (through previous purchases), regardless of whether it is currently in operation or not;
- a new license implies the installation of Femida True Records or SRS Femida software on an additional number of computers, which are not included in the number of existing licenses in the courts.
2. Procurement and replacement of hardware equipment for the courts – 410 computers.
3. Current maintenance of the hardware and software for the operation of the ACMISS system and the equipment for issuing certificates from criminal records.
4.Upgrade and ongoing maintenance of centralized hardware and system software for centralized backup/restore of the court database.
5. Restoration of Kaspersky Anti-virus and Trend Micro inter Scan messaging for personal computer protection in the court system and Gateway virus protection in the Supreme Court of RNM.
6. Ongoing maintenance of software for recording events by collating logs from ICT devices located in the Supreme Court of the RNM.
Creation of a mobile application for access to the electronic file of the case - a service for reviewing the files in the case by the parties in the procedure. Service for a complete review of a court case by the parties in the case (prosecutors, lawyers and all involved parties, natural and legal persons). Web Portal and mobile application through which each of the parties after prior authentication (service for identification of persons at the MIOA state level) can view all data and acts in the case that are available to the parties. DETAILED DESCRIPTION OF THE SERVICE AND BASIC FEATURES
Possibility for reviewing of all data and documents from the court case for the participants in the case from the court web portal and mobile application.
Availability of the service:
- Computer, laptop - view via browser
- Mobile devices (phone) – separate mobile application.
The service will provide the following subject data:

Serbia

(2025): The improvement of the AVP system is planned through the improvement of the court fees module, in accordance with the new amendments to the Law on Court Fees. In the coming period, it is planned to replace the entire CMS with a newer version of the platform, which will be integrated with other existing systems in judicial authorities.

(2024): According to the project plan financed by the EU - Supply of IT Equipment, Software and Ancillary Services for Improvement of Centralized Case Management System (CCMS) in Courts (Tender reference number NEAR/BEG/2021/EA-OP/0003) during 2025, the new system Super SAPS to be in production (to replace old AVP in basic, higher and commercial courts).

(2023): According to the project plan financed by the EU - Supply of IT Equipment, Software and Ancillary Services for Improvement of Centralized Case Management System (CCMS) in Courts (Tender reference number NEAR/BEG/2021/EA-OP/0003) during 2025, the new system Super SAPS to be in production (to replace old AVP in basic, higher and commercial courts).

(2022): The implementation of the new centralized CMS is underway, it is planned to be completed by the end of 2024. Funds for the project were provided from IPA 2017 and the tender was conducted by the Delegation of the European Union in Serbia.

Kosovo*

(2025): KJC Comment: In coming years, KJC aims to upgrade the CMIS technology, extend the interoperability of the system with other systems, such as: Police system for minor offence cases, cadaster system, prisons etc. extend online services, implement electronic signature etc. KPC Comment: In 2025, a questionnaire was conducted with prosecutors and administrative staff of the Basic Prosecution Offices in Prishtina, Prizren and Mitrovica, with the aim of identifying the practical needs of users and advancing the Case Management Information System (CMIS) in accordance with their real operational requirements.
Based on the findings of this questionnaire, during 2026, it is planned to advance the CMIS in the following main directions:
• simplifying processes by reducing steps and tasks in CMIS, in order to facilitate and accelerate data recording;
• advancing and standardizing existing templates, in accordance with the functional needs of prosecutors and administrative staff;
• improving the electronic exchange of data and documents with the courts and the Kosovo Police, in order to increase efficiency and reduce manual procedures.

Question 01a

Bosnia and Herzegovina

(General Comment): The High Judicial and Prosecutorial Council of Bosnia and Herzegovina has deployed the System for electronic filing of enforcement and small claims cases in all of the first instance courts (i.e. civil cases), that use it to register the new cases and receive documentation in the existing cases the utility companies submit electronically. It is important to note that the cases may be transferred from the System to the general case management system in courts, if certain procedural requirements have been met. However, the use of the System is optional for utility companies. Accordingly, the utility companies in certain local communities are yet to begin to send cases to the courts electronically.

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Deployment Rate_ reasoning: As for 2025, all 61 competent courts in Bosnia and Herzegovina have the aforementioned System. The number of new court cases registered through the System in the reporting year was 104 925. The number of pending cases in the System at the end of 2025 was 1 201 870. Bearing in mind that the total number of new relevant cases received in the courts of first instance was 1 061 543 in 2025 (i.e. Q52, Civil + Non litigious cases), the deployment rate was 10% (i.e. 1-25%). Usage Rate_ reasoning: 43 (i.e. 70%) courts out of the aforementioned number of first instance courts registered new cases and/or received documentation in the existing cases using the System. Consequently, the usage rate was 50-75%.

Montenegro
(2025): Electronic submission of cases is currently not available. The e-submission project is planned to be enabled in 2027: the system development is scheduled to be completed by the end of 2026, and production deployment is expected to start during 2027. Therefore, deployment and usage rates are not applicable at this time.

Kosovo*
(2025): The Case Management Information System (CMIS) is available in all courts, in three instances for the processing the all type of cases; Civil, Criminal, Commercial, administrative etc. Regarding the Civil and Administrative cases, parties can submit or initiate the case in the courts only manually with paper file. The court clerk, enter reference data, scans these cases and uploads into the system and initiate the case.
While, for the Criminal Cases system receives all cases electronically from prosecution office through the interoperability of the CMIS of courts with the CMIS in prosecution offices. The interoperability of the CMIS in courts with the CMIS in prosecution offices, transfers on real time the criminal case created or initiated in the prosecution offices with the all-structured data and documents. For this purpose, the answer is: Deployment rate - 95-100 % and Usage Rate – 95 – 100.

Question 01b

North Macedonia
(2025): There are legal grounds to submit a case to a court electronically, but in a practice there are still not technical possibilities for implementation of that tool.

Serbia

(2025): The introduction of the option of recording interveners in digital administrative procedures is based on the need to ensure full procedural protection of persons who have a direct legal interest in the subject matter of the procedure. The Law on General Administrative Procedure primarily regulates the position of the party and the interested party, while case law in administrative disputes before the Administrative Court confirms that the absence of participation of a person whose rights may be affected by an administrative act constitutes a significant violation of the rules of procedure and a basis for annulment of the decision. Especially in situations where the legal interest arises from the right of pre-emption, prior ownership or tenancy right, failure to enable procedural participation increases the risk of initiating and succeeding in an administrative dispute. Digital recording of interveners contributes to the legality of the procedure, the prevention of judicial annulments and the strengthening of legal certainty of adopted administrative acts.

Kosovo*
(2025): test

Question 01c

North Macedonia
(2025): There are legal grounds to submit a case to a court electronically, but in a practice there are still not technical possibilities for implementation of that tool.

Kosovo*
(2025): The Case Management Information System (CMIS) in the Courts is fully interoperable with the CMIS in Prosecution Offices. Interoperability supports the manual work, the exchange of documents and reference data. Example, the prosecutor initiates and create the criminal case in the CMIS. Once the case is ready to submit in the courts, the last step in the CMIS is to transfer the electronic file in the courts. After this step, the prosecutor sends the manual case in the courts.
After receiving the case in the courts electronically and manually, court clerk proceeds the case in the court. In this phase, CMIS in the courts link the case number in the court with the case number in prosecution office and then all communication is linked through case numbers on real time.

Question 04a

Bosnia and Herzegovina

(General Comment): The electronic consultation of court case files for the parties is possible in civil and administrative matters. The High Judicial and Prosecutorial Council of Bosnia and Herzegovina approves the requests of parties in court cases for the issuance of a uniform access code. Detailed requirements for issuing the code are prescribed by the Rulebook on the Case Management System in Courts, which is adopted by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. The code can be used in the Online Case Access Module to get case information. The access through the Module is available to parties in court proceedings and their lawyers. The Module can be accessed through the website of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. In addition, lawyers can also use the mobile app to access cases in which they represent their clients. This is an official app developed by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. If the parties have multiple cases in the courts, they must apply for a single access code for each of these cases, but they are provided with a possibility to create a user account that allows access to all these cases in one place. The same possibility is given to lawyers for all civil and administrative cases in which they represent their clients.

Montenegro

(2025): Online case consultation for external users is in the final testing phase and preparation of public-facing templates/forms. Usage rates are not yet available; after deployment we plan promotion activities and aim for high uptake in the first two years (targeting >50% usage, subject to rollout and adoption).

Kosovo*

(2025): The Case Tracking Mechanism is a web application that allows online access to individual court case records, through which it is accessible to all citizens of Kosovo from the KJC portal and E-Kososova platform.
After successful identification through eKosova, the CTM will check whether the individual is involved in any court case in the CMIS (Case Management Information System). If party has a case into the CMIS, then CTM shows all data regarding the case. Some of the date available on CTM are; unique case number, initiation date, the date of case assignment to the judge, name of the judge, information of the sessions, information about decisions, length of procedures etc. The CTM is read only system that enables party to follow activities taken by the court regarding its cases, while party cannot initiate actions or submit documents through the CTM. The CTM is available tool for all type of cases and provides information for three court instances (Basic Courts, Appellate Court, and Supreme Court).

Question 04b

Bosnia and Herzegovina

(General Comment): The electronic consultation of court case files for the parties is possible in civil and administrative matters. The High Judicial and Prosecutorial Council of Bosnia and Herzegovina approves the requests of parties in court cases for the issuance of a uniform access code. Detailed requirements for issuing the code are prescribed by the Rulebook on the Case Management System in Courts, which is adopted by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. The code can be used in the Online Case Access Module to get case information. The access through the Module is available to parties in court proceedings and their lawyers. The Module can be accessed through the website of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. In addition, lawyers can also use the mobile app to access cases in which they represent their clients. This is an official app developed by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. If the parties have multiple cases in the courts, they must apply for a single access code for each of these cases, but they are provided with a possibility to create a user account that allows access to all these cases in one place. The same possibility is given to lawyers for all civil and administrative cases in which they represent their clients.

Question 07a

Albania

(2025): A CMS for public prosecution services does not exist, therefore the option NAP has been selected.

Kosovo*

(2025): The CMIS is web application, developed in .net Microsoft technology, and its database is in SQL. Database is cartelized with one database. System is accessible only from internal courts ICT infrastructure. Users can access system only from office. System is not accessible from Internet.
Regarding the functionalities, CMIS supports work processes in the court for all types of cases in three court instances. Workflow includes action with the case from receiving, selecting the judge, resolving, execution, until archiving.

Question 07b

Albania

(2025): With the current systems, interoperability with other systems is no longer possible.

Bosnia and Herzegovina

(General Comment): Interoperability with other systems: There is an interoperability function between the Case Management System and the database of the Agency for Identification Documents, Registers and Data Exchange of Bosnia and Herzegovina, through which the two systems are connected ensuring exchange of data between police agencies and courts. Namely, courts, when registering new cases, take the personal data of the parties in those cases from the database of the Agency for Identification Documents, Registers and Data Exchange of Bosnia and Herzegovina, if the information on Unique Master Citizen Number of the parties in new cases is available to them. This information is then automatically displayed in the Case Management System. In this way, data from the official register for citizens in Bosnia and Herzegovina are registered into the Case Management System.
In addition, the electronic consultation of court case files for the parties is possible in civil and administrative matters. The High Judicial and Prosecutorial Council of Bosnia and Herzegovina approves the requests of parties in court cases for the issuance of a uniform access code. Detailed requirements for issuing the code are prescribed by the Rulebook on the Case Management System in Courts, which is adopted by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. The code can be used in the Online Case Access Module to get case information. The access through the Module is available to parties in court proceedings and their lawyers. The Module can be accessed through the website of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. In addition, lawyers can also use the mobile app to access cases in which they represent their clients. This is an official app developed by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. If the parties have multiple cases in the courts, they must apply for a single access code for each of these cases, but they are provided with a possibility to create a user account that allows access to all these cases in one place. The same possibility is given to lawyers for all civil and administrative cases in which they represent their clients.

North Macedonia
(2025): The allocation is automatic based on predefined rules.
In terms of case weighting, the distribution is based on several criteria, namely repeated cases, life imprisonment, organized crime, a five-judge panel, public session, detention, urgent case, more than 5 parties in the proceedings, bankruptcy and other criteria by grounds, types of grounds, registers, types of cases, etc.
In the CMS - ACCMIS, there is a special module for data anonymization that is automatic, but is additionally checked manually if the module has not recognized any personal data.

Question 07c

Albania
(2025): The advanced search engine in the judicial case management systems is functional for the data currently available. Therefore, we are proceeding with the selection of this functionality.

Bosnia and Herzegovina

(General Comment): Interoperability with other systems:
There is an interoperability function between the Case Management System and the database of the Agency for Identification Documents, Registers and Data Exchange of Bosnia and Herzegovina, through which the two systems are connected ensuring exchange of data between police agencies and prosecution offices. Namely, courts in criminal matters, when registering new cases, take the personal data of the parties in those cases from the database of the Agency for Identification Documents, Registers and Data Exchange of Bosnia and Herzegovina, if the information on Unique Master Citizen Number of the parties in new cases is available to them. This information is then automatically displayed in the Case Management System. In this way, data from the official register for citizens in Bosnia and Herzegovina is registered into the Case.

Montenegro

(2025): PRIS, the Judicial Information System, is a centralized case management system used in Montenegro and serves as the main tool supporting the daily work of all courts. The system is established in 100% of courts and provides a unified, standardized and efficient approach to the registration, processing, monitoring and archiving of cases.
PRIS is used to manage all processes, from the receipt of the initial filing and case creation, through the assignment of cases to judges and the recording of all procedural actions and decisions, up to the final resolution and archiving of cases. The system enables continuous monitoring of the work of judges and the status of cases, thereby contributing to greater efficiency, transparency and quality of judicial work.
PRIS supports the random allocation of cases in accordance with established rules and procedures. It enables the identification and tracking of cases through different procedural stages, electronic document management, access to active and closed cases, advanced search capabilities, as well as the maintenance of user activity records through secured log files.
The system also supports the preparation of statistical reports, analytical overviews and other data necessary for monitoring court performance, resource management and decision-making based on relevant indicators. In addition, PRIS enables the exchange and use of data with other relevant information systems, in accordance with legal and technical requirements, thereby improving procedural efficiency and reducing the need for multiple data entries.
The system’s deployment rate is assessed at 100%, as PRIS is implemented in all courts in Montenegro. The usage rate is also assessed at 100%, given that case registration, allocation, processing, monitoring and management are carried out through this system as an integral part of the courts’ daily operations.
The functionalities indicated in questions 07-b and 07-c correspond to the functionalities currently available within PRIS and are used on a daily basis in the work of the courts. In this way, PRIS represents a key instrument of digitalisation of the judiciary in Montenegro and significantly contributes to more efficient case management, improved organisation of work and the overall strengthening of the effectiveness of the judicial system.

North Macedonia

(2025): The allocation is automatic based on predefined rules.
In terms of case weighting, the distribution is based on several criteria, namely repeated cases, life imprisonment, organized crime, a five-judge panel, public session, detention, urgent case, more than 5 parties in the proceedings, bankruptcy and other criteria by grounds, types of grounds, registers, types of cases, etc.
In the CMS - ACCMIS, there is a special module for data anonymization that is automatic, but is additionally checked manually if the module has not recognized any personal data.

Question 08a

Bosnia and Herzegovina
(General Comment): Writing tools are consisted of two groups of templates of various legal documents that can be used by judges, prosecutors and other staff (i.e. users) at the judicial institutions: (i) templates with headers and case details, which also include auto-generated text, and (ii) templates with headers and case details. Considering the needs of judges, prosecutors, and other staff it is estimated that that templates of 50 – 75% of relevant documents are made available in the Case Management System for all the users.
As for the usage rate, it is estimated that 50-75% of users are using the available templates. The templates are developed by the judges and prosecutors selected by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. The templates are integrated into the Case Management System. The use of templates is optional.

Montenegro
(2025): Writing assistance tools are not yet in production. Following the procurement of a server in December 2025, we are developing models/tools for this purpose. Templates exist, but we treat templating separately (not as writing assistance). Deployment and usage rates are not applicable yet.

North Macedonia
(2025): As a writing assistance tools OpenOffice is used in the courts.

Kosovo*
(2025): Regarding the writing assistance tool, we can consider the CMIS feature of ‘’Templates’’. For the all-court documents, applicable in the court, CMIS provides template. Templates provides all case data, including predefined text relevant for that document. No other tools applicable.

Question 10a

Bosnia and Herzegovina

(2025): There are two national databases where court decisions are published: 1. Database of court decisions accessible online: https://portalfo1.pravosudje.ba/vstvfo/B/142/kategorije-vijesti/141/simple, which focuses primarily on publication of selected decisions of all court levels, focusing on cases of public interest. 2. "Case-law portal", accessible online https://sudskapraksa.pravosudje.ba/, which focuses primarily on publication of selected decisions of highest instance courts, focusing on cases that impacts case-law.
All publication is done in line with the Guidelines for publication of judicial decisions, acts and information about cases which was issued by High Judicial and Prosecutorial Council of Bosnia and Herzegovina and the Rulebook for court decisions' publication issued by the Ministry of Justice of Republika Srpska.

Montenegro
(General Comment): In the CMS are stored all court decisions except those from misdemeanor courts. However, it should be noted that at the website of courts final judgements are published, and with with anonymization. So it is about percentage of final decisions. It is also important to know that some types of court decisions are not published regardless of anonymization, e.g. decision on minors and similar categories with the privacy sensitive aspects.
The percentage of decisions published bz the supreme court is around 85%

Kosovo*
(2025): Publication of court decision of the Commercial Court in two instances:
I. First Instance:
- Commercial: 95-100 %
- Administrative: 100 %
- Fiscal: 100%
II. Second Instance: 100%

Question 10b

Bosnia and Herzegovina
(2025): Additional internal databases exist within various courts, but not on national level.

Montenegro
(General Comment): fter becoming final, anonymized judgements are published at the website https://sudovi.me/sdvi/odluke available on search.

Question 10c

Bosnia and Herzegovina

(2025): Database called “Case-law portal” also contain legal stances of courts of highest instances in addition to their selected court decisions.
Database called “Database of court decisions” contain summaries of war crimes cases and cases of high corruption, publicly accessible through the Map of court cases of public interest: https://mapepredmeta.pravosudje.ba/?lang=E.

North Macedonia

(2025): There is an anonymization module through AI, where manual rechecking is additionally performed.

Question 11b

Bosnia and Herzegovina

(General Comment): In the judicial system of Bosnia and Herzegovina, an Information System for Reporting and Decision Support (hereinafter: SIPO) is in use. The SIPO system provides support to court presidents in proactively managing courts, with the goal of ensuring more efficient, higher-quality, and more reliable use of statistical data through improved statistical reports. SIPO is designed to integrate data from all information systems used within the judiciary of Bosnia and Herzegovina (CMS/TCMS, HRMIS, SOKOP). Reports can be generated incomparably faster and more securely than from the databases in which they were originally created, ensuring consistency of reports produced by various institutions within the justice sector. In addition, the system facilitates stronger cooperation and information exchange with institutions operating within the justice sector, as well as with the media and other public and non-profit organizations, thereby increasing transparency in the work of the judiciary. Another major advantage of the SIPO system is the ability to generate pre-prepared reports and automatically deliver them to a predefined location (e-mail address) at a predetermined time. In this way, the system ensures not only the accuracy and quality of the information provided to judicial management, but also the timeliness of its delivery, which is a key factor in the effective management of judicial institutions. Other statistical indicators systematically calculated based on the available data are Most of the data recorded in the aforementioned information systems used in the judiciary of Bosnia and Herzegovina can be processed within the SIPO system. These include, among others: implementation of the plan for resolving old cases, calculation of the achievement of the indicative norm, predicted timeframes for case resolution, statute of limitations, inheritance cases referred to notaries, finality of decisions, unresolved cases, records of criminal proceedings, discrimination cases in first-instance courts, overview of cases assigned to judges working with legal associates, overview of cases assigned to independent legal associates, cases with or without a decision etc.
Additionally, the HJPC BiH developed a website where the public can monitor the Overall Efficiency Indicators, Efficiency, Human and Budgetary Resources, Quality Indicators, and Quality Indicators by Case Type for all courts in Bosnia and Herzegovina (https://public.tableau.com/app/profile/hjpc/viz/DashboardsHJPCBH_17473883136560/1-OverallEfficiencyindicator)

Montenegro

(2025): PRIS, the Judicial Information System in Montenegro, is an integrated platform that includes reporting and statistical functionalities enabling the analysis of court case data. Statistical data is generated based on information recorded in the case management system and is used for monitoring court performance, workload distribution and efficiency indicators. Statistical tools are deployed in all courts, covering 100% of registries and cases, as well as the overall functioning of the courts. This high level of deployment reflects the fact that statistical reporting is an integral part of the court information system and is routinely used in daily operations and institutional reporting. The system enables the generation of predefined statistical reports and, to a certain extent, customised reports according to user needs. Statistical outputs are mainly available through internal reporting functionalities and dashboards linked to the case management system. Data is automatically consolidated at the national level, ensuring consistent reporting across all courts. The data available for statistical analysis includes key performance indicators such as case flow, including incoming, resolved and pending cases, the age of pending cases, the length of proceedings, the number of hearings, the number of cases per judge, case distribution and workload indicators, as well as information on procedural outcomes and appeals. Statistical reporting is based on real-time data, ensuring reliable monitoring of judicial efficiency and case management trends. These tools are used for internal analysis, institutional reporting and strategic planning within the judicial system.

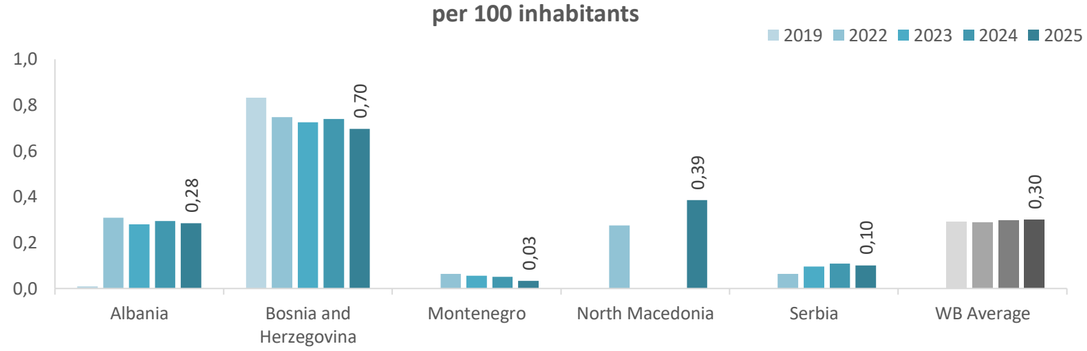
4. Access to justice - Overview

Legal Aid

Total number of cases per 100 inhabitants in which legal aid was granted from 2019 to 2025 (Table 4.3.4)

Beneficiaries	Number of cases for which legal aid was granted per 100 inhabitants				
	2019	2022	2023	2024	2025
Albania	0,01	0,31	0,28	0,30	0,28
Bosnia and Herzegovina	0,83	0,75	0,72	0,74	0,70
Montenegro	NA	0,06	0,06	0,05	0,03
North Macedonia	NA	0,27	NA	NA	0,39
Serbia	NA	0,06	0,10	0,11	0,10
Kosovo*	0,31	0,34	NA	0,50	0,43
WB Average	-	0,29	0,29	0,30	0,30

Figure 4.1 Number of cases for which legal aid was granted per 100 inhabitants



North Macedonia: because of the 2021 census, the number of inhabitants changed significantly between 2020 and 2021. **Albania**: because of the 2023 census, the number of inhabitants changed significantly between 2023 and 2024. As a result, variations in indicators standardised by the number of inhabitants may be partly due to the change in population figures.

Average amount per case for which legal aid was granted from 2019 to 2025 (Table 4.3.6)

Beneficiaries	Average amount per case for which legal aid was granted				
	2019	2022	2023	2024	2025
Albania	248,0 €	36,7 €	60,4 €	96,5 €	134,9 €
Bosnia and Herzegovina	272,4 €	326,8 €	351,9 €	325,3 €	414,7 €
Montenegro	NA	274,7 €	302,5 €	288,7 €	424,2 €
North Macedonia	NA	103,3 €	NA	NA	76,1 €
Serbia	NA	21,0 €	1 821,3 €	NA	NA
Kosovo*	382,7 €	278,2 €	NA	316,0 €	434,5 €
WB Average	-	152,5 €	634,0 €	236,8 €	262,5 €

Figure 4.2 Average amount per case for which legal aid was granted (€)



In **Serbia** and **Kosovo**, it is not possible to calculate the amount per case and per recipient because the budget for legal aid includes mandatory representation in court while the number of cases and recipients does not.

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Organisation of the court system

Number of first instance general jurisdiction and specialised courts as legal entities and number first instance of courts as geographic location per 100 000 inhabitants in 2025 (Tables 4.5.2 and 4.5.6)

Beneficiaries	Number of first instance courts per 100 000 inhabitants			
	Legal entities			Geographic location
	Total	General jurisdiction	Specialised courts	First instance
Albania	0,8	0,6	0,2	0,6
Bosnia and Herzegovina	2,4	2,2	0,2	2,2
Montenegro	4,0	3,7	0,3	5,1
North Macedonia	1,9	1,8	0,1	1,7
Serbia	2,4	2,1	0,3	3,6
Kosovo*	0,7	0,6	0,1	1,8
WB Average	2,3	2,1	0,2	2,6

Figure 4.3 Percentage of first instance specialized courts within the total number of first instance courts in 2025

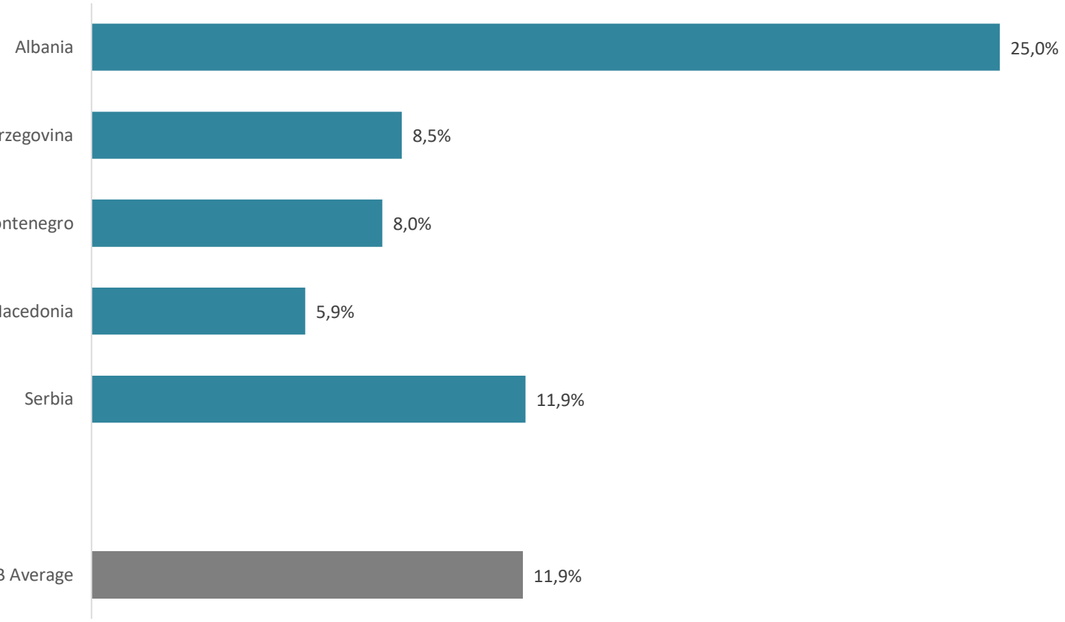
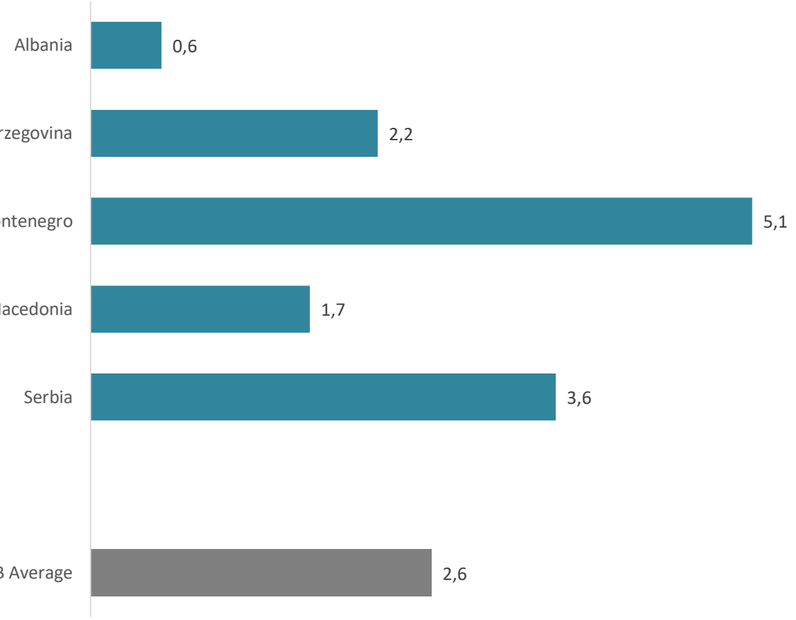


Figure 4.4 First instance courts of general jurisdiction(geographic locations) per 100 000 inhabitants in 2025



* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

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Table 4.3.4 Access to justice - Number of cases for which legal aid was granted per 100 inhabitants in 2025 (Q1, Q22)

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Table 4.5.4 Areas of law concerned by specialisation and how it is organised (specialised courts/chambers/judges) in 2025 (Q29) (2/2)

Table 4.5.5 Number of courts (general jurisdiction and specialised courts as geographical locations) in absolute number in 2025 (Q28)

Table 4.5.6 Number of courts (general jurisdiction and specialised courts as geographical locations) per 100 000 inhabitants in 2025 (Q1, Q28)

4.1 Legal aid budget

Table 4.1.1 Access to justice - Approved budget for legal aid in 2025 (Q9-0)

Beneficiaries	Approved budget for legal aid in 2025								
	Total (1+2)			1. In criminal cases			2. In other than criminal cases		
	Total (a+b)	Cases brought to court (a)	Cases not brought to court (b)	Total (a+b)	Cases brought to court (a)	Cases not brought to court (b)	Total (a+b)	Cases brought to court (a)	Cases not brought to court (b)
Albania	1 057 184 €	229 348 €	827 836 €	NA	NA	NA	NA	NA	NA
Bosnia and Herzegovina	NA	NA	NA	NA	NA	NA	NA	NA	NA
Montenegro	144 617 €	NA	NA	NA	NA	NA	NA	NA	NA
North Macedonia	533 434 €	NA	NA	NA	NA	NAP	NA	NA	NA
Serbia	15 839 772 €	NA	NA	15 746 664 €	NA	NA	93 108 €	NA	NA
Kosovo*	3 017 355 €	NA	NA	2 396 082 €	1 497 304 €	898 778 €	621 273 €	NA	NA
Average	4 393 752 €	-	-	-	-	-	-	-	-
Median	795 309 €	-	-	-	-	-	-	-	-
Minimum	144 617 €	-	-	-	-	-	-	-	-
Maximum	15 839 772 €	-	-	-	-	-	-	-	-

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Albania and **Montenegro** could not separate the cost of mandatory representation in court from the courts' budget, which explains their comparatively lower values for the legal aid budget. **Bosnia and Herzegovina**, **North Macedonia** and **Kosovo** include this cost within the legal aid budget.

Table 4.1.2 Access to justice - Implemented budget for legal aid in 2025 (Q9)

Beneficiaries	Implemented budget for legal aid in 2025								
	Total (1+2)			1. In criminal cases			2. In other than criminal cases		
	Total (a+b)	Cases brought to court (a)	Cases not brought to court (b)	Total (a+b)	Cases brought to court (a)	Cases not brought to court (b)	Total (a+b)	Cases brought to court (a)	Cases not brought to court (b)
Albania	907 374 €	215 592 €	691 782 €	NA	NA	NA	NA	NA	NA
Bosnia and Herzegovina	9 862 360 €	NA	NA	NA	NA	NA	NA	NA	NA
Montenegro	90 357 €	NA	NA	NA	NA	NA	NA	NA	NA
North Macedonia	533 952 €	NA	NA	NA	NA	NAP	NA	NA	NA
Serbia	15 730 240 €	NA	NA	15 652 468 €	NA	NA	77 772 €	NA	NA
Kosovo*	2 953 499 €	NA	NA	2 341 845 €	1 443 067 €	898 778 €	611 654 €	NA	NA
Average	5 424 857 €	-	-	-	-	-	-	-	-
Median	907 374 €	-	-	-	-	-	-	-	-
Minimum	90 357 €	-	-	-	-	-	-	-	-
Maximum	15 730 240 €	-	-	-	-	-	-	-	-

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Albania and **Montenegro** could not separate the cost of mandatory representation in court from the courts' budget, which explains their comparatively lower values for the legal aid budget. **Bosnia and Herzegovina**, **North Macedonia** and **Kosovo** include this cost within the legal aid budget.

Table 4.1.3 Access to justice - Total implemented budget for legal aid per inhabitant in 2025 and its evolution between 2019 and 2025 (Q1 and Q9)

Beneficiaries	Total implemented budget for legal aid per inhabitant in 2025			Evolution of the total implemented budget for legal aid per inhabitant					
	Total (a+b)	Cases brought to court (a)	Cases not brought to court (b)	2019	2022	2023	2024	2025	Trend 2019 - 2025
Albania	0,38 €	0,09 €	0,29 €	0,02 €	0,11 €	0,17 €	0,28 €	0,38 €	
Bosnia and Herzegovina	2,89 €	NA	NA	2,27 €	2,44 €	2,55 €	2,41 €	2,89 €	
Montenegro	0,14 €	NA	NA	0,33 €	0,18 €	0,17 €	0,15 €	0,14 €	
North Macedonia	0,29 €	NA	NA	0,19 €	0,28 €	0,28 €	0,20 €	0,29 €	
Serbia	2,40 €	NA	NA	NA	0,01 €	1,73 €	2,44 €	2,40 €	
Kosovo*	1,86 €	NA	NA	1,19 €	0,93 €	1,35 €	1,59 €	1,86 €	
Average	1,22 €	-	-	0,70 €	0,61 €	0,98 €	1,10 €	1,22 €	
Median	0,38 €	-	-	0,26 €	0,18 €	0,28 €	0,28 €	0,38 €	
Minimum	0,14 €	-	-	0,02 €	0,01 €	0,17 €	0,15 €	0,14 €	
Maximum	2,89 €	-	-	2,27 €	2,44 €	2,55 €	2,44 €	2,89 €	

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

North Macedonia: Because of the 2021 Census, the number of inhabitants changed dramatically between 2020 and 2021. For this reason, all the variations of values standardised by the number of inhabitants are mainly due to the variation in the population.

Albania and **Montenegro** could not separate the cost of mandatory representation in court from the courts' budget, which explains their comparatively lower values for the legal aid budget. **Bosnia and Herzegovina**, **North Macedonia** and **Kosovo** include this cost within the legal aid budget.

Serbia: since 2023, mandatory representation in court has been separated from the courts' budget and included under the legal aid budget.

Table 4.1.4 Access to justice - Distribution of the total implemented budget for legal aid (cases brought to court/not brought to court and criminal cases/ othen than criminal cases in 2025 (Q1 and Q9)

Beneficiaries	Distribution of the total implemented budget for legal aid between:		Distribution of the total implemented budget for legal aid between:	
	Cases brought to court	Cases not brought to court	Criminal cases	Other than criminal cases
Albania	23,8%	76,2%	NA	NA
Bosnia and Herzegovina	NA	NA	NA	NA
Montenegro	NA	NA	NA	NA
North Macedonia	NA	NA	NA	NA
Serbia	NA	NA	99,5%	0,5%
Kosovo*	NA	NA	79%	21%
Average	-	-	-	-
Median	-	-	-	-
Minimum	-	-	-	-
Maximum	-	-	-	-

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

4.2 Organisation of legal aid

Table 4.2.1 Organisation of the legal aid system before going to court and during court proceedings in 2025 (Q16)

Beneficiaries	Organisation of the legal aid system before going to court and during court proceedings
Albania	Legal aid guaranteed by the state constitutes a core pillar of access to justice in the Republic of Albania. A dedicated legal framework was first introduced in 2008, enabling the establis public body responsible for the provision of free legal aid. The system was fundamentally reformed within the framework of the justice reform, resulting in a comprehensive and modern with European Union standards. The current system is based on Law No. 111/2017 on State Guaranteed Legal Aid, which entered into force on 1 June 2018. The law regulates the organisation, administration, forms, a guaranteed legal aid, with the objective of ensuring effective protection of fundamental rights and access to justice. Its constitutional basis is grounded in Article 42(2) of the Constitutior Albania, while Decision No. 7/2013 of the Constitutional Court has recognised state-guaranteed legal aid as an integral component of the right to due process. The law is complemented acts regulating operational aspects of legal aid delivery. The legal aid system is centrally coordinated by the Directorate of Free Legal Aid (DFLA) and provides three main forms of assistance: Primary legal aid, consisting of legal information, counselling, and assistance prior to judicial proceedings, is delivered through a nationwide network of 20 Primary Legal Aid Service Ce Durrës, Elbasan, Lushnjë, Berat, Fier, Vlorë, Pogradec, Gjirokastër, Lezhë, Shkodër, Dibër, Kukës, Korçë, Tropojë, Mat, Pukë, Kurbin, Kavajë and Përmet. These centres ensure territo areas affected by the implementation of the new judicial map, where courts of first instance have been closed. Primary legal aid is also provided by authorised non-profit organisations a higher education institutions, operating under the supervision and coordination of DFLA. Secondary legal aid consists of legal representation by an advocate in judicial proceedings (criminal, civil, and administrative). Representation is provided by advocates included in a de the National Chamber of Advocates, based on court decisions granting legal aid. Courts are required to decide on legal aid requests within statutory deadlines, ensuring timely access t
Bosnia and Herzegovina	The courts and the specialized government institutions provide free legal aid to citizens in relation to court proceedings. Free legal aid is provided by the courts in criminal proceedings by assigning a lawyer to a suspected or accused person if that person meets the conditions laid down by law (e.g. obliga courts may make a decision on exemption from the costs of proceedings for parties in different types of proceedings (e.g. criminal, civil). In addition, free legal aid centers have been es adopted at all levels of government as a part of the respective public administration system. Employees of free legal aid institutions represent the citizens in various types of court and n give legal advice to the citizens and compose legal documents for them. Citizens are entitled to free legal aid provided by the legal aid institutions if they fulfill financial and property crite relevant legislation.

Table 4.2.1 Organisation of the legal aid system before going to court and during court proceedings in 2025 (Q16)

Beneficiaries	Organisation of the legal aid system before going to court and during court proceedings
Montenegro	Free legal aid implies providing the necessary funds to fully or partially cover the costs of legal advice, drafting letters, representation in court, the State Prosecutor's Office and the Con Montenegro and in out-of-court dispute resolution and enforcement proceedings as well as exemption from payment of court costs. The financial situation of the applicant for free legal a the basis of his/her income and property and the income and property of his family members, unless otherwise prescribed by this Law. The body responsible for granting free legal aid is the president of the basic court, or the judge authorized by the president, in which territory the applicant has a domicile or residence. F administrative tasks in the process of approving free legal aid, are organized within the Service or Office for free legal aid. The Service provides information and advice to the interested and conditions for exercising the right to free legal aid assistance and other issues related to the granting of free legal aid and assistance to the applicant when submitting the applicatio provided by lawyers in the order from the list of the Bar Association of Montenegro, which is compiled according to local jurisdiction of the basic courts. The Bar Association shall submit the list to the Service. Free legal aid is not provided in: 1) the procedure before the commercial courts and the procedure for the registration of the form of performing economic a damages in connection with defamation and insult; 3) the procedure for a lawsuit to reduce the amount of child support in the case when the person who is obliged to pay maintenance has not fulfilled that obligation, unless that obligation was not fulfilled through his fault; 4) enforcement procedure on the basis of an authentic document. The Law on free legal aid prescribes in detail all the conditions which shall be met for exercising the right to free legal aid

Table 4.2.1 Organisation of the legal aid system before going to court and during court proceedings in 2025 (Q16)

Beneficiaries	Organisation of the legal aid system before going to court and during court proceedings
North Macedonia	The Republic of North Macedonia has a dual system of free legal aid, i.e. one system is provided through the Ministry of Justice and the other through the courts. Namely, the courts pro basis of legal provisions from procedural laws: the right to defense for the poor in civil proceedings and in criminal procedure - mandatory defense and defense for the poor. In relation t there is a separate organizational unit, the Department for Free Legal Aid. This Department is responsible for primary and secondary legal aid. The primary legal aid includes: - initial legal advice on the right to use free legal aid, - general legal information, - general legal advice, - assistance in completing the application for secondary legal aid, - assistance in filling out forms, forms issued by an administrative body in an administrative procedure for social protection and protection of children's rights; pension, disability, and hea victims of gender-based violence and domestic violence; procedure for registration in the birth registry; acquisition of personal identification and citizenship documents, - drafting of com for Protection against Discrimination and to the Ombudsman and requests for protection of freedoms and rights to the Constitutional Court of the Republic of North Macedonia. Primary every interested person. The initial meeting at the Ministry, at the authorized association, at the legal clinic is aimed at explaining to the interested person the nature of the problem or he whether the problem is a legal issue, whether it is within the scope of the legal services provided by the Ministry, the association and the legal clinic, as well as the types of legal aid that the person. In the procedure, while providing primary legal aid, the Ministry, the association, and the legal clinic do not have the right to act on behalf of and for the account of the perso provided by the Ministry includes: - initial legal advice on the right to use free legal aid, - general legal information, - general legal advice, - assistance in completing the application for secondary legal aid. Primary legal aid is provided by the legal clinic in accordance with the education program adopted by the law faculty, to implement practical training for students at the law faculty. Wher aid, the legal clinic cooperates with lawyers registered in the Register of Lawyers, as well as with the Bar Association of the Republic of North Macedonia. Secondary Legal Aid is granted to a person who needs professional legal assistance from a lawyer for a specific legal matter and who is unable to pay the costs of the procedure due to and whose request is justified. Secondary legal aid includes representation in proceedings before a court, a state body, the Pension and Disability Insurance Fund of the Republic of North Macedonia, the Health Insu of North Macedonia, and persons exercising public authority pursuant to Article 14 of this Law, as well as exemption from costs pursuant to the provisions of this and other laws. In the p legal aid, the Ministry cooperates with the Bar Association of the Republic of North Macedonia, judicial authorities, as well as with the Center for Social Work, state bodies and other cor according to law, are obliged to submit to the Ministry, free of charge, the necessary data for the provision of secondary legal aid, whereby the data is submitted in accordance with the r protection of personal data. Secondary legal aid includes those costs of the procedure that have occurred after the date of approval of the request for granting free legal aid and is grant levels in civil court proceedings, administrative proceedings, and administrative disputes. The following costs are covered under secondary legal aid : -authorizes the appointed lawyer to provide secondary legal aid, - exempts the beneficiary from court fees and costs related to the procedure before the court in accordance with the law, - exempts the beneficiary from the costs of the expert examination and

Table 4.2.1 Organisation of the legal aid system before going to court and during court proceedings in 2025 (Q16)

Beneficiaries	Organisation of the legal aid system before going to court and during court proceedings
Serbia	Article 67 of the Constitution of the Republic of Serbia guarantees the right to legal aid, which may be provided by attorneys as an independent and autonomous profession, as well as b established within local self-government units. The law stipulates the circumstances under which such legal aid may be provided free of charge. The Law on Free Legal Aid came into effect on October 1, 2019, except for the provisions of Articles 44 to 52, which will apply from the date of Serbia's accession to the European Unio legal aid for citizens as its beneficiaries and defines the procedures for its provision and realization (Article 1). Free legal aid is defined as legal assistance provided to a beneficiary without charge, in accordance with the provisions of this law. It includes free legal aid in a narrow sense, free legal in cross-border disputes. However, the provisions of Articles 44-52, which regulate free legal aid in cross-border disputes, will only be applied upon Serbia's accession to the European The forms of free legal aid in a narrow sense are prescribed in Article 6 of the Law and include: •Providing legal advice •Drafting legal documents •Representation and defense The forms of free legal support, as outlined in Article 11, include: •Providing general legal information •Filling out forms •Drafting notarial documents •Mediation in dispute resolution

Table 4.2.1 Organisation of the legal aid system before going to court and during court proceedings in 2025 (Q16)

Beneficiaries	Organisation of the legal aid system before going to court and during court proceedings
Kosovo*	Legal aid in Kosovo is a constitutional right. Article 31(6) of the Constitution of the Republic of Kosovo guarantees free legal aid for persons who lack sufficient financial resources where ensure effective access to justice. The legal aid system is primarily organized and implemented by the Free Legal Aid Agency (FLAA), an executive agency within the Ministry of Justice. The Agency operates under the L its subsequent amendments, which establish a functional state system to provide access to justice for persons in need. Free legal aid is available in civil, criminal, administrative, and misdemeanor proceedings. Services include legal information and advice, drafting of submissions and documents, and re and administrative bodies. Institutionally, FLAA provides services through a network of 7 regional offices and 23 mobile legal aid offices covering municipalities throughout Kosovo. These offices are funded by the broad geographical access to services. To further expand access, FLAA with the support of UNDP operates a Mobile Office (minibus) that delivers legal aid in areas where the Agency has no permanent presence. This unit a and information campaigns to inform citizens about their legal rights and available services. In addition, FLAA has signed cooperation agreements with eight non-governmental organizations, which provide legal aid in municipalities without FLAA offices or fort the support of spe including victims of conflict-related sexual violence, repatriated persons, asylum seekers, stateless persons, and members of non-majority communities

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 4.2.2 Types of legal aid in 2025 (Q17)

Beneficiaries	Types of legal aid			
	Criminal cases		Other than criminal cases	
	Representation in court	Legal advice, ADR, and other legal services	Representation in court	Legal advice, ADR, and other legal services
Albania				
Bosnia and Herzegovina				
Montenegro				
North Macedonia				
Serbia				
Kosovo*				

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 4.2.3 Criteria for granting or refusing legal aid per category of cases, and situations where legal aid is automatically granted based on case category or status of the recipient in 2025 (Q18 and Q19)

Beneficiaries	Legal aid granted based on the financial situation		Legal aid may be refused for cases lacking merit, such as frivolous actions or those with no reasonable chance of success		Legal aid automatically granted based on case category or status of a recipient			
	Criminal cases	Other than criminal cases	Criminal cases	Other than criminal cases	Status of the recipient	Please specify	Category of the case	Please specify
Albania						nce constitutes a separat		nce constitutes a separat
Bosnia and Herzegovina						gender-based violence).		ictions in Bosnia and Her
Montenegro						the application process.		the application process.
North Macedonia						t is placed to foster family		t is placed to foster family
Serbia						protectio		protectio
Kosovo*						-		-

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 4.2.4 Timeframes of the procedure for granting legal aid, in relation to the duration from the initial legal aid request to the final approval of the legal aid request in 2025 (Q20)

Beneficiaries	Maximum duration prescribed in law/regulation (in days)		Actual average duration (in days)	
	Criminal cases	Other than criminal cases	Criminal cases	Other than criminal cases
Albania	5	5	30	30
Bosnia and Herzegovina	15	15	9	7
Montenegro	15	15	NA	NA
North Macedonia	15	15	15	15
Serbia	8	8	8	8
Kosovo*	5	5	1	3
Average	12	12	16	15
Median	15	15	12	12
Minimum	5	5	8	7
Maximum	15	15	30	30

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

4.3 Legal aid - cases and recipients

Table 4.3.1 Access to justice - Number of requests for legal aid in 2025 (Q21)

Beneficiaries	Number of requests for legal aid in 2025								
	Total (1+2)			1. In criminal cases			2. In other than criminal cases		
	Total (a+b)	Cases brought to court (a)	Cases not brought to court (b)	Total (a+b)	Cases brought to court (a)	Cases not brought to court (b)	Total (a+b)	Cases brought to court (a)	Cases not brought to court (b)
Albania	6 787	924	5 863	513	46	467	6 274	878	5 396
Bosnia and Herzegovina	NA	NA	NA	NA	NA	NA	NA	NA	NA
Montenegro	272	NA	NA	78	NA	NA	194	NA	NA
North Macedonia	NA	2 050	NA	NA	NA	NAP	NA	NA	NA
Serbia	8 520	NA	NA	NA	NA	NA	NA	NA	NA
Kosovo*	NA	NA	NA	NA	NA	NA	NA	NA	NA
Average	5 193	-	-	-	-	-	-	-	-
Median	6 787	-	-	-	-	-	-	-	-
Minimum	272	-	-	-	-	-	-	-	-
Maximum	8 520	-	-	-	-	-	-	-	-

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

ot included in the calculation of summary statistics

Table 4.3.2 Access to justice - Number of requests for legal aid per 100 inhabitants in 2025 (Q1, Q21)

Beneficiaries	Number of requests for legal aid per 100 inhabitants in 2025								
	Total (1+2)			1. In criminal cases			2. In other than criminal cases		
	Total (a+b)	Cases brought to court (a)	Cases not brought to court (b)	Total (a+b)	Cases brought to court (a)	Cases not brought to court (b)	Total (a+b)	Cases brought to court (a)	Cases not brought to court (b)
Albania	0,29	0,04	0,25	0,02	0,002	0,02	0,27	0,04	0,23
Bosnia and Herzegovina	NA	NA	NA	NA	NA	NA	NA	NA	NA
Montenegro	0,04	NA	NA	0,01	NA	NA	0,03	NA	NA
North Macedonia	NA	0,11	NA	NA	NA	NAP	NA	NA	NA
Serbia	0,13	NA	NA	NA	NA	NA	NA	NA	NA
Kosovo*	NA	NA	NA	NA	NA	NA	NA	NA	NA
Average	0,15	-	-	-	-	-	-	-	-
Median	0,13	-	-	-	-	-	-	-	-
Minimum	0,04	-	-	-	-	-	-	-	-
Maximum	0,29	-	-	-	-	-	-	-	-

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 4.3.3 Access to justice - Number of cases for which legal aid was granted in 2025 (Q22)

Beneficiaries	Number of cases for which legal aid was granted in 2025								
	Total (1+2)			1. In criminal cases			2. In other than criminal cases		
	Total (a+b)	Cases brought to court (a)	Cases not brought to court (b)	Total (a+b)	Cases brought to court (a)	Cases not brought to court (b)	Total (a+b)	Cases brought to court (a)	Cases not brought to court (b)
Albania	6 724	861	5 863	506	39	467	6 218	822	5 396
Bosnia and Herzegovina	23 784	7 880	15 904	3 877	3 702	175	19 907	4 178	15 729
Montenegro	213	NA	NA	62	NA	NA	151	NA	NA
North Macedonia	7 019	1 948	5 071	1 723	1 723	NAP	5 296	225	5 071
Serbia	6 616	NA	NA	NA	NA	NA	NA	NA	NA
Kosovo*	6 797	3 876	2 921	280	244	36	6 517	3 632	2 885
Average	8 871	3 563	8 946	1 542	1 821	-	7 893	1 742	8 732
Median	6 724	1 948	5 863	1 115	1 723	-	5 757	822	5 396
Minimum	213	861	5 071	62	39	-	151	225	5 071
Maximum	23 784	7 880	15 904	3 877	3 702	-	19 907	4 178	15 729

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

ot included in the calculation of summary statistics

Bosnia and Herzegovina and North Macedonia include mandatory representation in court as in the legal aid cases, while the other countries do not.

Table 4.3.4 Access to justice - Number of cases for which legal aid was granted per 100 inhabitants in 2025 (Q1, Q22)

Beneficiaries	Number of cases for which legal aid was granted per 100 inhabitants in 2025								
	Total (1+2)			1. In criminal cases			2. In other than criminal cases		
	Total (a+b)	Cases brought to court (a)	Cases not brought to court (b)	Total (a+b)	Cases brought to court (a)	Cases not brought to court (b)	Total (a+b)	Cases brought to court (a)	Cases not brought to court (b)
Albania	0,28	0,04	0,25	0,02	0,002	0,02	0,26	0,03	0,23
Bosnia and Herzegovina	0,70	0,23	0,47	0,11	0,11	0,01	0,58	0,12	0,46
Montenegro	0,03	NA	NA	0,01	NA	NA	0,02	NA	NA
North Macedonia	0,39	0,11	0,28	0,09	0,09	NAP	0,29	0,01	0,28
Serbia	0,10	NA	NA	NA	NA	NA	NA	NA	NA
Kosovo*	0,43	0,24	0,18	0,02	0,02	0,00	0,41	0,23	0,18
Average	0,30	0,12	0,33	0,06	0,07	-	0,29	0,06	0,32
Median	0,28	0,11	0,28	0,06	0,09	-	0,28	0,03	0,28
Minimum	0,03	0,04	0,25	0,01	0,00	-	0,02	0,01	0,23
Maximum	0,70	0,23	0,47	0,11	0,11	-	0,58	0,12	0,46

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Bosnia and Herzegovina and North Macedonia include mandatory representation in court as in the legal aid cases, while the other countries do not.

Table 4.3.5 Access to justice - Percentage of requests for for which legal aid which was granted in 2025 (Q21, Q22)

Beneficiaries	Percantage of requests for which legal has been grantdn 2025								
	Total (1+2)			1. In criminal cases			2. In other than criminal cases		
	Total (a+b)	Cases brought to court (a)	Cases not brought to court (b)	Total (a+b)	Cases brought to court (a)	Cases not brought to court (b)	Total (a+b)	Cases brought to court (a)	Cases not brought to court (b)
Albania	99%	93%	100%	99%	85%	100%	99%	94%	100%
Bosnia and Herzegovina	NA	NA	NA	NA	NA	NA	NA	NA	NA
Montenegro	78%	NA	NA	79%	NA	NA	78%	NA	NA
North Macedonia	NA	95%	NA	NA	NA	NAP	NA	NA	NA
Serbia	78%	NA	NA	NA	NA	NA	NA	NA	NA
Kosovo*	NA	NA	NA	NA	NA	NA	NA	NA	NA
Average	85%	-	-	-	-	-	-	-	-
Median	78%	-	-	-	-	-	-	-	-
Minimum	78%	-	-	-	-	-	-	-	-
Maximum	99%	-	-	-	-	-	-	-	-

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 4.3.6 Access to justice - Average amount per case for which legal aid was granted in 2025 (Q9 and Q22)

Beneficiaries	Average amount per case for which legal aid was granted in 2025								
	Total (1+2)			1. In criminal cases			2. In other than criminal cases		
	Total (a+b)	Cases brought to court (a)	Cases not brought to court (b)	Total (a+b)	Cases brought to court (a)	Cases not brought to court (b)	Total (a+b)	Cases brought to court (a)	Cases not brought to court (b)
Albania	134,9 €	250,4 €	118,0 €	NA	NA	NA	NA	NA	NA
Bosnia and Herzegovina	414,7 €	NA	NA	NA	NA	NA	NA	NA	NA
Montenegro	424,2 €	NA	NA	NA	NA	NA	NA	NA	NA
North Macedonia	76,1 €	NA	NA	NA	NA	NAP	NA	NA	NA
Serbia	NA	NA	NA	NA	NA	NA	NA	NA	NA
Kosovo*	434,5 €	NA	NA	8 363,7 €	5 914,2 €	24 966,1 €	93,9 €	NA	NA
Average	262,5 €	-	-	-	-	-	-	-	-
Median	274,8 €	-	-	-	-	-	-	-	-
Minimum	76,1 €	-	-	-	-	-	-	-	-
Maximum	424,2 €	-	-	-	-	-	-	-	-

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Bosnia and Herzegovina and North Macedonia include mandatory representation in court as in the legal aid cases, while the other countries do not.

In **Serbia** and **Kosovo**, it is not possible to calculate the amount per case and per recipient because the budget for legal aid includes mandatory representation in court, while the number of cases and recipients do not.

4.4 Court users and victims

Table 4.4.1 Special arrangements in hearings or other phases of the judicial proceedings for vulnerable groups in 2025 (Q25)

Beneficiaries	Special arrangements in hearings or other phases of the judicial proceedings for vulnerable groups in 2025						
	Victims of sexual abuse	Victims of terrorism	Victims of domestic violence	Minors (witnesses, victims, offenders)	Persons with disabilities	Migrants, refugees and asylum seekers	Other
Albania							
Bosnia and Herzegovina							
Montenegro							
North Macedonia							
Serbia							
Kosovo*							

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Yes
No
NA
NAP

Table 4.4.2 System for compensating users: number of requests for compensations and number of compensation granted by specific circumstances in 2025 (Q26)

Beneficiaries	System for compensating users: number of requests for compensations and number of compensations granted by specific circumstances in 2025																
	Total number of requests for compensation	Total number of compensations granted	Specific circumstances														
			Wrongful arrest/detention			Wrongful conviction			Excessive length of proceedings			Non-execution of court decisions			Other circumstances		
			Number of requests for compensation	Number of compensations granted	Legal time limit to process the request	Number of requests for compensation	Number of compensations granted	Legal time limit to process the request	Number of requests for compensation	Number of compensations granted	Legal time limit to process the request	Number of requests for compensation	Number of compensations granted	Legal time limit to process the request	Number of requests for compensation	Number of compensations granted	Legal time limit to process the request
Albania	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Bosnia and Herzegovina	5 841	224	260	61	90	487	4	90	203	103	180	95	6	NAP	4 796	50	NAP
Montenegro	NA	NA	36	0	3	NA	NA	NA	69	14	56	NAP	NAP	NAP	NAP	NAP	NAP
North Macedonia	232	66	42	0	90	3	0	90	176	66	180	NAP	NAP	NAP	11	0	0
Serbia	7 529	6 098	628	396	3	NAP	NAP	NAP	6 901	5 702	4	NAP	NAP	NAP	NAP	NAP	NAP
Kosovo*	321	115	NA	NA	NAP	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Average	4 534	2 129	242	114	47	-	-	-	1 837	1 471	105	-	-	-	-	-	-
Median	5 841	224	151	31	47	-	-	-	190	85	118	-	-	-	-	-	-
Minimum	232	66	36	0	3	-	-	-	69	14	4	-	-	-	-	-	-
Maximum	7 529	6 098	628	396	90	-	-	-	6 901	5 702	180	-	-	-	-	-	-

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 4.4.3 Authorities responsible for dealing with the compensation requests and legal time limit to deal with these requests in 2025 (Q26-1)

Beneficiaries	Authorities responsible for dealing with the requests of compensation in 2025				
	Court concerned	Other court	Ministry of Justice	High Judicial Council	Other external bodies (e.g. Ombudsman)
Albania					
Bosnia and Herzegovina					
Montenegro					
North Macedonia					
Serbia					
Kosovo*					

Yes	
No	
NA	
NAP	

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

4.5 Courts

Table 4.5.1 Number of courts (general jurisdiction and specialised courts as legal entities) in absolute number in 2025 (Q28)

Beneficiaries	Number of courts (legal entities) in absolute number in 2025									
	Total number of all courts - legal entities (1 + 2)	General jurisdiction				Specialised courts				
		Total (1)	1st instance	2nd instance	Highest instance	Total (2)	1st instance	2nd instance	Highest instance	% of total specialised courts out of the total number of all courts (legal entities)
Albania	20	15	13	1	1	5	3	2	0	25%
Bosnia and Herzegovina	82	75	55	17	3	7	6	1	NAP	9%
Montenegro	25	23	18	4	1	2	2	NAP	NAP	8%
North Macedonia	34	32	27	4	1	2	1	1	NAP	6%
Serbia	159	141	110	30	1	19	17	1	1	12%
Kosovo*	11	9	7	1	1	2	1	1	NAP	18,2%
Average	64	57	45	11	1	7	6	1	-	12%
Median	34	32	27	4	1	5	3	1	-	9%
Minimum	20	15	13	1	1	2	1	1	-	6%
Maximum	159	141	110	30	3	19	17	2	-	25%

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 4.5.2 Number of courts (general jurisdiction and specialised courts as legal entities) per 100 000 inhabitants in 2025 (Q1, Q28)

Beneficiaries	Number of courts (legal entities) per 100 000 inhabitants in 2025								
	Total number of all courts - legal entities (1 + 2)	General jurisdiction				Specialised courts			
		Total (1)	1st instance	2nd instance	Highest instance	Total (2)	1st instance	2nd instance	Highest instance
Albania	0,85	0,63	0,55	0,04	0,04	0,21	0,13	0,08	-
Bosnia and Herzegovina	2,40	2,20	1,61	0,50	0,09	0,21	0,18	0,03	-
Montenegro	4,01	3,69	2,89	0,64	0,16	0,32	0,32	NAP	-
North Macedonia	1,87	1,76	1,48	0,22	0,05	0,11	0,05	0,05	-
Serbia	2,42	2,15	1,67	0,46	0,02	0,29	0,26	0,02	-
Kosovo*	0,69	0,57	0,44	0,06	0,06	0,13	0,06	0,06	-
Average	2,31	2,08	1,64	0,37	0,07	0,23	0,19	0,05	
Median	2,40	2,15	1,61	0,46	0,05	0,21	0,18	0,04	
Minimum	0,85	0,63	0,55	0,04	0,02	0,11	0,05	0,02	0,00
Maximum	4,01	3,69	2,89	0,64	0,16	0,32	0,32	0,08	0,00

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 4.5.3 Areas of law concerned by specialisation and how it is organised (specialised courts/chambers/judges) in 2025 (Q29) (1/2)

Beneficiaries	Areas of law concerned by specialisation and how it is organised (specialised courts/chambers/judges) in 2025 (1/2)															
	Commercial and insolvency		Labour		Family		Rent and tenancies		Enforcement of criminal sanctions		Administrative		Juvenile		Domestic violence	
	Specialised courts (legal entities)	Specialised chambers and/or judges	Specialised courts (legal entities)	Specialised chambers and/or judges	Specialised courts (legal entities)	Specialised chambers and/or judges	Specialised courts (legal entities)	Specialised chambers and/or judges	Specialised courts (legal entities)	Specialised chambers and/or judges	Specialised courts (legal entities)	Specialised chambers and/or judges	Specialised courts (legal entities)	Specialised chambers and/or judges	Specialised courts (legal entities)	Specialised chambers and/or judges
Albania																
Bosnia and Herzegovina																
Montenegro																
North Macedonia																
Serbia																
Kosovo*																

Yes

No

NA

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 4.5.4 Areas of law concerned by specialisation and how it is organised (specialised courts/chambers/judges) in 2025 (Q29) (2/2)

Beneficiaries	Areas of law concerned by specialisation and how it is organised (specialised courts/chambers/judges) in 2025 (2/2)													
	Economic crime		Corruption		Organised crime/terrorism		Cybercrime and internet related disputes		Environment		Immigration/asylum		Other	
	Specialised courts (legal entities)	Specialised chambers and/or judges	Specialised courts (legal entities)	Specialised chambers and/or judges	Specialised courts (legal entities)	Specialised chambers and/or judges	Specialised courts (legal entities)	Specialised chambers and/or judges	Specialised courts (legal entities)	Specialised chambers and/or judges	Specialised courts (legal entities)	Specialised chambers and/or judges	Specialised courts (legal entities)	Specialised chambers and/or judges
Albania														
Bosnia and Herzegovina														
Montenegro														
North Macedonia														
Serbia														
Kosovo*														

Yes
No
NA

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 4.5.5 Number of courts (general jurisdiction and specialised courts as geographical locations) in absolute number in 2025 (Q28)

Beneficiaries	Number of courts (geographical locations) in absolute number in 2025									
	Total number of all courts - geographical locations (1 + 2)	General jurisdiction				Specialised courts				
		Total (1)	1st instance	2nd instance	Highest instance	Total (2)	1st instance	2nd instance	Highest instance	% of total specialised courts out of the total number of all courts (geographical locations)
Albania	20	15	13	1	1	5	3	2	2	25,0%
Bosnia and Herzegovina	103	96	76	17	3	7	6	1	1	6,8%
Montenegro	39	37	32	4	1	2	2	NAP	NAP	5,1%
North Macedonia	38	36	31	4	1	2	1	1	1	5,3%
Serbia	297	271	237	33	1	26	24	1	1	8,8%
Kosovo*	33	31	29	1	1	2	1	1	NAP	6,1%
Average	99	91	78	12	1	8	7	1	1	10%
Median	39	37	32	4	1	5	3	1	1	7%
Minimum	20	15	13	1	1	2	1	1	1	5%
Maximum	297	271	237	33	3	26	24	2	2	25%

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 4.5.6 Number of courts (general jurisdiction and specialised courts as geographical locations) per 100 000 inhabitants in 2025 (Q1, Q28)

Beneficiaries	Number of courts (geographical location) per 100 000 inhabitants in 2025								
	Total number of all courts - geographical entities (1 + 2)	General jurisdiction				Specialised courts			
		Total (1)	1st instance	2nd instance	Highest instance	Total (2)	1st instance	2nd instance	Highest instance
Albania	0,85	0,63	0,55	0,04	0,04	0,21	0,13	0,08	0,00
Bosnia and Herzegovina	3,02	2,81	2,23	0,50	0,09	0,21	0,18	0,03	NAP
Montenegro	6,25	5,93	5,13	0,64	0,16	0,32	0,32	NAP	NAP
North Macedonia	2,08	1,98	1,70	0,22	0,05	0,11	0,05	0,05	NAP
Serbia	4,52	4,13	3,61	0,50	0,02	0,40	0,37	0,02	0,02
Kosovo*	2,08	1,96	1,83	0,06	0,06	0,13	0,06	0,06	-
Average	3,35	3,10	2,64	0,38	0,07	0,25	0,21	0,05	-
Median	3,02	2,81	2,23	0,50	0,05	0,21	0,18	0,04	-
Minimum	0,85	0,63	0,55	0,04	0,02	0,11	0,05	0,02	-
Maximum	6,25	5,93	5,13	0,64	0,16	0,40	0,37	0,08	-

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Indicator 4. Access to justice-legal aid

by country

09-0. Annual approved public budget for legal aid in €.
09. Annual implemented public budget for legal aid in €.
16. Please briefly describe the organisation and scope of the legal aid system in your country (except eligibility criteria listed in the Q18):
17. Does legal aid apply to:
18. What are the criteria for granting or refusing legal aid per category of cases?
19. Are there situations where legal aid is automatically granted based on case category or status of the recipient?
20. Please indicate the timeframes of the procedure for granting legal aid, namely the duration from the initial legal aid request to the final decision on the legal aid request:

21. Please indicate the number of requests for legal aid:
22. Please indicate the number of cases for which legal aid has been granted:
23. Please specify what is the measurement unit for the data provided in Q21 and 22.
24. Is there an obligation to provide information to the parties concerning the foreseeable timeframes of their proceedings?
25. For which vulnerable groups your judicial system provides for special arrangements in hearings or other phases of the judicial proceedings? Please specify which types of arrangements are provided?
26. Is there a system of compensation in the following circumstances:
26-1. Please specify which authorities are responsible for dealing with these requests:
27. Please provide information on surveys related to the judicial system carried out regularly and/or during the reference year (target groups, topic, results, possible follow-up etc.):

28. Number of courts - legal entities and geographic locations
29. If your court system has specialisation in some particular legal fields, please specify the areas of law concerned and how it is organised (specialised courts/chambers/judges).

30. Could you please provide an organigram of your current court system?

Albania

Q09-0 (2025): The increase in the Approved and Implemented Legal Aid (LA) budget is mainly due to the increase in the salaries of the employees working within the system of state-guaranteed free legal aid. This adjustment was made in line with the broader public administration salary policy and has directly affected the overall budget allocated and implemented for legal aid.
Q09-0 (2024): The legal aid implemented budget has increased by 8.6% compared to the previous year.
Cases brought to the court, we have referred to cases of secondary legal assistance (payment of lawyers, experts who have provided secondary legal services). The rest is considered as providing advice and any other financial commitment in function of the institution's activity. The further increase is related to the fact of the opening of the primary legal aid service provision centers throughout the Republic of Albania and the changes in the legislation on employee salaries.
Q09 (2025): The increase in the Approved and Implemented Legal Aid (LA) budget is mainly due to the increase in the salaries of the employees working within the system of state-guaranteed free legal aid. This adjustment was made in line with the broader public administration salary policy and has directly affected the overall budget allocated and implemented for legal aid.
The budget related to mandatory representation in court (ex officio lawyers) is not included in the figures reported under Q09.

Q09 (2023): We emphasize that the planning of funds is done based on the number of decisions received by the court, while the liquidation of payments is done after all the procedural steps of judicial representation have been completed. Trials take time, especially in the nowadays conditions regarding the absence of judges due to the vetting process. This is reflected in the delays until the arrival of the liquidation practice in the Directorate.
Q17 (General Comment): Article 5 of Law Nr.111/2017, determines the Forms of legal aid, provided in the following forms:
a) primary legal aid;
b) secondary legal aid;
c) exemption from payment of court fees and court expenses, according to the law, and exemption
from the obligation to prepay the execution fee of the execution order.
Primary legal aid is defined in Article 3 (b) and also Article 3 of Appendix 1 of the Order of the Minister of Justice No 226 dated 25/3/2019 on 'The approval of the contracts of legal aid guaranteed by the state". It comprises • providing of information regarding the legal system and legal acts, • the delivery of counselling, o which "is the delivery of information on the manners and the possibilities of solution of a concrete legal matter" (Article 3 (ç)) • the delivery of advice on the procedures of mediation and the alternative means of dispute resolutions, • the delivery of assistance in drafting and establishing of documentation to o put in motion the state administration or o for requesting secondary legal aid • representation before administration bodies, o Secondary legal aid is only provided before (administrative and civil) courts, and • the delivery of all other forms of necessary legal support not constituting secondary legal aid.
According to Article 3 (c) "Secondary legal aid" is the legal service that is offered for • the compilation of the necessary legal acts for putting in motion the court (i.e. the pre-court phase), • the delivery of counselling, representation and defence before the court in o administrative and o civil and o in criminal cases • for which is not applied the mandatory defence in accordance of the criminal procedural legislation. That means that in this respect the Law on Legal Aid is subsidiary to the Code on Criminal Procedure.

Q17 (2025): State-guaranteed legal aid in Albania covers both criminal and non-criminal cases and includes legal representation before courts as well as legal advice, assistance and other legal services. The system operates through primary legal aid (information, counselling and assistance provided mainly via service centers, NGOs and legal clinics) and secondary legal aid (court representation by advocates appointed upon a court decision), coordinated by the Directorate of Free Legal Aid in accordance with Law No. 111/2017.

Q18 (2025): Legal aid in Albania is granted or refused on the basis of the following criteria, applicable to both criminal and non-criminal cases:
Financial criteria (Articles 12 and related provisions)
Legal aid is granted when the applicant demonstrates insufficient income and assets to cover the costs of legal assistance or representation.
Special beneficiary categories (Article 11)
Legal aid is granted regardless of income or assets to specific categories explicitly listed in the law (e.g. victims of domestic violence, victims of trafficking or sexual abuse, children, persons with disabilities, persons subject to involuntary mental health treatment, beneficiaries of social protection schemes, and victims of discrimination).
Grounds for refusal (procedural and substantive conditions)
Legal aid may be refused or discontinued in both criminal and non-criminal cases when:
- the legal request is manifestly unfounded, abusive, or lacks legal grounds;
- the applicant does not meet the statutory conditions for benefiting from legal aid;
- false or misleading information has been provided in the application.
The system is implemented and coordinated by the Directorate of Free Legal Aid, while decisions on granting or refusing legal aid—particularly for secondary legal aid—are taken by the competent courts, in accordance with the law.

Q19 (2025): Secondary legal aid under Law no. 111/2017 covers the drafting of legal acts and the provision of legal counselling, representation and defence before courts in administrative, civil and criminal cases, only where mandatory defence does not apply under criminal procedural law.
Accordingly:
automatic legal aid based on status applies under Law no. 111/2017;
automatic legal aid based on case category applies exclusively in cases of mandatory defence under the Code of Criminal Procedure.

Q20 (2025): Primary Legal Aid / Maximum duration prescribed in law/regulation
First legal aid is provided immediately at the moment requested verbally or written. If it is needed can be extended the days of consolations.
Actual average duration
First legal aid is provided immediately at the moment requested verbally or written If it is needed can be extended the days of consolations dy max 2 days.
Secondary Legal Aid
Maximum duration prescribed in law/regulation
The time of decision depends on when the application was lodged:
• The court has to decide within 5 days from the date of receipt of the request, when the request has been submitted before initiation of the judicial proceeding
• during the preliminary actions or in the preparatory session before the scheduling of the judicial session/hearing, when the request for legal aid has been submitted together with the statement of claim
• according to the provisions of the procedural legislation and the provisions of this law, when the request has been filed during judicial examination
According to the Article 22 (9) the Directorate may appeal against the acceptance (only) when it claims that the request is evidently abusive or manifestly ill-founded and not if it claims that the applicant does not fulfil the criteria of Articles 10 to 12. It will have to be clarified if the reasons of appeal were restricted on purpose or if a reference to Articles 10 to 12 was omitted by error. Since Article 22 (9) does (in contrast to Article 22 (7)) not refer to the special appeal, the provisions on normal appeals apply. Article 22 (9) states that “In this case shall be applied the time-limits and the rules for appeal of final decisions in accordance with the provisions of the procedural legislation.” Thus the time-limits and the rules for appeal of final decisions in accordance with the provisions of the procedural legislation apply. I.e. that different procedural rules apply for the appeal of the Directorate against the approval than for the appeal against the dismissal. Against the decision of the court of appeal a recourse to the High Court is not allowed.
Actual average duration
From the practice, it results that the period from the moment of sending the request for secondary legal aid until the notification of the court's decision on the acceptance or not of the request is 1 month.

Q22 (2025): Based on the administered data, all applications for primary legal aid (which do not include legal representation before courts) were accepted (100%).
Furthermore, based on the administered data, 63 out of a total of 924 requests for secondary legal aid (which include legal representation before courts) were not accepted by the competent courts.

Q22 (2024): Based on the administered data, it results that the cases of primary legal aid (which do not include representation in court) are 100% accepted.
Based on the administered data, it results that 64 requests for secondary legal aid (which include representation in court) out of 340 in total are not accepted by the court. We don't do an administration of how many criminal cases granted legal aid cases.
TOTAL: Cases not brought to court (Primary Legal Aid + Secondary Legal Aid) 6220 (primary legal aid) + 66 (secondary legal aid not accepted legal aid) 6286
In criminal cases: Cases not brought to court (Primary Legal Aid + Secondary Legal Aid) 425(primary legal aid) + 5(secondary legal aid not accepted legal aid) 430
In other than criminal caseS: Cases not brought to court (Primary Legal Aid + Secondary Legal Aid) 5795 (primary legal aid) + 61 (secondary legal aid not accepted legal aid) 5856
These are the finals result for year 2024. It was made a mistake because we hadn't have this type of statistical data collected and another analyze was made.
Based on the administered data, it results that the cases of primary legal aid (which do not include representation in court) are 100% accepted. That is because Primary Legal Aid, is the type of legal service which consists in:
• information about the legal system in the Republic of Albania, applicable normative acts, rights and obligations of subjects of the law, and on the ways on how to exercise such rights in judicial and extrajudicial processes; • consultation; • consultation about mediation procedures and alternative resolution of disputes; • assistance in drafting and compiling documents necessary to put the state administration in motion or to seek secondary legal aid; • representation before administrative bodies; • any other type of necessary legal support that is not included in secondary legal aid.
And as a result it is given for all the citizens that request it in the Primary Legal Aid Service Center (20 Primary Legal Aid Centers, function in 20 cities of Albania), by 15 NGO-s operating for the year 2024 and by 13 Legal clinics at the higher education institutions.
While the Secondary Legal Aid (representation by an advocate in a court procedure), it is provided by advocates included in the list approved by the National Chamber of Advocates upon the request (according to the form) of the person entitled to receive secondary legal aid. The request has to be addressed to the competent court. The court has to decide within 5 days from the date of receipt of the request, when the request has been submitted, where the court accept or not to give the legal aid (representation by an advocate in a court procedure or exemption from payment of court fees, court costs and from the obligation for prepayment of fees for initiating execution of the execution order). 177 advocates have signed the contract for the provision of the secondary legal aid service for 2024.
The ex officio lawyers) cases aren't included in this count, because the Legal Aid advocates are not the same with ex officio lawers. The Legal Aid advocates sign every year a contract with Free Legal Aid Directorate, which legitimate them the representation in court for legal cases.

Q22 (2023): Based on the administered data, it results that the cases of primary legal aid (which do not include representation in court) are 100% accepted.
Based on the administered data, it results that 44 requests for secondary legal aid (which include representation in court) out of 773 in total are not accepted by the court.

Q22 (2022): As for the year 2022, 7616 citizens have been treated with primary legal aid and 1030 court decisions have been administered with the object of secondary legal aid.
During 2022 according to the scope of court cases that citizens have requested secondary legal assistance, it is evident that they are mainly civil cases. Out of the total number of requests for legal aid of 1030, 691 of them are civil, where the main ones are marriage settlement, pension benefits and property conflicts. While the other two categories, where 70 are criminal and 269 are administrative cases.

Q23 (2025): In the Albanian legal aid system, both primary and secondary legal aid are measured by recipient, in line with the agreed methodology. Primary legal aid reflects the number of individuals who benefit from legal information, advice, or assistance.
Secondary legal aid is also recorded by recipient, meaning that each beneficiary who is granted or refused legal aid in the context of court proceedings constitutes one statistical unit. Within a single case, different types of legal aid services—such as legal representation, exemption from court fees, or exemption from procedural costs—are not recorded separately, but as components of the same assistance provided to the recipient.

Q25 (General Comment): Other specific arrangements means:
- closed-door trial for the juvenile defendants, witnesses or victims, sexually abused victims, victims of trafficking; - the defendant's right to use the language he/she speaks or understands or either use the sings language, as well as be assisted by a translator and interpreter if he/she has disabilities in speaking and hearing. - prohibiting the publication of the personal data and photos of the juvenile defendants and witnesses; - physical protection, by the warrant of defense for the cases of violence due to the family relations, entry in the program of the defendants defense, etc.; - the right to compensation for damages through the civil lawsuit to whom that has suffered damage from the criminal offense.

Q25 (2023): After verifying the answer given this year, we confirm it
Q25 (2022): Regarding all discrepancies between years, the legal provisions have not changed. There are different procedures that can be applied to different categories but these procedures are not measures taken by the court such as placing the victims in a special facility for victim of abuse, are measures taken by local authorities.
Q26 (General Comment): In the competence of courts, shall be included the adjudication of requests for due compensation to the person, who has suffered a pecuniary or non-pecuniary damage due to the unreasonable length of a case, as per the definition of Article 6/1 of the European Convention "On Protection of Human Rights and Fundamental Freedoms".
Provisions define the evaluation of reasonable duration of a process, as well as the due compensation, when unreasonable delays have
been determined in investigation procedures, trial of cases, as well as in the procedures of execution of decisions.
Just satisfaction for violation of reasonable time limits shall be deemed the recognition of violation, any measures taken to expedite the
proceedings of investigation, trial of the case and execution of the decision, and/or compensation of the damage, according to the
provisions of this Chapter.

Q26 (2025): The Albanian legislation provides a system of compensation for all the above circumstances.
-Regarding the excessive length of proceedings and non-execution of court decisions:
The procedural legislation provides for the right of the party in a judicial process to be compensated for the damage caused due to the unreasonable length of a procedure according to legal provisions. More specifically, the Code of Civil Procedure, as amended, has provided the rules and procedures for reasonable length of procedures in its articles 399/1-399/12.
Article 399/2 of this Code provides for reasonable deadlines for the investigation, trial or execution of a final decision. In case of exceeding the deadlines provided for in this article, the parties in the process can submit a request, which is adjudicated by the competent court. If a violation is found by the court, the party can file a claim for damage compensation.
-Regarding the wrongful arrest / detention and wrongful conviction:
The Code of Criminal Procedure, as amended, has provided in its Article 268 the right to compensation for the detention suffered by those who have been found innocent by a final court decision, except in cases where it has been proven that the wrongful decision or failure to discover the unknown fact in due time, is caused, wholly or in part, by the person himself. This right is also granted for the convicted person who has been placed in precautionary detention in prison, when it is proven by a final decision that the act by which the precautionary measure was established, has been issued in absence of the requirements provided for by Articles 228 and 229 of this Code. These provisions also apply to cases where the court or prosecutor decided to dismiss the case. Whereas in cases when it is proven by a court decision that the act is not provided under the law as a criminal offence, due to the abrogation of the relative provision, the right of compensation is not recognized for the part of precautionary detention in prison served before the abrogation.
The request for compensation must be submitted within three years of the day in which the judgment of acquittal or dismissal has become final. Whereas the compensation amount, the method for its calculation, and the cases of house arrest compensation, are established by special law.

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The request for compensation must be submitted within three years of the day in which the judgment of acquittal or dismissal has become final. Whereas the compensation amount, the method for its calculation, and the cases of house arrest compensation, are established by special law.

Q26 (2022): The requests for excessive length of proceedings and non-execution of court decisions, have been introduced as a separate request to the court by national law in 2017. According to the Civil Procedural Code the procedure is divided in 2 different phases. The first phase is logged as a simple request to the court and is registered in the CMS system as non-litigious cases either civil or administrative depending on the court. They are registered without a specific identifying code. The second phase is logged as litigious case based on tort legal provisions. We cannot identify these specific cases within the category. We will tackle this issue while creating the new CMS system.
Regarding the requests for wrongful arrest / detention and wrongful conviction, these cases are registered as litigious administrative cases and do not have a specific identifying code in the CMS.

Q28 (2025): The Supreme Court is organized into three panels, namely the Criminal Chamber, the Civil Chamber and the Administrative Chamber. Cases of the specialized courts for organized crime and corruption are adjudicated by the Criminal Chamber. Meanwhile, cases of administrative jurisdiction are adjudicated by the Administrative Chamber of the Supreme Court.
Article 3 of law no. 98/2016 “On the organization of the judicial power in the Republic of Albania” foresees: Types of courts
1. Judicial power is exercised by the Supreme Court, as well as by the courts of appeal and the courts of first instance, which are established by law.
2. Courts of general jurisdiction are courts of general jurisdiction of first instance and courts of general jurisdiction of appeal. Courts of general jurisdiction of first instance may have branches.
3. Special courts are:
a) administrative courts of first instance and the Administrative Court of Appeal;
b) the Special Court of First Instance and Appeal for the trial of criminal offences of corruption and organised crime.
4. The Supreme Court adjudicates cases of general and special jurisdiction.
According to the new judicial map the number of courts – geographic locations is 14. In reference to decision 147, dated 29.03.2023 of the HJC “For determining the categories of courts”, is provided as below:
The first or otherwise high category of courts is located in Tirana. This includes The High Court, Court of Appeal of General Jurisdiction, Special Court of Appeal for Corruption and Organized Crime, The Administrative Court of Appeal, Court of First Instance of the General Jurisdiction of Tirana, Special Court of First Instance for Corruption and Organized Crime, Administrative Court of First Instance of Tirana.
The second or otherwise middle category, includes courts of first instance of the general jurisdiction of the districts Durrës, Elbasan, Fier, Korçë, Shkodër, Vlorë, Berat, Lezhë; as well as the Administrative Court of First Instance of Lushnje.
The third or lower category of courts, includes courts of first instance of the general jurisdiction of the districts Dibër, Gjirokastër, Kukës, Sarandë.

Q28 (2024): 2. 1.Special Court of Appeal for Corruption and Organized Crime;
2.Administrative Court of Appeal;
3.Special Court of First Instance for Corruption and Organized Crime;
4.Administrative Court of First Instance of Tirana;
5.Administrative Court of First Instance of Lushnja;

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The first or otherwise high category of courts is located in Tirana. This includes The High Court, Court of Appeal of General Jurisdiction, Special Court of Appeal for Corruption and Organized Crime, The Administrative Court of Appeal, Court of First Instance of the General Jurisdiction of Tirana, Special Court of First Instance for Corruption and Organized Crime, Administrative Court of First Instance of Tirana.
The second or otherwise middle category, includes courts of first instance of the general jurisdiction of the districts Durrës, Elbasan, Fier, Korçë, Shkodër, Vlorë, Berat, Lezhë; as well as the Administrative Court of First Instance of Lushnje.
The third or lower category of courts, includes courts of first instance of the general jurisdiction of the districts Dibër, Gjirokastër, Kukës, Sarandë.

Q29 (2025): As we have explained above in the comment to question 28, in reference of article 3 of law no. 98/ 2016 “On the organization of the judicial power in the Republic of Albania”:
Types of courts
1. Judicial power is exercised by the Supreme Court, as well as by the courts of appeal and the courts of first instance, which are established by law.
2. Courts of general jurisdiction are courts of general jurisdiction of first instance and courts of general jurisdiction of appeal. Courts of general jurisdiction of first instance may have branches.
3. Special courts are:
a) administrative courts of first instance and the Administrative Court of Appeal;
b) the Special Court of First Instance and Appeal for the trial of criminal offences of corruption and organised crime.
4. The Supreme Court adjudicates cases of general and special jurisdiction.
The Civil Procedure Code of the Republic of Albania provides in Title III on special trials. In reference to Article 320 of the Civil Procedure Code, special sections are created within the composition of the courts of first instance for the trial of commercial disputes and bankruptcy proceedings; as well as disputes related to minors and family.
The Criminal Procedure Code of the Republic of Albania, in article 13, point 4, provides that the trial of minors is conducted by the relevant sections established by law. These sections also try adult defendants accused of committing criminal offenses to the detriment of minors.
In line with this, the Juvenile Criminal Justice Code in its article 27 provides on the competence to try juvenile justice cases as follows:
1. A minor in conflict with the law is tried by the juvenile sections, established in the district courts, according to the provisions of the legislation in force on the organization of the judicial power in the Republic of Albania. 2. The sections are also competent for the trial of adult defendants accused of committing criminal offenses against minors as victims. 3. The judge assigned to try the minor in these sections must be specialized and trained in juvenile criminal justice. 4. When a minor has committed a criminal offense together with an adult, he shall be tried in the juvenile sections of the district courts, applying the provisions of this Code, with the exception of the cases provided for in Article 80, paragraph 1, of the Code of Criminal Procedure. 5. A person over the age of 18, but not more than 21 years, who is accused of having committed a criminal offense when he was a minor, shall be tried by the juvenile section. 6. The jurisdiction of the juvenile section of the district courts shall end when the minor reaches the age of 23.
In compliance with the legal obligation as cited above, in all courts that adjudicate cases involving minors, judges have been appointed for the trial of minors who are specialized and trained in juvenile criminal justice.
In reference to the above, from the High Judicial Council, based on articles 147, point 1, and 147/a, point 1, letter “ë” of the Constitution of the Republic of Albania, article 23, point 7 of law no. 98/2016 “On the organization of the judicial power in the Republic of Albania”, as well as articles 61, point 2, letter “ë”, 97, point 1, letter “c” of law no. 115/2016 “On the governing bodies of the justice system”, has adopted decision no. 408, dated 15.07.2025 “On the approval of the rules on the criteria and procedures for the establishment of sections and panels”.

Bosnia and Herzegovina
Q09-0 (General Comment): The legal aid is financed through the budgets of individual courts (e.g. funds for legal aid are mainly used to pay for the services of ex officio appointed attorneys in criminal cases) and the budgets of legal aid institutions that are government bodies independent from the courts. The accounting methodology does not make it possible to distinguish the amount of budget funds earmarked by the courts for legal aid from other funds, which are planned within the same line in the court budget. However, it is possible to differentiate the amount of funds spent for legal aid in the implemented court budget. On the other hand, the lawyers employed by the government legal aid institutions provide legal aid in different legal fields (i.e. representation in criminal, civil, administrative court proceedings; provision of legal advice outside of court or other proceedings), therefore it is not possible to split the planned or implemented budget funds of the legal aid institutions between different legal fields. In conclusion, it is only possible to make the calculation of the annual implemented public budget allocated to legal aid without dividing it among criminal and other than criminal cases.

Q09 (General Comment): The legal aid is financed through the budgets of individual courts (e.g. funds for legal aid are mainly used to pay for the services of ex officio appointed attorneys in criminal cases) and the budgets of legal aid institutions that are government bodies independent from the courts. The accounting methodology does not make it possible to distinguish the amount of budget funds earmarked by the courts for legal aid from other funds, which are planned within the same line in the court budget. However, it is possible to differentiate the amount of funds spent for legal aid in the implemented court budget. On the other hand, the lawyers employed by the government legal aid institutions provide legal aid in different legal fields (i.e. representation in criminal, civil, administrative court proceedings; provision of legal advice outside of court or other proceedings), therefore it is not possible to split the planned or implemented budget funds of the legal aid institutions between different legal fields. In conclusion, it is only possible to make the calculation of the annual implemented public budget allocated to legal aid without dividing it among criminal and other than criminal cases.

Q16 (General Comment): The courts and the specialized government institutions provide free legal aid to citizens in relation to court proceedings.
Free legal aid is provided by the courts in criminal proceedings by assigning a lawyer to a suspected or accused person if that person meets the conditions laid down by law (e.g. obligatory defense etc.) Also, the courts may make a decision on exemption from the costs of proceedings for parties in different types of proceedings (e.g. criminal, civil). In addition, free legal aid centers have been established by the legislation adopted at all levels of government as a part of the respective public administration system. Employees of free legal aid institutions represent the citizens in various types of court and non-court proceedings or give legal advice to the citizens and compose legal documents for them. Citizens are entitled to free legal aid provided by the legal aid institutions if they fulfill financial and property criteria prescribed by the relevant legislation.

Q17 (General Comment): Legal aid is exercised in different types of court proceedings as a right to:
a) general information on rights and obligations,
b) legal advice and assistance in filling out forms,
c) legal assistance in compiling all types of correspondence,
d) representation in court,
e) making an appeal and
f) legal assistance in the procedures of peaceful settlement of the dispute (e.g. mediation).
Q18 (General Comment): Financial criteria for granting free legal aid:
In general, a person of poor financial status, who is entitled to free legal aid, is considered to be someone whose income per household member does not exceed a certain portion of the average salary in the previous calendar year and who also meets other criteria, for example, not having real estate or other assets that could cover the costs of the court proceedings.
Varying financial criteria for granting free legal aid to potential beneficiaries are used by institutions of different levels of government for deciding on granting free legal aid in Bosnia and Herzegovina; these criteria are primarily linked to the amount of average salary. These institutions also use criteria for owning property with regard to granting or refusing free legal aid cumulatively with the income criterion, as well as other additional criteria (e.g. income of other family members); however, these property criteria are not intended to be expressed through monetary amounts. The examples of the assets criteria: beneficiaries of legal aid may not own or co-own a business; they also may not own two or more housing units (i.e. a house or a flat) and they may not own business premises. Legal aid may be refused for cases lacking merit, such as frivolous actions or those with no reasonable chance of success:
A request for legal aid will not be granted if: it is obviously ill founded (i.e. legal requirements are clearly not met); the proceedings in question are unjustified (i.e. the potential client has slim chances to win the case); the right to legal aid is misused (i.e. the potential client has provided incorrect data that was relevant for approving legal aid).

Q19 (General Comment): Status or personal characteristic of the recipient:
According to the legislation on the protection of and proceedings with children and minors in criminal procedure, a minor must have a defender during the first questioning by the prosecutor or an authorized official, as well as throughout the entire criminal proceedings.
According to the laws that prescribe the rules for the work of free legal aid institutions, the right to free legal aid based on status is exercised, for example, by: children, persons deprived of legal capacity, etc. In different jurisdictions within Bosnia and Herzegovina, the laws regulating the functioning of free legal aid institutions provide additional possibilities to exercise the right to free legal aid on the basis of other types of status (e.g., asylum seekers, victims of domestic violence or gender-based violence).
Category of the case:
A suspect in the criminal proceedings must have a defense attorney at the first questioning if he is mute or deaf or if he is suspected of a criminal offense for which a penalty of long-term imprisonment may be pronounced
A suspect or accused in the criminal proceedings must have a defense attorney immediately after he has been assigned to pre-trial custody, throughout the pre-trial custody. After an indictment has been brought for a criminal offense for which a prison sentence of 10 years or more may be pronounced, the accused must have a defense attorney at the time of the delivery of the indictment.
If the suspect, or the accused in the case of a mandatory defense, does not retain a defense attorney himself, or if his family members do not retain a defense attorney, the preliminary proceeding judge, preliminary hearing judge, the judge, the presiding judge, or the court president appoints him a defense attorney in the criminal proceedings. In one of the jurisdictions in Bosnia and Herzegovina, the court selects the defense attorney for the suspect or the accused if he fails to choose an ex officio defense attorney from the predetermined list. In other jurisdiction in Bosnia and Herzegovina, the court president appoints the defense attorney using the predetermined list of ex officio defense attorneys without giving an opportunity to the suspect or accused to select the defense attorney from the list.

Q20 (General Comment): Maximum duration prescribed in law for deciding on granting initial legal aid request is 15 days. This deadline applies to all types of cases. It is prescribed in the relevant legislation on the functioning of legal aid institutions. In addition, the criminal procedure codes oblige the court to urgently appoint an ex-officio attorney to the suspect/accused persons such as minors, detainees, a defendant in a criminal case in which one my be given long-term prison sentence etc.; also, pursuant to the criminal procedure codes the court will decide urgently if an attorney shall be assigned to the suspect or accused at his request if due to an adverse financial situation, he is not able to pay the expenses of the defense in the proceedings that are conducted for an offense for which a prison sentence of three or more years may be pronounced or when the interests of justice so require. Actual average duration was 9 days in criminal cases, whereas it was 7 days in other than criminal cases. This calculation is based on the actual duration of time passed between initial requests and final approvals for all procedures for granting legal aid completed in the reference year. The aforementioned calculation is based on the data gathered from the courts and legal aid institutions for 2025. The courts provided data on the timeframes with regards to deciding on requests for appointing ex-officio lawyers in criminal proceedings as well as data on granting requests for exemption from paying court taxes and other costs in the civil proceedings. The legal aid institutions provided statistics on the actual timeframes of the procedure for granting legal aid.

Q21 (General Comment): The legal aid institutions can produce data on the number of requests for legal aid and decisions on granting legal aid. However, the manner in which it is envisaged that courts in criminal proceedings assign defense attorneys ex officio to suspects and accused persons does not allow for precise recording of requests for granting legal aid in the Case Management System.
Q21 (2025): The legal aid institutions have data on the number of requests for legal aid and decisions on granting legal aid. However, the manner in which it is envisaged that courts in criminal proceedings assign defense attorneys ex officio to suspects and accused persons does not allow for precise recording of requests for granting legal aid in the case management system.

Q22 (General Comment): Criminal cases brought to court: cases (criminal/misdemeanor) in which free legal aid was given trough representation in court and cases in which free legal aid was given for the costs of proceedings.
Other cases brought to court: cases in which free legal aid was given trough representation in court and the preparation of legal documents, cases in which free legal aid was given only trough preparation of legal documents required within the court procedure, and cases in which free legal aid was given only for the costs of proceedings.
Cases not brought to court: cases (civil, enforcement, administrative, administrative-non judicial, criminal/misdemeanor, etc.) in which free legal aid was given trough legal advice only by the government founded free legal aid institutions.
Free legal aid is provided in courts and by the specialized free legal aid institutions formed by the different levels of government in Bosnia and Herzegovina. Free legal aid is provided by the courts in criminal proceedings by assigning a lawyer to a suspected or accused person if that person meets the conditions laid down by law. Also, the courts make a decision on exemption from the costs of proceedings for parties in different types of proceedings (e.g. criminal, civil). Employees of institutions providing free legal aid represent the party in various types of court proceedings, compose legal documents and give legal advice to a person who meets financial and property criteria. The data refer to the number of cases in which courts and institutions of free legal aid provided legal assistance in the described ways. It is important to that the number of persons who received free legal aid may be higher than the number of cases in which free legal aid was provided.
Q25 (2024): Other special arrangements: the possibility of an in camera proceeding, excluding the public, the language assistance during a court proceeding for ethnic minorities or disabled persons, the right for a woman who is a victim of family violence to enjoy the use of the house, the physical protection during the time of the judicial proceeding, the ban to ask an injured party about their sexual experience prior to commission of the criminal offense and if such questioning has already been carried out, the court decision cannot be based on such statement, the obligation of the prosecutor to inform the competent social welfare authority about the criminal procedure against the juvenile persons.
Q25 (2023): Other special arrangements: the possibility of an in camera proceeding, excluding the public, the language assistance during a court proceeding for ethnic minorities or disabled persons, the right for a woman who is a victim of family violence to enjoy the use of the house, the physical protection during the time of the judicial proceeding, the ban to ask an injured party about their sexual experience prior to commission of the criminal offense and if such questioning has already been carried out, the court decision cannot be based on such statement, the obligation of the prosecutor to inform the competent social welfare authority about the criminal procedure against the juvenile persons.
Q25 (2022): Exclusion of the public, language assistance during the trial procedure for ethnic minorities or persons with disabilities, the right of a woman who is a victim of domestic violence to enjoy the use of a safe house, physical protection during court proceedings, prohibition of questioning the injured party about sexual experience before the commission of the criminal act, and if such examination has already been carried out, the court decision cannot be based with such a statement, the prosecutor is obliged to inform the competent social welfare authority about the criminal proceedings against minors.
Q26 (General Comment): Parties to court proceedings may lodge complaints about the work of courts to various institutions in Bosnia and Herzegovina, as explained in the response below. If those institutions find that the complaints are well founded, they order that irregularities in the work of the court be corrected and in addition, in some cases, award compensation to the complainants. Excessive length of proceedings/Non execution of court decisions: A person whose right to a fair trial is violated by the excessive length of court proceedings or non-execution of the court decisions, can submit an appeal to the Constitutional Court of Bosnia and Herzegovina. Based on Article VI of the Constitution the Constitutional Court of Bosnia and Herzegovina inter alia has appellate jurisdiction over issues under the Constitution arising out of a judgment of any other court in the country. According to Article 16, paragraph 3 of its Rules, the Constitutional Court of Bosnia and Herzegovina may examine, within its appellate jurisdiction, an appeal when there is no decision of a competent court if the appeal indicates a grave violation of the rights and fundamental freedoms safeguarded by the Constitution or by the international documents applied in Bosnia and Herzegovina. The Court admits appeals, based on the aforementioned provision of the Rules, alleging that a court of general jurisdiction has breached both Article II/3.e of the Constitution and Article 6, paragraph 1, of the European Convention on Human Rights by exceeding a reasonable time for determining a court case (i.e. any sort of a court case). If the violation is found, the Constitutional Court of Bosnia and Herzegovina orders the court of general jurisdiction to finalize the case in question without any delay. The Constitutional Court of Bosnia and Herzegovina has no time limit for deciding on appeals.
In a decision granting an appeal, the Constitutional Court of Bosnia and Herzegovina may also award compensation for non-pecuniary damages. If the Constitutional Court of Bosnia and Herzegovina considers that compensation is necessary, it shall award it on equitable basis, taking into account the standards set forth in the case-law of the Constitutional Court of Bosnia and Herzegovina. The compensation is paid from budget of the government financing the court of general jurisdiction found to be responsible for the excessive length of proceedings. In addition, a legislative framework that regulates the protection of the right to a trial within reasonable time, according to which the courts act, has been established recently in Bosnia and Herzegovina. According to this legal framework, the party has two options: to file a motion for procedure expedition to the court processing the case for which expedition is requested or file a complaint with the highest court in respective jurisdictions to determine the violation of the right to a trial within reasonable time, which requires the determination of financial compensation. The court makes a decision on compensation for the lawsuit within the period prescribed by law, however, this legislation in different jurisdictions provides different deadlines for making a court decision at the latest within 30, 90, or 180 days from the date of receipt of the lawsuit.
Wrongful arrest/detention and wrongful conviction: Terms under which person is entitled to compensation of damages for wrongful arrest and wrongful conviction are provided in criminal procedure codes. These terms are provided as follows:
Wrongful arrest - a person is entitled to compensation of damages in the following cases: (i) a person who was in detention, but criminal proceedings were not instituted or proceedings were dismissed or a final verdict was pronounced acquitting the person of charges or charges were rejected; (ii) a person who was subjected to unlawful detention or retained in detention or a correctional institution due to a mistake; (iii) a person who was in detention longer than the sentence to which he was convicted; (iv) a person who served a sentence of imprisonment, and was pronounced a shorter imprisonment sentence in reopened criminal proceedings than the sentence he had served, or was pronounced a criminal sanction other than imprisonment or he was pronounced guilty but freed from sanction; (v) a person who was imprisoned without a legal ground is entitled to compensation of damages if no pretrial detention was ordered against him or the time for which he was imprisoned was not included in the sentence pronounced for a criminal offense or minor offense.
Wrongful conviction - A person against whom an effective criminal sanction was pronounced or who was found guilty and freed from sanction, and later, based on extraordinary remedy,

Q26 (2025): As in previous years, the Constitutional Court of Bosnia and Herzegovina has continued to deal with certain organizational and political problems preventing it from setting up the judge panels because of the court's vacant posts; this contributed to slight reduction in terms of the number of resolved cases in the reporting year. In the light of the above, the judges of the Constitutional Court of Bosnia and Herzegovina make efforts to resolve priority cases as quickly as possible. As for the claims submitted to other institutions (i.e. ministries of justice at the state and entity level of government) and ordinary courts competent for their resolution, there has been no particular variation in the number of granted claims. Overall, the value of granted compensations by the decisions of the Constitutional Court of Bosnia and Herzegovina, ordinary courts, and the competent ministries of justice and public attorney's offices has decreased to 358,000 € in 2025 from 1,200,000 € in 2024.
In addition to the above-mentioned, the Institution of Human Rights Ombudsman of Bosnia and Herzegovina (the Ombudsman) handles complaints related to malfunctioning of public authorities or to human rights violations committed by any public institution in Bosnia and Herzegovina. In performing its competences, the Ombudsman cannot decide on compensation for determined human rights violations. There is no strict deadline for handling complaints. In cases where violation of rights is established, the Ombudsman issues recommendation to competent public institutions to undertake measures to restore human rights violation or poor functioning of administration. The Institution also provides assistance to citizens how to use the most adequate legal remedies or advises them which institution to address. The Ombudsman received 298 complaints against courts in 2025; the structure of the complaints was as follows: 38 complaints alleging excessive length of proceedings, 35 complaints alleging ineffective enforcement of court decisions, 22 complaints against judges for violation of procedural laws, 8 complaints against the High Judicial and Prosecutorial Council of Bosnia and Herzegovina and 197 complaints related to the violation of other rights related to court procedure. In 2025 the Ombudsman issued 52 recommendations to the courts. These statistics are not included in the data prepared for Question 26, as the Ombudsman does not have the authority to determine compensation for damages caused to complainants by the work of courts and prosecutors' offices.
The High Judicial and Prosecutorial Council of Bosnia and Herzegovina (HJPC) receives complaints against judges and prosecutors, conducts disciplinary proceedings, determines disciplinary liability, and imposes disciplinary measures. The Office of Disciplinary Counsel (ODC) within HJPC performs prosecutorial functions concerning allegations of misconduct against judges and prosecutors.
ODC investigates complaints alleging misconduct of judges and prosecutors, initiates and presents cases of disciplinary violations before the disciplinary panels of the HJPC. The legal deadline for completing disciplinary investigation is two years, given that at the expiration of this deadline complaint reaches the statute of limitations for initiating disciplinary proceedings. However, the vast majority of complaints are resolved well before the expiry of two years period. If disciplinary investigation results in initiation of the disciplinary proceeding, such proceeding must be completed within one year from the date of the filing of a formal complaint before a disciplinary panel, unless upon a showing of a cause that an extension is justified. In these proceedings, complainants are not entitled to compensation if their complaint is found to be sound. The number of complaints ODC received in 2025 was 868. This information is not included in the data prepared for Question 26, as the HJPC does not have the authority to determine compensation for damages caused to complainants by the work of courts and prosecutors' offices.

Q26 (2024): The particular circumstances under which the Constitutional Court of BiH operated in 2024 are one of the factors contributing to the higher number of granted claims. As in previous years, the Constitutional Court of BiH has experienced certain organisational problems with regard to its inability to set up the judge panels because of the court's vacant posts, which affects the dynamics of its work. In the light of the above, the Constitutional Court of BiH makes efforts to resolve priority cases as quickly as possible. As a result, the number of resolved claims alleging the violation of the right to a decision within a reasonable time has increased.
As for the claims submitted to other institutions (i.e. ministries of justice at the state and entity level of government) competent for their resolution, there has been no variation in the number of granted claims. What is important to note is that the circumstances in each individual case (the length of pre-trial detention and similar) have contributed to an increase in the amount of compensation for the violation of the party's rights because of unjustified deprivation of liberty.
In addition to the above-mentioned, the Institution of Human Rights Ombudsman of Bosnia and Herzegovina (the Ombudsman) handles complaints related to malfunctioning of public authorities or to human rights violations committed by any public institution in Bosnia and Herzegovina. In performing its competences, the Ombudsman cannot decide on compensation for determined human rights violations. There is no strict deadline for handling complaints. In cases where violation of rights is established, the Ombudsman issues recommendation to competent public institutions to undertake measures to restore human rights violation or poor functioning of administration. The Institution also provides assistance to citizens how to use the most adequate legal remedies or advises them which institution to address. The Ombudsman received 280 complaints against courts in 2024; the structure of the complaints was as follows: 50 complaints alleging excessive length of proceedings, 32 complaints alleging ineffective enforcement of court decisions, 17 complaints against judges for violation of procedural laws, 8 complaints against the High Judicial and Prosecutorial Council of Bosnia and Herzegovina and 173 complaints related to the violation of other rights related to court procedure. In 2024 the Ombudsman issued 62 recommendations to the courts. These statistics are not included in the data prepared for Question 156, as the Ombudsman does not have the authority to determine compensation for damages caused to complainants by the work of courts and prosecutors' offices.
The High Judicial and Prosecutorial Council of Bosnia and Herzegovina (HJPC) receives complaints against judges and prosecutors, conducts disciplinary proceedings, determines disciplinary liability, and imposes disciplinary measures. The Office of Disciplinary Counsel (ODC) within HJPC performs prosecutorial functions concerning allegations of misconduct against judges and prosecutors.
ODC investigates complaints alleging misconduct of judges and prosecutors, initiates and presents cases of disciplinary violations before the disciplinary panels of the HJPC. The legal deadline for completing disciplinary investigation is two years, given that at the expiration of this deadline complaint reaches the statute of limitations for initiating disciplinary proceedings. However, the vast majority of complaints are resolved well before the expiry of two years period. If disciplinary investigation results in initiation of the disciplinary proceeding, such proceeding must be completed within one year from the date of the filing of a formal complaint before a disciplinary panel, unless upon a showing of a cause that an extension is justified. In these proceedings, complainants are not entitled to compensation if their complaint is found to be sound. The number of complaints ODC received in 2024 was 945. This information is not included in the data prepared for Question 156, as the HJPC does not have the authority to determine compensation for damages caused to complainants by the work of courts and prosecutors' offices.

Q26 (2023): As the most relevant institution for the Question 156, the Constitutional Court of Bosnia and Herzegovina (the Constitutional Court) reported it resolved fewer requests in 2023 compared to 2022. Namely, during 2023, the Constitutional Court functioned to a reduced extent because the vacant positions in this court could not be filled due to reasons falling within the competence of legislative institutions. In addition, the Constitutional Court stated that the appellate jurisdiction of this institution continues to be influenced by the right of parties in court proceedings to appeal to the court of general jurisdiction for the acceleration of proceedings under relatively new legislation that regulates the protection of the right to a trial within reasonable time, according to which the courts act, has been established in three out of four main different jurisdictions in Bosnia and Herzegovina.
According to this legal framework, the parties to the court proceedings have two options: to file a motion for procedure expedition to the court processing the case for which expedition is requested or file a complaint with the highest court in respective jurisdictions to determine the violation of the right to a trial within reasonable time, which requires the determination of financial compensation. As for the time-limits under this legislative framework, the court proceedings may file a motion for procedure expedition to the court processing the case for which expedition is requested (time limits for the court to decide: 60 days in first instance proceedings; 30 days in second instance proceedings). Furthermore, parties to legal proceedings have the right to seek damages for violation of the right to a trial within a reasonable time (time limit for the relevant courts to decide: no later than six months from the date of receipt of the action).
When it comes to the number of motions to expedite case resolution, a total of 128 motions were filed to the courts in 2023. In 2023, the courts granted 25 and denied/dismissed 49 motions of the parties. In addition, the courts received 19 claims for damages last year. In 9 cases, the courts decided to award compensation to the plaintiffs, while they rejected the lawsuit with a claim for damages in 14 cases.
The Institution of Human Rights Ombudsman of Bosnia and Herzegovina (the Ombudsman) handles complaints related to malfunctioning of public authorities or to human rights violations committed by any public institution in Bosnia and Herzegovina. In performing its competences the Ombudsman cannot decide on compensation for determined human rights violations. There is no strict deadline for handling complaints. In cases where violation of rights is established, the Ombudsman issues recommendation to competent public institutions to undertake measures to restore human rights violation or poor functioning of administration. The Institution also provides assistance to citizens how to use the most adequate legal remedies or advises them which institution to address. The Ombudsman received 367 complaints against courts in 2023; the structure of the complaints was as follows: 62 complaints alleging excessive length of proceedings, 50 complaints alleging ineffective enforcement of court decisions, 23 complaints against judges for violation of procedural laws, 9 complaints against the High Judicial and Prosecutorial Council of Bosnia and Herzegovina and 223 complaints related to the violation of other rights related to court procedure. In 2023 the Ombudsman issued 51 recommendations to the courts. These statistics are not included in the data prepared for Question 156, as the Ombudsman does not have the authority to determine compensation for damages caused to complainants by the work of courts and prosecutors' offices.
The High Judicial and Prosecutorial Council of Bosnia and Herzegovina (HJPC) receives complaints against judges and prosecutors, conducts disciplinary proceedings, determines disciplinary liability, and imposes disciplinary measures. The Office of Disciplinary Counsel (ODC) within HJPC performs prosecutorial functions concerning allegations of misconduct against judges and prosecutors.
ODC investigates complaints alleging misconduct of judges and prosecutors, initiates and presents cases of disciplinary violations before the disciplinary panels of the HJPC. The legal deadline for completing disciplinary investigation is two years, given that at the expiration of this deadline complaint reaches the statute of limitations for initiating disciplinary proceedings. However,

Q26 (2022): The Constitutional Court of Bosnia and Herzegovina reported that the influx of cases at the Constitutional Court of BiH varies from year to year. Depending on the influx, other data on cases of the Constitutional Court of Bosnia and Herzegovina also vary. The Constitutional Court of BiH could not give an answer as to what factors influenced that figure. In previous years, the only thing that was evident was that cases involving the length of court procedures and the non-enforcement of court decisions had an effect on the total number of incoming cases. This was not the case in 2022, due to the fact that a certain number of these cases were processed by courts within the new legislative framework that regulates the protection of the right to a trial within reasonable time. According to the Constitutional Court of BiH, most of their cases concern allegations regarding the violation of the right to a fair trial (Article 6 of the European Convention) and the right to property (Article 1 of Protocol No. 1 to the European Convention) as well as cases in which the Constitutional Court of BiH is petitioned to proceed as a court of the fourth instance.
A legislative framework that regulates the protection of the right to a trial within reasonable time, according to which the courts act, has been established in one part of the jurisdiction in Bosnia and Herzegovina. According to this legal framework, the party has two options: to file a motion for procedure expedition to the court processing the case for which expedition is requested or file a complaint with the highest court in respective jurisdictions to determine the violation of the right to a trial within reasonable time, which requires the determination of financial compensation. In other parts of the jurisdiction of BiH, the establishment of this legislative framework is underway. When it comes to the number of motions to expedite case resolution, a total of 154 motions were filed to the courts in 2022. In 2022, the courts granted 39 and denied/dismissed 76 motions of the parties. In addition, the courts received 15 claims for damages last year. In 7 cases, the courts decided to award compensation to the plaintiffs, while they rejected the lawsuit with a claim for damages in 5 cases.
The Institution of Human Rights Ombudsman of Bosnia and Herzegovina (the Ombudsman) handles complaints related to malfunctioning of public authorities or to human rights violations committed by any public institution in Bosnia and Herzegovina. In performing its competences the Ombudsman cannot decide on compensation for determined human rights violations. There is no strict deadline for handling complaints. In cases where violation of rights is established, the Ombudsman issues recommendation to competent public institutions to undertake measures to restore human rights violation or poor functioning of administration. The Institution also provides assistance to citizens how to use the most adequate legal remedies or advises them which institution to address. The Ombudsman received 347 complaints against courts in 2022; the structure of the complaints was as follows: 29 complaints alleging excessive length of proceedings, 22 complaints alleging ineffective enforcement of court decisions, 12 complaints against judges for violation of procedural laws, 2 complaints against the High Judicial and Prosecutorial Council of Bosnia and Herzegovina and 282 complaints related to the violation of other rights related to court procedure. In 2022 the Ombudsman issued 67 recommendations to the courts. These statistics are not included in the data prepared for Question 156, as the Ombudsman does not have the authority to determine compensation for damages caused to complainants of the work of courts and other institutions.

Q26-1 (General Comment): Other court and Ministry of justice - Requests that include compensation claims:
The Constitutional Court of Bosnia and Herzegovina has appellate jurisdiction over issues under the Constitution arising out of a judgement of any other court in Bosnia and Herzegovina. This includes appeals regarding excessive length of court proceeding, non-enforcement of judicial decisions, and other aspects of the right to a fair trial, as well as other rights protected by the European Convention. In addition, a legislative framework that regulates the protection of the right to a trial within reasonable time, according to which the courts act, has been established recently in several jurisdictions in Bosnia and Herzegovina. According to this legal framework, the party has two options: to file a motion for procedure expedition to the court processing the case for which expedition is requested or file a complaint with the highest court in respective jurisdiction to determine the violation of the right to a trial within reasonable time, which requires the determination of financial compensation. The court must decide within the strict legal deadline. In the remaining jurisdictions in Bosnia and Herzegovina, a legislative procedure is underway for the adoption of a legal framework on the protection of the right to a trial within a reasonable time. Compensation for wrongful arrest/detention and wrongful conviction is awarded in civil court proceedings which are initiated against public authorities by the person entitled to compensation. The filing of a lawsuit is preceded by an attempt to reach a settlement through the ministry of justice at the relevant level of government, which must decide on the compensation request within the strict legal deadline.
The High Judicial and Prosecutorial Council of Bosnia and Herzegovina and The Institution of Human Rights Ombudsman of Bosnia and Herzegovina - Requests that do not include compensation claims:
The High Judicial and Prosecutorial Council (HJPC) receives complaints against judges and prosecutors, conducts disciplinary proceedings, determines disciplinary liability, and imposes disciplinary measures. The Office of Disciplinary Counsel (ODC) within HJPC performs prosecutorial functions concerning allegations of misconduct against judges and prosecutors. ODC investigates complaints alleging misconduct of judges and prosecutors, initiates and presents cases of disciplinary violations before the disciplinary panels of the HJPC. The legal deadline for completing disciplinary investigation is two years, given that at the expiration of this deadline complaint reaches the statute of limitations for initiating disciplinary proceedings. However, the vast majority of complaints are resolved well before the expiry of two years period. If disciplinary investigation results in initiation of the disciplinary proceeding, such proceeding must be completed within one year from the date of the filing of a formal complaint before a disciplinary panel, unless upon a showing of a cause that an extension is justified. In these proceedings complainants are not entitled to compensation if their complaint is found to be sound. The Institution of Human Rights Ombudsman of Bosnia and Herzegovina (the Ombudsman) handles complaints related to malfunctioning of public authorities or to human rights violations committed by any public institution in Bosnia and Herzegovina. There is no strict deadline for handling complaints. In cases where violation of rights is established, the Ombudsman issues recommendation to competent public institutions to undertake measures to restore human rights violation or poor functioning of administration. The Institution also provides assistance to citizens how to use the most adequate legal remedies or advises them which institution to address. In performing its competences, the Ombudsman cannot decide on compensation for determined human rights violations.

Q28 (General Comment): Courts and court branches are established and dissolved by law. The law regulates the organization, jurisdiction and operation of courts.
1.1 First instance courts of general jurisdiction - legal entities: all courts that are included in this category have jurisdiction only over the first instance cases (i.e. criminal cases for which less than 10 years of imprisonment is prescribed, minor offence matters, civil and enforcement matters, commercial matters, non contentious matters etc.).
1.2 Second instance courts of general jurisdiction - legal entities: Only one court from this category has exclusive second instance subject matter jurisdiction. The rest of the courts (i.e. 16 courts) included in this category have prevailing second instance subject matter jurisdiction, namely they decide on appeals against all decisions of the aforementioned first instance courts; in addition, they have first instance jurisdiction in administrative cases and these courts also have mixed competencies in the criminal matters - firstly, they have first instance jurisdiction in criminal cases for which more than 10 years of imprisonment is prescribed; secondly, they decide on appeals against the decisions of first instance courts in criminal cases and minor offence cases. Due to the mixed competencies of the above mentioned group of courts (i.e. 16 courts), they were placed in the category of the first instance courts of general jurisdiction in the previous reporting cycles (i.e. since 2020), together with the courts which have exclusive first instance subject matter jurisdiction. 1.3 Highest instance courts of general jurisdiction - legal entities:
There are 3 courts of general jurisdiction in Bosnia and Herzegovina that are included in the Supreme Court category.
Firstly, at entity level, there are two courts: the Federation of Bosnia and Herzegovina Supreme Court and the Republika Srpska Supreme Court; both courts are competent to decide within the respective entity on legal remedies concerning decisions of the immediately lower courts.
Secondly, the Court of Bosnia and Herzegovina is established at the State level. Its competencies are regulated by the Law on the Court of Bosnia and Herzegovina and are related to criminal, administrative and appellate jurisdiction. However, the Court of Bosnia and Herzegovina has no jurisdiction over the decisions adopted by the entity – level Supreme Courts. Within its criminal jurisdiction, the Court of Bosnia and Herzegovina tries cases pertaining to the specific category of crimes laid down by the laws of Bosnia and
Herzegovina, which include war crimes, organized crime, economic crime and corruption cases. The administrative jurisdiction means that the Court of Bosnia and Herzegovina adjudicates cases pertaining to the decisions issued by the State institutions and other organizations in charge of public functions, such as property disputes related to the performance of public functions between the State and the entities, breaches of the election law, etc. Its Appellate Division only decides appeals against the decisions of the Court’s first instance divisions. Accordingly, there are three Prosecutor’s Offices representing criminal cases before the courts that are included in the Supreme Court category: the Prosecutor’s Office before the Court of Bosnia and Herzegovina; the Prosecutor’s Office before the Federation of Bosnia and Herzegovina Supreme Court; the Prosecutor’s Office before the Republika Srpska Supreme Court.

Q28 (2025): Courts and court branches are established and dissolved by law. The law regulates the organization, jurisdiction and operation of courts.
1.1 First instance courts of general jurisdiction - legal entities: all courts that are included in this category have jurisdiction only over the first instance cases (i.e. criminal cases for which less than 10 years of imprisonment is prescribed, minor offence matters, civil and enforcement matters, commercial matters, non contentious matters etc.).
1.2 Second instance courts of general jurisdiction - legal entities: Only one court from this category has exclusive second instance subject matter jurisdiction. The rest of the courts (i.e. 16 courts) included in this category have prevailing second instance subject matter jurisdiction, namely they decide on appeals against all decisions of the aforementioned first instance courts; in addition, they have first instance jurisdiction in administrative cases and these courts also have mixed competencies in the criminal matters - firstly, they have first instance jurisdiction in criminal cases for which more than 10 years of imprisonment is prescribed; secondly, they decide on appeals against the decisions of first instance courts in criminal cases and minor offence cases. Due to the mixed competencies of the above mentioned group of courts (i.e. 16 courts), they were placed in the category of the first instance courts of general jurisdiction in the previous reporting cycles (i.e. since 2020), together with the courts which have exclusive first instance subject matter jurisdiction. 1.3 Highest instance courts of general jurisdiction - legal entities:
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Secondly, the Court of Bosnia and Herzegovina is established at the State level. Its competencies are regulated by the Law on the Court of Bosnia and Herzegovina and are related to criminal, administrative and appellate jurisdiction. However, the Court of Bosnia and Herzegovina has no jurisdiction over the decisions adopted by the entity – level Supreme Courts. Within its criminal jurisdiction, the Court of Bosnia and Herzegovina tries cases pertaining to the specific category of crimes laid down by the laws of Bosnia and
Herzegovina, which include war crimes, organized crime, economic crime and corruption cases. The administrative jurisdiction means that the Court of Bosnia and Herzegovina adjudicates cases pertaining to the decisions issued by the State institutions and other organizations in charge of public functions, such as property disputes related to the performance of public functions between the State and the entities, breaches of the election law, etc. Its Appellate Division only decides appeals against the decisions of the Court's first instance divisions. Accordingly, there are three Prosecutor's Offices representing criminal cases before the courts that are included in the Supreme Court category: the Prosecutor's Office before the Court of Bosnia and Herzegovina; the Prosecutor's Office before the Federation of Bosnia and Herzegovina Supreme Court; the Prosecutor's Office before the Republika Srpska Supreme Court.

Q28 (2023): The relevant laws regulate the organization, jurisdiction and operation of courts. Courts and court branches are established and dissolved by law. Courts conduct their activities at their seats. Courts may conduct their activities outside their seats in: court branches and by holding court days. Court president decides on holding court days. There were 21 additional geographical locations in 2023 outside the geographical locations of the respective courts' seats at which the first instance courts of general jurisdictions were conducting their activities such as holding hearings and other activities. The vast majority of the additional geographical locations were classified as court branches, whereas court days were scheduled in only 2 geographical locations.

Q29 (General Comment): Specialized courts (legal entities) - Specialized commercial courts:
The judicial authority in Bosnia and Herzegovina is exercised by courts of general jurisdiction. As an exception, in one of the jurisdictions within Bosnia and Herzegovina (i.e., Republika Srpska), independent commercial courts (i.e., legal entities) have been established by law: 6 first-instance commercial courts and one appellate commercial court (i.e., Higher Commercial Court).
The Higher Commercial Court decides on appeals against the decisions of district commercial courts. The Supreme Court of the Republika Srpska is competent to decide on extraordinary legal remedies against final decisions of commercial courts.
District commercial courts of first instance decide: i. in civil and non-litigious disputes relating to rights and obligations arising from legal transactions of goods, services, securities, ownership and other real rights in real estate, as well as rights and obligations arising from securities, in which both parties in the proceedings are legal or natural persons, who in the capacity of independent entrepreneurs and in another capacity carry out commercial or other registered activities as their primary or supplementary occupation,
ii. in disputes arising from the application of the Companies Act or any other regulation concerning the organization and status of companies, the resolution of disputes arising between members of a company among themselves, as well as between the members and the company, concerning the position of members in the company, the management of the company, and the conduct of matters arising from their position in the company, iii. in disputes relating to ships and navigation on inland waters, as well as in disputes to which maritime law applies, except for disputes regarding passenger transport, iv. in disputes relating to airplanes, as well as in disputes to which aviation law applies, except for disputes regarding passenger transport, v. in disputes concerning copyright, related rights, and industrial property rights.
vi. in disputes arising from acts claimed to constitute unfair competition or a monopolistic agreement, vii. in bankruptcy and liquidation proceedings, in accordance with the law, as well as in all disputes arising during and in connection with the implementation of bankruptcy and liquidation proceedings, viii. in matters of registration of legal entities or independent entrepreneurs regulated by the Law on the Registration of Business Entities in the Court Register, ix. regarding the enforcement proceedings based on final and binding enforcement court decisions of commercial courts, x. regarding enforcement proceedings based on authentic documents in which both parties in the proceedings are legal entities or natural persons who, as independent entrepreneurs or in another capacity, perform economic or other registered activities as a primary or supplementary occupation, and on enforcement notarial deeds in which both parties in the proceedings are legal entities,
xi. in disputes arising from foreign investment.
The Higher Commercial Court has jurisdiction to: i. decide on appeals against decisions of district commercial courts, and in the first instance also on other matters determined by law, ii. decide on conflicts of jurisdiction and on the transfer of jurisdiction of district commercial courts, iii. establish legal stances for the uniform application of laws within the jurisdiction of district commercial courts, and iv. perform other tasks determined by law.
Specialized chambers and/or judges:
Courts are established and dissolved by the laws on courts adopted at the relevant levels of government in Bosnia and Herzegovina. The laws on courts regulate the organization, jurisdiction, and operation of courts. According to these laws, the judicial authority in Bosnia and Herzegovina is exercised by courts of general jurisdiction, except for 7 commercial courts which were established by the law on courts in one of the jurisdictions within Bosnia and Herzegovina (i.e., Republika Srpska). Thus, in Bosnia and Herzegovina, the establishment of special specialized

Montenegro

Q09-0 (2025): Regarding the issue of free legal aid, the allocated budget amounted to €144,617.00, of which €90,357.30 was spent in 2025, while the remaining amount was returned to the Budget of Montenegro.
Q09-0 (2022): in 2022 no separate amount for legal aid for courts was allocated, but that was a part of the budget section 4146 - lawyer services. In 2022 for legal aid the amount implemented is 108.776 Eur
Q09 (2025): In 2025, the courts had an individually allocated amount for the provision of free legal aid, which is contained within account 4146-lawyer services and amounted to €144,617.02

Q09 (2024): Courts in 2024 had an individually determined amount for providing BPP, it is contained within account 4146-advocate services and it amounted to €145,517.85. In 2024, €91,801.16 was realized for free legal aid. The remaining funds in the amount of €53,716.69 were returned to the State Treasury.
Q09 (2023): Not including ex officio mandatory representation. Legal aid is different specific category
Q09 (2022): in 2022 no separate amount for legal aid for courts was allocated, but that was a part of the budget section 4146 - lawyer services. In 2022 for legal aid the amount implemented is 108.776 Eur
Q16 (General Comment): The right to free legal aid is established by the Law on Free Legal Aid. Free legal aid implies providing the necessary funds to fully or partially cover the costs of legal advice, drafting letters, representation in court, the State Prosecutor's Office and the Constitutional Court of Montenegro and in out-of-court dispute resolution and enforcement proceedings as well as exemption from payment of court costs. The financial situation of the applicant for free legal aid shall be determined on the basis of his/her income and property and the income and property of his family members, unless otherwise prescribed by this Law.
The body responsible for granting free legal aid is the president of the basic court, or the judge authorized by the president, in which territory the applicant has a domicile or residence. Professional and administrative tasks in the process of approving free legal aid, are organized within the Service or Office for free legal aid. The Service provides information and advice to the interested parties on the possibilities and conditions for exercising the right to free legal aid assistance and other issues related to the granting of free legal aid and assistance to the applicant when submitting the application. Free legal aid is provided by lawyers in the order from the list of the Bar Association of Montenegro, which is compiled according to local jurisdiction of the basic courts. The Bar Association shall
submit the list to the Service. Free legal aid is not provided in: 1) the procedure before the commercial courts and the procedure for the registration of the form of performing economic activity; 2) proceedings for damages in connection with defamation and insult; 3) the procedure for a lawsuit to
reduce the amount of child support in the case when the person who is obliged to pay maintenance has not fulfilled that obligation,
unless that obligation was not fulfilled through his fault; 4) enforcement procedure on the basis of an authentic document.
The Law on free legal aid prescribes in detail all the conditions which shall be met for exercising the right to free legal aid

Q18 (General Comment): The scope of beneficiaries of free legal aid has been expanded, so that victims of torture and other forms of abuse, victims of criminal offences against sexual freedom, as well as children in proceedings for the protection of their rights, are granted an automatic entitlement, in line with the recommendations of the UN Committee against Torture (CAT), the Committee on the Rights of the Child, UNICEF and GREVIO Status of the recipient: The right to free legal aid can be exercised by Montenegrin citizens, stateless persons (apatrids), foreigners with permanent or temporary residence, and asylum seekers, as well as other persons in accordance with international treaties, provided they meet certain property criteria (financially vulnerable). An exception is "vulnerable categories" (e.g., victims of domestic violence) who receive special treatment, but still go through the application process.

Q18 (2025): In Montenegro, legal aid is primarily granted based on the financial situation of the applicant. In criminal cases, legal aid is ensured to persons who lack sufficient financial means, and in cases of mandatory defence it is granted regardless of financial status. In non-criminal cases, legal aid is subject both to a financial means test and a merits assessment, and may be refused if the claim is manifestly unfounded or constitutes an abuse of rights.
Q19 (2025): The right to free legal aid is established by the Law on Free Legal Aid. The scope of beneficiaries of free legal aid has been expanded, so that victims of torture and other forms of abuse, victims of criminal offences against sexual freedom, as well as children in proceedings for the protection of their rights, are granted an automatic entitlement, in line with the recommendations of the UN Committee against Torture (CAT), the Committee on the Rights of the Child, UNICEF and GREVIO Status of the recipient: The right to free legal aid can be exercised by Montenegrin citizens, stateless persons (apatrids), foreigners with permanent or temporary residence, and asylum seekers, as well as other persons in accordance with international treaties, provided they meet certain property criteria (financially vulnerable). An exception is "vulnerable categories" (e.g., victims of domestic violence) who receive special treatment, but still go through the application process.

Q21 (2025): 78 is related to criminal cases on domestic violence and trafficking in human beings
Q22 (2025): 62 is related to granted in cases of domestic violence and trafficking in human beings
Q23 (2025): by case means by request submitted for provision of free legal aid

Q25 (General Comment): The Criminal Procedure Code stipulates that the injured party who is the victim of a criminal offense against sexual liberty shall be entitled to hearing and the procedure conducted by a judge of the same sex, if it allows the personnel composition of the court. The injured party - victim of a criminal offence against sexual liberty, as well as child being heard in the capacity of witness, shall be entitled to testify in separate premises before a judge and a
court reporter, whereas the Prosecutor, accused person and defense attorney shall be given the possibility to view the course of hearing from other premises and to put questions to the witness, after having been duly instructed by the court thereon. The instruction shall be entered in the record. The court may decide that this provision be also applied to the testimony of the injured party who is the victim of discrimination.
The Criminal Procedure Code also stipulates specific rules for the hearing of the accused or a witness who is deaf or voiceless. Thus, the hearing of these persons shall be conducted through an interpreter who took an oath. If the defendant or witness is a person with impaired hearing, the questions shall be in writing, and if it is a person with impaired speech, shall be asked to answer in writing. If the hearing cannot be conducted in this way, an interpreter shall be summoned to communicate with defendant or witness.
A person with special needs, a victim of a crime of family or domestic violence and of human trafficking is entitled to free legal aid which implies the provision of resources for full or partial coverage of the costs for legal counseling, preparation of pleadings, representation in proceedings before the court, the State Prosecution and the Constitutional Court of Montenegro and any procedure for out of court dispute settlement, as well as exemption from payment of the costs of court proceedings.
In Montenegro, there is a special law that applies to juvenile offenders. - The law on Treatment of Juveniles in Criminal Proceedings. This law regulates the treatment of a minor as an offender, child and juvenile as a participant in the proceedings, which is based on respect for human rights and fundamental freedoms taking into account the best interests of minors, their maturity, level of development, abilities and personal capacities, as well as the severity of the crime, with the aim of their rehabilitation and social reintegration.

Q25 (2024): The Criminal Procedure Code stipulates that the injured party who is the victim of a criminal offense against sexual liberty shall be entitled to hearing and the procedure conducted by a judge of the same sex, if it allows the personnel composition of the court. The injured party - victim of a criminal offence against sexual liberty, as well as child being heard in the capacity of witness, shall be entitled to testify in separate premises before a judge and a
court reporter, whereas the Prosecutor, accused person and defense attorney shall be given the possibility to view the course of hearing from other premises and to put questions to the witness, after having been duly instructed by the court thereon. The instruction shall be entered in the record. The court may decide that this provision be also applied to the testimony of the injured party who is the victim of discrimination.
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Q26 (2025): Wrongful arrest/detention - Data from the Ministry of Justice. Legal time limit to process the request is 3 months
Q26 (2024): Wrongful arrest/detention - data from MoJ which deals with conclusion of agreements for compensation, legal option instead of going to the court with a law suit.

Q26 (2023): wrongful detention - data source Ministry of Justice.
Q26 (2022): With regard to the length of the proceeding, the Supreme Court of Montenegro had a total of 113 cases in work upon claims for just satisfaction. Based on the adopted claims for compensation of non- pecuniary damage, in 59 cases the Court found a violation of the right to a trial within a reasonable time and awarded the plaintiffs a total of 52 200 EUR. The Law on the protection of the right to a trial within reasonable time prescribes that the compensation is determined in the amount range 300 - 5.000 EUR. The following criteria shall be taken into account when determining the amount of compensation: the complexity of the case in factual and legal terms, conduct of the applicant, conduct of courts and other state bodies, local self-government bodies, public services and other holders of public authority and the interest of the applicant.
Wrongful arrest/detention: Data available from the Ministry of Justice. Data for settlements concluded in 2022.

Q26-1 (General Comment): Before filing a law suit to the court, requests for compensation for wrongful detention or wrongful conviction need to be filed to the Ministry of Justice for settlement. Legal time limit is 3 years from legaly binding court decision. If the Ministry of Justice does not decide on the request in 3 months time or the request is rejected, the person concerned may file a law suit.
Q26-1 (2025): Supreme Court- for the request for the right to a trial in reasonable time

Q28 (2025): We have 25 courts on 39 geographic locations.
Courts are:
1. Misdemeanour Court;
2. Higher Misdemeanour Court of Montenegro;
3. Basic Court;
4. High Court;
5. Commercial Court of Montenegro;
6. Administrative Court of Montenegro;
7. Court of Appeal of Montenegro;
8. Supreme Court of Montenegro.

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2. Misdemeanour Courts
Misdemeanour Courts are:
1. Misdemeanour Court in Bijelo Polje, with departments in:
- Berane
- Žabljak
- Plav
- Pljevlja
- Rožaje
- Kolašin
- Mojkovac

2. Misdemeanour Court in Budva, with departments in:
- Bar
- Kotor
- Herceg Novi
- Ulcinj

3. Misdemeanour Court in Podgorica, with departments in:

Q28 (2024): We interpreted the city as a geographic location, therefore there is no difference between first instance courts geographic locations and all the courts geographic locations.

Q28 (2023): 1.1 First instance courts of general jurisdiction - legal entities = 15 Basic Courts + 3 Misdemeanour courts
1.2 Second instance courts of general jurisdiction - legal entities = 2 High Courts and Appellate court + 1 high misdemeanour court
1.3 Highest instance courts of general jurisdiction - legal entities = Supreme Court
2 Total number of specialised courts - legal entities = Administrative Court, Commercial Court
Q29 (2025): Administrative Court, as prescribed by the Law on Courts and the Law on Administrative Disputes, decides in an administrative dispute on the legality of an administrative act, as well as on other administrative actions by which the rights, obligations, and legal interests of a natural or legal person are determined or otherwise affected, where this is prescribed by law.
An administrative dispute may also be initiated when a public authority has failed to issue an administrative act, has not decided on a party's appeal, has not undertaken an administrative action, or has not decided on a party's objection (administrative silence).
In addition to the above, the jurisdiction of the Administrative Court is determined by special laws which prescribe the possibility of conducting an administrative dispute.
The Commercial Court, acting as a court of first instance and a special court (cepej methodology), decides on disputes arising from commercial-law relations between commercial entities, as well as on status-related matters, bankruptcy and liquidation proceedings, protection of intellectual property and competition, and disputes related to ships, aircraft, and other matters prescribed by law.
In addition, the Commercial Court conducts bankruptcy and liquidation proceedings, carries out enforcement and security measures in cases prescribed by law, decides in non-contentious proceedings, and recognizes foreign court and arbitral decisions.
It also confirms settlements reached through mediation and provides international legal assistance within the scope of its jurisdiction.

North Macedonia
Q09-0 (2025): The increase in the budget is due to the increase of the costs for mandatory legal representation in criminal proceedings
Q09-0 (2024): This discrepancy is result of decrease of budget within of Ministry of Justice dedicated to free legal aid
Q09 (2025): The increase in the budget is due to the increase of the costs for mandatory legal representation in criminal proceedings
Q09 (2024): The amount of the approved budget was exceeded due to an increased number of requests and amounts, and payments were made from other lines of the budget of the Ministry, through repurposing.
Q09 (2023): In 2023, more criminal cases brought to court were concluded. The rise in the budget allocated to criminal cases may also be attributed to the complexity of these cases and their longer durations, resulting in higher expenses for lawyers.
Q09 (2022): Implementation of the new Law on free legal aid was one of the strategic goals. Campaigns in 2022 through the whole country to raise awareness of beneficiaries about their rights to free legal aid were very successful. These Numbers are the proof for improvement of usage of free legal aid system in our country.

Q16 (General Comment): LAW ON FREE LEGAL AID
Article 4
Providers of free legal aid
(1) Free legal aid shall be provided under the conditions and in the procedure stipulated in this law.
(2) Free legal aid may be provided as preliminary legal aid and secondary legal aid.
(3) Preliminary legal aid shall be provided by authorized Ministry staff, an authorized association or a legal clinic (hereinafter: providers).
(4) Secondary legal aid shall be provided by lawyers in proceedings before a court, a state authority, the Pension and Disability Insurance Fund of North Macedonia, the Health Insurance Fund of North Macedonia, and persons with public authorizations in accordance with the provisions of this law.
(5) The funds for approving free legal aid and the costs of the provided legal aid in the proceedings stipulated in this law shall be provided from the Ministry budget, as well as from donations and other income in accordance with the laws.
(6) Approved secondary legal aid may be revoked in accordance with the provisions of this law.
(7) In cases stipulated herein, the beneficiary shall reimburse the costs of the secondary legal aid, in full or partially.
(8) The minister of justice shall prescribe the procedure for providing free legal aid.
PRELIMINARY LEGAL AID
CHAPTER I
GENERAL PROVISIONS
Article 5
Right to preliminary legal aid
Any natural person with domicile or residence on the territory of the Republic of North Macedonia shall be entitled to preliminary legal aid.
Article 6
Scope of preliminary legal aid
The scope of preliminary legal aid is the following:
- initial legal advice on the right to use free legal aid;
- general legal information;
- general legal advice;
- assistance in completing the secondary legal aid application;
- assistance in filling out forms issued by administrative authorities in an administrative procedure for social welfare and protection of children's rights; pension, disability and healthcare

Q17 (General Comment): Article 75 Criminal procedure law
Defense of indigent persons
(1) When the conditions for mandatory defense are not met, upon his or her motion, the defendant may be assigned counsel, if, taking his or her financial situation into consideration, it is deemed that the defendant cannot bear the expenses of the defense, when required for the purpose of the interest of justice and specifically due to the severity of the crime and complexity of the case. In the motion, the defendant can indicate the preferred attorney from the list of defense counsels of the appropriate legal community.
(2) The judge of the preliminary procedure i.e. the Presiding Judge of the Trial Chamber shall rule on the motion as referred to in paragraph 1 of this Article, and the defense counsel shall be appointed by the President of the Court.
(3) The defense expenses as referred to in paragraph 1 of this Article shall be covered by the State Budget of the Republic of Macedonia.

Q18 (2025): According to the Law on Free Legal Aid, free legal aid can be refused if the person has given false data regarding his/her status.
The request for free legal aid will also be rejected if the lawyer has submitted a reasoned opinion that it is inexpedient to continue the procedure for which secondary legal aid was previously approved, and which relates to the same legal issue and legal basis.
Q19 (General Comment): According to the Article 20 from the Law on free legal Aid, there are 3 situations in which free legal aid is automatically granted: victims of domestic violence, due to natural disaster and if the applicant is placed to foster family.
Q20 (2025): Defined in the Law on free legal aid.
Q22 (2025): Mandatory representation in court is also included in presented numbers
Q24 (General Comment): In court proceedings, according to the procedural laws, the court is obliged to inform the parties on the foreseeable timeframes for undertaking certain procedural actions as well as for the right to appeal. In the Law on Litigation there are specified deadlines for procedural actions.

Q25 (General Comment): The Law on Criminal Procedure
Article 53
Victim's rights
(1) The victim of a crime shall have the following rights:
1) to participate in the criminal procedure as an injured party by joining the criminal prosecution or for the purpose of a legal property
claim for damages;
2) to get special care and attention by the bodies and entities that participate in the criminal procedure; and
3) to get an effective psychological and other professional assistance and support by bodies, institutions and organizations that provide for help to crime victims.
(2) The police, the public prosecutor and the court shall act with special care towards the victims of criminal offenses,advising them of their rights as referred to in paragraph 1 of this Article and Articles 54 and 55 of this Law and they shall take care of their interests when making decisions for criminal prosecution of the accused, i.e. when undertaking actions during the criminal procedure when the victim has to be present in person, when they have to draft an official note or record.
(3) In accordance with the special regulations, any victim of a crime, which entails a prison sentence of at least four years, shall have the right to:
1) get a councilor paid by the state budget before giving a statement, i.e. declaration or filing the legal-property claim, if the victim has serious psycho-physical
impairment or if there are serious consequences as a result of the crime; and
2) be compensated for material and non-material damages from a state fund, under conditions and in a manner as prescribed in a separate law, if the damage caused cannot be compensated from the convicted person.
Article 54
Special rights of victims of vulnerable categories of victims
(1) The victims shall have the right to special measures of process protection when giving statement or being interrogated
during all stages of the procedure:
1) if, at the time when giving the statement, the victim is less than 18 years of age;
2) if giving a statement or an answer to a certain question would mean exposing themselves or another close person to a serious threat for their life, health or physical integrity (endangered victims);
3) if, because of their age, the nature and consequences of the crime, the physical or psychological disability or another significant health condition, the social or cultural history, family circumstances, religious beliefs and the ethnic affiliation of the victim, the behavior of the defendant, members of the defendant's family or friends towards the victim, there might be harmful consequences for their psychological or physical health or if it has a negative effect on the quality of the statement provided (especially vulnerable victims).
(2) The special measures of process protection shall be determined by the court, upon proposal from the public prosecutor or the victim, or upon its own initiative, when it is necessary to

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2) if giving a statement or an answer to a certain question would mean exposing themselves or another close person to a serious threat for their life, health or physical integrity (endangered victims);
3) if, because of their age, the nature and consequences of the crime, the physical or psychological disability or another significant health condition, the social or cultural history, family circumstances, religious beliefs and the ethnic affiliation of the victim, the behavior of the defendant, members of the defendant's family or friends towards the victim, there might be harmful consequences for their psychological or physical health or if it has a negative effect on the quality of the statement provided (especially vulnerable victims).
(2) The special measures of process protection shall be determined by the court, upon proposal from the public prosecutor or the victim, or upon its own initiative, when it is necessary to

Q26 (General Comment): 1. In line with the responsibilities for implementation of the standards for the right of trial in a reasonable time frame, according to the European Convention on Human Rights, and the priority to decrease of the number of applications from RM on the basis of article 6, before the ECHR, the Law on courts from 2006 and the Amendments to the Law on courts provide sole jurisdiction to trial on claims for protection of the right to a trial in a reasonable time frame for the Supreme Court of RM. Hence, in April 2009 the Department for Processing of Cases within Reasonable Time was established, in line with the Working Schedule of the Supreme Court of RM. Additionally, Law on enforcement of ECHR decisions and Law for legal representation of RM before ECHR were adopted in order to establish efficient system for enforcement of the ECHR decisions.
2. The Law on Criminal procedure defines the procedure for damage compensation, rehabilitation and for realisation of other rights of persons who are convicted and arrested on unjustified grounds or unlawfully.
The procedure for compensation of damage is acting by the court and the amounts depends from case to case. The amounts are related with the case and the taken actions in that case (days in wrongful arrest, wrongful conviction, lost profit, costs, rate of interest etc.)

Q26 (2025): Other- Cases concerning precautionary measures and unjustified conduct of proceedings, combination of detention and imprisonment, deprivation of liberty and conviction and undetermined basis.
Q26-1 (2025): Citizens can submit a complaint about the proceedings to the Judicial Council or complaint for measures to protect against unjustified delay in court proceedings to the Ombudsman, but those bodies are not competent authorities for compensation requests, only for complaints.
Q28 (2025): In addition to established basic courts presented under column Legal entities, there are four court departments in the following cities Demir Hisar, Valandovo, Makedonski Brod and Probishtip.
Q28 (2024): Specialised first instance courts: Administrative court
Specialised second instance court: High Administrative Court
Q28 (2023): Specialised first instance courts: Administrative court
Specialised second instance court: High Administrative Court
Q29 (2025): In specialised Administrative courts exist different specialised departments for different areas in the framework for the administrative law (for example: denationalization, retirements, urbanism, expropriation, etc.)

Serbia
Q09-0 (2025): The stated amount of EUR 15,746,664 (approved budget) refers to the costs of lawyers appointed ex officio.
The exact total amount of expenditures for free legal aid (column other than criminal cases) is not centrally available. The presented figures are only partially based on the amounts reimbursed by the Ministry of Justice and therefore do not reflect the full financial scope of the system.
Article 41 of the Law on Free Legal Aid (“Official Gazette of the Republic of Serbia”, No. 87/2018) stipulates that, upon completion of the provision of free legal aid, the drafting of a notarial document, or mediation in dispute resolution, a request for payment shall be submitted together with supporting evidence and a final calculation (paragraph 1). Furthermore, in cases where the costs are jointly borne by the Republic of Serbia and a local self-government unit, the local self-government unit pays the full amount of the fee to the service provider and subsequently claims reimbursement of 50% from the competent ministry (paragraph 2).
Accordingly, while the actual direct expenditure from the budget of the Ministry of Justice amounted to EUR 46,554, the amount of EUR 93,108 was reported in line with the recommendation of CEPEJ evaluators, who suggested that the reported figure should reflect the estimated total cost of the system rather than only the Ministry’s reimbursed share. For this reason, and by recommendation of CEPEJ evaluators, the reimbursed amount was doubled in order to present the overall estimated expenditure corresponding to both the Ministry’s contribution and the participation of local self-government units.
At the same time, the reported data still does not capture the total nationwide costs of the free legal aid system. It should therefore be emphasized that the actual overall expenditures are likely significantly higher due to the substantial financial participation of local self-government units.
Q09-0 (2023): Annual approved public budget for the High Judicial Council for mandatory defense 11536009 EUR.
In question 012 we counted only free legal aid. I see now we made a mistake.
Q09 (2025): The stated amount of EUR 15,652,468 (implemented budget) refers to the costs of lawyers appointed ex officio.
The exact total amount of expenditures for free legal aid (column other than criminal cases) is not centrally available. The presented figures are only partially based on the amounts reimbursed by the Ministry of Justice and therefore do not reflect the full financial scope of the system.
Article 41 of the Law on Free Legal Aid (“Official Gazette of the Republic of Serbia”, No. 87/2018) stipulates that, upon completion of the provision of free legal aid, the drafting of a notarial document, or mediation in dispute resolution, a request for payment shall be submitted together with supporting evidence and a final calculation (paragraph 1). Furthermore, in cases where the costs are jointly borne by the Republic of Serbia and a local self-government unit, the local self-government unit pays the full amount of the fee to the service provider and subsequently claims reimbursement of 50% from the competent ministry (paragraph 2).
Accordingly, while the actual direct expenditure from the budget of the Ministry of Justice amounted to EUR 38,886, the amount of EUR 77,772 was reported in line with the recommendation of CEPEJ evaluators, who suggested that the reported figure should reflect the estimated total cost of the system rather than only the Ministry’s reimbursed share. For this reason, and by recommendation of CEPEJ evaluators, the reimbursed amount was doubled in order to present the overall estimated expenditure corresponding to both the Ministry’s contribution and the participation of local self-government units.
At the same time, the reported data still does not capture the total nationwide costs of the free legal aid system. It should therefore be emphasized that the actual overall expenditures are likely significantly higher due to the substantial financial participation of local self-government units.
Q09 (2024): We received all the information from the relevant institutions.
Q09 (2023): Official data obtained from the Sector for financial affairs in the MOJ
Annual implemented public budget for the High Judicial Council for mandatory defense 11469009 EUR.
In question 012 we counted only free legal aid. I see now we made a mistake.

Q09 (2022): Please note that the total amount refers only to the cases of granted free legal aid according the Law on free legal aid. This amount does not cover the free legal aid that was provided according to the Criminal Procedure Code (mandatory defense, etc.)
Q013: TOTAL - Annual implemented public budget allocated to legal aid (1 + 2) - 92056 euros. A greater number of cases of free legal aid in 2022 resulted in a greater amount of money spent on the provided free legal aid. The amount for 2022 is higher compared to the previous two years, taking into account that during 2022 all measures against covid-19 were canceled.

Q16 (General Comment): The Law on Free Legal Aid ("Official Gazette of RS", No. 87 of November 13, 2018, in force from October 1st 2019): The purpose of this law is to provide every person with effective and equal access to justice. Free legal aid consists of providing legal advice, drafting submissions, representation and defending in courts. When person applies for free legal aid, he/she must address to local self-government unit, which is entitled to approve/reject the request for granting free legal aid. If the request is granted, the person will be provided free legal aid by the benefactor who must be registrated on a list of benefactors kept by the Minister of Justice. Benefactor are lawyers, mediators, notaries, employees of the self-government unit, Faculties of Law and association which are registrated to provide legal aid in matters of asylum and discrimination. The request for granting free legal aid can be submitted personally or legal representative or attorney, can submit it on their behalf. The Criminal Procedure Code, Article 59:
When criminal proceedings are conducted for a criminal offense for which a sentence of imprisonment of more than five years may be imposed by law, court may, at the request of injured party, appoint a proxy (from the list of lawyers submitted to the court by the competent bar association) if it is in the interest of the proceedings and if the injured party financial situation, cannot bear the costs of representation.
Article 77: Defendant who, due to his financial situation, cannot pay the defense attorney's fee and expenses, will be assigned attorney at his request, if criminal proceedings are conducted for a criminal offense punishable by imprisonment for more than three years. In that case, the defense costs are borne by the court's budget.

Q17 (2025): The responses provided under this section relate exclusively to free legal aid.
Q18 (General Comment): In the Republic of Serbia, the property status of the applicant for free legal aid is taken into account as a criterion for granting free legal aid. The Law on Free Legal Aid does not recognize partial legal aid.
According to Article 4, Paragraph 1, Item 1) of the Law, free legal aid may be provided to a citizen of the Republic of Serbia, a stateless person, a foreign national with permanent residence in the Republic of Serbia, and other individuals who have the right to free legal aid under another law or a ratified international agreement, if:
1. they meet the conditions to be a beneficiary of the right to cash social assistance according to the law governing social protection, or a beneficiary of child allowance according to the law governing financial support to families with children, as well as members of their family or joint household as defined by this law;
2. they do not meet the conditions to be a beneficiary of cash social assistance or child allowance, but due to the payment of legal aid from their income in a specific legal matter, they would meet the conditions to become a beneficiary of cash social assistance or child allowance.
Therefore, in this second case, the income of the applicant for free legal aid is taken into account. The Rulebook on the appearance and detailed content of the application form for approving free legal aid specifies the data and evidence the applicant must provide in the application form, including evidence of the applicant's property status. Thus, an applicant who is not a beneficiary of cash social assistance or child allowance, according to Article 6 of this Rulebook, must submit proof of their property status to demonstrate that paying for legal aid or support would jeopardize their existence (Article 4, Paragraph 1, Item 2) of the Law). The applicant must provide information about income, family members they are obligated to support, real estate, vehicles, and other assets.
Article 6 of the Rulebook stipulates that the applicant meets the conditions for granting free legal aid if their monthly income does not exceed the minimum wage set by the Government in accordance with the law. In addition to the amount of income, data on real estate owned by the applicant for free legal aid are also considered. It is prescribed that the applicant is entitled to free legal aid if the immovable property is used as a residence or if it is used to perform activities that support the applicant or a member of their family or joint household. The Rulebook also stipulates that when deciding on the application for free legal aid, the value and purpose of the vehicle are considered. The applicant is entitled to free legal aid if the vehicle is used for self-employment or if the value of the vehicle does not exceed the annual minimum wage set by the Government in accordance with the law.

Q18 (2025): The responses provided under this section relate exclusively to free legal aid.
Q19 (General Comment): Article 4 of the Law provides certain categories of people who are entitled to free legal aid without considering other criteria, as follows: 1. a child whose rights, obligations, or interests established by law are decided in a proceeding before a court, another state authority, or a public authority; 2. a person subject to a security measure of compulsory psychiatric treatment and detention in a healthcare institution or a protective measure of compulsory psychiatric treatment; 3. a person against whom proceedings for partial or complete deprivation or restoration of legal capacity are conducted; 4. a person seeking legal protection from domestic violence; 5. a person seeking legal protection from torture, inhuman or degrading treatment or punishment, or human trafficking; 6. a person seeking asylum in the Republic of Serbia; 7. refugees, persons under subsidiary protection, or internally displaced persons; 8. a person with a disability; 9. a child protected by accommodation services in the social protection system; 10. children and youth whose social housing services have ended until the age of 26; 11. adults and elderly persons placed in a social welfare institution without their consent; 12. a person exercising the right to determine the time and place of birth in accordance with the law governing non-litigation procedures; 13. a person affected by the procedure of forced eviction and resettlement in accordance with the law governing housing. Free legal aid may be provided to these persons regardless of whether the financial conditions prescribed in paragraph 1 of this Article have been met. However, free legal aid shall not be granted if the request is submitted for procedures in which its provision is excluded, in accordance with the provisions of Article 7 of the Law.

Q19 (2025): The responses provided under this section relate exclusively to free legal aid.
Q20 (General Comment): Article 32 of the Law stipulates that the procedure for granting free legal aid is urgent. The administrative authority must issue a decision on the request within eight days of receiving it, and if additional documentation is requested from the applicant, within eight days from the date it is delivered. If there is a risk of irreparable damage to the applicant or if the period for taking action in the procedure is about to expire, the administrative authority is obligated to issue a decision within three days of receiving the request.

Q20 (2025): The responses provided under this section relate exclusively to free legal aid.
Q21 (2025): The value stated in the "total" field includes the number of requests submitted for the approval of free legal aid, as well as requests for free legal support related to the preparation of a notarial statement and mediation in resolving disputes. With regard to other data, we emphasize that we do not have them, bearing in mind that the existing record system does not allow for their monitoring according to the required criteria.
The data provided pertains exclusively to free legal aid.

Q22 (General Comment): The Law distinguishes free legal aid (legal advice, representation before court, defense, drafting of motions) and free legal support (general legal information, mediation, services of public notaries). Legal advice and general legal information are available to everyone and are not subject to approval. The Law prescribes that citizens shall address local self-government units (hereinafter: LSG) to apply for free legal aid. Staff in LSG decide on the applications pursuant to Articles 4 and 7 of the Law (eligibility). Article 67 of the Constitution of RS provides that everyone shall be guaranteed the right to legal aid under conditions stipulated by the law. Legal aid is provided by lawyers, as an independent and autonomous service, and legal aid offices established in the units of local self-government in accordance with the law. The court shall exempt a party from the liability of paying the costs of the proceedings where that party's material situation does not allow him/her to bear such costs. Exemption from the payment of the costs of proceedings includes exemption from the payment of fees and the deposit for the costs of witnesses, expert witnesses, on-site inspections and court notices.

Q22 (2025): The value in the "total" field refers to the total number of approved requests for free legal aid, including approved requests for free legal support in the form of drawing up a notarial statement and mediation in resolving disputes. With regard to other data, we would like to point out that we do not have it, given that the existing record system does not allow for their monitoring according to the required criteria.
The data provided pertains exclusively to free legal aid.
Q22 (2024): This number represents the total number of approved requests for free legal aid support. It includes criminal and other than criminal cases, taking into account that records are not kept by type of procedure.
Q22 (2023): Number of decisions of granting legal aid by municipalities
Ex-officio lawyers are not counted here
Q23 (2025): Data are based on the number of applications/decisions.
One person may be counted several times if involved in multiple cases.
The measurement units for the data provided in Questions 21 and 22 refer exclusively to free legal aid.

Q24 (General Comment): In accordance with the Article 308 Paragraph 3 of The Civil Procedure Code, at the preliminary hearing, the court will decide which evidence to present at the main hearing and will determine the time frame for conducting the procedure (Article 10, paragraph 2).
This rule is not prescribed by The Criminal Procedure Code.
Q24 (2025): In civil proceedings, pursuant to Article 10 paragraph 2 of the Civil Procedure Law ("Official Gazette of RS", Nos. 72/11, 18/20, … 10/23), the court shall conduct the proceedings without undue delay, in accordance with a previously determined timeframe for undertaking procedural actions (procedural timeframe), and with minimal costs. Under Article 303 para.1 of the same Law, the summons for the preparatory hearing shall warn the parties of their duty to present all facts and to propose evidence substantiating those facts, as well as of their duty to propose a procedural timeframe. The parties shall further be instructed to bring to the hearing all documents serving as evidence and any items to be inspected by the court. Article 308 para. 1 provides that, no later than at the preparatory hearing or at the first hearing of the main trial, a party shall present all facts necessary to substantiate its motions and shall propose a procedural timeframe for the conduct of the proceedings.
In criminal proceedings, the summons must be served on the accused in such a manner that sufficient time remains between the service of the summons and the date of the main hearing for the preparation of the defense, which shall be no less than eight days. For criminal offences punishable by imprisonment of ten years or a more severe sentence, the time for preparation of the defense shall be no less than fifteen days. At the request of the accused, or at the request of the public prosecutor with the consent of the accused, these time limits may be shortened (Article 355 para. 4 of the Criminal Procedure Code, "Official Gazette of RS", No. 72/11…62/21).

Q24 (2022): This is the general rule applicable to civil proceedings.
In accordance with the Article 308 Paragraph 3 of The Civil Procedure Code, at the preliminary hearing, the court will decide which evidence to present at the main hearing and will determine the time frame for conducting the procedure (Article 10, paragraph 2).
This rule is not prescribed by The Criminal Procedure Code.

Q25 (General Comment): The authority conducting proceedings may ex officio, at the request of parties or the witness himself, designate as an especially vulnerable witness a witness who is especially vulnerable in view of his age, experience, lifestyle, gender, state of health, nature, the manner or the consequences of the criminal offence committed, or other circumstances (Art. 103 CPC).
An especially vulnerable witness may be examined only through the authority conducting the proceedings, which will treat the witness with particular care, endeavoring to avoid possible detrimental consequences of the criminal proceedings to the personality, physical and mental state of the witness. Examination may be conducted with the assistance of a psychologist, social worker or other professional, which will be decided by the authority conducting proceedings.
If the authority conducting proceedings decides to examine an especially vulnerable witness using technical devices for transmitting images and sound, the examination is conducted without the presence of the parties and other participants in the proceedings in the room where the witness is located.
An especially vulnerable witness may also be examined in his place of living or other premises or in an authorized institution professionally qualified for examining especially vulnerable persons. In such case the authority conducting proceedings may order application of these measures.
An especially vulnerable witness may not be confronted with the defendant, unless the defendant himself requests this and the authority conducting proceedings grants the request, taking into account the level of the witness's vulnerability and rights of defense (Art. 104 CPC).
If there exist circumstances which indicate that by giving testimony or answering certain questions a witness would expose himself or persons close to him to a danger to life, health, freedom or property of substantial size, the court may authorize one or more measures of special protection by issuing a ruling determining a status of protected witness.
The measures of special protection include questioning the protected witness under conditions and in a manner ensuring that his identity is not revealed to the general public, and exceptionally also to the defendant and his defense counsel, in accordance with this Code (Art. 105 CPC).
The measures of special protection ensuring that the identity of a protected witness is not revealed to the public are excluding the public from the trial and prohibition of publication of data about the identity of the witness.
The measure of special protection whereby data about the identity of a protected witness is withheld from the defendant and his defense counsel may be ordered by the court exceptionally if after taking statements from witnesses and the public prosecutor it determines that the life, health or freedom of the witness or a person close to him is threatened to such an extent that it justifies restricting the right to defence and that the witness is credible (Art. 106 CPC).
The provisions related to protected witness apply accordingly to the protection of an undercover investigator, expert witness, professional consultant and professional.
The Law on Program of Protection of Participants in Criminal Proceedings envisages that the protection program is implemented if participants in the criminal proceedings and close people are due to giving evidence or notifications important for proving in criminal proceedings exposed to danger to life, health, physical integrity, freedom or property, and without that testimony or notification proving would be significantly difficult or impossible in criminal proceedings for criminal offenses:
1) against constitutional order and security;
2) against humanity and other goods protected by international law;

Q25 (2024): The authority conducting proceedings may ex officio, at the request of parties or the witness himself, designate as an especially vulnerable witness a witness who is especially vulnerable in view of his age, experience, lifestyle, gender, state of health, nature, the manner or the consequences of the criminal offence committed, or other circumstances (Art. 103 CPC).
An especially vulnerable witness may be examined only through the authority conducting the proceedings, which will treat the witness with particular care, endeavoring to avoid possible detrimental consequences of the criminal proceedings to the personality, physical and mental state of the witness. Examination may be conducted with the assistance of a psychologist, social worker or other professional, which will be decided by the authority conducting proceedings. If the authority conducting proceedings decides to examine an especially vulnerable witness using technical devices for transmitting images and sound, the examination is conducted without the presence of the parties and other participants in the proceedings in the room where the witness is located.
An especially vulnerable witness may also be examined in his place of living or other premises or in an authorized institution professionally qualified for examining especially vulnerable persons. In such case the authority conducting proceedings may order application of these measures.
An especially vulnerable witness may not be confronted with the defendant, unless the defendant himself requests this and the authority conducting proceedings grants the request, taking into account the level of the witness's vulnerability and rights of defense (Art. 104 CPC).
If there exist circumstances which indicate that by giving testimony or answering certain questions a witness would expose himself or persons close to him to a danger to life, health, freedom or property of substantial size, the court may authorize one or more measures of special protection by issuing a ruling determining a status of protected witness.
The measures of special protection include questioning the protected witness under conditions and in a manner ensuring that his identity is not revealed to the general public, and exceptionally also to the defendant and his defense counsel, in accordance with this Code (Art. 105 CPC).
The measures of special protection ensuring that the identity of a protected witness is not revealed to the public are excluding the public from the trial and prohibition of publication of data about the identity of the witness.
The measure of special protection whereby data about the identity of a protected witness is withheld from the defendant and his defense counsel may be ordered by the court exceptionally if after taking statements from witnesses and the public prosecutor it determines that the life, health or freedom of the witness or a person close to him is threatened to such an extent that it justifies restricting the right to defence and that the witness is credible (Art. 106 CPC).
The provisions related to protected witness apply accordingly to the protection of an undercover investigator, expert witness, professional consultant and professional.
The Law on Program of Protection of Participants in Criminal Proceedings envisages that the protection program is implemented if participants in the criminal proceedings and close people are due to giving evidence or notifications important for proving in criminal proceedings exposed to danger to life, health, physical integrity, freedom or property, and without that testimony or notification proving would be significantly difficult or impossible in criminal proceedings for criminal offenses:
1) against constitutional order and security;
2) against humanity and other goods protected by international law;3) organized crime.
In accordance with the Law on Juvenile Criminal Offenders and Criminal Protection of Juveniles, when conducting proceeding for criminal offences committed against juveniles, authority

Q25 (2023): The authority conducting proceedings may ex officio, at the request of parties or the witness himself, designate as an especially vulnerable witness a witness who is especially vulnerable in view of his age, experience, lifestyle, gender, state of health, nature, the manner or the consequences of the criminal offence committed, or other circumstances (Art. 103 CPC).
An especially vulnerable witness may be examined only through the authority conducting the proceedings, which will treat the witness with particular care, endeavoring to avoid possible detrimental consequences of the criminal proceedings to the personality, physical and mental state of the witness. Examination may be conducted with the assistance of a psychologist, social worker or other professional, which will be decided by the authority conducting proceedings.
If the authority conducting proceedings decides to examine an especially vulnerable witness using technical devices for transmitting images and sound, the examination is conducted without the presence of the parties and other participants in the proceedings in the room where the witness is located.
An especially vulnerable witness may also be examined in his place of living or other premises or in an authorized institution professionally qualified for examining especially vulnerable persons. In such case the authority conducting proceedings may order application of these measures.
An especially vulnerable witness may not be confronted with the defendant, unless the defendant himself requests this and the authority conducting proceedings grants the request, taking into account the level of the witness's vulnerability and rights of defense (Art. 104 CPC).
If there exist circumstances which indicate that by giving testimony or answering certain questions a witness would expose himself or persons close to him to a danger to life, health, freedom or property of substantial size, the court may authorize one or more measures of special protection by issuing a ruling determining a status of protected witness.
The measures of special protection include questioning the protected witness under conditions and in a manner ensuring that his identity is not revealed to the general public, and exceptionally also to the defendant and his defense counsel, in accordance with this Code (Art. 105 CPC).
The measures of special protection ensuring that the identity of a protected witness is not revealed to the public are excluding the public from the trial and prohibition of publication of data about the identity of the witness.
The measure of special protection whereby data about the identity of a protected witness is withheld from the defendant and his defense counsel may be ordered by the court exceptionally if after taking statements from witnesses and the public

Q26 (General Comment): The Law on Protection of Right to Trial within a Reasonable Time („Official Gazette RS", No. 40/15 and 92/23)
Article 3
The legal means that protect the right to a trial within a reasonable time are:
1) objection to speed up the procedure (hereinafter: objection);
2) appeal;
3) request for just satisfaction.
The party does not pay the court fee in proceedings in which the right to a trial within a reasonable time is protected. They are urgent and have priority in decision-making.
Complaint submission and complaint procedure
Article 7.
The party submits an objection to the court conducting the proceedings or the court before which the proceedings are conducted if he believes that the public prosecutor has violated his right.
The attorney of the party who is authorized to undertake all actions in the procedure that is requested to be accelerated does not need particularly many opportunities to submit the contract.
If the attorney of the party is authorized to foresee only individual actions in the procedure, which does not include the submission of legal means for the protection of the right to a trial within a reasonable time, he is obliged to submit a special power of attorney along with the objection.
If it is suspected that one of the legally prescribed reasons for the termination of the power of attorney has occurred, the court will, by means of a reasoned decision against which no personal appeal is allowed, order the attorney to submit a special deadline for the power of attorney to be issued in accordance with the law, with a warning that the objection to the contrary will be rejected as illegal.
The procedure for the objection is led by the president of the court, who decides on the objection. With the annual schedule of work, he can designate one court or several judges to lead the proceedings alongside him and decide on interviews.
An oral hearing is not held, and the law governing non-litigation proceedings is applied accordingly to other issues.
The president of the court is obliged to decide on the objection within two months from the date of receipt of the contract.
Article 14.
The party has the right to appeal if his objection is rejected or if the president of the court does not decide on it within two months from the day of receipt of the objection.
An appeal can also be filed if the objection was accepted, but the chief public prosecutor did not issue a mandatory instruction within eight days from the date of receipt of the court president's decision, then if the court president or the immediately superior public prosecutor did not order the judge or the public prosecutor to take procedural actions that effectively speed up the procedure, or if the judge or public prosecutor has not taken the ordered procedural actions within the deadline set for him.
An appeal can be filed even if the president of the court, in the decision by which he accepted the objection and determined the violation of the right to a trial, did not set a deadline for taking

Q26 (2025): According to the current Code of Criminal Procedure ("Official Gazette of the Republic of Serbia", No. 72/2011, 101/2011, 121/2012, 32/2013, 45/2013, 55/2014, 35/2019, 27/2021 – decision of the Constitutional Court and 62/2021 – decision of the Constitutional Court), the categories of wrongful arrest/detention and wrongful conviction are different in terms of defining persons wrongly deprived of liberty and persons wrongly convicted (Articles 584 and 585). However, the Ministry of Justice is not legally obliged to keep separate records for these two categories of persons and is therefore not able to provide data separately. Accordingly, in the table titled "Wrongful arrest/detention", the data presented would also include the category of wrongful conviction. In addition, it should be noted that the total amount of compensation paid is 575.192,50 euros (67.471.000,00 dinars). When deciding on the submitted claims, the Commission for Compensation of Damage to Persons Unlawfully Deprived of Liberty and Unjustly Convicted of the Ministry of Justice takes into account the facts established by Article 9 of the Rules of Procedure on the Composition and Work of the Commission ("Official Gazette of the Republic of Serbia", No. 73/2020), such as the time spent in detention, age, family and marital status, previous convictions or the lack thereof, the gravity and nature of the criminal offense charged, and other relevant circumstances for determining the intensity and duration of physical and mental suffering and fear caused by the unlawful deprivation of liberty or unjustified conviction.
Regarding the category "Excessive duration of proceedings", i.e. violations of the right to a trial within a reasonable time and violations of property rights, the total amount of compensation paid based on the decisions of the Constitutional Court amounts to 19.374.544,17 euros (2.272.665.030,95 dinars).
In the legal system of the Republic of Serbia, there is a clearly established framework for the protection of the right to a trial within a reasonable time, which includes certain competent authorities, protection mechanisms and the possibility of awarding compensation for damages.
First of all, the Law on the Protection of the Right to a Trial within a Reasonable Time provides for a combined protection mechanism. The competent authority for out-of-court settlement is the State Attorney's Office, to which the party submits a proposal for settlement within six months of acquiring the right to just satisfaction. If an agreement is not reached, the competent courts decide on the claim for compensation for damages. The payment itself is made by the courts or public prosecutor's offices whose work led to the violation of rights, and the funds are provided from the budget of the Republic of Serbia. This law explicitly establishes a system of compensation for damages, which includes both non-pecuniary (just satisfaction) and material damage. The amount of compensation for non-pecuniary damage is legally determined in the range of 300 to 3.000 euros in dinar equivalent, with the amount being determined according to criteria such as the complexity of the case, the actions of the authorities and the importance of the case for the party.
In addition, a constitutional complaint is an additional and, in certain situations, an independent protection mechanism. It is decided by the Constitutional Court of the Republic of Serbia, and can be filed after the exhaustion of legal remedies or, in special cases (especially in bankruptcy and enforcement proceedings against entities with a majority state or social capital), without their exhaustion. Within the framework of a constitutional complaint, there is a possibility of seeking compensation for damage, which also establishes a compensation framework at this level. Although the law does not prescribe fixed amounts, practice shows that compensation for non-pecuniary damage ranges approximately from 100 to 3.000 euros, while compensation for material damage is not determined as a lump sum, but depends on the claims already established in the relevant court proceedings.
The amendments of 2023 further specified the jurisdiction, so that for certain bankruptcy and enforcement proceedings, protection is concentrated before the Constitutional Court, while the Ministry of Justice acts on its decisions and pays the awarded amounts. This further strengthens the institutional framework, but essentially retains the dual model of protection – extrajudicial and judicial, i.e. constitutional.

Q26 (2024): According to the Law on Protection of Right to Trial within a Reasonable Time („Official Gazette RS", No. 40/15 and 92/23), in the course of 2024 there were 11,843 objections to the presidents of courts for acceleration of the proceedings. Further, there were 2,533 claims were filed to courts for non-pecuniary damages and 728 claims were filed for pecuniary damages. The largest number of new cases for claims for compensation for pecuniary and non-pecuniary damage was in 2020 (29,341). Growing trend of such a high number of lawsuits has been stopped, since in 2021 there were 20,930 of these cases, in 2022 year 14,454, while in 2023 that number was reduced to 8,196 cases, and this trend was continued in 2024 to 3,261 cases.
With regard to the total amount of compensation paid according to court judgments due to the violation of the right to a trial within a reasonable time for 2024, we refer to the data of the High Judicial Council , 1. Compensation for damages based on the violation of the right to a trial within a reasonable time according to the judgments of domestic courts, voluntarily paid by the courts, was in the amount of RSD 124.971.205,51.
2. Compensation for damages based on the violation of the right to a trial within a reasonable time according to the judgments of the domestic courts, collected from the courts, was in the amount of RSD 4.305.732.093,42.
3. Compensation for damages based on the violation of the right to a trial within a reasonable time according to the judgments of domestic courts, paid voluntarily based on an agreement with the State Attorney's Office, was in the amount of RSD 19.997.134,00.

Q26 (2023): According to the Law on Protection of Right to Trial within a Reasonable Time („Official Gazette RS", No. 40/15 and 92/23), in 2023 there were 19,092 objections to the presidents of courts for acceleration of the proceedings. Further, there were 4,816 claims were filed to courts for non-pecuniary damages and 3,380 claims were filed for pecuniary damages. The largest number of new cases for claims for compensation for pecuniary and non-pecuniary damage was in 2019 (31.825). The growing trend of such a high number of lawsuits has been stopped, since in 2020 there were 29.341 of these cases, in 2021 year 20.930, while in 2022 that number was reduced to 13.060 cases, and this trend was continued in 2023 to 8,196 cases. With regard to the total amount of compensation paid according to court judgments due to the violation of the right to a trial within a reasonable time for 2023, we refer to the data of the High Judicial Council ,
1. Compensation for damages based on the violation of the right to a trial within a reasonable time according to the judgments of domestic courts, voluntarily paid by the courts, was in the amount of RSD 166,263,292.52.
2. Compensation for damages based on the violation of the right to a trial within a reasonable time according to the judgments of the domestic courts, collected from the courts, was about 4,090,654,824.02 dinars.
3. Compensation for damages based on the violation of the right to a trial within a reasonable time according to the judgments of domestic courts, paid voluntarily based on an agreement with the State Attorney's Office, was in the amount of RSD 63,007,938.00 dinars.

Q26 (2022): Based on the decisions of the presidents of the courts, which accepted objections for speeding up the proceedings and found a violation of the right to a trial within reasonable time before the basic and higher courts in the Republic of Serbia, out of the total number of cases received (13,060).The largest number of these cases refer to the enforcement of legally binding court decisions. However, the exact number of Non-execution of court decisions cases is N/A.

Q26-1 (2025): Also other external bodies like Constitutional Court

Q28 (General Comment): 1.1 First instance courts of general jurisdiction: 66 (basic courts) + 44 Misdemeanor Courts
1.2 Second instance courts of general jurisdiction: 25 (higher courts) and 4 (appellate courts) + 1 Misdemeanor Appellate Court
1.3 Highest instance courts of general jurisdiction: 1 (Supreme court)
2. Total of specialised courts: 63 (1 Administrative Court, 1 Commercial Appellate Court, 16 Commercial courts, 1 Misdemeanor Appellate court and 44 Misdemeanor courts)
2.1 First instance specialised courts: 17 (1 Administrative Court and 16 Commercial courts)
2.2 Second instance specialised courts: 1 (1 Commercial Appellate Court)
2.3 Highest instance specialised courts: 1 (Supreme Court)
Supreme Court, as the highest judicial instance, decides upon extraordinary legal remedies in civil and criminal matter, as well as in cases against rulings of courts of specialized jurisdiction (commercial, misdemeanor, administrative).
1.1 First-Instance Courts of General Jurisdiction: 66 Basic Courts
The seats of the Basic Courts in the Republic of Serbia are located in:
Aleksinac, Aranđelovac, Bačka Palanka, Belgrade (First, Second and Third Basic Court), Bečej, Bor, Brus, Bujanovac, Valjevo, Velika Plana, Veliko Gradište, Vranje, Vrbas, Vršac, Gornji Milanovac, Despotovac, Dimitrovgrad, Zaječar, Zrenjanin, Ivanjica, Jagodina, Kikinda, Knjaževac, Kragujevac, Kraljevo, Kruševac, Kuršumlija, Lazarevac, Lebane, Leskovac, Loznica, Majdanpek, Mionica, Mladenovac, Negotin, Niš, Novi Pazar, Novi Sad, Obrenovac, Pančevo, Paraćin, Petrovac na Mlavi, Pirot, Požarevac, Požega, Priboj, Prijepolje, Prokuplje, Raška, Ruma, Senta, Sjenica, Smederevo, Sombor, Sremska Mitrovica, Stara Pazova, Subotica, Surdulica, Trstenik, Ub, Užice, Čačak, Šabac and Šid.
+Misdemeanor Courts (44)
The seats of the Misdemeanor Courts are located in:
Aranđelovac, Bačka Palanka, Belgrade, Bečej, Valjevo, Vranje, Vršac, Gornji Milanovac, Zaječar, Zrenjanin, Jagodina, Kikinda, Kragujevac, Kraljevo, Kruševac, Lazarevac, Leskovac, Loznica, Mladenovac, Negotin, Niš, Novi Pazar, Novi Sad, Obrenovac, Pančevo, Paraćin, Pirot, Požarevac, Požega, Preševo, Prijepolje, Prokuplje, Raška, Ruma, Senta, Sjenica, Smederevo, Sombor, Sremska Mitrovica, Subotica, Trstenik, Užice, Čačak and Šabac.
Geographic locations: 237
1. Misdemeanor Court in Aranđelovac, 102 Aranđelovac Knjaza Miloša
2. Misdemeanor Court in Arandjelovac - Department of the Court in Topola Topola Bulevar Kralja Aleksandra 19
3. Misdemeanor court in Bačka Palanka Bačka Palanka Kralja Petra I 18
4. Misdemeanor Court in Bačka Palanka - Department of the court in Bač Bač Trg Dr. Zoran Djindjic 2
5. Misdemeanor Court in Belgrade Belgrade Ustanička 14
6. Misdemeanor Court in Belgrade - Grocka Court Department Grocka Bulevar oslobodenja 2

Q28 (2025): The Supreme Court is the Highest instance courts of general jurisdiction and the Highest instance specialised courts.
Q28 (2024): The Supreme Court is the highest court in the Republic of Serbia and it is the immediately superior court for the Commercial Court of Appeal, the Misdemeanour Court of Appeal, the Administrative Court and the Court of Appeal. The Court of Appeal is the immediate higher court for the High Court and the Basic Court. The Commercial Appellate Court is the immediately superior court for the Commercial Court, and the Misdemeanor Appellate Court is the immediately superior court for the Misdemeanor Court. The higher court is the immediately higher court for the basic court when it is determined by the Law on the Organization of Courts.
In addition to the Supreme Court, the Commercial Court of Appeal, the Misdemeneur Court of Appeal and the Administrative Court are courts of republican rank. The seats of those courts are in Belgrade, with the fact that the Criminal Court of Appeal and the Administrative Court also have departments in Kragujevac, Niš and Novi Sad.
As of January 1, 2014, there are a total of 159 courts in the Republic of Serbia, of which 66 are basic courts, 25 higher courts, 16 commercial courts, 44 misdemeanor courts and the Administrative Court. Appeals are handled by 4 appellate courts, the Commercial Appellate Court and the Misdemeanor Appellate Court and, in the cases provided for by the Law, the higher courts.

Q28 (2023): The Supreme Court is the highest court in the Republic of Serbia and it is the immediately superior court for the Commercial Court of Appeal, the Misdemeanour Court of Appeal, the Administrative Court and the Court of Appeal. The Court of Appeal is the immediate higher court for the High Court and the Basic Court. The Commercial Appellate Court is the immediately superior court for the Commercial Court, and the Misdemeanor Appellate Court is the immediately superior court for the Misdemeanor Court. The higher court is the immediately higher court for the basic court when it is determined by the Law on the Organization of Courts.
In addition to the Supreme Court, the Commercial Court of Appeal, the Misdemeneur Court of Appeal and the Administrative Court are courts of republican rank. The seats of those courts are in Belgrade, with the fact that the Criminal Court of Appeal and the Administrative Court also have departments in Kragujevac, Niš and Novi Sad.
As of January 1, 2014, there are a total of 159 courts in the Republic of Serbia, of which 66 are basic courts, 25 higher courts, 16 commercial courts, 44 misdemeanor courts and the Administrative Court. Appeals are handled by 4 appellate courts, the Commercial Appellate Court and the Misdemeanor Appellate Court and, in the cases provided for by the Law, the higher courts.

Q29 (2025): Commercial and insolvency - Commercial courts are courts of special jurisdiction that adjudicate disputes between companies, entrepreneurs, and other business entities, as well as disputes arising from the conduct of commercial activities. The Republic of Serbia has 16 commercial courts, each established for the territory of one or more cities or municipalities. Appeals against decisions of commercial courts are decided in the second instance by the Commercial Appellate Court.
Commercial courts in the first instance decide disputes between business entities and disputes arising between business entities and other legal persons engaged in commercial activities. They also adjudicate disputes concerning copyright and related rights, the protection and use of inventions, industrial designs, models, samples, trademarks, geographical indications, topographies of integrated circuits, i.e., semiconductor products, and plant variety breeders' rights. They decide disputes related to enforcement and security measures within proceedings under their jurisdiction.
Commercial courts conduct bankruptcy and reorganization proceedings, order and carry out enforcement based on enforceable and credible documents when related to business entities and entities engaged in commercial activities. They also order and carry out enforcement and security of their own decisions, decide on the recognition and enforcement of foreign court and arbitral decisions rendered in commercial disputes, and conduct non-contentious proceedings arising from the application of the Law on Companies.Finally, they also adjudicate commercial offenses.
Labour – In basic courts, labour disputes are handled within civil departments. Judges often specialize in this field, but there are no formal chambers dedicated to labour disputes. Higher courts decide on appeals against decisions of basic courts in labour disputes, also within civil departments that deal with labour cases. Judges in higher courts who handle labour disputes have experience and specialization. In the Appellate Court in Belgrade, there are five specialized chambers for labour disputes within the civil department of the Appellate Court.
Family- Within the basic and higher courts, specialized departments for family disputes are established. Judges assigned to these departments are duly specialized, having completed the required training and obtained certification attesting to their specific expertise in the field of children's rights. Within the same departments, proceedings in cases of domestic violence are conducted. Judges assigned to these cases are specialized in issuing urgent protective measures.
Enforcement of criminal sanctions - At each Higher Court, in accordance with the Law on the Enforcement of Criminal Sanctions ("Official Gazette of RS", No. 55/14,35/19) a judge for the enforcement of criminal sanctions is appointed. In cases within their jurisdiction, the enforcement judge acts as a single judge.
Administrative - Administrative Court is a court of special jurisdiction that adjudicates disputes initiated against state administration bodies and local self-government authorities, as well as against public enterprises and agencies, for the purpose of determining the legality of acts by which, in administrative proceedings, a right, obligation, or interest has been decided. An administrative dispute is initiated against final administrative acts. These are acts adopted in the second instance (upon an appeal submitted to an administrative body) or in the first instance, when an appeal is not permitted. Under certain conditions, an administrative dispute may also be initiated when the competent authority fails to adopt an administrative act ("administrative silence"). The Administrative Court is a court of republican rank, and therefore has both subject-matter and territorial jurisdiction over all administrative disputes throughout the territory of the Republic of Serbia.
Juvenile – In higher and appellate courts, specialized departments for criminal proceedings involving juveniles are established. In the first instance, proceedings against a juvenile are conducted before a juvenile judge and a juvenile chamber of the higher court. The juvenile judge and the judges of the juvenile chamber must be persons who have acquired special knowledge

Kosovo*
Q09-0 (2025): FLAA comment: Based on the Law No. 08/L-332 on Budgetary Allocations for the Budget of The Republic of Kosovo for the year 2025, a budget of €563,418.0 was allocated to the Free Legal Aid Agency, while by the end of the year the final budget was €621,237.86, of which €611,654.43 were implemented. The budget was allocated in the following categories: Salaries and allowances 374,278.29 € goods and services 236,959.57 €; and utilities 10,000.00 €.
Q09-0 (2024): KPC COMMENT: In our budget categories we don't have separate category for budget for lawyers, but the budget code is named "legal representation cost" which include lawyers and experts. The total budget approved for this category was 1,218,303€ which we divided in 2 and the budget approved for lawyers being 609,151.5€.
FREE LEGAL AID AGENCY COMMENT: Based on the budget law No. 08/L-260, a budget of 537,831.00 € was allocated to the Free Legal Aid Agency in the following categories: Salaries and allowances 307,831.00 € goods and services 220,000.00 €;, and utilities 10,000.00 €.

Q09-0 (2022): Budget increased
Q09 (2025): The Free Legal Aid Agency has spent a total budget of 611,654.43 €, according to these categories: Salaries and allowances 374,278.29 €, Goods and services 230,426.41 € and Municipal services 6,949.73 €.
The budget of the Free Legal Aid Agency is not divided for criminal cases and for other cases, but legal aid is offered in all legal fields; Civil, Administrative, Criminal and Misdemeanor, to all citizens who fulfill the criteria based on Law no. 04 / L-017 on Free Legal Aid or if they are one of the special beneficiary categories of free legal aid based on Law no. 08/L- 035 on amending and supplementing the Law no. 04/l-017 for free legal aid.
During 2025, the agency provided free legal aid to 6797 citizens. In the administrative procedure free legal aid was offered to 4254 citizens, in the civil procedure to 2194 citizens, in the criminal procedure to 280 citizens and in the misdemeanor procedure to 69 citizens.
Out of 4797 cases, the FLAA, through its officials, handled 4064 cases.
While 733 cases were referred to the lawyers who took actions for the parties, 651 of them in civil procedure, 26 in administrative procedure and 56 in criminal procedure.
In 2025 in the economic category, the expenses of representation and advocacy have been paid a total of €143,814.50, as well as about €1654.00 are debts from the year 2025, which have been processed for payment in the budget of the year 2026. These expenses of the lawyers are expenses of the lawyers who are engaged over the years, not just in 2025.
Additionally for cases not brought to court the same amount is provided for the approved and implemented budget because the data for the approved budget was not available.

Q09 (2024): The Free Legal Aid Agency has spent a total budget of €476,000.14, according to these categories: Salaries and allowances 264,271.70 €, Goods and services 203,873.54 € and Municipal services 7,854.90 €.
The reason why the budget was not spent in full is due to the non-recruitment of the anticipated positions.
The budget of the Free Legal Aid Agency is not divided into separate parts for criminal cases and for other cases, but legal aid is offered in all legal fields; Civil, Administrative, Criminal and Misdemeanor, to all those citizens who fulfil the criteria based on law no. 04 / L-017 on Free Legal Aid or if they one of the special beneficiary categories of free legal aid based on law no. 08/L-035 for the amendment and completion of the law no. 04/l-017 for free legal aid.
During 2024, the agency provided free legal aid to 8049 citizens. In the administrative procedure free legal aid was offered to 5853 citizens, in the civil procedure to 1887 citizens, in the criminal procedure to 270 citizens and in the misdemeanor procedure to 39 citizens.
Out of 8049 cases, the FLAA, through its officials, handled 7428 cases.
While 621 cases were referred to the lawyers who took actions for the parties, 562 of them in civil procedure, 12 in administrative procedure and 47 in criminal procedure).
In 2024 in the economic category, the expenses of representation and advocacy have been paid a total of €145,620.00, as well as about €1,145.00 are debts from the year 2025, which have been processed for payment in the budget of the year 2025. These expenses of the lawyers are expenses of the lawyers who are engaged over the years, not just in 2024.

Q16 (General Comment): Legal aid in Kosovo is a constitutional right. Article 31(6) of the Constitution of the Republic of Kosovo guarantees free legal aid for persons who lack sufficient financial resources where such aid is necessary to ensure effective access to justice.
The legal aid system is primarily organized and implemented by the Free Legal Aid Agency (FLAA), an executive agency within the Ministry of Justice. The Agency operates under the Law on Free Legal Aid and its subsequent amendments, which establish a functional state system to provide access to justice for persons in need.
Free legal aid is available in civil, criminal, administrative, and misdemeanor proceedings. Services include legal information and advice, drafting of submissions and documents, and representation before courts and administrative bodies.
Institutionally, FLAA provides services through a network of 7 regional offices and 23 mobile legal aid offices covering municipalities throughout Kosovo. These offices are funded by the state budget and ensure broad geographical access to services.
To further expand access, FLAA with the support of UNDP operates a Mobile Office (minibus) that delivers legal aid in areas where the Agency has no permanent presence. This unit also conducts awareness and information campaigns to inform citizens about their legal rights and available services.
In addition, FLAA has signed cooperation agreements with eight non-governmental organizations, which provide legal aid in municipalities without FLAA offices or fort the support of specific vulnerable groups, including victims of conflict-related sexual violence, repatriated persons, asylum seekers, stateless persons, and members of non-majority communities

Q18 (General Comment): Free legal aid - is a right in a free legal professional service for the citizens who fulfil the criteria determined by Law No. 04 / L-017 on Free Legal Aid: Qualification, Financial and Legal Criteria. Notwithstanding the required criteria, free legal aid is offered to: Sexually raped persons during the war in Kosovo in 1998-1999; Victims of domestic violence; Victim witnesses of violence, who are dependent on victims of domestic violence; Victims of gender-based violence; Victims of any kind of sexual violence, including sexual harassment; Victims of trafficking in human beings; Juvenile victims; Children living in social care institutions; Children under guardianship seeking to initiate proceedings without the consent of their legal guardian or against their legal guardian; Persons whose rights have been violated through an act or failure to act that constitutes discrimination, based on the decision of the competent body under applicable law for protection against discrimination; Journalists, independent journalists, photo-reporters, cameramen and editors who for media licensed by the Independent Media Commission (IMC) and/or in media that are members at the Press Council of Kosovo (PCK).

Q19 (General Comment): Based on the legislation in force for free legal aid, there are situations where legal aid is automatically granted either based on the status of the recipient or the category of the case without the applicant having to satisfy the normal eligibility criteria.
1. Based on beneficiary status
Free legal aid is automatically provided to persons who are beneficiaries of social assistance or those in a similar socio-economic situation, under the primary legal aid category. This means they qualify by status and do not need to meet additional financial thresholds.
2. Based on special categories of recipients or case types
Amendments to the Law on Free Legal Aid (Law No. 08/L-035) establish that certain vulnerable groups receive free legal aid regardless of meeting the standard financial or legal criteria. These include:
• Persons sexually abused during the 1998-99 war
• Victims of domestic violence and gender-based violence
• Victims of human trafficking
• Juvenile victims and children in care institutions
• Children under guardianship initiating proceedings against guardians
• Persons whose rights have been violated by discriminatory acts and
• journalists under specific conditions.
3. Immediate legal aid in exceptional situations
There are also provisions for immediate legal aid (e.g., for persons who are arrested or detained), ensuring access to counsel even if the usual criteria are not yet assessed.
These automatic provisions help ensure that especially vulnerable individuals and cases of high social importance receive legal support as part of Kosovo's access-to-justice framework.

Q20 (General Comment): Timeframe of the procedure for granting legal aid, in relation to the duration from the initial legal aid request to the final decision on the legal aid request is defined in the Law no. 04/L-017 for Free Legal Aid, article no. 32, paragraph no. 5. The Free Legal Aid Agency takes the final decision on who is granted the free legal aid.

Q21 (2025): Our records in the database include only cases in which free legal aid has actually been granted and provided to beneficiaries. Therefore, the figures reported in the next answer reflect only confirmed beneficiaries of legal aid, and not the total number of requests received. This approach ensures that our data accurately represents the cases where legal aid services were delivered, while requests that did not result in granted assistance are not captured in our database.
Q22 (2025): Mandatory representation is not included in the table
Q22 (2024): This number does not include ex officio cases
Q25 (General Comment): With regard to other special arrangements, they are as follows: the language assistance during a court proceeding for ethnic minorities or disabled persons and the physical protection during the time of the judicial proceeding. With regard to information mechanisms, for categories specified above, Courts send a mail to this categories in order to keep them informed regarding the procedure and for the next steps in the procedure. While, with special arrangements we meant the possibility for a minor to have his/her first declaration recorded so he/she does not have to repeat it; video conferencing of the hearing of a vulnerable person; excluding the public in case of a victim of sexual violence/rape.

Q25 (2025): Based on the Strategic Plan for Improving Access to Justice 2026–2028 and the relevant acts of the Kosovo Judicial Council, priority treatment and special procedural arrangements are ensured for vulnerable groups, including victims of sexual abuse, domestic violence, minors, persons with disabilities, women, journalists, and civil society activists.

Q25 (2024): The Kosovo Judicial Council (KJC) has signed a cooperation agreement with the Office for Victim Protection regarding the provision of electronic services, the electronic submission and receipt of requests for Protection Orders, as well as the allocation of office spaces in court branches for the staff of the Office for Victim Protection and Assistance, based on the Council's capacities and possibilities.
The Commission for Monitoring, Evaluation, and Reporting on the Strategic Plan for Improving Access to Justice 2022–2025 and the Strategic Plan for the Efficiency of Handling Corruption, Abuse of Official Duty, and Organized Crime Cases 2025–2027, composed of five judges from the Supreme Court of Kosovo, is responsible for monitoring, evaluating, and reporting on the Strategic Plan for Improving Access to Justice 2022–2025. This plan establishes priority case categories, including:
Criminal Cases:
Cases of Domestic Violence:
Judges must ensure that these cases are handled within a short timeframe, ensuring that hearings are scheduled within a set period and held continuously until the case is resolved.
Failure to handle such cases in a timely manner has serious negative consequences within families and for society, leading to irreparable harm.
The number of such cases is continuously increasing, making it essential to address them in a timely and prioritized manner.
Cases Involving Vulnerable Victims:
Judges must ensure these cases are handled within a short timeframe, scheduling hearings within a set period and ensuring continuity until resolution.
This category includes a significant number of victims, as defined in the Criminal Code of the Republic of Kosovo.
There has been a recent rise in crimes against vulnerable individuals, including persons with disabilities, the LGBT community, and journalists.
These cases must be handled promptly and with priority.
Retrials of Juvenile Criminal Cases:
Although no specific legal deadline exists under the Criminal Procedure Code, such cases must be processed no later than 8 days after receiving the ruling from the higher court ordering the retrial.
Hearings should be scheduled continuously until the case is resolved.
According to the Juvenile Justice Code, procedures involving juveniles are urgent and should be conducted in the best interest and well-being of the minor.
One of the key priorities of Kosovo's judicial system is ensuring timely trials, as required by both national legislation and international legal instruments.
Sexual Offenses:
Judges must handle these cases promptly, ensuring that hearings are scheduled within a set timeframe and continue without delays until resolution.
The number of sexual offense cases has increased, particularly against minors, which has severe consequences for their education, personal development, family life, and social integration.
Prioritizing these cases is essential in every court.
Crimes Against Life and Physical Integrity:

Q26 (General Comment): It is not possible to obtain compensation for excessive length of procedures or non-execution of court decisions, therefore it's NAP.

Q26 (2025): Comments on the compensation procedure:
During 2025, the Commission for Compensation of Persons Convicted or Arrested Without Reason received a total of 321 compensation requests, categorized as follows:
1. Agreements signed before the Commission (compensations paid)
• 94 persons compensated, total amount: €472,719.38
2. Agreements signed before the Commission, in execution procedure
• 98 persons, total amount: €781,336.53 (not yet fully paid)
3. Requests pending Commission decision
• 61 persons, total amount: €276,738.22
4. Refused requests
• 3 persons refused Commission agreements, total amount: €11,772.92
5. Compensations under court decisions (paid)
• 21 persons, total amount: €203,100.78
6. Compensations under court decisions, in execution procedure
• 44 persons, total amount: €501,166.75 (not yet fully paid)
Notes:
• The Number of compensation requests column includes all 321 requests received.
• The Number of compensations granted and total amount include only compensations already paid or formally recognized as granted:
• 94 (Commission agreements) + 21 (Court decisions) = 115 persons
• €472,719.38 + €203,100.78 = €675,820.16
• Remaining cases (in execution, pending decision, or refused) are not counted as granted.
• All procedures and calculations follow Articles 525 and 529 of the Kosovo Criminal Procedure Code and Administrative Instruction 01/2023:
• Non-material damage: €15/day for house arrest, €25/day for pre-trial detention
• Material damage: based on gross salary for employed; minimum gross wage for unemployed
• Additional compensation: up to €100/month for family visits and packages
• Persons may enter a compensation agreement with the Commission, or, if they partially/fully disagree, submit a lawsuit to the competent court.
Source / Reference:
97935_KGJK_raporti_mbi_punen_komisionit_per_kompenzim_demi_per_personat_denuar_ose_arrestuar_pa_arsye_2025.pdf
Q26 (2024): Regarding the compensation procedure for individuals unjustly deprived of liberty, this category—specifically the cases in which compensation is permitted—is regulated by Articles 525 and 529 of the Kosovo Code of Criminal Procedure. Among other provisions, compensation is granted to individuals who have been unjustly deprived of liberty in any form, and later:
The charges against them were dismissed,
They were acquitted by a final court decision, or
The investigation was terminated.
Additionally, Instruction 01/2023 on the compensation procedure for individuals wrongfully convicted or arrested establishes the compensation amounts:
House arrest: €15 per day
Pretrial detention: €25 per day
For material damage (lost earnings):
If the person was employed, the compensation is calculated based on the gross salary they earned before being deprived of liberty.
If the person was unemployed, the compensation is equivalent to the minimum gross wage in the Republic of Kosovo.
Furthermore, wrongfully detained individuals are entitled to compensation for family visit expenses and care packages, up to €100 per month.
After completing the administrative procedure before the relevant Commission, established by the Council, individuals may either:
Reach a compensation agreement with the Commission, or
If they disagree with the offered amount, either partially (e.g., accepting compensation only for material or non-material damages) or entirely, they may file a lawsuit before the competent court.
During 2024, a total of 227 compensation requests were submitted by parties to the Compensation Commission established by the KJC. Of these, 23 requests from 2023 and 227 requests from 2024 were compensated, making a total of 247 cases. The total compensation amount, based on court decisions, was €142,568.00.
Q26 (2022): The amount of 251 302 euro covers compensations for cases of Wrongful arrest / detention and Wrongful conviction.
Q26-1 (2025): The Commission for Compensation operates under the Judicial Council (KJC) as the main administrative body responsible for processing compensation requests. All requests are initially reviewed and decided by this Commission. If the claimant does not accept the Commission's decision, the case may then be submitted to the competent court for adjudication.

Q28 (General Comment): The structure and number of courts in Kosovo are defined by Law No. 06/L-054 on Courts, which establishes seven Basic Courts operating across the Republic of Kosovo. Each Basic Court has several branches, distributed as follows:
Basic Court of Prishtina: Branches in Podujeva, Graçanica, Lipjan, Gllogovc, and Fushë Kosovë.
Basic Court of Gjilan: Branches in Kamenica, Viti, and Novobërdë.
Basic Court of Prizren: Branches in Dragash and Suharekë.
Basic Court of Mitrovica: Branches in Leposaviq, Vushtrri, Zubin Potok, and Skenderaj.
Basic Court of Gjakova: Branches in Malishevë and Rahovec.
Basic Court of Peja: Branches in Istog, Klinë, Deçan, and Junik.
Basic Court of Ferizaj: Branches in Kaçanik, Hani i Elezit, Shtërpcë, and Shtime.
Kosovo also has a Court of Appeals with jurisdiction covering the entire territory of the Republic and a Supreme Court as the highest judicial authority.
Excluding the Commercial Court (First and Second Instance Chambers), Kosovo has a total of 7 Basic Courts, a Court of Appeals and a Supreme Court across its judicial system. As of 2026, Kosovo has a specialized Administrative Court as well, which serves as a first instance court.
Q28 (2025): Note 1:
The Administrative Court is not included in the CEPEJ table, as although it is established by law (Law No. 08/L-291), it was not operational in practice during the reporting year. Relevant information is therefore provided only in the Comments / Narrative section.
Note 2:
Although operating under a single institutional title, the Commercial Court exercises independent jurisdiction at both first- and second-instance levels. For CEPEJ statistical purposes, its first-instance and second-instance chambers are therefore reported separately.
1. Basic Courts
•Seven (7) Basic Courts cover the entire territory of Kosovo.
•Certain municipalities are served through branches (e.g. Fushë Kosovë branch for Obiliq municipality; Junik branch for Junik municipality).
•Branches are not independent legal entities and are therefore not counted separately in CEPEJ tables. Only main court seats are reported.
2. Court of Appeal
•Serves as the second instance for courts of general jurisdiction.
•Exercises jurisdiction over the entire territory of Kosovo.
3. Supreme Court
•Acts as the highest judicial instance for all courts, including courts of general jurisdiction and specialized courts.
•For extraordinary legal remedies (e.g. extraordinary appeals and review of sub-legal acts), the Supreme Court serves as the highest and final instance.
•The Special Chamber operates through first-instance panels and an appellate college for specific categories of cases (e.g. Kosovo Property Agency cases); however, it constitutes an internal chamber of the Supreme Court and is not counted as a separate court for CEPEJ purposes.
4. Commercial Court
•Operates through two judicial levels within the same institutional framework:
oFirst instance, functionally equivalent to the Basic Courts.
oSecond instance, functionally equivalent to the Court of Appeal.
•Although institutionally unified, both instances exercise independent jurisdiction at their respective judicial levels.
•For CEPEJ reporting purposes, the first-instance and second-instance chambers of the Commercial Court are therefore counted separately.
•The Supreme Court intervenes only in cases involving extraordinary legal remedies.
5. Administrative Court
•Established by Law No. 08/L-291.

Q28 (2024): The court system of the Republic of Kosovo consists of: Basic Courts, the Commercial Court, the Court of Appeals, and the Supreme Court.
The Basic Courts are the first-instance courts in the territory of the Republic of Kosovo, competent to adjudicate all cases at the first instance, except where otherwise provided by law. They are also responsible for providing international legal assistance and deciding on the recognition of foreign court decisions.
There are a total of seven (7) Basic Courts:
The Basic Court of Pristina, headquartered in Pristina, and has branches in Fushë Kosovë, Obiliq, Lipjan, Podujevë, Gllogovc, and Graçanica.
The Basic Court of Gjilan, headquartered in Gjilan, and has branches in Kamenicë, Novobërdë, Ranillug, Partesh, Viti, Kllokot, and Vërboc.
The Basic Court of Prizren, headquartered in Prizren, and has branches in Dragash, Suharekë, and Mamushë.
The Basic Court of Gjakova, headquartered in Gjakova, and has branches in Malishevë, and Rahovec.
The Basic Court of Peja, headquartered in Peja, and has branches in Deçan, Junik, Istog, and Klinë.
The Basic Court of Ferizaj, headquartered in Ferizaj, and has branches in Kaçanik, Shtime, Shtërpcë, and Hani i Elezit.
The Basic Court of Mitrovica, headquartered in Mitrovica, and has branches in Leposaviq, Zubin Potok, Zveçan, Skenderaj, and Vushtrri.
The Commercial Court of Kosovo established by Law No. 08/L-015 on the Commercial Court. It is competent to adjudicate disputes as defined by this law, with its headquarters in Pristina and jurisdiction over the entire territory of the Republic of Kosovo. The Commercial Court of Kosovo has the first instance chambers and second instance chambers. The second instance chambers act as court of appeals for commercial matters, therefore in point 1.2. is provided the number two referring to the Court of Appeals and the Second Instance Chambers of the Commercial Court.
The Court of Appeals of Kosovo operates as a second-instance court, with territorial jurisdiction over the entire Republic of Kosovo, and is headquartered in Pristina.
The Supreme Court of Kosovo is the highest judicial authority in Kosovo and has jurisdiction over the entire territory of the Republic of Kosovo.
The Supreme Court also includes the Appeals Panel of the Kosovo Property Agency and the Special Chamber of the Supreme Court, whose judges are part of the Supreme Court.

Q28 (2023): The commercial court serves as both a court of first and second instance.

Q29 (2025): Commercial and insolvency

Kosovo's Commercial Court is a specialised court with exclusive jurisdiction over commercial disputes and insolvency matters. Judges are appointed based on general judicial criteria, without formal legal requirements for prior specialisation in commercial or insolvency law.

Labour

Labour disputes arising between the natural person and the public body, or between the public bodies, excluding publicly owned enterprises, fall under the jurisdiction of the Administrative Court, once operational. Judges are appointed in accordance with general judicial criteria, and no formal judicial specialisation in labour law is required.

Family

Family matters are handled within the General Department – Civil Division of the Basic Courts, which adjudicates civil disputes including family law cases. Judges are appointed based on general criteria, and no formal specialisation in family law exists.

Rent and tenancies

Disputes related to rent and tenancies are handled by regular civil judges. No specialised court or formally specialised judges exist for this category.

Enforcement of criminal sanctions

Enforcement of criminal sanctions is handled by regular criminal judges. No formal judicial specialisation exists.

Administrative

Administrative disputes fall under the exclusive jurisdiction of the Administrative Court, as foreseen by law. The court was not operational during the reporting year. Judges are appointed according to general judicial criteria, and no formal specialisation in administrative law is required.

Juvenile

Juvenile cases are handled by specialised juvenile judges, as defined by the Juvenile Justice Code. Juvenile judges preside over both single-judge proceedings and judicial panels, constituting formal judicial specialisation.

Domestic violence

Cases involving domestic violence are handled by regular criminal judges or civil/family judges, depending on the nature of the proceedings. No formal judicial specialisation exists.

Economic crime

Economic crime cases are handled by regular criminal judges. No formal judicial specialisation exists.

Corruption

Corruption-related cases are handled by regular criminal judges. No formal judicial specialisation exists.

Organised crime / terrorism

Cases of organised crime and terrorism are handled by the Special Department for Organised Crime and Terrorism within the Basic Court of Pristina and the Court of Appeal, with jurisdiction

Indicator 4. Access to justice-legal aid

by question No.

09-0. Annual approved public budget for legal aid in €.
09. Annual implemented public budget for legal aid in €.
16. Please briefly describe the organisation and scope of the legal aid system in your country (except eligibility criteria listed in the Q18):
17. Does legal aid apply to:
18. What are the criteria for granting or refusing legal aid per category of cases?
19. Are there situations where legal aid is automatically granted based on case category or status of the recipient?
20. Please indicate the timeframes of the procedure for granting legal aid, namely the duration from the initial legal aid request to the final decision on the legal aid request:

21. Please indicate the number of requests for legal aid:
22. Please indicate the number of cases for which legal aid has been granted:
23. Please specify what is the measurement unit for the data provided in Q21 and 22.
24. Is there an obligation to provide information to the parties concerning the foreseeable timeframes of their proceedings?
25. For which vulnerable groups your judicial system provides for special arrangements in hearings or other phases of the judicial proceedings? Please specify which types of arrangements are provided?
26. Is there a system of compensation in the following circumstances:
26-1. Please specify which authorities are responsible for dealing with these requests:
27. Please provide information on surveys related to the judicial system carried out regularly and/or during the reference year (target groups, topic, results, possible follow-up etc.):

28. Number of courts - legal entities and geographic locations
29. If your court system has specialisation in some particular legal fields, please specify the areas of law concerned and how it is organised (specialised courts/chambers/judges).

30. Could you please provide an organigram of your current court system?

Question 09-0

Albania

(2025): The increase in the Approved and Implemented Legal Aid (LA) budget is mainly due to the increase in the salaries of the employees working within the system of state-guaranteed free legal aid. This adjustment was made in line with the broader public administration salary policy and has directly affected the overall budget allocated and implemented for legal aid.

(2024): The legal aid implemented budget has increased by 8.6% compared to the previous year.
Cases brought to the court, we have referred to cases of secondary legal assistance (payment of lawyers, experts who have provided secondary legal services). The rest is considered as providing advice and any other financial commitment in function of the institution's activity. The further increase is related to the fact of the opening of the primary legal aid service provision centers throughout the Republic of Albania and the changes in the legislation on employee salaries.

Bosnia and Herzegovina

(General Comment): The legal aid is financed through the budgets of individual courts (e.g. funds for legal aid are mainly used to pay for the services of ex officio appointed attorneys in criminal cases) and the budgets of legal aid institutions that are government bodies independent from the courts. The accounting methodology does not make it possible to distinguish the amount of budget funds earmarked by the courts for legal aid from other funds, which are planned within the same line in the court budget. However, it is possible to differentiate the amount of funds spent for legal aid in the implemented court budget. On the other hand, the lawyers employed by the government legal aid institutions provide legal aid in different legal fields (i.e. representation in criminal, civil, administrative court proceedings; provision of legal advice outside of court or other proceedings), therefore it is not possible to split the planned or implemented budget funds of the legal aid institutions between different legal fields. In conclusion, it is only possible to make the calculation of the annual implemented public budget allocated to legal aid without dividing it among criminal and other than criminal cases.

Montenegro

(2025): Regarding the issue of free legal aid, the allocated budget amounted to €144,617.00, of which €90,357.30 was spent in 2025, while the remaining amount was returned to the Budget of Montenegro.

(2022): in 2022 no separate amount for legal aid for courts was allocated, but that was a part of the budget section 4146 - lawyer services. In 2022 for legal aid the amount implemented is 108.776 Eur

North Macedonia

(2025): The increase in the budget is due to the increase of the costs for mandatory legal representation in criminal proceedings

(2024): This discrepancy is result of decrease of budget within of Ministry of Justice dedicated to free legal aid

Serbia

(2025): The stated amount of EUR 15,746,664 (approved budget) refers to the costs of lawyers appointed ex officio.
The exact total amount of expenditures for free legal aid (column other than criminal cases) is not centrally available. The presented figures are only partially based on the amounts reimbursed by the Ministry of Justice and therefore do not reflect the full financial scope of the system.
Article 41 of the Law on Free Legal Aid ("Official Gazette of the Republic of Serbia", No. 87/2018) stipulates that, upon completion of the provision of free legal aid, the drafting of a notarial document, or mediation in dispute resolution, a request for payment shall be submitted together with supporting evidence and a final calculation (paragraph 1). Furthermore, in cases where the costs are jointly borne by the Republic of Serbia and a local self-government unit, the local self-government unit pays the full amount of the fee to the service provider and subsequently claims reimbursement of 50% from the competent ministry (paragraph 2).
Accordingly, while the actual direct expenditure from the budget of the Ministry of Justice amounted to EUR 46,554, the amount of EUR 93,108 was reported in line with the recommendation of CEPEJ evaluators, who suggested that the reported figure should reflect the estimated total cost of the system rather than only the Ministry's reimbursed share. For this reason, and by recommendation of CEPEJ evaluators, the reimbursed amount was doubled in order to present the overall estimated expenditure corresponding to both the Ministry's contribution and the participation of local self-government units.
At the same time, the reported data still does not capture the total nationwide costs of the free legal aid system. It should therefore be emphasized that the actual overall expenditures are likely significantly higher due to the substantial financial participation of local self-government units.

(2023): Annual approved public budget for the High Judicial Council for mandatory defense 11536009 EUR.
In question 012 we counted only free legal aid. I see now we made a mistake.

Kosovo*

(2025): FLAA comment: Based on the Law No. 08/L-332 on Budgetary Allocations for the Budget of The Republic of Kosovo for the year 2025, a budget of €563,418.0 was allocated to the Free Legal Aid Agency, while by the end of the year the final budget was €621,237.86, of which €611,654.43 were implemented. The budget was allocated in the following categories: Salaries and allowances 374,278.29 € goods and services 236,959.57 €; and utilities 10,000.00 €.

(2024): KPC COMMENT: In our budget categories we don't have separate category for budget for lawyers, but the budget code is named "legal representation cost" which include lawyers and experts. The total budget approved for this category was 1,218,303€ which we divided in 2 and the budget approved for lawyers being 609,151.5€.
FREE LEGAL AID AGENCY COMMENT: Based on the budget law No. 08/L-260, a budget of 537,831.00 € was allocated to the Free Legal Aid Agency in the following categories: Salaries and allowances 307,831.00 € goods and services 220,000.00 €;, and utilities 10,000.00 €.

(2022): Budget increased

Question 09

Albania

(2025): The increase in the Approved and Implemented Legal Aid (LA) budget is mainly due to the increase in the salaries of the employees working within the system of state-guaranteed free legal aid. This adjustment was made in line with the broader public administration salary policy and has directly affected the overall budget allocated and implemented for legal aid.
The budget related to mandatory representation in court (ex officio lawyers) is not included in the figures reported under Q09.

(2023): We emphasize that the planning of funds is done based on the number of decisions received by the court, while the liquidation of payments is done after all the procedural steps of judicial representation have been completed. Trials take time, especially in the nowadays conditions regarding the absence of judges due to the vetting process. This is reflected in the delays until the arrival of the liquidation practice in the Directorate.

Bosnia and Herzegovina

(General Comment): The legal aid is financed through the budgets of individual courts (e.g. funds for legal aid are mainly used to pay for the services of ex officio appointed attorneys in criminal cases) and the budgets of legal aid institutions that are government bodies independent from the courts. The accounting methodology does not make it possible to distinguish the amount of budget funds earmarked by the courts for legal aid from other funds, which are planned within the same line in the court budget. However, it is possible to differentiate the amount of funds spent for legal aid in the implemented court budget. On the other hand, the lawyers employed by the government legal aid institutions provide legal aid in different legal fields (i.e. representation in criminal, civil, administrative court proceedings; provision of legal advice outside of court or other proceedings), therefore it is not possible to split the planned or implemented budget funds of the legal aid institutions between different legal fields. In conclusion, it is only possible to make the calculation of the annual implemented public budget allocated to legal aid without dividing it among criminal and other than criminal cases.

Montenegro

(2025): In 2025, the courts had an individually allocated amount for the provision of free legal aid, which is contained within account 4146-lawyer services and amounted to €144,617.02

(2024): Courts in 2024 had an individually determined amount for providing BPP, it is contained within account 4146-advocate services and it amounted to €145,517.85. In 2024, €91,801.16 was realized for free legal aid. The remaining funds in the amount of €53,716.69 were returned to the State Treasury.

(2023): Not including ex officio mandatory representation. Legal aid is different specific category

(2022): in 2022 no separate amount for legal aid for courts was allocated, but that was a part of the budget section 4146 - lawyer services. In 2022 for legal aid the amount implemented is 108.776 Eur

North Macedonia

(2025): The increase in the budget is due to the increase of the costs for mandatory legal representation in criminal proceedings

(2024): The amount of the approved budget was exceeded due to an increased number of requests and amounts, and payments were made from other lines of the budget of the Ministry, through repurposing.

(2023): In 2023, more criminal cases brought to court were concluded. The rise in the budget allocated to criminal cases may also be attributed to the complexity of these cases and their longer durations, resulting in higher expenses for lawyers.

(2022): Implementation of the new Law on free legal aid was one of the strategic goals. Campaigns in 2022 through the whole country to raise awareness of beneficiaries about their rights to free legal aid were very successful. These Numbers are the proof for improvement of usage of free legal aid system in our country.

Serbia

(2025): The stated amount of EUR 15,652,468 (implemented budget) refers to the costs of lawyers appointed ex officio.
The exact total amount of expenditures for free legal aid (column other than criminal cases) is not centrally available. The presented figures are only partially based on the amounts reimbursed by the Ministry of Justice and therefore do not reflect the full financial scope of the system.
Article 41 of the Law on Free Legal Aid (“Official Gazette of the Republic of Serbia”, No. 87/2018) stipulates that, upon completion of the provision of free legal aid, the drafting of a notarial document, or mediation in dispute resolution, a request for payment shall be submitted together with supporting evidence and a final calculation (paragraph 1). Furthermore, in cases where the costs are jointly borne by the Republic of Serbia and a local self-government unit, the local self-government unit pays the full amount of the fee to the service provider and subsequently claims reimbursement of 50% from the competent ministry (paragraph 2).
Accordingly, while the actual direct expenditure from the budget of the Ministry of Justice amounted to EUR 38,886, the amount of EUR 77,772 was reported in line with the recommendation of CEPEJ evaluators, who suggested that the reported figure should reflect the estimated total cost of the system rather than only the Ministry’s reimbursed share. For this reason, and by recommendation of CEPEJ evaluators, the reimbursed amount was doubled in order to present the overall estimated expenditure corresponding to both the Ministry’s contribution and the participation of local self-government units.
At the same time, the reported data still does not capture the total nationwide costs of the free legal aid system. It should therefore be emphasized that the actual overall expenditures are likely significantly higher due to the substantial financial participation of local self-government units.

(2024): We received all the information from the relevant institutions.

(2023): Official data obtained from the Sector for financial affairs in the MOJ
Annual implemented public budget for the High Judicial Council for mandatory defense 11469009 EUR.
In question 012 we counted only free legal aid. I see now we made a mistake.

(2022): Please note that the total amount refers only to the cases of granted free legal aid according the Law on free legal aid. This amount does not cover the free legal aid that was provided according to the Criminal Procedure Code (mandatory defense, etc.)
Q013: TOTAL - Annual implemented public budget allocated to legal aid (1 + 2) - 92056 euros. A greater number of cases of free legal aid in 2022 resulted in a greater amount of money spent on the provided free legal aid. The amount for 2022 is higher compared to the previous two years, taking into account that during 2022 all measures against covid-19 were canceled.

Kosovo*
(2025): The Free Legal Aid Agency has spent a total budget of 611,654.43 €, according to these categories: Salaries and allowances 374,278.29 €, Goods and services 230,426.41 € and Municipal services 6,949.73 €.
The budget of the Free Legal Aid Agency is not divided for criminal cases and for other cases, but legal aid is offered in all legal fields; Civil, Administrative, Criminal and Misdemeanor, to all citizens who fulfill the criteria based on Law no. 04 / L-017 on Free Legal Aid or if they are one of the special beneficiary categories of free legal aid based on Law no. 08/L- 035 on amending and supplementing the Law no. 04/l-017 for free legal aid.
During 2025, the agency provided free legal aid to 6797 citizens. In the administrative procedure free legal aid was offered to 4254 citizens, in the civil procedure to 2194 citizens, in the criminal procedure to 280 citizens and in the misdemeanor procedure to 69 citizens.
Out of 4797 cases, the FLAA, through its officials, handled 4064 cases.
While 733 cases were referred to the lawyers who took actions for the parties, 651 of them in civil procedure, 26 in administrative procedure and 56 in criminal procedure.
In 2025 in the economic category, the expenses of representation and advocacy have been paid a total of €143,814.50, as well as about €1654.00 are debts from the year 2025, which have been processed for payment in the budget of the year 2026. These expenses of the lawyers are expenses of the lawyers who are engaged over the years, not just in 2025.
Additionally for cases not brought to court the same amount is provided for the approved and implemented budget because the data for the approved budget was not available.

(2024): The Free Legal Aid Agency has spent a total budget of €476,000.14, according to these categories: Salaries and allowances 264,271.70 €, Goods and services 203,873.54 € and Municipal services 7,854.90 €.
The reason why the budget was not spent in full is due to the non-recruitment of the anticipated positions.
The budget of the Free Legal Aid Agency is not divided into separate parts for criminal cases and for other cases, but legal aid is offered in all legal fields; Civil, Administrative, Criminal and Misdemeanor, to all those citizens who fulfil the criteria based on law no. 04 / L-017 on Free Legal Aid or if they one of the special beneficiary categories of free legal aid based on law no. 08/L-035 for the amendment and completion of the law no. 04/l-017 for free legal aid.
During 2024, the agency provided free legal aid to 8049 citizens. In the administrative procedure free legal aid was offered to 5853 citizens, in the civil procedure to 1887 citizens, in the criminal procedure to 270 citizens and in the misdemeanor procedure to 39 citizens.
Out of 8049 cases, the FLAA, through its officials, handled 7428 cases.
While 621 cases were referred to the lawyers who took actions for the parties, 562 of them in civil procedure, 12 in administrative procedure and 47 in criminal procedure).
In 2024 in the economic category, the expenses of representation and advocacy have been paid a total of €145,620.00, as well as about €1,145.00 are debts from the year 2025, which have been processed for payment in the budget of the year 2025. These expenses of the lawyers are expenses of the lawyers who are engaged over the years, not just in 2024.

Question 16

Bosnia and Herzegovina
(General Comment): The courts and the specialized government institutions provide free legal aid to citizens in relation to court proceedings.
Free legal aid is provided by the courts in criminal proceedings by assigning a lawyer to a suspected or accused person if that person meets the conditions laid down by law (e.g. obligatory defense etc.) Also, the courts may make a decision on exemption from the costs of proceedings for parties in different types of proceedings (e.g. criminal, civil). In addition, free legal aid centers have been established by the legislation adopted at all levels of government as a part of the respective public administration system. Employees of free legal aid institutions represent the citizens in various types of court and non-court proceedings or give legal advice to the citizens and compose legal documents for them. Citizens are entitled to free legal aid provided by the legal aid institutions if they fulfill financial and property criteria prescribed by the relevant legislation.

Montenegro

(General Comment): The right to free legal aid is established by the Law on Free Legal Aid. Free legal aid implies providing the necessary funds to fully or partially cover the costs of legal advice, drafting letters, representation in court, the State Prosecutor's Office and the Constitutional Court of Montenegro and in out-of-court dispute resolution and enforcement proceedings as well as exemption from payment of court costs. The financial situation of the applicant for free legal aid shall be determined on the basis of his/her income and property and the income and property of his family members, unless otherwise prescribed by this Law.
The body responsible for granting free legal aid is the president of the basic court, or the judge authorized by the president, in which territory the applicant has a domicile or residence. Professional and administrative tasks in the process of approving free legal aid, are organized within the Service or Office for free legal aid. The Service provides information and advice to the interested parties on the possibilities and conditions for exercising the right to free legal aid assistance and other issues related to the granting of free legal aid and assistance to the applicant when submitting the application. Free legal aid is provided by lawyers in the order from the list of the Bar Association of Montenegro, which is compiled according to local jurisdiction of the basic courts. The Bar Association shall
submit the list to the Service. Free legal aid is not provided in: 1) the procedure before the commercial courts and the procedure for the registration of the form of performing economic activity; 2) proceedings for damages in connection with defamation and insult; 3) the procedure for a lawsuit to
reduce the amount of child support in the case when the person who is obliged to pay maintenance has not fulfilled that obligation,
unless that obligation was not fulfilled through his fault; 4) enforcement procedure on the basis of an authentic document.
The Law on free legal aid prescribes in detail all the conditions which shall be met for exercising the right to free legal aid

North Macedonia
(General Comment): LAW ON FREE LEGAL AID
Article 4
Providers of free legal aid
(1) Free legal aid shall be provided under the conditions and in the procedure stipulated in this law.
(2) Free legal aid may be provided as preliminary legal aid and secondary legal aid.
(3) Preliminary legal aid shall be provided by authorized Ministry staff, an authorized association or a legal clinic (hereinafter: providers).
(4) Secondary legal aid shall be provided by lawyers in proceedings before a court, a state authority, the Pension and Disability Insurance Fund of North Macedonia, the Health Insurance Fund of North Macedonia, and persons with public authorizations in accordance with the provisions of this law.
(5) The funds for approving free legal aid and the costs of the provided legal aid in the proceedings stipulated in this law shall be provided from the Ministry budget, as well as from donations and other income in accordance with the laws.
(6) Approved secondary legal aid may be revoked in accordance with the provisions of this law.
(7) In cases stipulated herein, the beneficiary shall reimburse the costs of the secondary legal aid, in full or partially.
(8) The minister of justice shall prescribe the procedure for providing free legal aid.
PRELIMINARY LEGAL AID
CHAPTER I
GENERAL PROVISIONS
Article 5
Right to preliminary legal aid
Any natural person with domicile or residence on the territory of the Republic of North Macedonia shall be entitled to preliminary legal aid.
Article 6
Scope of preliminary legal aid
The scope of preliminary legal aid is the following:
- initial legal advice on the right to use free legal aid;
- general legal information;
- general legal advice;
- assistance in completing the secondary legal aid application;
- assistance in filling out forms issued by administrative authorities in an administrative procedure for social welfare and protection of children’s rights; pension, disability and healthcare

Serbia

(General Comment): The Law on Free Legal Aid ("Official Gazette of RS", No. 87 of November 13, 2018, in force from October 1st 2019): The purpose of this law is to provide every person with effective and equal access to justice. Free legal aid consists of providing legal advice, drafting submissions, representation and defending in courts. When person applies for free legal aid, he/she must address to local self-government unit, which is entitled to approve/reject the request for granting free legal aid. If the request is granted, the person will be provided free legal aid by the benefactor who must be registrated on a list of benefactors kept by the Minister of Justice. Benefactor are lawyers, mediators, notaries, employees of the self-government unit, Faculties of Law and association which are registrated to provide legal aid in matters of asylum and discrimination. The request for granting free legal aid can be submitted personally or legal representative or attorney, can submit it on their behalf. The Criminal Procedure Code, Article 59:
When criminal proceedings are conducted for a criminal offense for which a sentence of imprisonment of more than five years may be imposed by law, court may, at the request of injured party, appoint a proxy (from the list of lawyers submitted to the court by the competent bar association) if it is in the interest of the proceedings and if the injured party financial situation, cannot bear the costs of representation.
Article 77: Defendant who, due to his financial situation, cannot pay the defense attorney's fee and expenses, will be assigned attorney at his request, if criminal proceedings are conducted for a criminal offense punishable by imprisonment for more than three years. In that case, the defense costs are borne by the court's budget.

Kosovo*

(General Comment): Legal aid in Kosovo is a constitutional right. Article 31(6) of the Constitution of the Republic of Kosovo guarantees free legal aid for persons who lack sufficient financial resources where such aid is necessary to ensure effective access to justice.
The legal aid system is primarily organized and implemented by the Free Legal Aid Agency (FLAA), an executive agency within the Ministry of Justice. The Agency operates under the Law on Free Legal Aid and its subsequent amendments, which establish a functional state system to provide access to justice for persons in need.
Free legal aid is available in civil, criminal, administrative, and misdemeanor proceedings. Services include legal information and advice, drafting of submissions and documents, and representation before courts and administrative bodies.
Institutionally, FLAA provides services through a network of 7 regional offices and 23 mobile legal aid offices covering municipalities throughout Kosovo. These offices are funded by the state budget and ensure broad geographical access to services.
To further expand access, FLAA with the support of UNDP operates a Mobile Office (minibus) that delivers legal aid in areas where the Agency has no permanent presence. This unit also conducts awareness and information campaigns to inform citizens about their legal rights and available services.
In addition, FLAA has signed cooperation agreements with eight non-governmental organizations, which provide legal aid in municipalities without FLAA offices or fort the support of specific vulnerable groups, including victims of conflict-related sexual violence, repatriated persons, asylum seekers, stateless persons, and members of non-majority communities

Question 17

Albania

(General Comment): Article 5 of Law Nr.111/2017, determines the Forms of legal aid, provided in the following forms:
a) primary legal aid;
b) secondary legal aid;
c) exemption from payment of court fees and court expenses, according to the law, and exemption
from the obligation to prepay the execution fee of the execution order.
Primary legal aid is defined in Article 3 (b) and also Article 3 of Appendix 1 of the Order of the Minister of Justice No 226 dated 25/3/2019 on 'The approval of the contracts of legal aid guaranteed by the state". It comprises • providing of information regarding the legal system and legal acts, • the delivery of counselling, o which "is the delivery of information on the manners and the possibilities of solution of a concrete legal matter" (Article 3 (ç)) • the delivery of advice on the procedures of mediation and the alternative means of dispute resolutions, • the delivery of assistance in drafting and establishing of documentation to o put in motion the state administration or o for requesting secondary legal aid • representation before administration bodies, o Secondary legal aid is only provided before (administrative and civil) courts, and • the delivery of all other forms of necessary legal support not constituting secondary legal aid.
According to Article 3 (c) "Secondary legal aid" is the legal service that is offered for • the compilation of the necessary legal acts for putting in motion the court (i.e. the pre-court phase), • the delivery of counselling, representation and defence before the court in o administrative and o civil and o in criminal cases • for which is not applied the mandatory defence in accordance of the criminal procedural legislation. That means that in this respect the Law on Legal Aid is subsidiary to the Code on Criminal Procedure.

(2025): State-guaranteed legal aid in Albania covers both criminal and non-criminal cases and includes legal representation before courts as well as legal advice, assistance and other legal services. The system operates through primary legal aid (information, counselling and assistance provided mainly via service centers, NGOs and legal clinics) and secondary legal aid (court representation by advocates appointed upon a court decision), coordinated by the Directorate of Free Legal Aid in accordance with Law No. 111/2017.

Bosnia and Herzegovina

(General Comment): Legal aid is exercised in different types of court proceedings as a right to:
a) general information on rights and obligations,
b) legal advice and assistance in filling out forms,
c) legal assistance in compiling all types of correspondence,
d) representation in court,
e) making an appeal and
f) legal assistance in the procedures of peaceful settlement of the dispute (e.g. mediation).

North Macedonia
(General Comment): Article 75 Criminal procedure law
Defense of indigent persons
(1) When the conditions for mandatory defense are not met, upon his or her motion, the defendant may be assigned counsel, if, taking his or her financial situation into consideration, it is deemed that the defendant cannot bear the expenses of the defense, when required for the purpose of the interest of justice and specifically due to the severity of the crime and complexity of the case. In the motion, the defendant can indicate the preferred attorney from the list of defense counsels of the appropriate legal community.
(2) The judge of the preliminary procedure i.e. the Presiding Judge of the Trial Chamber shall rule on the motion as referred to in paragraph 1 of this Article, and the defense counsel shall be appointed by the President of the Court.
(3) The defense expenses as referred to in paragraph 1 of this Article shall be covered by the State Budget of the Republic of Macedonia.

Serbia
(2025): The responses provided under this section relate exclusively to free legal aid.

Question 18

Albania
(2025): Legal aid in Albania is granted or refused on the basis of the following criteria, applicable to both criminal and non-criminal cases:
Financial criteria (Articles 12 and related provisions)
Legal aid is granted when the applicant demonstrates insufficient income and assets to cover the costs of legal assistance or representation.
Special beneficiary categories (Article 11)
Legal aid is granted regardless of income or assets to specific categories explicitly listed in the law (e.g. victims of domestic violence, victims of trafficking or sexual abuse, children, persons with disabilities, persons subject to involuntary mental health treatment, beneficiaries of social protection schemes, and victims of discrimination).
Grounds for refusal (procedural and substantive conditions)
Legal aid may be refused or discontinued in both criminal and non-criminal cases when:
- the legal request is manifestly unfounded, abusive, or lacks legal grounds;
- the applicant does not meet the statutory conditions for benefiting from legal aid;
- false or misleading information has been provided in the application.
The system is implemented and coordinated by the Directorate of Free Legal Aid, while decisions on granting or refusing legal aid—particularly for secondary legal aid—are taken by the competent courts, in accordance with the law.

Bosnia and Herzegovina
(General Comment): Financial criteria for granting free legal aid:
In general, a person of poor financial status, who is entitled to free legal aid, is considered to be someone whose income per household member does not exceed a certain portion of the average salary in the previous calendar year and who also meets other criteria, for example, not having real estate or other assets that could cover the costs of the court proceedings.
Varying financial criteria for granting free legal aid to potential beneficiaries are used by institutions of different levels of government for deciding on granting free legal aid in Bosnia and Herzegovina; these criteria are primarily linked to the amount of average salary. These institutions also use criteria for owning property with regard to granting or refusing free legal aid cumulatively with the income criterion, as well as other additional criteria (e.g. income of other family members); however, these property criteria are not intended to be expressed through monetary amounts. The examples of the assets criteria: beneficiaries of legal aid may not own or co-own a business; they also may not own two or more housing units (i.e. a house or a flat) and they may not own business premises. Legal aid may be refused for cases lacking merit, such as frivolous actions or those with no reasonable chance of success:
A request for legal aid will not be granted if: it is obviously ill founded (i.e. legal requirements are clearly not met); the proceedings in question are unjustified (i.e. the potential client has slim chances to win the case); the right to legal aid is misused (i.e. the potential client has provided incorrect data that was relevant for approving legal aid).

Montenegro

(General Comment): The scope of beneficiaries of free legal aid has been expanded, so that victims of torture and other forms of abuse, victims of criminal offences against sexual freedom, as well as children in proceedings for the protection of their rights, are granted an automatic entitlement, in line with the recommendations of the UN Committee against Torture (CAT), the Committee on the Rights of the Child, UNICEF and GREVIO Status of the recipient: The right to free legal aid can be exercised by Montenegrin citizens, stateless persons (apatrids), foreigners with permanent or temporary residence, and asylum seekers, as well as other persons in accordance with international treaties, provided they meet certain property criteria (financially vulnerable). An exception is "vulnerable categories" (e.g., victims of domestic violence) who receive special treatment, but still go through the application process.

(2025): In Montenegro, legal aid is primarily granted based on the financial situation of the applicant. In criminal cases, legal aid is ensured to persons who lack sufficient financial means, and in cases of mandatory defence it is granted regardless of financial status. In non-criminal cases, legal aid is subject both to a financial means test and a merits assessment, and may be refused if the claim is manifestly unfounded or constitutes an abuse of rights.

North Macedonia

(2025): According to the Law on Free Legal Aid, free legal aid can be refused if the person has given false data regarding his/her status.
The request for free legal aid will also be rejected if the lawyer has submitted a reasoned opinion that it is inexpedient to continue the procedure for which secondary legal aid was previously approved, and which relates to the same legal issue and legal basis.

Serbia

(General Comment): In the Republic of Serbia, the property status of the applicant for free legal aid is taken into account as a criterion for granting free legal aid. The Law on Free Legal Aid does not recognize partial legal aid.
According to Article 4, Paragraph 1, Item 1) of the Law, free legal aid may be provided to a citizen of the Republic of Serbia, a stateless person, a foreign national with permanent residence in the Republic of Serbia, and other individuals who have the right to free legal aid under another law or a ratified international agreement, if:
1. they meet the conditions to be a beneficiary of the right to cash social assistance according to the law governing social protection, or a beneficiary of child allowance according to the law governing financial support to families with children, as well as members of their family or joint household as defined by this law;
2. they do not meet the conditions to be a beneficiary of cash social assistance or child allowance, but due to the payment of legal aid from their income in a specific legal matter, they would meet the conditions to become a beneficiary of cash social assistance or child allowance.

Therefore, in this second case, the income of the applicant for free legal aid is taken into account. The Rulebook on the appearance and detailed content of the application form for approving free legal aid specifies the data and evidence the applicant must provide in the application form, including evidence of the applicant's property status. Thus, an applicant who is not a beneficiary of cash social assistance or child allowance, according to Article 6 of this Rulebook, must submit proof of their property status to demonstrate that paying for legal aid or support would jeopardize their existence (Article 4, Paragraph 1, Item 2) of the Law). The applicant must provide information about income, family members they are obligated to support, real estate, vehicles, and other assets.
Article 6 of the Rulebook stipulates that the applicant meets the conditions for granting free legal aid if their monthly income does not exceed the minimum wage set by the Government in accordance with the law. In addition to the amount of income, data on real estate owned by the applicant for free legal aid are also considered. It is prescribed that the applicant is entitled to free legal aid if the immovable property is used as a residence or if it is used to perform activities that support the applicant or a member of their family or joint household. The Rulebook also stipulates that when deciding on the application for free legal aid, the value and purpose of the vehicle are considered. The applicant is entitled to free legal aid if the vehicle is used for self-employment or if the value of the vehicle does not exceed the annual minimum wage set by the Government in accordance with the law.

(2025): The responses provided under this section relate exclusively to free legal aid.

Kosovo*

(General Comment): Free legal aid - is a right in a free legal professional service for the citizens who fulfil the criteria determined by Law No. 04 / L-017 on Free Legal Aid: Qualification, Financial and Legal Criteria. Notwithstanding the required criteria, free legal aid is offered to: Sexually raped persons during the war in Kosovo in 1998-1999; Victims of domestic violence; Victim witnesses of violence, who are dependent on victims of domestic violence; Victims of gender-based violence; Victims of any kind of sexual violence, including sexual harassment; Victims of trafficking in human beings; Juvenile victims; Children living in social care institutions; Children under guardianship seeking to initiate proceedings without the consent of their legal guardian or against their legal guardian; Persons whose rights have been violated through an act or failure to act that constitutes discrimination, based on the decision of the competent body under applicable law for protection against discrimination; Journalists, independent journalists, photo-reporters, cameramen and editors who for media licensed by the Independent Media Commission (IMC) and/or in media that are members at the Press Council of Kosovo (PCK).

Question 19

Albania

(2025): Secondary legal aid under Law no. 111/2017 covers the drafting of legal acts and the provision of legal counselling, representation and defence before courts in administrative, civil and criminal cases, only where mandatory defence does not apply under criminal procedural law.
Accordingly:
automatic legal aid based on status applies under Law no. 111/2017;
automatic legal aid based on case category applies exclusively in cases of mandatory defence under the Code of Criminal Procedure.

Bosnia and Herzegovina
(General Comment): Status or personal characteristic of the recipient:
According to the legislation on the protection of and proceedings with children and minors in criminal procedure, a minor must have a defender during the first questioning by the prosecutor or an authorized official, as well as throughout the entire criminal proceedings.
According to the laws that prescribe the rules for the work of free legal aid institutions, the right to free legal aid based on status is exercised, for example, by: children, persons deprived of legal capacity, etc. In different jurisdictions within Bosnia and Herzegovina, the laws regulating the functioning of free legal aid institutions provide additional possibilities to exercise the right to free legal aid on the basis of other types of status (e.g., asylum seekers, victims of domestic violence or gender-based violence).
Category of the case:
A suspect in the criminal proceedings must have a defense attorney at the first questioning if he is mute or deaf or if he is suspected of a criminal offense for which a penalty of long-term imprisonment may be pronounced
A suspect or accused in the criminal proceedings must have a defense attorney immediately after he has been assigned to pre-trial custody, throughout the pre-trial custody. After an indictment has been brought for a criminal offense for which a prison sentence of 10 years or more may be pronounced, the accused must have a defense attorney at the time of the delivery of the indictment.
If the suspect, or the accused in the case of a mandatory defense, does not retain a defense attorney himself, or if his family members do not retain a defense attorney, the preliminary proceeding judge, preliminary hearing judge, the judge, the presiding judge, or the court president appoints him a defense attorney in the criminal proceedings. In one of the jurisdictions in Bosnia and Herzegovina, the court selects the defense attorney for the suspect or the accused if he fails to choose an ex officio defense attorney from the predetermined list. In other jurisdiction in Bosnia and Herzegovina, the court president appoints the defense attorney using the predetermined list of ex officio defense attorneys without giving an opportunity to the suspect or accused to select the defense attorney from the list.

Montenegro
(2025): The right to free legal aid is established by the Law on Free Legal Aid. The scope of beneficiaries of free legal aid has been expanded, so that victims of torture and other forms of abuse, victims of criminal offences against sexual freedom, as well as children in proceedings for the protection of their rights, are granted an automatic entitlement, in line with the recommendations of the UN Committee against Torture (CAT), the Committee on the Rights of the Child, UNICEF and GREVIO Status of the recipient: The right to free legal aid can be exercised by Montenegrin citizens, stateless persons (apatrids), foreigners with permanent or temporary residence, and asylum seekers, as well as other persons in accordance with international treaties, provided they meet certain property criteria (financially vulnerable). An exception is "vulnerable categories" (e.g., victims of domestic violence) who receive special treatment, but still go through the application process.

North Macedonia
(General Comment): According to the Article 20 from the Law on free legal Aid, there are 3 situations in which free legal aid is automatically granted: victims of domestic violence, due to natural disaster and if the applicant is placed to foster family.

Serbia
(General Comment): Article 4 of the Law provides certain categories of people who are entitled to free legal aid without considering other criteria, as follows: 1.a child whose rights, obligations, or interests established by law are decided in a proceeding before a court, another state authority, or a public authority; 2.a person subject to a security measure of compulsory psychiatric treatment and detention in a healthcare institution or a protective measure of compulsory psychiatric treatment; 3.a person against whom proceedings for partial or complete deprivation or restoration of legal capacity are conducted; 4.a person seeking legal protection from domestic violence; 5.a person seeking legal protection from torture, inhuman or degrading treatment or punishment, or human trafficking; 6.a person seeking asylum in the Republic of Serbia; 7.refugees, persons under subsidiary protection, or internally displaced persons; 8.a person with a disability; 9.a child protected by accommodation services in the social protection system; 10.children and youth whose social housing services have ended until the age of 26; 11.adults and elderly persons placed in a social welfare institution without their consent; 12.a person exercising the right to determine the time and place of birth in accordance with the law governing non-litigation procedures; 13.a person affected by the procedure of forced eviction and resettlement in accordance with the law governing housing. Free legal aid may be provided to these persons regardless of whether the financial conditions prescribed in paragraph 1 of this Article have been met. However, free legal aid shall not be granted if the request is submitted for procedures in which its provision is excluded, in accordance with the provisions of Article 7 of the Law.

(2025): The responses provided under this section relate exclusively to free legal aid.

Kosovo*

(General Comment): Based on the legislation in force for free legal aid, there are situations where legal aid is automatically granted either based on the status of the recipient or the category of the case without the applicant having to satisfy the normal eligibility criteria.

1. Based on beneficiary status

Free legal aid is automatically provided to persons who are beneficiaries of social assistance or those in a similar socio-economic situation, under the primary legal aid category. This means they qualify by status and do not need to meet additional financial thresholds.

2. Based on special categories of recipients or case types

Amendments to the Law on Free Legal Aid (Law No. 08/L-035) establish that certain vulnerable groups receive free legal aid regardless of meeting the standard financial or legal criteria. These include:

• Persons sexually abused during the 1998-99 war
• Victims of domestic violence and gender-based violence
• Victims of human trafficking
• Juvenile victims and children in care institutions
• Children under guardianship initiating proceedings against guardians
• Persons whose rights have been violated by discriminatory acts and
• journalists under specific conditions.

3. Immediate legal aid in exceptional situations

There are also provisions for immediate legal aid (e.g., for persons who are arrested or detained), ensuring access to counsel even if the usual criteria are not yet assessed.

These automatic provisions help ensure that especially vulnerable individuals and cases of high social importance receive legal support as part of Kosovo's access-to-justice framework.

Question 20

Albania

(2025): Primary Legal Aid / Maximum duration prescribed in law/regulation

First legal aid is provided immediately at the moment requested verbally or written. If it is needed can be extended the days of consolations.

Actual average duration

First legal aid is provided immediately at the moment requested verbally or written If it is needed can be extended the days of consolations dy max 2 days.

Secondary Legal Aid

Maximum duration prescribed in law/regulation

The time of decision depends on when the application was lodged:

• The court has to decide within 5 days from the date of receipt of the request, when the request has been submitted before initiation of the judicial proceeding
• during the preliminary actions or in the preparatory session before the scheduling of the judicial session/hearing, when the request for legal aid has been submitted together with the statement of claim
• according to the provisions of the procedural legislation and the provisions of this law, when the request has been filed during judicial examination

According to the Article 22 (9) the Directorate may appeal against the acceptance (only) when it claims that the request is evidently abusive or manifestly ill-founded and not if it claims that the applicant does not fulfil the criteria of Articles 10 to 12. It will have to be clarified if the reasons of appeal were restricted on purpose or if a reference to Articles 10 to 12 was omitted by error. Since Article 22 (9) does (in contrast to Article 22 (7)) not refer to the special appeal, the provisions on normal appeals apply. Article 22 (9) states that "In this case shall be applied the time-limits and the rules for appeal of final decisions in accordance with the provisions of the procedural legislation." Thus the time-limits and the rules for appeal of final decisions in accordance with the provisions of the procedural legislation apply. I.e. that different procedural rules apply for the appeal of the Directorate against the approval than for the appeal against the dismissal. Against the decision of the court of appeal a recourse to the High Court is not allowed.

Actual average duration

From the practice, it results that the period from the moment of sending the request for secondary legal aid until the notification of the court's decision on the acceptance or not of the request is 1 month.

Bosnia and Herzegovina

(General Comment): Maximum duration prescribed in law for deciding on granting initial legal aid request is 15 days. This deadline applies to all types of cases. It is prescribed in the relevant legislation on the functioning of legal aid institutions. In addition, the criminal procedure codes oblige the court to urgently appoint an ex-officio attorney to the suspect/accused persons such as minors, detainees, a defendant in a criminal case in which one my be given long-term prison sentence etc.; also, pursuant to the criminal procedure codes the court will decide urgently if an attorney shall be assigned to the suspect or accused at his request if due to an adverse financial situation, he is not able to pay the expenses of the defense in the proceedings that are conducted for an offense for which a prison sentence of three or more years may be pronounced or when the interests of justice so require. Actual average duration was 9 days in criminal cases, whereas it was 7 days in other than criminal cases. This calculation is based on the actual duration of time passed between initial requests and final approvals for all procedures for granting legal aid completed in the reference year. The aforementioned calculation is based on the data gathered from the courts and legal aid institutions for 2025. The courts provided data on the timeframes with regards to deciding on requests for appointing ex-officio lawyers in criminal proceedings as well as data on granting requests for exemption from paying court taxes and other costs in the civil proceedings. The legal aid institutions provided statistics on the actual timeframes of the procedure for granting legal aid.

North Macedonia
(2025): Defined in the Law on free legal aid.

Serbia
(General Comment): Article 32 of the Law stipulates that the procedure for granting free legal aid is urgent. The administrative authority must issue a decision on the request within eight days of receiving it, and if additional documentation is requested from the applicant, within eight days from the date it is delivered. If there is a risk of irreparable damage to the applicant or if the period for taking action in the procedure is about to expire, the administrative authority is obligated to issue a decision within three days of receiving the request.

(2025): The responses provided under this section relate exclusively to free legal aid.

Kosovo*
(General Comment): Timeframe of the procedure for granting legal aid, in relation to the duration from the initial legal aid request to the final decision on the legal aid request is defined in the Law no. 04/L-017 for Free Legal Aid, article no. 32, paragraph no. 5. The Free Legal Aid Agency takes the final decision on who is granted the free legal aid.

Question 21

Bosnia and Herzegovina
(General Comment): The legal aid institutions can produce data on the number of requests for legal aid and decisions on granting legal aid. However, the manner in which it is envisaged that courts in criminal proceedings assign defense attorneys ex officio to suspects and accused persons does not allow for precise recording of requests for granting legal aid in the Case Management System.

(2025): The legal aid institutions have data on the number of requests for legal aid and decisions on granting legal aid. However, the manner in which it is envisaged that courts in criminal proceedings assign defense attorneys ex officio to suspects and accused persons does not allow for precise recording of requests for granting legal aid in the case management system.

Montenegro
(2025): 78 is related to criminal cases on domestic violence and trafficking in human beings

Serbia
(2025): The value stated in the "total" field includes the number of requests submitted for the approval of free legal aid, as well as requests for free legal support related to the preparation of a notarial statement and mediation in resolving disputes. With regard to other data, we emphasize that we do not have them, bearing in mind that the existing record system does not allow for their monitoring according to the required criteria.
The data provided pertains exclusively to free legal aid.

Kosovo*
(2025): Our records in the database include only cases in which free legal aid has actually been granted and provided to beneficiaries. Therefore, the figures reported in the next answer reflect only confirmed beneficiaries of legal aid, and not the total number of requests received. This approach ensures that our data accurately represents the cases where legal aid services were delivered, while requests that did not result in granted assistance are not captured in our database.

Question 22

Albania
(2025): Based on the administered data, all applications for primary legal aid (which do not include legal representation before courts) were accepted (100%).
Furthermore, based on the administered data, 63 out of a total of 924 requests for secondary legal aid (which include legal representation before courts) were not accepted by the competent courts.

(2024): Based on the administered data, it results that the cases of primary legal aid (which do not include representation in court) are 100% accepted.
Based on the administered data, it results that 64 requests for secondary legal aid (which include representation in court) out of 340 in total are not accepted by the court. We don't do an administration of how many criminal cases granted legal aid cases.
TOTAL: Cases not brought to court (Primary Legal Aid + Secondary Legal Aid) 6220 (primary legal aid) + 66 (secondary legal aid not accepted legal aid) 6286
In criminal cases: Cases not brought to court (Primary Legal Aid + Secondary Legal Aid) 425(primary legal aid) + 5(secondary legal aid not accepted legal aid) 430
In other than criminal caseS: Cases not brought to court (Primary Legal Aid + Secondary Legal Aid) 5795 (primary legal aid) + 61 (secondary legal aid not accepted legal aid) 5856
These are the finals result for year 2024. It was made a mistake because we hadn't have this type of statistical data collected and another analyze was made.
Based on the administered data, it results that the cases of primary legal aid (which do not include representation in court) are 100% accepted. That is because Primary Legal Aid, is the type of legal service which consists in:
• information about the legal system in the Republic of Albania, applicable normative acts, rights and obligations of subjects of the law, and on the ways on how to exercise such rights in judicial and extrajudicial processes; • consultation; • consultation about mediation procedures and alternative resolution of disputes; • assistance in drafting and compiling documents necessary to put the state administration in motion or to seek secondary legal aid; • representation before administrative bodies; • any other type of necessary legal support that is not included in secondary legal aid.
And as a result it is given for all the citizens that request it in the Primary Legal Aid Service Center (20 Primary Legal Aid Centers, function in 20 cities of Albania), by 15 NGO-s operating for the year 2024 and by 13 Legal clinics at the higher education institutions.
While the Secondary Legal Aid (representation by an advocate in a court procedure), it is provided by advocates included in the list approved by the National Chamber of Advocates upon the request (according to the form) of the person entitled to receive secondary legal aid. The request has to be addressed to the competent court. The court has to decide within 5 days from the date of receipt of the request, when the request has been submitted, where the court accept or not to give the legal aid (representation by an advocate in a court procedure or exemption from payment of court fees, court costs and from the obligation for prepayment of fees for initiating execution of the execution order). 177 advocates have signed the contract for the provision of the secondary legal aid service for 2024.
The ex officio lawyers) cases aren't included in this count, because the Legal Aid advocates are not the same with ex officio lawers. The Legal Aid advocates sign every year a contract with Free Legal Aid Directorate, which legitimate them the representation in court for legal cases.

(2023): Based on the administered data, it results that the cases of primary legal aid (which do not include representation in court) are 100% accepted.
Based on the administered data, it results that 44 requests for secondary legal aid (which include representation in court) out of 773 in total are not accepted by the court.

(2022): As for the year 2022, 7616 citizens have been treated with primary legal aid and 1030 court decisions have been administered with the object of secondary legal aid.
During 2022 according to the scope of court cases that citizens have requested secondary legal assistance, it is evident that they are mainly civil cases. Out of the total number of requests for legal aid of 1030, 691 of them are civil, where the main ones are marriage settlement, pension benefits and property conflicts. While the other two categories, where 70 are criminal and 269 are administrative cases.

Bosnia and Herzegovina
(General Comment): Criminal cases brought to court: cases (criminal/misdemeanor) in which free legal aid was given trough representation in court and cases in which free legal aid was given for the costs of proceedings.
Other cases brought to court: cases in which free legal aid was given trough representation in court and the preparation of legal documents, cases in which free legal aid was given only trough preparation of legal documents required within the court procedure, and cases in which free legal aid was given only for the costs of proceedings.
Cases not brought to court: cases (civil, enforcement, administrative, administrative-non judicial, criminal/misdemeanor, etc.) in which free legal aid was given trough legal advice only by the government founded free legal aid institutions.
Free legal aid is provided in courts and by the specialized free legal aid institutions formed by the different levels of government in Bosnia and Herzegovina. Free legal aid is provided by the courts in criminal proceedings by assigning a lawyer to a suspected or accused person if that person meets the conditions laid down by law. Also, the courts make a decision on exemption from the costs of proceedings for parties in different types of proceedings (e.g. criminal, civil). Employees of institutions providing free legal aid represent the party in various types of court proceedings, compose legal documents and give legal advice to a person who meets financial and property criteria. The data refer to the number of cases in which courts and institutions of free legal aid provided legal assistance in the described ways. It is important to that the number of persons who received free legal aid may be higher than the number of cases in which free legal aid was provided.

Montenegro
(2025): 62 is related to granted in cases of domestic violence and trafficking in human beings

North Macedonia
(2025): Mandatory representation in court is also included in presented numbers

Serbia
(General Comment): The Law distinguishes free legal aid (legal advice, representation before court, defense, drafting of motions) and free legal support (general legal information, mediation, services of public notaries). Legal advice and general legal information are available to everyone and are not subject to approval. The Law prescribes that citizens shall address local self-government units (hereinafter: LSG) to apply for free legal aid. Staff in LSG decide on the applications pursuant to Articles 4 and 7 of the Law (eligibility). Article 67 of the Constitution of RS provides that everyone shall be guaranteed the right to legal aid under conditions stipulated by the law. Legal aid is provided by lawyers, as an independent and autonomous service, and legal aid offices established in the units of local self-government in accordance with the law. The court shall exempt a party from the liability of paying the costs of the proceedings where that party's material situation does not allow him/her to bear such costs. Exemption from the payment of the costs of proceedings includes exemption from the payment of fees and the deposit for the costs of witnesses, expert witnesses, on-site inspections and court notices.

(2025): The value in the "total" field refers to the total number of approved requests for free legal aid, including approved requests for free legal support in the form of drawing up a notarial statement and mediation in resolving disputes. With regard to other data, we would like to point out that we do not have it, given that the existing record system does not allow for their monitoring according to the required criteria.
The data provided pertains exclusively to free legal aid.

(2024): This number represents the total number of approved requests for free legal aid support. It includes criminal and other than criminal cases, taking into account that records are not kept by type of procedure.

(2023): Number of decisions of granting legal aid by municipalities
Ex-officio lawyers are not counted here

Kosovo*
(2025): Mandatory representation is not included in the table

(2024): This number does not include ex officio cases

Question 23

Albania
(2025): In the Albanian legal aid system, both primary and secondary legal aid are measured by recipient, in line with the agreed methodology. Primary legal aid reflects the number of individuals who benefit from legal information, advice, or assistance.
Secondary legal aid is also recorded by recipient, meaning that each beneficiary who is granted or refused legal aid in the context of court proceedings constitutes one statistical unit. Within a single case, different types of legal aid services—such as legal representation, exemption from court fees, or exemption from procedural costs—are not recorded separately, but as components of the same assistance provided to the recipient.

Montenegro
(2025): by case means by request submitted for provision of free legal aid

Serbia
(2025): Data are based on the number of applications/decisions.
One person may be counted several times if involved in multiple cases.
The measurement units for the data provided in Questions 21 and 22 refer exclusively to free legal aid.

Question 24

North Macedonia
(General Comment): In court proceedings, according to the procedural laws, the court is obliged to inform the parties on the foreseeable timeframes for undertaking certain procedural actions as well as for the right to appeal. In the Law on Litigation there are specified deadlines for procedural actions.

Serbia
(General Comment): In accordance with the Article 308 Paragraph 3 of The Civil Procedure Code, at the preliminary hearing, the court will decide which evidence to present at the main hearing and will determine the time frame for conducting the procedure (Article 10, paragraph 2).
This rule is not prescribed by The Criminal Procedure Code.

(2025): In civil proceedings, pursuant to Article 10 paragraph 2 of the Civil Procedure Law (“Official Gazette of RS”, Nos. 72/11, 18/20, … 10/23), the court shall conduct the proceedings without undue delay, in accordance with a previously determined timeframe for undertaking procedural actions (procedural timeframe), and with minimal costs. Under Article 303 para.1 of the same Law, the summons for the preparatory hearing shall warn the parties of their duty to present all facts and to propose evidence substantiating those facts, as well as of their duty to propose a procedural timeframe. The parties shall further be instructed to bring to the hearing all documents serving as evidence and any items to be inspected by the court. Article 308 para. 1 provides that, no later than at the preparatory hearing or at the first hearing of the main trial, a party shall present all facts necessary to substantiate its motions and shall propose a procedural timeframe for the conduct of the proceedings.
In criminal proceedings, the summons must be served on the accused in such a manner that sufficient time remains between the service of the summons and the date of the main hearing for the preparation of the defense, which shall be no less than eight days. For criminal offences punishable by imprisonment of ten years or a more severe sentence, the time for preparation of the defense shall be no less than fifteen days. At the request of the accused, or at the request of the public prosecutor with the consent of the accused, these time limits may be shortened (Article 355 para. 4 of the Criminal Procedure Code, “Official Gazette of RS”, No. 72/11…62/21).

(2022): This is the general rule applicable to civil proceedings.
In accordance with the Article 308 Paragraph 3 of The Civil Procedure Code, at the preliminary hearing, the court will decide which evidence to present at the main hearing and will determine the time frame for conducting the procedure (Article 10, paragraph 2).
This rule is not prescribed by The Criminal Procedure Code.

Question 25

Albania
(General Comment): Other specific arrangements means:
- closed-door trial for the juvenile defendants, witnesses or victims, sexually abused victims, victims of trafficking; - the defendant’s right to use the language he/she speaks or understands or either use the sings language, as well as be assisted by a translator and interpreter if he/she has disabilities in speaking and hearing. - prohibiting the publication of the personal data and photos of the juvenile defendants and witnesses; - physical protection, by the warrant of defense for the cases of violence due to the family relations, entry in the program of the defendants defense, etc.; - the right to compensation for damages through the civil lawsuit to whom that has suffered damage from the criminal offense.

(2023): After verifying the answer given this year, we confirm it

(2022): Regarding all discrepancies between years, the legal provisions have not changed. There are different procedures that can be applied to different categories but these procedures are not measures taken by the court such as placing the victims in a special facility for victim of abuse, are measures taken by local authorities.

Bosnia and Herzegovina
(2024): Other special arrangements: the possibility of an in camera proceeding, excluding the public, the language assistance during a court proceeding for ethnic minorities or disabled persons, the right for a woman who is a victim of family violence to enjoy the use of the house, the physical protection during the time of the judicial proceeding, the ban to ask an injured party about their sexual experience prior to commission of the criminal offense and if such questioning has already been carried out, the court decision cannot be based on such statement, the obligation of the prosecutor to inform the competent social welfare authority about the criminal procedure against the juvenile persons.

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(2022): Exclusion of the public, language assistance during the trial procedure for ethnic minorities or persons with disabilities, the right of a woman who is a victim of domestic violence to enjoy the use of a safe house, physical protection during court proceedings, prohibition of questioning the injured party about sexual experience before the commission of the criminal act, and if such examination has already been carried out, the court decision cannot be based with such a statement, the prosecutor is obliged to inform the competent social welfare authority about the criminal proceedings against minors.

Montenegro

(General Comment): The Criminal Procedure Code stipulates that the injured party who is the victim of a criminal offense against sexual liberty shall be entitled to hearing and the procedure conducted by a judge of the same sex, if it allows the personnel composition of the court. The injured party - victim of a criminal offence against sexual liberty, as well as child being heard in the capacity of witness, shall be entitled to testify in separate premises before a judge and a
court reporter, whereas the Prosecutor, accused person and defense attorney shall be given the possibility to view the course of hearing from other premises and to put questions to the witness, after having been duly instructed by the court thereon. The instruction shall be entered in the record. The court may decide that this provision be also applied to the testimony of the injured party who is the victim of discrimination.
The Criminal Procedure Code also stipulates specific rules for the hearing of the accused or a witness who is deaf or voiceless. Thus, the hearing of these persons shall be conducted through an interpreter who took an oath. If the defendant or witness is a person with impaired hearing, the questions shall be in writing, and if it is a person with impaired speech, shall be asked to answer in writing. If the hearing cannot be conducted in this way, an interpreter shall be summoned to communicate with defendant or witness.
A person with special needs, a victim of a crime of family or domestic violence and of human trafficking is entitled to free legal aid which implies the provision of resources for full or partial coverage of the costs for legal counseling, preparation of pleadings, representation in proceedings before the court, the State Prosecution and the Constitutional Court of Montenegro and any procedure for out of court dispute settlement, as well as exemption from payment of the costs of court proceedings.
In Montenegro, there is a special law that applies to juvenile offenders. - The law on Treatment of Juveniles in Criminal Proceedings. This law regulates the treatment of a minor as an offender, child and juvenile as a participant in the proceedings, which is based on respect for human rights and fundamental freedoms taking into account the best interests of minors, their maturity, level of development, abilities and personal capacities, as well as the severity of the crime, with the aim of their rehabilitation and social reintegration.

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court reporter, whereas the Prosecutor, accused person and defense attorney shall be given the possibility to view the course of hearing from other premises and to put questions to the witness, after having been duly instructed by the court thereon. The instruction shall be entered in the record. The court may decide that this provision be also applied to the testimony of the injured party who is the victim of discrimination.
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North Macedonia

(General Comment): The Law on Criminal Procedure
Article 53
Victim’s rights
(1) The victim of a crime shall have the following rights:
1) to participate in the criminal procedure as an injured party by joining the criminal prosecution or for the purpose of a legal property
claim for damages;
2) to get special care and attention by the bodies and entities that participate in the criminal procedure; and
3) to get an effective psychological and other professional assistance and support by bodies, institutions and organizations that provide for help to crime victims.
(2) The police, the public prosecutor and the court shall act with special care towards the victims of criminal offenses,advising them of their rights as referred to in paragraph 1 of this Article and Articles 54 and 55 of this Law and they shall take care of their interests when making decisions for criminal prosecution of the accused, i.e. when undertaking actions during the criminal procedure when the victim has to be present in person, when they have to draft an official note or record.
(3) In accordance with the special regulations, any victim of a crime, which entails a prison sentence of at least four years, shall have the right to:
1) get a councilor paid by the state budget before giving a statement, i.e. declaration or filing the legal-property claim, if the victim has serious psycho-physical
impairment or if there are serious consequences as a result of the crime; and
2) be compensated for material and non-material damages from a state fund, under conditions and in a manner as prescribed in a separate law, if the damage caused cannot be compensated from the convicted person.
Article 54
Special rights of victims of vulnerable categories of victims
(1) The victims shall have the right to special measures of process protection when giving statement or being interrogated
during all stages of the procedure:
1) if, at the time when giving the statement, the victim is less than 18 years of age;
2) if giving a statement or an answer to a certain question would mean exposing themselves or another close person to a serious threat for their life, health or physical integrity (endangered victims);
3) if, because of their age, the nature and consequences of the crime, the physical or psychological disability or another significant health condition, the social or cultural history, family circumstances, religious beliefs and the ethnic affiliation of the victim, the behavior of the defendant, members of the defendant’s family or friends towards the victim, there might be harmful consequences for their psychological or physical health or if it has a negative effect on the quality of the statement provided (especially vulnerable victims).
(2) The special measures of process protection shall be determined by the court, upon proposal from the public prosecutor or the victim, or upon its own initiative, when it is necessary to

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2) if giving a statement or an answer to a certain question would mean exposing themselves or another close person to a serious threat for their life, health or physical integrity (endangered victims);
3) if, because of their age, the nature and consequences of the crime, the physical or psychological disability or another significant health condition, the social or cultural history, family circumstances, religious beliefs and the ethnic affiliation of the victim, the behavior of the defendant, members of the defendant’s family or friends towards the victim, there might be harmful consequences for their psychological or physical health or if it has a negative effect on the quality of the statement provided (especially vulnerable victims).
(2) The special measures of process protection shall be determined by the court, upon proposal from the public prosecutor or the victim, or upon its own initiative, when it is necessary to

Serbia

(General Comment): The authority conducting proceedings may ex officio, at the request of parties or the witness himself, designate as an especially vulnerable witness a witness who is especially vulnerable in view of his age, experience, lifestyle, gender, state of health, nature, the manner or the consequences of the criminal offence committed, or other circumstances (Art. 103 CPC).
An especially vulnerable witness may be examined only through the authority conducting the proceedings, which will treat the witness with particular care, endeavoring to avoid possible detrimental consequences of the criminal proceedings to the personality, physical and mental state of the witness. Examination may be conducted with the assistance of a psychologist, social worker or other professional, which will be decided by the authority conducting proceedings.
If the authority conducting proceedings decides to examine an especially vulnerable witness using technical devices for transmitting images and sound, the examination is conducted without the presence of the parties and other participants in the proceedings in the room where the witness is located.
An especially vulnerable witness may also be examined in his place of living or other premises or in an authorized institution professionally qualified for examining especially vulnerable persons. In such case the authority conducting proceedings may order application of these measures.
An especially vulnerable witness may not be confronted with the defendant, unless the defendant himself requests this and the authority conducting proceedings grants the request, taking into account the level of the witness's vulnerability and rights of defense (Art. 104 CPC).
If there exist circumstances which indicate that by giving testimony or answering certain questions a witness would expose himself or persons close to him to a danger to life, health, freedom or property of substantial size, the court may authorize one or more measures of special protection by issuing a ruling determining a status of protected witness.
The measures of special protection include questioning the protected witness under conditions and in a manner ensuring that his identity is not revealed to the general public, and exceptionally also to the defendant and his defense counsel, in accordance with this Code (Art. 105 CPC).
The measures of special protection ensuring that the identity of a protected witness is not revealed to the public are excluding the public from the trial and prohibition of publication of data about the identity of the witness.
The measure of special protection whereby data about the identity of a protected witness is withheld from the defendant and his defense counsel may be ordered by the court exceptionally if after taking statements from witnesses and the public prosecutor it determines that the life, health or freedom of the witness or a person close to him is threatened to such an extent that it justifies restricting the right to defence and that the witness is credible (Art. 106 CPC).
The provisions related to protected witness apply accordingly to the protection of an undercover investigator, expert witness, professional consultant and professional.
The Law on Program of Protection of Participants in Criminal Proceedings envisages that the protection program is implemented if participants in the criminal proceedings and close people are due to giving evidence or notifications important for proving in criminal proceedings exposed to danger to life, health, physical integrity, freedom or property, and without that testimony or notification proving would be significantly difficult or impossible in criminal proceedings for criminal offenses:
1) against constitutional order and security;
2) against humanity and other goods protected by international law;

(2024): The authority conducting proceedings may ex officio, at the request of parties or the witness himself, designate as an especially vulnerable witness a witness who is especially vulnerable in view of his age, experience, lifestyle, gender, state of health, nature, the manner or the consequences of the criminal offence committed, or other circumstances (Art. 103 CPC).
An especially vulnerable witness may be examined only through the authority conducting the proceedings, which will treat the witness with particular care, endeavoring to avoid possible detrimental consequences of the criminal proceedings to the personality, physical and mental state of the witness. Examination may be conducted with the assistance of a psychologist, social worker or other professional, which will be decided by the authority conducting proceedings. If the authority conducting proceedings decides to examine an especially vulnerable witness using technical devices for transmitting images and sound, the examination is conducted without the presence of the parties and other participants in the proceedings in the room where the witness is located.
An especially vulnerable witness may also be examined in his place of living or other premises or in an authorized institution professionally qualified for examining especially vulnerable persons. In such case the authority conducting proceedings may order application of these measures.
An especially vulnerable witness may not be confronted with the defendant, unless the defendant himself requests this and the authority conducting proceedings grants the request, taking into account the level of the witness's vulnerability and rights of defense (Art. 104 CPC).
If there exist circumstances which indicate that by giving testimony or answering certain questions a witness would expose himself or persons close to him to a danger to life, health, freedom or property of substantial size, the court may authorize one or more measures of special protection by issuing a ruling determining a status of protected witness.
The measures of special protection include questioning the protected witness under conditions and in a manner ensuring that his identity is not revealed to the general public, and exceptionally also to the defendant and his defense counsel, in accordance with this Code (Art. 105 CPC).
The measures of special protection ensuring that the identity of a protected witness is not revealed to the public are excluding the public from the trial and prohibition of publication of data about the identity of the witness.
The measure of special protection whereby data about the identity of a protected witness is withheld from the defendant and his defense counsel may be ordered by the court exceptionally if after taking statements from witnesses and the public prosecutor it determines that the life, health or freedom of the witness or a person close to him is threatened to such an extent that it justifies restricting the right to defence and that the witness is credible (Art. 106 CPC).
The provisions related to protected witness apply accordingly to the protection of an undercover investigator, expert witness, professional consultant and professional.
The Law on Program of Protection of Participants in Criminal Proceedings envisages that the protection program is implemented if participants in the criminal proceedings and close people are due to giving evidence or notifications important for proving in criminal proceedings exposed to danger to life, health, physical integrity, freedom or property, and without that testimony or notification proving would be significantly difficult or impossible in criminal proceedings for criminal offenses:
1) against constitutional order and security;
2) against humanity and other goods protected by international law;3) organized crime.
In accordance with the Law on Juvenile Criminal Offenders and Criminal Protection of Juveniles, when conducting proceeding for criminal offences committed against juveniles, authority

(2023): The authority conducting proceedings may ex officio, at the request of parties or the witness himself, designate as an especially vulnerable witness a witness who is especially vulnerable in view of his age, experience, lifestyle, gender, state of health, nature, the manner or the consequences of the criminal offence committed, or other circumstances (Art. 103 CPC).
An especially vulnerable witness may be examined only through the authority conducting the proceedings, which will treat the witness with particular care, endeavoring to avoid possible detrimental consequences of the criminal proceedings to the personality, physical and mental state of the witness. Examination may be conducted with the assistance of a psychologist, social worker or other professional, which will be decided by the authority conducting proceedings.
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An especially vulnerable witness may also be examined in his place of living or other premises or in an authorized institution professionally qualified for examining especially vulnerable persons. In such case the authority conducting proceedings may order application of these measures.
An especially vulnerable witness may not be confronted with the defendant, unless the defendant himself requests this and the authority conducting proceedings grants the request, taking into account the level of the witness's vulnerability and rights of defense (Art. 104 CPC).
If there exist circumstances which indicate that by giving testimony or answering certain questions a witness would expose himself or persons close to him to a danger to life, health, freedom or property of substantial size, the court may authorize one or more measures of special protection by issuing a ruling determining a status of protected witness.
The measures of special protection include questioning the protected witness under conditions and in a manner ensuring that his identity is not revealed to the general public, and exceptionally also to the defendant and his defense counsel, in accordance with this Code (Art. 105 CPC).
The measures of special protection ensuring that the identity of a protected witness is not revealed to the public are excluding the public from the trial and prohibition of publication of data about the identity of the witness.
The measure of special protection whereby data about the identity of a protected witness is withheld from the defendant and his defense counsel may be ordered by the court exceptionally if after taking statements from witnesses and the public

Kosovo*

(General Comment): With regard to other special arrangements, they are as follows: the language assistance during a court proceeding for ethnic minorities or disabled persons and the physical protection during the time of the judicial proceeding. With regard to information mechanisms, for categories specified above, Courts send a mail to this categories in order to keep them informed regarding the procedure and for the next steps in the procedure. While, with special arrangements we meant the possibility for a minor to have his/her first declaration recorded so he/she does not have to repeat it; video conferencing of the hearing of a vulnerable person; excluding the public in case of a victim of sexual violence/rape.

(2025): Based on the Strategic Plan for Improving Access to Justice 2026–2028 and the relevant acts of the Kosovo Judicial Council, priority treatment and special procedural arrangements are ensured for vulnerable groups, including victims of sexual abuse, domestic violence, minors, persons with disabilities, women, journalists, and civil society activists.

(2024): The Kosovo Judicial Council (KJC) has signed a cooperation agreement with the Office for Victim Protection regarding the provision of electronic services, the electronic submission and receipt of requests for Protection Orders, as well as the allocation of office spaces in court branches for the staff of the Office for Victim Protection and Assistance, based on the Council's capacities and possibilities.
The Commission for Monitoring, Evaluation, and Reporting on the Strategic Plan for Improving Access to Justice 2022–2025 and the Strategic Plan for the Efficiency of Handling Corruption, Abuse of Official Duty, and Organized Crime Cases 2025–2027, composed of five judges from the Supreme Court of Kosovo, is responsible for monitoring, evaluating, and reporting on the Strategic Plan for Improving Access to Justice 2022–2025. This plan establishes priority case categories, including:
Criminal Cases:
Cases of Domestic Violence:
Judges must ensure that these cases are handled within a short timeframe, ensuring that hearings are scheduled within a set period and held continuously until the case is resolved.
Failure to handle such cases in a timely manner has serious negative consequences within families and for society, leading to irreparable harm.
The number of such cases is continuously increasing, making it essential to address them in a timely and prioritized manner.
Cases Involving Vulnerable Victims:
Judges must ensure these cases are handled within a short timeframe, scheduling hearings within a set period and ensuring continuity until resolution.
This category includes a significant number of victims, as defined in the Criminal Code of the Republic of Kosovo.
There has been a recent rise in crimes against vulnerable individuals, including persons with disabilities, the LGBT community, and journalists.
These cases must be handled promptly and with priority.
Retrials of Juvenile Criminal Cases:
Although no specific legal deadline exists under the Criminal Procedure Code, such cases must be processed no later than 8 days after receiving the ruling from the higher court ordering the retrial.
Hearings should be scheduled continuously until the case is resolved.
According to the Juvenile Justice Code, procedures involving juveniles are urgent and should be conducted in the best interest and well-being of the minor.
One of the key priorities of Kosovo's judicial system is ensuring timely trials, as required by both national legislation and international legal instruments.
Sexual Offenses:
Judges must handle these cases promptly, ensuring that hearings are scheduled within a set timeframe and continue without delays until resolution.
The number of sexual offense cases has increased, particularly against minors, which has severe consequences for their education, personal development, family life, and social integration.
Prioritizing these cases is essential in every court.
Crimes Against Life and Physical Integrity:

Question 26

Albania

(General Comment): In the competence of courts, shall be included the adjudication of requests for due compensation to the person, who has suffered a pecuniary or non-pecuniary damage due to the unreasonable length of a case, as per the definition of Article 6/1 of the European Convention "On Protection of Human Rights and Fundamental Freedoms".
Provisions define the evaluation of reasonable duration of a process, as well as the due compensation, when unreasonable delays have been determined in investigation procedures, trial of cases, as well as in the procedures of execution of decisions.
Just satisfaction for violation of reasonable time limits shall be deemed the recognition of violation, any measures taken to expedite the proceedings of investigation, trial of the case and execution of the decision, and/or compensation of the damage, according to the provisions of this Chapter.

(2025): The Albanian legislation provides a system of compensation for all the above circumstances.
-Regarding the excessive length of proceedings and non-execution of court decisions:
The procedural legislation provides for the right of the party in a judicial process to be compensated for the damage caused due to the unreasonable length of a procedure according to legal provisions. More specifically, the Code of Civil Procedure, as amended, has provided the rules and procedures for reasonable length of procedures in its articles 399/1-399/12.
Article 399/2 of this Code provides for reasonable deadlines for the investigation, trial or execution of a final decision. In case of exceeding the deadlines provided for in this article, the parties in the process can submit a request, which is adjudicated by the competent court. If a violation is found by the court, the party can file a claim for damage compensation.
-Regarding the wrongful arrest / detention and wrongful conviction:
The Code of Criminal Procedure, as amended, has provided in its Article 268 the right to compensation for the detention suffered by those who have been found innocent by a final court decision, except in cases where it has been proven that the wrongful decision or failure to discover the unknown fact in due time, is caused, wholly or in part, by the person himself. This right is also granted for the convicted person who has been placed in precautionary detention in prison, when it is proven by a final decision that the act by which the precautionary measure was established, has been issued in absence of the requirements provided for by Articles 228 and 229 of this Code. These provisions also apply to cases where the court or prosecutor decided to dismiss the case. Whereas in cases when it is proven by a court decision that the act is not provided under the law as a criminal offence, due to the abrogation of the relative provision, the right of compensation is not recognized for the part of precautionary detention in prison served before the abrogation.
The request for compensation must be submitted within three years of the day in which the judgment of acquittal or dismissal has become final. Whereas the compensation amount, the method for its calculation, and the cases of house arrest compensation, are established by special law.

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-Regarding the wrongful arrest / detention and wrongful conviction:
The Code of Criminal Procedure, as amended, has provided in its Article 268 the right to compensation for the detention suffered by those who have been found innocent by a final court decision, except in cases where it has been proven that the wrongful decision or failure to discover the unknown fact in due time, is caused, wholly or in part, by the person himself. This right is also granted for the convicted person who has been placed in precautionary detention in prison, when it is proven by a final decision that the act by which the precautionary measure was established, has been issued in absence of the requirements provided for by Articles 228 and 229 of this Code. These provisions also apply to cases where the court or prosecutor decided to dismiss the case. Whereas in cases when it is proven by a court decision that the act is not provided under the law as a criminal offence, due to the abrogation of the relative provision, the right of compensation is not recognized for the part of precautionary detention in prison served before the abrogation.
The request for compensation must be submitted within three years of the day in which the judgment of acquittal or dismissal has become final. Whereas the compensation amount, the method for its calculation, and the cases of house arrest compensation, are established by special law.

(2022): The requests for excessive length of proceedings and non-execution of court decisions, have been introduced as a separate request to the court by national law in 2017. According to the Civil Procedural Code the procedure is divided in 2 different phases. The first phase is logged as a simple request to the court and is registered in the CMS system as non-litigious cases either civil or administrative depending on the court. They are registered without a specific identifying code. The second phase is logged as litigious case based on tort legal provisions. We cannot identify these specific cases within the category. We will tackle this issue while creating the new CMS system.
Regarding the requests for wrongful arrest / detention and wrongful conviction, these cases are registered as litigious administrative cases and do not have a specific identifying code in the CMS.

Bosnia and Herzegovina

(General Comment): Parties to court proceedings may lodge complaints about the work of courts to various institutions in Bosnia and Herzegovina, as explained in the response below. If those institutions find that the complaints are well founded, they order that irregularities in the work of the court be corrected and in addition, in some cases, award compensation to the complainants. Excessive length of proceedings/Non execution of court decisions: A person whose right to a fair trial is violated by the excessive length of court proceedings or non-execution of the court decisions, can submit an appeal to the Constitutional Court of Bosnia and Herzegovina. Based on Article VI of the Constitution the Constitutional Court of Bosnia and Herzegovina inter alia has appellate jurisdiction over issues under the Constitution arising out of a judgment of any other court in the country. According to Article 16, paragraph 3 of its Rules, the Constitutional Court of Bosnia and Herzegovina may examine, within its appellate jurisdiction, an appeal when there is no decision of a competent court if the appeal indicates a grave violation of the rights and fundamental freedoms safeguarded by the Constitution or by the international documents applied in Bosnia and Herzegovina. The Court admits appeals, based on the aforementioned provision of the Rules, alleging that a court of general jurisdiction has breached both Article II/3.e of the Constitution and Article 6, paragraph 1, of the European Convention on Human Rights by exceeding a reasonable time for determining a court case (i.e. any sort of a court case). If the violation is found, the Constitutional Court of Bosnia and Herzegovina orders the court of general jurisdiction to finalize the case in question without any delay. The Constitutional Court of Bosnia and Herzegovina has no time limit for deciding on appeals.
In a decision granting an appeal, the Constitutional Court of Bosnia and Herzegovina may also award compensation for non-pecuniary damages. If the Constitutional Court of Bosnia and Herzegovina considers that compensation is necessary, it shall award it on equitable basis, taking into account the standards set forth in the case-law of the Constitutional Court of Bosnia and Herzegovina. The compensation is paid from budget of the government financing the court of general jurisdiction found to be responsible for the excessive length of proceedings. In addition, a legislative framework that regulates the protection of the right to a trial within reasonable time, according to which the courts act, has been established recently in Bosnia and Herzegovina. According to this legal framework, the party has two options: to file a motion for procedure expedition to the court processing the case for which expedition is requested or file a complaint with the highest court in respective jurisdictions to determine the violation of the right to a trial within reasonable time, which requires the determination of financial compensation. The court makes a decision on compensation for the lawsuit within the period prescribed by law, however, this legislation in different jurisdictions provides different deadlines for making a court decision at the latest within 30, 90, or 180 days from the date of receipt of the lawsuit.
Wrongful arrest/detention and wrongful conviction: Terms under which person is entitled to compensation of damages for wrongful arrest and wrongful conviction are provided in criminal procedure codes. These terms are provided as follows:
Wrongful arrest - a person is entitled to compensation of damages in the following cases: (i) a person who was in detention, but criminal proceedings were not instituted or proceedings were dismissed or a final verdict was pronounced acquitting the person of charges or charges were rejected; (ii) a person who was subjected to unlawful detention or retained in detention or a correctional institution due to a mistake; (iii) a person who was in detention longer than the sentence to which he was convicted; (iv) a person who served a sentence of imprisonment, and was pronounced a shorter imprisonment sentence in reopened criminal proceedings than the sentence he had served, or was pronounced a criminal sanction other than imprisonment or he was pronounced guilty but freed from sanction; (v) a person who was imprisoned without a legal ground is entitled to compensation of damages if no pretrial detention was ordered against him or the time for which he was imprisoned was not included in the sentence pronounced for a criminal offense or minor offense.
Wrongful conviction - A person against whom an effective criminal sanction was pronounced or who was found guilty and freed from sanction, and later, based on extraordinary remedy,

(2025): As in previous years, the Constitutional Court of Bosnia and Herzegovina has continued to deal with certain organizational and political problems preventing it from setting up the judge panels because of the court's vacant posts; this contributed to slight reduction in terms of the number of resolved cases in the reporting year. In the light of the above, the judges of the Constitutional Court of Bosnia and Herzegovina make efforts to resolve priority cases as quickly as possible. As for the claims submitted to other institutions (i.e. ministries of justice at the state and entity level of government) and ordinary courts competent for their resolution, there has been no particular variation in the number of granted claims. Overall, the value of granted compensations by the decisions of the Constitutional Court of Bosnia and Herzegovina, ordinary courts, and the competent ministries of justice and public attorney's offices has decreased to 358,000 € in 2025 from 1,200,000 € in 2024.
In addition to the above-mentioned, the Institution of Human Rights Ombudsman of Bosnia and Herzegovina (the Ombudsman) handles complaints related to malfunctioning of public authorities or to human rights violations committed by any public institution in Bosnia and Herzegovina. In performing its competences, the Ombudsman cannot decide on compensation for determined human rights violations. There is no strict deadline for handling complaints. In cases where violation of rights is established, the Ombudsman issues recommendation to competent public institutions to undertake measures to restore human rights violation or poor functioning of administration. The Institution also provides assistance to citizens how to use the most adequate legal remedies or advises them which institution to address. The Ombudsman received 298 complaints against courts in 2025; the structure of the complaints was as follows: 38 complaints alleging excessive length of proceedings, 35 complaints alleging ineffective enforcement of court decisions, 22 complaints against judges for violation of procedural laws, 8 complaints against the High Judicial and Prosecutorial Council of Bosnia and Herzegovina and 197 complaints related to the violation of other rights related to court procedure. In 2025 the Ombudsman issued 52 recommendations to the courts. These statistics are not included in the data prepared for Question 26, as the Ombudsman does not have the authority to determine compensation for damages caused to complainants by the work of courts and prosecutors' offices.
The High Judicial and Prosecutorial Council of Bosnia and Herzegovina (HJPC) receives complaints against judges and prosecutors, conducts disciplinary proceedings, determines disciplinary liability, and imposes disciplinary measures. The Office of Disciplinary Counsel (ODC) within HJPC performs prosecutorial functions concerning allegations of misconduct against judges and prosecutors.
ODC investigates complaints alleging misconduct of judges and prosecutors, initiates and presents cases of disciplinary violations before the disciplinary panels of the HJPC. The legal deadline for completing disciplinary investigation is two years, given that at the expiration of this deadline complaint reaches the statute of limitations for initiating disciplinary proceedings. However, the vast majority of complaints are resolved well before the expiry of two years period. If disciplinary investigation results in initiation of the disciplinary proceeding, such proceeding must be completed within one year from the date of the filing of a formal complaint before a disciplinary panel, unless upon a showing of a cause that an extension is justified. In these proceedings, complainants are not entitled to compensation if their complaint is found to be sound. The number of complaints ODC received in 2025 was 868. This information is not included in the data prepared for Question 26, as the HJPC does not have the authority to determine compensation for damages caused to complainants by the work of courts and prosecutors' offices.

(2024): The particular circumstances under which the Constitutional Court of BiH operated in 2024 are one of the factors contributing to the higher number of granted claims. As in previous years, the Constitutional Court of BiH has experienced certain organisational problems with regard to its inability to set up the judge panels because of the court's vacant posts, which affects the dynamics of its work. In the light of the above, the Constitutional Court of BiH makes efforts to resolve priority cases as quickly as possible. As a result, the number of resolved claims alleging the violation of the right to a decision within a reasonable time has increased.
As for the claims submitted to other institutions (i.e. ministries of justice at the state and entity level of government) competent for their resolution, there has been no variation in the number of granted claims. What is important to note is that the circumstances in each individual case (the length of pre-trial detention and similar) have contributed to an increase in the amount of compensation for the violation of the party's rights because of unjustified deprivation of liberty.
In addition to the above-mentioned, the Institution of Human Rights Ombudsman of Bosnia and Herzegovina (the Ombudsman) handles complaints related to malfunctioning of public authorities or to human rights violations committed by any public institution in Bosnia and Herzegovina. In performing its competences, the Ombudsman cannot decide on compensation for determined human rights violations. There is no strict deadline for handling complaints. In cases where violation of rights is established, the Ombudsman issues recommendation to competent public institutions to undertake measures to restore human rights violation or poor functioning of administration. The Institution also provides assistance to citizens how to use the most adequate legal remedies or advises them which institution to address. The Ombudsman received 280 complaints against courts in 2024; the structure of the complaints was as follows: 50 complaints alleging excessive length of proceedings, 32 complaints alleging ineffective enforcement of court decisions, 17 complaints against judges for violation of procedural laws, 8 complaints against the High Judicial and Prosecutorial Council of Bosnia and Herzegovina and 173 complaints related to the violation of other rights related to court procedure. In 2024 the Ombudsman issued 62 recommendations to the courts. These statistics are not included in the data prepared for Question 156, as the Ombudsman does not have the authority to determine compensation for damages caused to complainants by the work of courts and prosecutors' offices.
The High Judicial and Prosecutorial Council of Bosnia and Herzegovina (HJPC) receives complaints against judges and prosecutors, conducts disciplinary proceedings, determines disciplinary liability, and imposes disciplinary measures. The Office of Disciplinary Counsel (ODC) within HJPC performs prosecutorial functions concerning allegations of misconduct against judges and prosecutors.
ODC investigates complaints alleging misconduct of judges and prosecutors, initiates and presents cases of disciplinary violations before the disciplinary panels of the HJPC. The legal deadline for completing disciplinary investigation is two years, given that at the expiration of this deadline complaint reaches the statute of limitations for initiating disciplinary proceedings. However, the vast majority of complaints are resolved well before the expiry of two years period. If disciplinary investigation results in initiation of the disciplinary proceeding, such proceeding must be completed within one year from the date of the filing of a formal complaint before a disciplinary panel, unless upon a showing of a cause that an extension is justified. In these proceedings, complainants are not entitled to compensation if their complaint is found to be sound. The number of complaints ODC received in 2024 was 945. This information is not included in the data prepared for Question 156, as the HJPC does not have the authority to determine compensation for damages caused to complainants by the work of courts and prosecutors' offices.

(2023): As the most relevant institution for the Question 156, the Constitutional Court of Bosnia and Herzegovina (the Constitutional Court) reported it resolved fewer requests in 2023 compared to 2022. Namely, during 2023, the Constitutional Court functioned to a reduced extent because the vacant positions in this court could not be filled due to reasons falling within the competence of legislative institutions. In addition, the Constitutional Court stated that the appellate jurisdiction of this institution continues to be influenced by the right of parties in court proceedings to appeal to the court of general jurisdiction for the acceleration of proceedings under relatively new legislation that regulates the protection of the right to a trial within reasonable time, according to which the courts act, has been established in three out of four main different jurisdictions in Bosnia and Herzegovina.
According to this legal framework, the parties to the court proceedings have two options: to file a motion for procedure expedition to the court processing the case for which expedition is requested or file a complaint with the highest court in respective jurisdictions to determine the violation of the right to a trial within reasonable time, which requires the determination of financial compensation. As for the time-limits under this legislative framework, the court proceedings may file a motion for procedure expedition to the court processing the case for which expedition is requested (time limits for the court to decide: 60 days in first instance proceedings; 30 days in second instance proceedings). Furthermore, parties to legal proceedings have the right to seek damages for violation of the right to a trial within a reasonable time (time limit for the relevant courts to decide: no later than six months from the date of receipt of the action).
When it comes to the number of motions to expedite case resolution, a total of 128 motions were filed to the courts in 2023. In 2023, the courts granted 25 and denied/dismissed 49 motions of the parties. In addition, the courts received 19 claims for damages last year. In 9 cases, the courts decided to award compensation to the plaintiffs, while they rejected the lawsuit with a claim for damages in 14 cases.
The Institution of Human Rights Ombudsman of Bosnia and Herzegovina (the Ombudsman) handles complaints related to malfunctioning of public authorities or to human rights violations committed by any public institution in Bosnia and Herzegovina. In performing its competences the Ombudsman cannot decide on compensation for determined human rights violations. There is no strict deadline for handling complaints. In cases where violation of rights is established, the Ombudsman issues recommendation to competent public institutions to undertake measures to restore human rights violation or poor functioning of administration. The Institution also provides assistance to citizens how to use the most adequate legal remedies or advises them which institution to address. The Ombudsman received 367 complaints against courts in 2023; the structure of the complaints was as follows: 62 complaints alleging excessive length of proceedings, 50 complaints alleging ineffective enforcement of court decisions, 23 complaints against judges for violation of procedural laws, 9 complaints against the High Judicial and Prosecutorial Council of Bosnia and Herzegovina and 223 complaints related to the violation of other rights related to court procedure. In 2023 the Ombudsman issued 51 recommendations to the courts. These statistics are not included in the data prepared for Question 156, as the Ombudsman does not have the authority to determine compensation for damages caused to complainants by the work of courts and prosecutors' offices.
The High Judicial and Prosecutorial Council of Bosnia and Herzegovina (HJPC) receives complaints against judges and prosecutors, conducts disciplinary proceedings, determines disciplinary liability, and imposes disciplinary measures. The Office of Disciplinary Counsel (ODC) within HJPC performs prosecutorial functions concerning allegations of misconduct against judges and prosecutors.
ODC investigates complaints alleging misconduct of judges and prosecutors, initiates and presents cases of disciplinary violations before the disciplinary panels of the HJPC. The legal deadline for completing disciplinary investigation is two years, given that at the expiration of this deadline complaint reaches the statute of limitations for initiating disciplinary proceedings. However,

(2022): The Constitutional Court of Bosnia and Herzegovina reported that the influx of cases at the Constitutional Court of BiH varies from year to year. Depending on the influx, other data on cases of the Constitutional Court of Bosnia and Herzegovina also vary. The Constitutional Court of BiH could not give an answer as to what factors influenced that figure. In previous years, the only thing that was evident was that cases involving the length of court procedures and the non-enforcement of court decisions had an effect on the total number of incoming cases. This was not the case in 2022, due to the fact that a certain number of these cases were processed by courts within the new legislative framework that regulates the protection of the right to a trial within reasonable time. According to the Constitutional Court of BiH, most of their cases concern allegations regarding the violation of the right to a fair trial (Article 6 of the European Convention) and the right to property (Article 1 of Protocol No. 1 to the European Convention) as well as cases in which the Constitutional Court of BiH is petitioned to proceed as a court of the fourth instance.
A legislative framework that regulates the protection of the right to a trial within reasonable time, according to which the courts act, has been established in one part of the jurisdiction in Bosnia and Herzegovina. According to this legal framework, the party has two options: to file a motion for procedure expedition to the court processing the case for which expedition is requested or file a complaint with the highest court in respective jurisdictions to determine the violation of the right to a trial within reasonable time, which requires the determination of financial compensation. In other parts of the jurisdiction of BiH, the establishment of this legislative framework is underway. When it comes to the number of motions to expedite case resolution, a total of 154 motions were filed to the courts in 2022. In 2022, the courts granted 39 and denied/dismissed 76 motions of the parties. In addition, the courts received 15 claims for damages last year. In 7 cases, the courts decided to award compensation to the plaintiffs, while they rejected the lawsuit with a claim for damages in 5 cases.
The Institution of Human Rights Ombudsman of Bosnia and Herzegovina (the Ombudsman) handles complaints related to malfunctioning of public authorities or to human rights violations committed by any public institution in Bosnia and Herzegovina. In performing its competences the Ombudsman cannot decide on compensation for determined human rights violations. There is no strict deadline for handling complaints. In cases where violation of rights is established, the Ombudsman issues recommendation to competent public institutions to undertake measures to restore human rights violation or poor functioning of administration. The Institution also provides assistance to citizens how to use the most adequate legal remedies or advises them which institution to address. The Ombudsman received 347 complaints against courts in 2022; the structure of the complaints was as follows: 29 complaints alleging excessive length of proceedings, 22 complaints alleging ineffective enforcement of court decisions, 12 complaints against judges for violation of procedural laws, 2 complaints against the High Judicial and Prosecutorial Council of Bosnia and Herzegovina and 282 complaints related to the violation of other rights related to court procedure. In 2022 the Ombudsman issued 67 recommendations to the courts. These statistics are not included in the data prepared for Question 156, as the Ombudsman does not have the authority to determine compensation for damages caused to complainants of the work of courts and other institutions.

Montenegro

(2025): Wrongful arrest/detention - Data from the Ministry of Justice. Legal time limit to process the request is 3 months

(2024): Wrongful arrest/detention - data from MoJ which deals with conclusion of agreements for compensation, legal option instead of going to the court with a law suit.

(2023): wrongful detention - data source Ministry of Justice.

(2022): With regard to the length of the proceeding, the Supreme Court of Montenegro had a total of 113 cases in work upon claims for just satisfaction. Based on the adopted claims for compensation of non- pecuniary damage, in 59 cases the Court found a violation of the right to a trial within a reasonable time and awarded the plaintiffs a total of 52 200 EUR. The Law on the protection of the right to a trial within reasonable time prescribes that the compensation is determined in the amount range 300 - 5.000 EUR. The following criteria shall be taken into account when determining the amount of compensation: the complexity of the case in factual and legal terms, conduct of the applicant, conduct of courts and other state bodies, local self-government bodies, public services and other holders of public authority and the interest of the applicant.
Wrongful arrest/detention: Data available from the Ministry of Justice. Data for settlements concluded in 2022.

North Macedonia

(General Comment): 1. In line with the responsibilities for implementation of the standards for the right of trial in a reasonable time frame, according to the European Convention on Human Rights, and the priority to decrease of the number of applications from RM on the basis of article 6, before the ECHR, the Law on courts from 2006 and the Amendments to the Law on courts provide sole jurisdiction to trial on claims for protection of the right to a trial in a reasonable time frame for the Supreme Court of RM. Hence, in April 2009 the Department for Processing of Cases within Reasonable Time was established, in line with the Working Schedule of the Supreme Court of RM. Additionally, Law on enforcement of ECHR decisions and Law for legal representation of RM before ECHR were adopted in order to establish efficient system for enforcement of the ECHR decisions.
2. The Law on Criminal procedure defines the procedure for damage compensation, rehabilitation and for realisation of other rights of persons who are convicted and arrested on unjustified grounds or unlawfully.
The procedure for compensation of damage is acting by the court and the amounts depends from case to case. The amounts are related with the case and the taken actions in that case (days in wrongful arrest, wrongful conviction, lost profit, costs, rate of interest etc.)

(2025): Other- Cases concerning precautionary measures and unjustified conduct of proceedings, combination of detention and imprisonment, deprivation of liberty and conviction and undetermined basis.

Serbia

(General Comment): The Law on Protection of Right to Trial within a Reasonable Time („Official Gazette RS“, No. 40/15 and 92/23)

Article 3

The legal means that protect the right to a trial within a reasonable time are:

1) objection to speed up the procedure (hereinafter: objection);

2) appeal;

3) request for just satisfaction.

The party does not pay the court fee in proceedings in which the right to a trial within a reasonable time is protected. They are urgent and have priority in decision-making.

Complaint submission and complaint procedure

Article 7.

The party submits an objection to the court conducting the proceedings or the court before which the proceedings are conducted if he believes that the public prosecutor has violated his right.

The attorney of the party who is authorized to undertake all actions in the procedure that is requested to be accelerated does not need particularly many opportunities to submit the contract.

If the attorney of the party is authorized to foresee only individual actions in the procedure, which does not include the submission of legal means for the protection of the right to a trial within a reasonable time, he is obliged to submit a special power of attorney along with the objection.

If it is suspected that one of the legally prescribed reasons for the termination of the power of attorney has occurred, the court will, by means of a reasoned decision against which no personal appeal is allowed, order the attorney to submit a special deadline for the power of attorney to be issued in accordance with the law, with a warning that the objection to the contrary will be rejected as illegal.

The procedure for the objection is led by the president of the court, who decides on the objection. With the annual schedule of work, he can designate one court or several judges to lead the proceedings alongside him and decide on interviews.

An oral hearing is not held, and the law governing non-litigation proceedings is applied accordingly to other issues.

The president of the court is obliged to decide on the objection within two months from the date of receipt of the contract.

Article 14.

The party has the right to appeal if his objection is rejected or if the president of the court does not decide on it within two months from the day of receipt of the objection.

An appeal can also be filed if the objection was accepted, but the chief public prosecutor did not issue a mandatory instruction within eight days from the date of receipt of the court president's decision, then if the court president or the immediately superior public prosecutor did not order the judge or the public prosecutor to take procedural actions that effectively speed up the procedure, or if the judge or public prosecutor has not taken the ordered procedural actions within the deadline set for him.

An appeal can be filed even if the president of the court, in the decision by which he accepted the objection and determined the violation of the right to a trial, did not set a deadline for taking

(2025): According to the current Code of Criminal Procedure (“Official Gazette of the Republic of Serbia”, No. 72/2011, 101/2011, 121/2012, 32/2013, 45/2013, 55/2014, 35/2019, 27/2021 – decision of the Constitutional Court and 62/2021 – decision of the Constitutional Court), the categories of wrongful arrest/detention and wrongful conviction are different in terms of defining persons wrongly deprived of liberty and persons wrongly convicted (Articles 584 and 585). However, the Ministry of Justice is not legally obliged to keep separate records for these two categories of persons and is therefore not able to provide data separately. Accordingly, in the table titled “Wrongful arrest/detention”, the data presented would also include the category of wrongful conviction. In addition, it should be noted that the total amount of compensation paid is 575.192,50 euros (67.471.000,00 dinars). When deciding on the submitted claims, the Commission for Compensation of Damage to Persons Unlawfully Deprived of Liberty and Unjustly Convicted of the Ministry of Justice takes into account the facts established by Article 9 of the Rules of Procedure on the Composition and Work of the Commission (“Official Gazette of the Republic of Serbia”, No. 73/2020), such as the time spent in detention, age, family and marital status, previous convictions or the lack thereof, the gravity and nature of the criminal offense charged, and other relevant circumstances for determining the intensity and duration of physical and mental suffering and fear caused by the unlawful deprivation of liberty or unjustified conviction.

Regarding the category “Excessive duration of proceedings”, i.e. violations of the right to a trial within a reasonable time and violations of property rights, the total amount of compensation paid based on the decisions of the Constitutional Court amounts to 19.374.544,17 euros (2.272.665.030,95 dinars).

In the legal system of the Republic of Serbia, there is a clearly established framework for the protection of the right to a trial within a reasonable time, which includes certain competent authorities, protection mechanisms and the possibility of awarding compensation for damages.

First of all, the Law on the Protection of the Right to a Trial within a Reasonable Time provides for a combined protection mechanism. The competent authority for out-of-court settlement is the State Attorney's Office, to which the party submits a proposal for settlement within six months of acquiring the right to just satisfaction. If an agreement is not reached, the competent courts decide on the claim for compensation for damages. The payment itself is made by the courts or public prosecutor's offices whose work led to the violation of rights, and the funds are provided from the budget of the Republic of Serbia. This law explicitly establishes a system of compensation for damages, which includes both non-pecuniary (just satisfaction) and material damage. The amount of compensation for non-pecuniary damage is legally determined in the range of 300 to 3.000 euros in dinar equivalent, with the amount being determined according to criteria such as the complexity of the case, the actions of the authorities and the importance of the case for the party.

In addition, a constitutional complaint is an additional and, in certain situations, an independent protection mechanism. It is decided by the Constitutional Court of the Republic of Serbia, and can be filed after the exhaustion of legal remedies or, in special cases (especially in bankruptcy and enforcement proceedings against entities with a majority state or social capital), without their exhaustion. Within the framework of a constitutional complaint, there is a possibility of seeking compensation for damage, which also establishes a compensation framework at this level. Although the law does not prescribe fixed amounts, practice shows that compensation for non-pecuniary damage ranges approximately from 100 to 3.000 euros, while compensation for material damage is not determined as a lump sum, but depends on the claims already established in the relevant court proceedings.

The amendments of 2023 further specified the jurisdiction, so that for certain bankruptcy and enforcement proceedings, protection is concentrated before the Constitutional Court, while the Ministry of Justice acts on its decisions and pays the awarded amounts. This further strengthens the institutional framework, but essentially retains the dual model of protection – extrajudicial and judicial, i.e. constitutional.

(2024): According to the Law on Protection of Right to Trial within a Reasonable Time („Official Gazette RS“, No. 40/15 and 92/23), in the course of 2024 there were 11,843 objections to the presidents of courts for acceleration of the proceedings. Further, there were 2,533 claims were filed to courts for non-pecuniary damages and 728 claims were filed for pecuniary damages. The largest number of new cases for claims for compensation for pecuniary and non-pecuniary damage was in 2020 (29,341). Growing trend of such a high number of lawsuits has been stopped, since in 2021 there were 20,930 of these cases, in 2022 year 14,454, while in 2023 that number was reduced to 8,196 cases, and this trend was continued in 2024 to 3,261 cases. With regard to the total amount of compensation paid according to court judgments due to the violation of the right to a trial within a reasonable time for 2024, we refer to the data of the High Judicial Council , 1. Compensation for damages based on the violation of the right to a trial within a reasonable time according to the judgments of domestic courts, voluntarily paid by the courts, was in the amount of RSD 124.971.205,51.
2. Compensation for damages based on the violation of the right to a trial within a reasonable time according to the judgments of the domestic courts, collected from the courts, was in the amount of RSD 4.305.732.093,42.
3. Compensation for damages based on the violation of the right to a trial within a reasonable time according to the judgments of domestic courts, paid voluntarily based on an agreement with the State Attorney’s Office, was in the amount of RSD 19.997.134,00.

(2023): According to the Law on Protection of Right to Trial within a Reasonable Time („Official Gazette RS“, No. 40/15 and 92/23), in 2023 there were 19,092 objections to the presidents of courts for acceleration of the proceedings. Further, there were 4,816 claims were filed to courts for non-pecuniary damages and 3,380 claims were filed for pecuniary damages. The largest number of new cases for claims for compensation for pecuniary and non-pecuniary damage was in 2019 (31.825). The growing trend of such a high number of lawsuits has been stopped, since in 2020 there were 29.341 of these cases, in 2021 year 20.930, while in 2022 that number was reduced to 13.060 cases, and this trend was continued in 2023 to 8,196 cases. With regard to the total amount of compensation paid according to court judgments due to the violation of the right to a trial within a reasonable time for 2023, we refer to the data of the High Judicial Council , 1. Compensation for damages based on the violation of the right to a trial within a reasonable time according to the judgments of domestic courts, voluntarily paid by the courts, was in the amount of RSD 166,263,292.52.
2. Compensation for damages based on the violation of the right to a trial within a reasonable time according to the judgments of the domestic courts, collected from the courts, was about 4,090,654,824.02 dinars.
3. Compensation for damages based on the violation of the right to a trial within a reasonable time according to the judgments of domestic courts, paid voluntarily based on an agreement with the State Attorney’s Office, was in the amount of RSD 63,007,938.00 dinars.

(2022): Based on the decisions of the presidents of the courts, which accepted objections for speeding up the proceedings and found a violation of the right to a trial within reasonable time before the basic and higher courts in the Republic of Serbia, out of the total number of cases received (13,060).The largest number of these cases refer to the enforcement of legally binding court decisions. However, the exact number of Non-execution of court decisions cases is N/A.

Kosovo*

(General Comment): It is not possible to obtain compensation for excessive length of procedures or non-execution of court decisions, therefore it's NAP.

(2025): Comments on the compensation procedure:
During 2025, the Commission for Compensation of Persons Convicted or Arrested Without Reason received a total of 321 compensation requests, categorized as follows:
1. Agreements signed before the Commission (compensations paid)
• 94 persons compensated, total amount: €472,719.38
2. Agreements signed before the Commission, in execution procedure
• 98 persons, total amount: €781,336.53 (not yet fully paid)
3. Requests pending Commission decision
• 61 persons, total amount: €276,738.22
4. Refused requests
• 3 persons refused Commission agreements, total amount: €11,772.92
5. Compensations under court decisions (paid)
• 21 persons, total amount: €203,100.78
6. Compensations under court decisions, in execution procedure
• 44 persons, total amount: €501,166.75 (not yet fully paid)
Notes:
• The Number of compensation requests column includes all 321 requests received.
• The Number of compensations granted and total amount include only compensations already paid or formally recognized as granted:
• 94 (Commission agreements) + 21 (Court decisions) = 115 persons
• €472,719.38 + €203,100.78 = €675,820.16
• Remaining cases (in execution, pending decision, or refused) are not counted as granted.
• All procedures and calculations follow Articles 525 and 529 of the Kosovo Criminal Procedure Code and Administrative Instruction 01/2023:
• Non-material damage: €15/day for house arrest, €25/day for pre-trial detention
• Material damage: based on gross salary for employed; minimum gross wage for unemployed
• Additional compensation: up to €100/month for family visits and packages
• Persons may enter a compensation agreement with the Commission, or, if they partially/fully disagree, submit a lawsuit to the competent court.
Source / Reference:
97935_KGJK_raporti_mbi_punen_komisionit_per_kompenzim_demi_per_personat_denuar_ose_arrestuar_pa_arsye_2025.pdf

(2024): Regarding the compensation procedure for individuals unjustly deprived of liberty, this category—specifically the cases in which compensation is permitted—is regulated by Articles 525 and 529 of the Kosovo Code of Criminal Procedure. Among other provisions, compensation is granted to individuals who have been unjustly deprived of liberty in any form, and later:
The charges against them were dismissed,
They were acquitted by a final court decision, or
The investigation was terminated.
Additionally, Instruction 01/2023 on the compensation procedure for individuals wrongfully convicted or arrested establishes the compensation amounts:
House arrest: €15 per day
Pretrial detention: €25 per day
For material damage (lost earnings):
If the person was employed, the compensation is calculated based on the gross salary they earned before being deprived of liberty.
If the person was unemployed, the compensation is equivalent to the minimum gross wage in the Republic of Kosovo.
Furthermore, wrongfully detained individuals are entitled to compensation for family visit expenses and care packages, up to €100 per month.
After completing the administrative procedure before the relevant Commission, established by the Council, individuals may either:
Reach a compensation agreement with the Commission, or
If they disagree with the offered amount, either partially (e.g., accepting compensation only for material or non-material damages) or entirely, they may file a lawsuit before the competent court.
During 2024, a total of 227 compensation requests were submitted by parties to the Compensation Commission established by the KJC. Of these, 23 requests from 2023 and 227 requests from 2024 were compensated, making a total of 247 cases. The total compensation amount, based on court decisions, was €142,568.00.

(2022): The amount of 251 302 euro covers compensations for cases of Wrongful arrest / detention and Wrongful conviction.

Question 26-1

Bosnia and Herzegovina

(General Comment): Other court and Ministry of justice - Requests that include compensation claims:
The Constitutional Court of Bosnia and Herzegovina has appellate jurisdiction over issues under the Constitution arising out of a judgement of any other court in Bosnia and Herzegovina. This includes appeals regarding excessive length of court proceeding, non-enforcement of judicial decisions, and other aspects of the right to a fair trial, as well as other rights protected by the European Convention. In addition, a legislative framework that regulates the protection of the right to a trial within reasonable time, according to which the courts act, has been established recently in several jurisdictions in Bosnia and Herzegovina. According to this legal framework, the party has two options: to file a motion for procedure expedition to the court processing the case for which expedition is requested or file a complaint with the highest court in respective jurisdiction to determine the violation of the right to a trial within reasonable time, which requires the determination of financial compensation. The court must decide within the strict legal deadline. In the remaining jurisdictions in Bosnia and Herzegovina, a legislative procedure is underway for the adoption of a legal framework on the protection of the right to a trial within a reasonable time. Compensation for wrongful arrest/detention and wrongful conviction is awarded in civil court proceedings which are initiated against public authorities by the person entitled to compensation. The filing of a lawsuit is preceded by an attempt to reach a settlement through the ministry of justice at the relevant level of government, which must decide on the compensation request within the strict legal deadline.
The High Judicial and Prosecutorial Council of Bosnia and Herzegovina and The Institution of Human Rights Ombudsman of Bosnia and Herzegovina - Requests that do not include compensation claims:
The High Judicial and Prosecutorial Council (HJPC) receives complaints against judges and prosecutors, conducts disciplinary proceedings, determines disciplinary liability, and imposes disciplinary measures. The Office of Disciplinary Counsel (ODC) within HJPC performs prosecutorial functions concerning allegations of misconduct against judges and prosecutors. ODC investigates complaints alleging misconduct of judges and prosecutors, initiates and presents cases of disciplinary violations before the disciplinary panels of the HJPC. The legal deadline for completing disciplinary investigation is two years, given that at the expiration of this deadline complaint reaches the statute of limitations for initiating disciplinary proceedings. However, the vast majority of complaints are resolved well before the expiry of two years period. If disciplinary investigation results in initiation of the disciplinary proceeding, such proceeding must be completed within one year from the date of the filing of a formal complaint before a disciplinary panel, unless upon a showing of a cause that an extension is justified. In these proceedings complainants are not entitled to compensation if their complaint is found to be sound. The Institution of Human Rights Ombudsman of Bosnia and Herzegovina (the Ombudsman) handles complaints related to malfunctioning of public authorities or to human rights violations committed by any public institution in Bosnia and Herzegovina. There is no strict deadline for handling complaints. In cases where violation of rights is established, the Ombudsman issues recommendation to competent public institutions to undertake measures to restore human rights violation or poor functioning of administration. The Institution also provides assistance to citizens how to use the most adequate legal remedies or advises them which institution to address. In performing its competences, the Ombudsman cannot decide on compensation for determined human rights violations.

Montenegro
(General Comment): Before filing a law suit to the court, requests for compensation for wrongful detention or wrongful conviction need to be filed to the Ministry of Justice for settlement. Legal time limit is 3 years from legaly binding court decision. If the Ministry of Justice does not decide on the request in 3 months time or the request is rejected, the person concerned may file a law suit.

(2025): Supreme Court- for the request for the right to a trial in reasonable time

North Macedonia
(2025): Citizens can submit a complaint about the proceedings to the Judicial Council or complaint for measures to protect against unjustified delay in court proceedings to the Ombudsman, but those bodies are not competent authorities for compensation requests, only for complaints.

Serbia
(2025): Also other external bodies like Constitutional Court

Kosovo*
(2025): The Commission for Compensation operates under the Judicial Council (KJC) as the main administrative body responsible for processing compensation requests. All requests are initially reviewed and decided by this Commission. If the claimant does not accept the Commission’s decision, the case may then be submitted to the competent court for adjudication.

Question 28

Albania

(2025): The Supreme Court is organized into three panels, namely the Criminal Chamber, the Civil Chamber and the Administrative Chamber. Cases of the specialized courts for organized crime and corruption are adjudicated by the Criminal Chamber. Meanwhile, cases of administrative jurisdiction are adjudicated by the Administrative Chamber of the Supreme Court.
Article 3 of law no. 98/2016 “On the organization of the judicial power in the Republic of Albania” foresees: Types of courts
1. Judicial power is exercised by the Supreme Court, as well as by the courts of appeal and the courts of first instance, which are established by law.
2. Courts of general jurisdiction are courts of general jurisdiction of first instance and courts of general jurisdiction of appeal. Courts of general jurisdiction of first instance may have branches.
3. Special courts are:
a) administrative courts of first instance and the Administrative Court of Appeal;
b) the Special Court of First Instance and Appeal for the trial of criminal offences of corruption and organised crime.
4. The Supreme Court adjudicates cases of general and special jurisdiction.
According to the new judicial map the number of courts – geographic locations is 14. In reference to decision 147, dated 29.03.2023 of the HJC “For determining the categories of courts”, is provided as below:
The first or otherwise high category of courts is located in Tirana. This includes The High Court, Court of Appeal of General Jurisdiction, Special Court of Appeal for Corruption and Organized Crime, The Administrative Court of Appeal, Court of First Instance of the General Jurisdiction of Tirana, Special Court of First Instance for Corruption and Organized Crime, Administrative Court of First Instance of Tirana.
The second or otherwise middle category, includes courts of first instance of the general jurisdiction of the districts Durrës, Elbasan, Fier, Korçë, Shkodër, Vlorë, Berat, Lezhë; as well as the Administrative Court of First Instance of Lushnje.
The third or lower category of courts, includes courts of first instance of the general jurisdiction of the districts Dibër, Gjirokastër, Kukës, Sarandë.

(2024): 2. 1.Special Court of Appeal for Corruption and Organized Crime;
2.Administrative Court of Appeal;
3.Special Court of First Instance for Corruption and Organized Crime;
4.Administrative Court of First Instance of Tirana;
5.Administrative Court of First Instance of Lushnja;

(2023): According to the new judicial map the number of courts – geographic locations is 14. In reference to decision 147, dated 29.03.2023 of the HJC “For determining the categories of courts”, is provided as below:
The first or otherwise high category of courts is located in Tirana. This includes The High Court, Court of Appeal of General Jurisdiction, Special Court of Appeal for Corruption and Organized Crime, The Administrative Court of Appeal, Court of First Instance of the General Jurisdiction of Tirana, Special Court of First Instance for Corruption and Organized Crime, Administrative Court of First Instance of Tirana.
The second or otherwise middle category, includes courts of first instance of the general jurisdiction of the districts Durrës, Elbasan, Fier, Korçë, Shkodër, Vlorë, Berat, Lezhë; as well as the Administrative Court of First Instance of Lushnje.
The third or lower category of courts, includes courts of first instance of the general jurisdiction of the districts Dibër, Gjirokastër, Kukës, Sarandë.

Bosnia and Herzegovina

(General Comment): Courts and court branches are established and dissolved by law. The law regulates the organization, jurisdiction and operation of courts.
1.1 First instance courts of general jurisdiction - legal entities: all courts that are included in this category have jurisdiction only over the first instance cases (i.e. criminal cases for which less than 10 years of imprisonment is prescribed, minor offence matters, civil and enforcement matters, commercial matters, non contentious matters etc.).
1.2 Second instance courts of general jurisdiction - legal entities: Only one court from this category has exclusive second instance subject matter jurisdiction. The rest of the courts (i.e. 16 courts) included in this category have prevailing second instance subject matter jurisdiction, namely they decide on appeals against all decisions of the aforementioned first instance courts; in addition, they have first instance jurisdiction in administrative cases and these courts also have mixed competencies in the criminal matters - firstly, they have first instance jurisdiction in criminal cases for which more than 10 years of imprisonment is prescribed; secondly, they decide on appeals against the decisions of first instance courts in criminal cases and minor offence cases. Due to the mixed competencies of the above mentioned group of courts (i.e. 16 courts), they were placed in the category of the first instance courts of general jurisdiction in the previous reporting cycles (i.e. since 2020), together with the courts which have exclusive first instance subject matter jurisdiction. 1.3 Highest instance courts of general jurisdiction - legal entities:
There are 3 courts of general jurisdiction in Bosnia and Herzegovina that are included in the Supreme Court category.
Firstly, at entity level, there are two courts: the Federation of Bosnia and Herzegovina Supreme Court and the Republika Srpska Supreme Court; both courts are competent to decide within the respective entity on legal remedies concerning decisions of the immediately lower courts.
Secondly, the Court of Bosnia and Herzegovina is established at the State level. Its competencies are regulated by the Law on the Court of Bosnia and Herzegovina and are related to criminal, administrative and appellate jurisdiction. However, the Court of Bosnia and Herzegovina has no jurisdiction over the decisions adopted by the entity – level Supreme Courts. Within its criminal jurisdiction, the Court of Bosnia and Herzegovina tries cases pertaining to the specific category of crimes laid down by the laws of Bosnia and
Herzegovina, which include war crimes, organized crime, economic crime and corruption cases. The administrative jurisdiction means that the Court of Bosnia and Herzegovina adjudicates cases pertaining to the decisions issued by the State institutions and other organizations in charge of public functions, such as property disputes related to the performance of public functions between the State and the entities, breaches of the election law, etc. Its Appellate Division only decides appeals against the decisions of the Court's first instance divisions. Accordingly, there are three Prosecutor's Offices representing criminal cases before the courts that are included in the Supreme Court category: the Prosecutor's Office before the Court of Bosnia and Herzegovina; the Prosecutor's Office before the Federation of Bosnia and Herzegovina Supreme Court; the Prosecutor's Office before the Republika Srpska Supreme Court.

(2025): Courts and court branches are established and dissolved by law. The law regulates the organization, jurisdiction and operation of courts.
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Herzegovina, which include war crimes, organized crime, economic crime and corruption cases. The administrative jurisdiction means that the Court of Bosnia and Herzegovina adjudicates cases pertaining to the decisions issued by the State institutions and other organizations in charge of public functions, such as property disputes related to the performance of public functions between the State and the entities, breaches of the election law, etc. Its Appellate Division only decides appeals against the decisions of the Court's first instance divisions. Accordingly, there are three Prosecutor's Offices representing criminal cases before the courts that are included in the Supreme Court category: the Prosecutor's Office before the Court of Bosnia and Herzegovina; the Prosecutor's Office before the Federation of Bosnia and Herzegovina Supreme Court; the Prosecutor's Office before the Republika Srpska Supreme Court.

(2023): The relevant laws regulate the organization, jurisdiction and operation of courts. Courts and court branches are established and dissolved by law. Courts conduct their activities at their seats. Courts may conduct their activities outside their seats in: court branches and by holding court days. Court president decides on holding court days. There were 21 additional geographical locations in 2023 outside the geographical locations of the respective courts' seats at which the first instance courts of general jurisdictions were conducting their activities such as holding hearings and other activities. The vast majority of the additional geographical locations were classified as court branches, whereas court days were scheduled in only 2 geographical locations.

Montenegro

(2025): We have 25 courts on 39 geographic locations.
Courts are:
1. Misdemeanour Court;
2. Higher Misdemeanour Court of Montenegro;
3. Basic Court;
4. High Court;
5. Commercial Court of Montenegro;
6. Administrative Court of Montenegro;
7. Court of Appeal of Montenegro;
8. Supreme Court of Montenegro.

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2. Misdemeanour Courts
Misdemeanour Courts are:
1. Misdemeanour Court in Bijelo Polje, with departments in:
- Berane
- Žabljak
- Plav
- Pljevlja
- Rožaje
- Kolašin
- Mojkovac
2. Misdemeanour Court in Budva, with departments in:
- Bar
- Kotor
- Herceg Novi
- Ulcinj
3. Misdemeanour Court in Podgorica, with departments in:

(2024): We interpreted the city as a geographic location, therefore there is no difference between first instance courts geographic locations and all the courts geographic locations.

(2023): 1.1 First instance courts of general jurisdiction - legal entities = 15 Basic Courts + 3 Misdemeanour courts
1.2 Second instance courts of general jurisdiction - legal entities = 2 High Courts and Appellate court + 1 high misdemeanour court
1.3 Highest instance courts of general jurisdiction - legal entities = Supreme Court
2 Total number of specialised courts - legal entities = Administrative Court, Commercial Court

North Macedonia

(2025): In addition to established basic courts presented under column Legal entities, there are four court departments in the following cities Demir Hisar, Valandovo, Makedonski Brod and Probishtip.

(2024): Specialised first instance courts: Administrative court
Specialised second instance court: High Administrative Court

(2023): Specialised first instance courts: Administrative court
Specialised second instance court: High Administrative Court

Serbia

(General Comment): 1.1 First instance courts of general jurisdiction: 66 (basic courts) + 44 Misdemeanor Courts
1.2 Second instance courts of general jurisdiction: 25 (higher courts) and 4 (appellate courts) + 1 Misdemeanor Appellate Court
1.3 Highest instance courts of general jurisdiction: 1 (Supreme court)
2. Total of specialised courts: 63 (1 Administrative Court, 1 Commercial Appellate Court, 16 Commercial courts, 1 Misdemeanor Appellate court and 44 Misdemeanor courts)
2.1 First instance specialised courts: 17 (1 Administrative Court and 16 Commercial courts)
2.2 Second instance specialised courts: 1 (1 Commercial Appellate Court)
2.3 Highest instance specialised courts: 1 (Supreme Court)
Supreme Court, as the highest judicial instance, decides upon extraordinary legal remedies in civil and criminal matter, as well as in cases against rulings of courts of specialized jurisdiction (commercial, misdemeanor, administrative).
1.1 First-Instance Courts of General Jurisdiction: 66 Basic Courts
The seats of the Basic Courts in the Republic of Serbia are located in:
Aleksinac, Aranđelovac, Bačka Palanka, Belgrade (First, Second and Third Basic Court), Bečej, Bor, Brus, Bujanovac, Valjevo, Velika Plana, Veliko Gradište, Vranje, Vrbas, Vršac, Gornji Milanovac, Despotovac, Dimitrovgrad, Zaječar, Zrenjanin, Ivanjica, Jagodina, Kikinda, Knjaževac, Kragujevac, Kraljevo, Kruševac, Kuršumlija, Lazarevac, Lebane, Leskovac, Loznica, Majdanpek, Mionica, Mladenovac, Negotin, Niš, Novi Pazar, Novi Sad, Obrenovac, Pančevo, Paraćin, Petrovac na Mlavi, Pirot, Požarevac, Požega, Priboj, Prijepolje, Prokuplje, Raška, Ruma, Senta, Sjenica, Smederevo, Sombor, Sremska Mitrovica, Stara Pazova, Subotica, Surdulica, Trstenik, Ub, Užice, Čačak, Šabac and Šid.
+Misdemeanor Courts (44)
The seats of the Misdemeanor Courts are located in:
Aranđelovac, Bačka Palanka, Belgrade, Bečej, Valjevo, Vranje, Vršac, Gornji Milanovac, Zaječar, Zrenjanin, Jagodina, Kikinda, Kragujevac, Kraljevo, Kruševac, Lazarevac, Leskovac, Loznica, Mladenovac, Negotin, Niš, Novi Pazar, Novi Sad, Obrenovac, Pančevo, Paraćin, Pirot, Požarevac, Požega, Preševo, Prijepolje, Prokuplje, Raška, Ruma, Senta, Sjenica, Smederevo, Sombor, Sremska Mitrovica, Subotica, Trstenik, Užice, Čačak and Šabac.
Geographic locations: 237
1. Misdemeanor Court in Aranđelovac, 102 Aranđelovac Knjaza Miloša
2. Misdemeanor Court in Arandjelovac - Department of the Court in Topola Topola Bulevar Kralja Aleksandra 19
3. Misdemeanor court in Bačka Palanka Bačka Palanka Kralja Petra I 18
4. Misdemeanor Court in Bačka Palanka - Department of the court in Bač Bač Trg Dr. Zoran Djindjic 2
5. Misdemeanor Court in Belgrade Belgrade Ustanička 14
6. Misdemeanor Court in Belgrade - Grocka Court Department Grocka Bulevar oslobodenja 2

(2025): The Supreme Court is the Highest instance courts of general jurisdiction and the Highest instance specialised courts.

(2024): The Supreme Court is the highest court in the Republic of Serbia and it is the immediately superior court for the Commercial Court of Appeal, the Misdemeanour Court of Appeal, the Administrative Court and the Court of Appeal. The Court of Appeal is the immediate higher court for the High Court and the Basic Court. The Commercial Appellate Court is the immediately superior court for the Commercial Court, and the Misdemeanor Appellate Court is the immediately superior court for the Misdemeanor Court. The higher court is the immediately higher court for the basic court when it is determined by the Law on the Organization of Courts.
In addition to the Supreme Court, the Commercial Court of Appeal, the Misdemeneur Court of Appeal and the Administrative Court are courts of republican rank. The seats of those courts are in Belgrade, with the fact that the Criminal Court of Appeal and the Administrative Court also have departments in Kragujevac, Niš and Novi Sad.
As of January 1, 2014, there are a total of 159 courts in the Republic of Serbia, of which 66 are basic courts, 25 higher courts, 16 commercial courts, 44 misdemeanor courts and the Administrative Court. Appeals are handled by 4 appellate courts, the Commercial Appellate Court and the Misdemeanor Appellate Court and, in the cases provided for by the Law, the higher courts.

(2023): The Supreme Court is the highest court in the Republic of Serbia and it is the immediately superior court for the Commercial Court of Appeal, the Misdemeanour Court of Appeal, the Administrative Court and the Court of Appeal. The Court of Appeal is the immediate higher court for the High Court and the Basic Court. The Commercial Appellate Court is the immediately superior court for the Commercial Court, and the Misdemeanor Appellate Court is the immediately superior court for the Misdemeanor Court. The higher court is the immediately higher court for the basic court when it is determined by the Law on the Organization of Courts.
In addition to the Supreme Court, the Commercial Court of Appeal, the Misdemeneur Court of Appeal and the Administrative Court are courts of republican rank. The seats of those courts are in Belgrade, with the fact that the Criminal Court of Appeal and the Administrative Court also have departments in Kragujevac, Niš and Novi Sad.
As of January 1, 2014, there are a total of 159 courts in the Republic of Serbia, of which 66 are basic courts, 25 higher courts, 16 commercial courts, 44 misdemeanor courts and the Administrative Court. Appeals are handled by 4 appellate courts, the Commercial Appellate Court and the Misdemeanor Appellate Court and, in the cases provided for by the Law, the higher courts.

Kosovo*

(General Comment): The structure and number of courts in Kosovo are defined by Law No. 06/L-054 on Courts, which establishes seven Basic Courts operating across the Republic of Kosovo.
Each Basic Court has several branches, distributed as follows:
Basic Court of Prishtina: Branches in Podujeva, Graçanica, Lipjan, Gllogovc, and Fushë Kosovë.
Basic Court of Gjilan: Branches in Kamenica, Viti, and Novobërdë.
Basic Court of Prizren: Branches in Dragash and Suharekë.
Basic Court of Mitrovica: Branches in Leposaviq, Vushtrri, Zubin Potok, and Skenderaj.
Basic Court of Gjakova: Branches in Malishevë and Rahovec.
Basic Court of Peja: Branches in Istog, Klinë, Deçan, and Junik.
Basic Court of Ferizaj: Branches in Kaçanik, Hani i Elezit, Shtërpcë, and Shtime.
Kosovo also has a Court of Appeals with jurisdiction covering the entire territory of the Republic and a Supreme Court as the highest judicial authority.
Excluding the Commercial Court (First and Second Instance Chambers), Kosovo has a total of 7 Basic Courts, a Court of Appeals and a Supreme Court across its judicial system. As of 2026, Kosovo has a specialized Administrative Court as well, which serves as a first instance court.

(2025): Note 1:
The Administrative Court is not included in the CEPEJ table, as although it is established by law (Law No. 08/L-291), it was not operational in practice during the reporting year. Relevant information is therefore provided only in the Comments / Narrative section.
Note 2:
Although operating under a single institutional title, the Commercial Court exercises independent jurisdiction at both first- and second-instance levels. For CEPEJ statistical purposes, its first-instance and second-instance chambers are therefore reported separately.
1. Basic Courts
- Seven (7) Basic Courts cover the entire territory of Kosovo.
- Certain municipalities are served through branches (e.g. Fushë Kosovë branch for Obiliq municipality; Junik branch for Junik municipality).
- Branches are not independent legal entities and are therefore not counted separately in CEPEJ tables. Only main court seats are reported.

2. Court of Appeal
- Serves as the second instance for courts of general jurisdiction.
- Exercises jurisdiction over the entire territory of Kosovo.

3. Supreme Court
- Acts as the highest judicial instance for all courts, including courts of general jurisdiction and specialized courts.
- For extraordinary legal remedies (e.g. extraordinary appeals and review of sub-legal acts), the Supreme Court serves as the highest and final instance.
- The Special Chamber operates through first-instance panels and an appellate college for specific categories of cases (e.g. Kosovo Property Agency cases); however, it constitutes an internal chamber of the Supreme Court and is not counted as a separate court for CEPEJ purposes.

4. Commercial Court
- Operates through two judicial levels within the same institutional framework:
  - First instance, functionally equivalent to the Basic Courts.
  - Second instance, functionally equivalent to the Court of Appeal.
- Although institutionally unified, both instances exercise independent jurisdiction at their respective judicial levels.
- For CEPEJ reporting purposes, the first-instance and second-instance chambers of the Commercial Court are therefore counted separately.
- The Supreme Court intervenes only in cases involving extraordinary legal remedies.

5. Administrative Court
- Established by Law No. 08/L-291.

(2024): The court system of the Republic of Kosovo consists of: Basic Courts, the Commercial Court, the Court of Appeals, and the Supreme Court.
The Basic Courts are the first-instance courts in the territory of the Republic of Kosovo, competent to adjudicate all cases at the first instance, except where otherwise provided by law. They are also responsible for providing international legal assistance and deciding on the recognition of foreign court decisions.
There are a total of seven (7) Basic Courts:
The Basic Court of Pristina, headquartered in Pristina, and has branches in Fushë Kosovë, Obiliq, Lipjan, Podujevë, Gllogovc, and Graçanica.
The Basic Court of Gjilan, headquartered in Gjilan, and has branches in Kamenicë, Novobërdë, Ranillug, Partesh, Viti, Kllokot, and Vërboc.
The Basic Court of Prizren, headquartered in Prizren, and has branches in Dragash, Suharekë, and Mamushë.
The Basic Court of Gjakova, headquartered in Gjakova, and has branches in Malishevë, and Rahovec.
The Basic Court of Peja, headquartered in Peja, and has branches in Deçan, Junik, Istog, and Klinë.
The Basic Court of Ferizaj, headquartered in Ferizaj, and has branches in Kaçanik, Shtime, Shtërpcë, and Hani i Elezit.
The Basic Court of Mitrovica, headquartered in Mitrovica, and has branches in Leposaviq, Zubin Potok, Zveçan, Skenderaj, and Vushtrri.
The Commercial Court of Kosovo established by Law No. 08/L-015 on the Commercial Court. It is competent to adjudicate disputes as defined by this law, with its headquarters in Pristina and jurisdiction over the entire territory of the Republic of Kosovo. The Commercial Court of Kosovo has the first instance chambers and second instance chambers. The second instance chambers act as court of appeals for commercial matters, therefore in point 1.2. is provided the number two referring to the Court of Appeals and the Second Instance Chambers of the Commercial Court.
The Court of Appeals of Kosovo operates as a second-instance court, with territorial jurisdiction over the entire Republic of Kosovo, and is headquartered in Pristina.
The Supreme Court of Kosovo is the highest judicial authority in Kosovo and has jurisdiction over the entire territory of the Republic of Kosovo.
The Supreme Court also includes the Appeals Panel of the Kosovo Property Agency and the Special Chamber of the Supreme Court, whose judges are part of the Supreme Court.

(2023): The commercial court serves as both a court of first and second instance.

Question 29

Albania

(2025): As we have explained above in the comment to question 28, in reference of article 3 of law no. 98/ 2016 “On the organization of the judicial power in the Republic of Albania”:
Types of courts
1. Judicial power is exercised by the Supreme Court, as well as by the courts of appeal and the courts of first instance, which are established by law.
2. Courts of general jurisdiction are courts of general jurisdiction of first instance and courts of general jurisdiction of appeal. Courts of general jurisdiction of first instance may have branches.
3. Special courts are:
a) administrative courts of first instance and the Administrative Court of Appeal;
b) the Special Court of First Instance and Appeal for the trial of criminal offences of corruption and organised crime.
4. The Supreme Court adjudicates cases of general and special jurisdiction.
The Civil Procedure Code of the Republic of Albania provides in Title III on special trials. In reference to Article 320 of the Civil Procedure Code, special sections are created within the composition of the courts of first instance for the trial of commercial disputes and bankruptcy proceedings; as well as disputes related to minors and family.
The Criminal Procedure Code of the Republic of Albania, in article 13, point 4, provides that the trial of minors is conducted by the relevant sections established by law. These sections also try adult defendants accused of committing criminal offenses to the detriment of minors.
In line with this, the Juvenile Criminal Justice Code in its article 27 provides on the competence to try juvenile justice cases as follows:
1. A minor in conflict with the law is tried by the juvenile sections, established in the district courts, according to the provisions of the legislation in force on the organization of the judicial power in the Republic of Albania. 2. The sections are also competent for the trial of adult defendants accused of committing criminal offenses against minors as victims. 3. The judge assigned to try the minor in these sections must be specialized and trained in juvenile criminal justice. 4. When a minor has committed a criminal offense together with an adult, he shall be tried in the juvenile sections of the district courts, applying the provisions of this Code, with the exception of the cases provided for in Article 80, paragraph 1, of the Code of Criminal Procedure. 5. A person over the age of 18, but not more than 21 years, who is accused of having committed a criminal offense when he was a minor, shall be tried by the juvenile section. 6. The jurisdiction of the juvenile section of the district courts shall end when the minor reaches the age of 23.
In compliance with the legal obligation as cited above, in all courts that adjudicate cases involving minors, judges have been appointed for the trial of minors who are specialized and trained in juvenile criminal justice.
In reference to the above, from the High Judicial Council, based on articles 147, point 1, and 147/a, point 1, letter “ë” of the Constitution of the Republic of Albania, article 23, point 7 of law no. 98/2016 “On the organization of the judicial power in the Republic of Albania”, as well as articles 61, point 2, letter “ë”, 97, point 1, letter “c” of law no. 115/2016 “On the governing bodies of the justice system”, has adopted decision no. 408, dated 15.07.2025 “On the approval of the rules on the criteria and procedures for the establishment of sections and panels”.

Bosnia and Herzegovina

(General Comment): Specialized courts (legal entities) - Specialized commercial courts:
The judicial authority in Bosnia and Herzegovina is exercised by courts of general jurisdiction. As an exception, in one of the jurisdictions within Bosnia and Herzegovina (i.e., Republika Srpska), independent commercial courts (i.e., legal entities) have been established by law: 6 first-instance commercial courts and one appellate commercial court (i.e., Higher Commercial Court).
The Higher Commercial Court decides on appeals against the decisions of district commercial courts. The Supreme Court of the Republika Srpska is competent to decide on extraordinary legal remedies against final decisions of commercial courts.
District commercial courts of first instance decide: i. in civil and non-litigious disputes relating to rights and obligations arising from legal transactions of goods, services, securities, ownership and other real rights in real estate, as well as rights and obligations arising from securities, in which both parties in the proceedings are legal or natural persons, who in the capacity of independent entrepreneurs and in another capacity carry out commercial or other registered activities as their primary or supplementary occupation,
ii. in disputes arising from the application of the Companies Act or any other regulation concerning the organization and status of companies, the resolution of disputes arising between members of a company among themselves, as well as between the members and the company, concerning the position of members in the company, the management of the company, and the conduct of matters arising from their position in the company, iii. in disputes relating to ships and navigation on inland waters, as well as in disputes to which maritime law applies, except for disputes regarding passenger transport, iv. in disputes relating to airplanes, as well as in disputes to which aviation law applies, except for disputes regarding passenger transport, v. in disputes concerning copyright, related rights, and industrial property rights.
vi. in disputes arising from acts claimed to constitute unfair competition or a monopolistic agreement, vii. in bankruptcy and liquidation proceedings, in accordance with the law, as well as in all disputes arising during and in connection with the implementation of bankruptcy and liquidation proceedings, viii. in matters of registration of legal entities or independent entrepreneurs regulated by the Law on the Registration of Business Entities in the Court Register, ix. regarding the enforcement proceedings based on final and binding enforcement court decisions of commercial courts, x. regarding enforcement proceedings based on authentic documents in which both parties in the proceedings are legal entities or natural persons who, as independent entrepreneurs or in another capacity, perform economic or other registered activities as a primary or supplementary occupation, and on enforcement notarial deeds in which both parties in the proceedings are legal entities,
xi. in disputes arising from foreign investment.
The Higher Commercial Court has jurisdiction to: i. decide on appeals against decisions of district commercial courts, and in the first instance also on other matters determined by law, ii. decide on conflicts of jurisdiction and on the transfer of jurisdiction of district commercial courts, iii. establish legal stances for the uniform application of laws within the jurisdiction of district commercial courts, and iv. perform other tasks determined by law.
Specialized chambers and/or judges:
Courts are established and dissolved by the laws on courts adopted at the relevant levels of government in Bosnia and Herzegovina. The laws on courts regulate the organization, jurisdiction, and operation of courts. According to these laws, the judicial authority in Bosnia and Herzegovina is exercised by courts of general jurisdiction, except for 7 commercial courts which were established by the law on courts in one of the jurisdictions within Bosnia and Herzegovina (i.e., Republika Srpska). Thus, in Bosnia and Herzegovina, the establishment of special specialized

Montenegro
(2025): Administrative Court, as prescribed by the Law on Courts and the Law on Administrative Disputes, decides in an administrative dispute on the legality of an administrative act, as well as on other administrative actions by which the rights, obligations, and legal interests of a natural or legal person are determined or otherwise affected, where this is prescribed by law.
An administrative dispute may also be initiated when a public authority has failed to issue an administrative act, has not decided on a party's appeal, has not undertaken an administrative action, or has not decided on a party's objection (administrative silence).
In addition to the above, the jurisdiction of the Administrative Court is determined by special laws which prescribe the possibility of conducting an administrative dispute.
The Commercial Court, acting as a court of first instance and a special court (cepej methodology), decides on disputes arising from commercial-law relations between commercial entities, as well as on status-related matters, bankruptcy and liquidation proceedings, protection of intellectual property and competition, and disputes related to ships, aircraft, and other matters prescribed by law.
In addition, the Commercial Court conducts bankruptcy and liquidation proceedings, carries out enforcement and security measures in cases prescribed by law, decides in non-contentious proceedings, and recognizes foreign court and arbitral decisions.
It also confirms settlements reached through mediation and provides international legal assistance within the scope of its jurisdiction.

North Macedonia
(2025): In specialised Administrative courts exist different specialised departments for different areas in the framework for the administrative law (for example: denationalization, retirements, urbanism, expropriation, etc.)

Serbia

(2025): Commercial and insolvency - Commercial courts are courts of special jurisdiction that adjudicate disputes between companies, entrepreneurs, and other business entities, as well as disputes arising from the conduct of commercial activities. The Republic of Serbia has 16 commercial courts, each established for the territory of one or more cities or municipalities. Appeals against decisions of commercial courts are decided in the second instance by the Commercial Appellate Court.
Commercial courts in the first instance decide disputes between business entities and disputes arising between business entities and other legal persons engaged in commercial activities. They also adjudicate disputes concerning copyright and related rights, the protection and use of inventions, industrial designs, models, samples, trademarks, geographical indications, topographies of integrated circuits, i.e., semiconductor products, and plant variety breeders' rights. They decide disputes related to enforcement and security measures within proceedings under their jurisdiction.
Commercial courts conduct bankruptcy and reorganization proceedings, order and carry out enforcement based on enforceable and credible documents when related to business entities and entities engaged in commercial activities. They also order and carry out enforcement and security of their own decisions, decide on the recognition and enforcement of foreign court and arbitral decisions rendered in commercial disputes, and conduct non-contentious proceedings arising from the application of the Law on Companies.Finally, they also adjudicate commercial offenses.
Labour – In basic courts, labour disputes are handled within civil departments. Judges often specialize in this field, but there are no formal chambers dedicated to labour disputes. Higher courts decide on appeals against decisions of basic courts in labour disputes, also within civil departments that deal with labour cases. Judges in higher courts who handle labour disputes have experience and specialization. In the Appellate Court in Belgrade, there are five specialized chambers for labour disputes within the civil department of the Appellate Court.
Family- Within the basic and higher courts, specialized departments for family disputes are established. Judges assigned to these departments are duly specialized, having completed the required training and obtained certification attesting to their specific expertise in the field of children's rights. Within the same departments, proceedings in cases of domestic violence are conducted. Judges assigned to these cases are specialized in issuing urgent protective measures.
Enforcement of criminal sanctions - At each Higher Court, in accordance with the Law on the Enforcement of Criminal Sanctions ("Official Gazette of RS", No. 55/14,35/19) a judge for the enforcement of criminal sanctions is appointed. In cases within their jurisdiction, the enforcement judge acts as a single judge.
Administrative - Administrative Court is a court of special jurisdiction that adjudicates disputes initiated against state administration bodies and local self-government authorities, as well as against public enterprises and agencies, for the purpose of determining the legality of acts by which, in administrative proceedings, a right, obligation, or interest has been decided. An administrative dispute is initiated against final administrative acts. These are acts adopted in the second instance (upon an appeal submitted to an administrative body) or in the first instance, when an appeal is not permitted. Under certain conditions, an administrative dispute may also be initiated when the competent authority fails to adopt an administrative act ("administrative silence"). The Administrative Court is a court of republican rank, and therefore has both subject-matter and territorial jurisdiction over all administrative disputes throughout the territory of the Republic of Serbia.
Juvenile – In higher and appellate courts, specialized departments for criminal proceedings involving juveniles are established. In the first instance, proceedings against a juvenile are conducted before a juvenile judge and a juvenile chamber of the higher court. The juvenile judge and the judges of the juvenile chamber must be persons who have acquired special knowledge

Kosovo*

(2025): Commercial and insolvency
Kosovo's Commercial Court is a specialised court with exclusive jurisdiction over commercial disputes and insolvency matters. Judges are appointed based on general judicial criteria, without formal legal requirements for prior specialisation in commercial or insolvency law.
Labour
Labour disputes arising between the natural person and the public body, or between the public bodies, excluding publicly owned enterprises, fall under the jurisdiction of the Administrative Court, once operational. Judges are appointed in accordance with general judicial criteria, and no formal judicial specialisation in labour law is required.
Family
Family matters are handled within the General Department – Civil Division of the Basic Courts, which adjudicates civil disputes including family law cases. Judges are appointed based on general criteria, and no formal specialisation in family law exists.
Rent and tenancies
Disputes related to rent and tenancies are handled by regular civil judges. No specialised court or formally specialised judges exist for this category.
Enforcement of criminal sanctions
Enforcement of criminal sanctions is handled by regular criminal judges. No formal judicial specialisation exists.
Administrative
Administrative disputes fall under the exclusive jurisdiction of the Administrative Court, as foreseen by law. The court was not operational during the reporting year. Judges are appointed according to general judicial criteria, and no formal specialisation in administrative law is required.
Juvenile
Juvenile cases are handled by specialised juvenile judges, as defined by the Juvenile Justice Code. Juvenile judges preside over both single-judge proceedings and judicial panels, constituting formal judicial specialisation.
Domestic violence
Cases involving domestic violence are handled by regular criminal judges or civil/family judges, depending on the nature of the proceedings. No formal judicial specialisation exists.
Economic crime
Economic crime cases are handled by regular criminal judges. No formal judicial specialisation exists.
Corruption
Corruption-related cases are handled by regular criminal judges. No formal judicial specialisation exists.
Organised crime / terrorism
Cases of organised crime and terrorism are handled by the Special Department for Organised Crime and Terrorism within the Basic Court of Pristina and the Court of Appeal, with jurisdiction

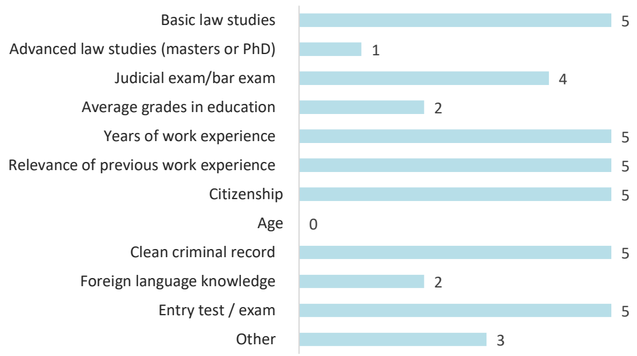
5. and 6. Appointment, recruitment and promotion of judges and prosecutors - Overview

Appointment, recruitment and promotion of judges

Tables no. 5.1.2, 5.1.5, 5.1.6, 5.1.8, 5.1.9, 5.1.10, 6.1.1 and 6.1.2

Figure 5.1 Entry criteria to become a judge

(No. of beneficiaries by criteria)



Possibility for non pre-selected judge candidates to appeal in 5 beneficiaries (ALB - BIH - MNE - MKD - SRB)

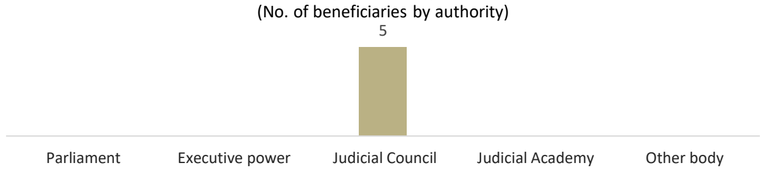
Body competent for the appeal (No of beneficiaries by body):

- Judicial Council (0)
- Judicial Academy (1) (MKD)
- Court (3) (ALB - BIH - MNE)
- Other body (1) (SRB)

Figure 6.1 Authority competent for the promotion of judges

(Table 6.1.1)

(No. of beneficiaries by authority)



Possibility to appeal the decision on the promotion of judges in 5 beneficiaries (ALB - BIH - MNE - MKD - SRB)

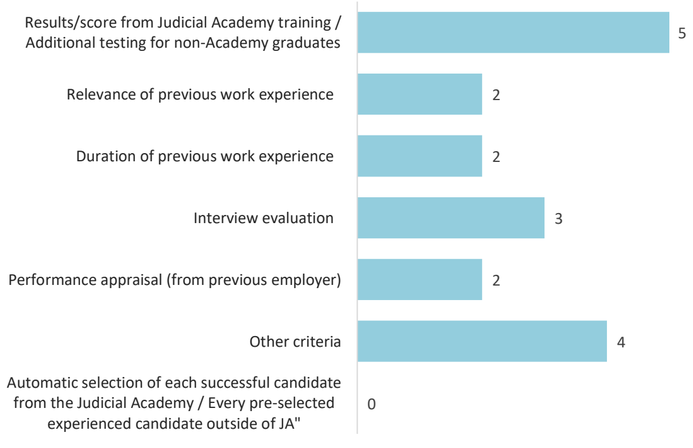
Body competent to decide on appeal (No of beneficiaries by body):

- Judicial Council (0)
- Court (4) (ALB - BIH - MNE - MKD)
- Other body (1) (SRB)

Entry selection | **Selection process** | **Final Appointment** | **Promotion**

Figure 5.2 Criteria in the selection procedure for judges

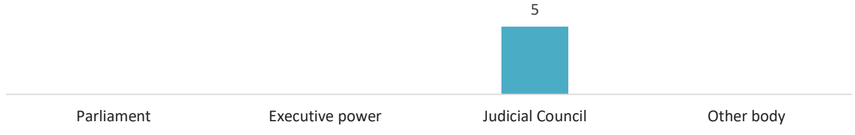
(No. of beneficiaries by criteria)



Authority competent for selection of judges (no. of beneficiaries):

- Parliament (0)
- Judicial Council (4) (ALB - BIH - MNE - SRB -)
- Judicial Academy (2) (ALB - MKD)
- Other body (0)

Figure 5.3 Authority compentent for the final appointment of judges



Possibility for non-selected candidates to appeal against the decision of appointment 5 beneficiaries (ALB - BIH - MNE - MKD - SRB)

Body competent for the appeal (no. of beneficiaries):

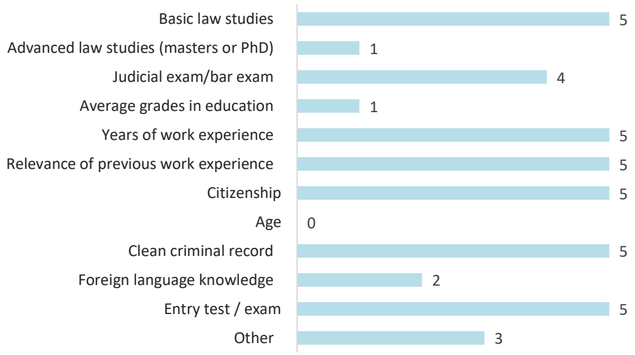
- Judicial Council (0)
- Court (4) (ALB - BIH - MNE - MKD)
- Other body (1) (SRB)

Appointment, recruitment and promotion of prosecutors

Tables no. 5.2.2, 5.2.5, 5.2.6, 5.2.8, 5.2.9, 5.2.10, 6.1.4, and 6.1.5

Figure 5.4 Entry criteria to become a prosecutor

(No. of beneficiaries by criteria)



Possibility for non pre-selected prosecutor candidates to appeal in 5 beneficiaries (ALB - BIH - MNE - MKD - SRB)

Body competent for the appeal (No of beneficiaries by body):

- Judicial / Prosecutorial Council (0)
- Prosecution services (0)
- Judicial Academy (2) (ALB - MKD)
- Court (3) (ALB - BIH - MNE)
- Other body (0)

Figure 6.2 Authority competent for the promotion of prosecutor (Table 6.1.4)

(No. of beneficiaries by authority)



Possibility to appeal the decision on the promotion of prosecutors in 4 beneficiaries (ALB - BIH - MNE - SRB -)

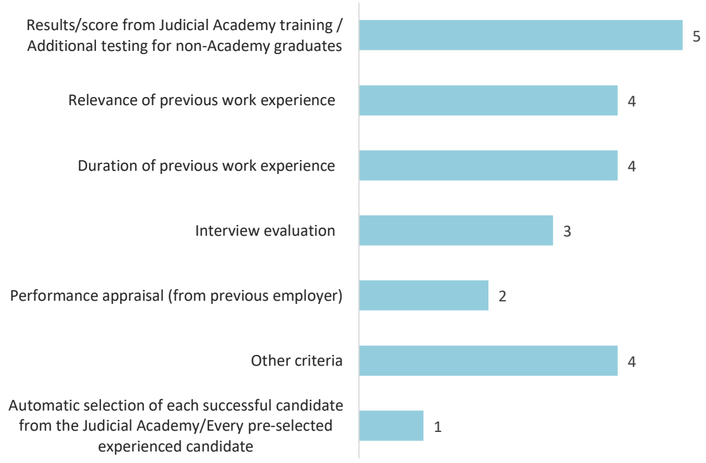
Body competent to decide on appeal (No of beneficiaries by body):

- Judicial / Prosecutorial Council (0)
- Court / Prosecution office (3) (ALB - BIH - MNE)
- Other body (1) (SRB)

Entry selection | **Selection process** | **Final Appointment** | **Promotion**

Figure 5.5 Criteria in the selection procedure for prosecutors

(No. of beneficiaries by criteria)

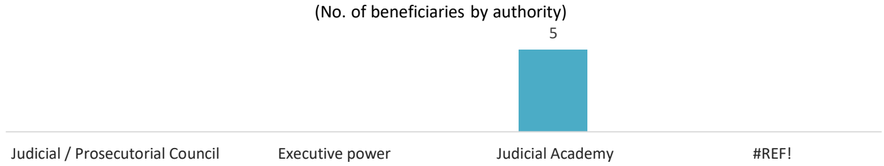


Authority competent for selection of prosecutors (no. of beneficiaries):

- Judicial / Prosecutorial Council (4) (ALB - BIH - MNE - SRB)
- Prosecutorial services (0)
- Judicial Academy (2) (ALB - MKD)
- Other body (1) (SRB)

Figure 5.6 Authority competent for the final appointment of prosecutors

(No. of beneficiaries by authority)



Possibility for non-selected candidates to appeal against the decision of appointment 4 beneficiaries (ALB - BIH - MNE - SRB)

Body competent for the appeal (No of beneficiaries by body):

- Judicial / Prosecutorial Council (0)
- Court (3) (ALB - BIH - MNE)
- Prosecution office (0)
- Judicial Academy (0)
- Other body (1) (SRB)

Kosovo is not included in the calculation of summary statistics*

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

5 Appointment / recruitment / mandate of judges and prosecutors - List of tables

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Table 5.1.2 Entry criteria into the process to become a judge in 2025 (Q93)	5.1.2
Table 5.1.3 Authority competent for evaluation and decision during the entry selection of judges in 2025 (Q94)	5.1.3
Table 5.1.4 Availability of a public call to become a judge, and public availability of the list of pre-selected candidates for judges in 2025 (Q95 and Q96)	5.1.4
Table 5.1.5 Possibility for non pre-selected judge candidates to appeal, and the body competent to decide on the appeal in 2025 (Q97 and Q98)	5.1.5
Table 5.1.6 Criteria in the selection procedure (after exam/interview, etc) for judges in 2025 (Q99)	5.1.6
Table 5.1.7 Measures in place to ensure the transparency in case the selection of a judge takes place via an “Interview evaluation”, in 2025 (Q100)	5.1.7
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Table 5.1.10 Possibility for non-selected candidates for a judge position to appeal against the decision of appointment and the competent body to decide on the appeal in 2025 (Q104 and Q105)	5.1.10
5.2 Recruitment of prosecutors	
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5.1 Recruitment of judges

Table 5.1.1 Description of the specific procedure of recruitment (entry procedure/selection/appointment) for a judge in 2025 (Q92)

Beneficiaries	Description of the specific procedure of recruitment (entry procedure/selection/appointment) for a judge
Albania	According to Law 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended, any person who meets the criteria of article 28 thereof, has the right to app initial training for magistrates at the SoM, through an open examination for all candidates who meet the criteria of preliminary assessment of candidates
Bosnia and Herzegovina	- Public call for candidates. - Qualification and written testing. - Interview evaluation. - Selection of candidates done by High Judicial and Prosecutorial Council. - High Judicial and Prosecutorial Council is entitled for formal decision on appointment. - Non-selected candidates can appeal against the decision of appointment to the state level court. - Conducting an asset and interest check. - Making a decision on the date of assuming office.
Montenegro	Judicial Council is an independent body regulates appointment and termination of office of judges in Montenegro.The candidates' applications shall be submitted to the Judicial Council within 15 days as of the day of the public announcement. criteria for elections of judges to be appointed for the first time: 1. Acquired knowledge with established sub criteria; 2. Ability to perform judicial function on the basis of established sub criteria; 3. Worthiness to perform judiciary function being valued based on established sub criteria. For judges to be elected for the first time, the law prescribes the written examination of candidates by the Commission. Written examination shall be anonymous, and potential questions can be found on the Judicial Council website. After the written examination conducted, interviews shall be organized with the candidates who passed the written test. Members of the Judicial Council evaluate candidates based on the interview, applicants' documentation and opinions, and shall fill out standardized candidate assessment forms, which they submit to the Commission. The Commission establishes the average number of points, based on the evaluation of each member of the Judicial Council. Based on an average score, the Commission makes a list of candidates for election to be submitted to the Judicial Council for decision - making. The Decision on the Selection the Judicial Council issues a secret ballot and the same has to hold a written statement of reasons. Each candidate shall have the right to inspect his documentation, as well as a written test, the opinion and the final grade of other candidates who have applied for the selection of the judge within 30 days from the date after the decision. The decision of the Judicial Council on the election of a judge is final and an administrative dispute can be initiated against it. The Judicial Council publishes an internal notice for filling vacancies of judges on its website. The right to apply for an internal vacancy shall have judges who want to be permanently allocated to another court of the same or lower instance. The Judicial Council shall form a list of candidates for deployment according to the results of the work in the last three years, or evaluation of the work performed by the judge in accordance with this Law. The Judicial Council on the basis of a list of candidates shall decide on the assignment of judges to another court of the same instan the needs of the court in which a judge performs a judicial function and court in which it is seconded

North Macedonia	All judges are elected by the Judicial Council. Judges in basic courts are appointed by the Judicial Council from the candidates which have finished initial training in the Academy for Jud prosecutors. Entrance in the initial training in the Academy for judges and prosecutors is through entrance exam. The initial training entry exam shall consist of taking the following: - test of one of the three most commonly used languages of the European Union (English, French or German), - psychological test, - integrity test, - qualification test and -practical exam. The answer to the question is in accordance with the Law on Judicial Council from 2019, and not according to the new Law that began to be applied in 2026, given that t 2025.
Serbia	The procedure for the election of a judge is prescribed by the Law on Judges, "Official Gazette of the Republic of Serbia", No. 10 of 9 February 2023. A citizen of the Republic of Serbia who meets the general requirements for work in state bodies, has graduated from a law school and passed the bar exam, and is professional, qualifie the function of a judge (Article 48, paragraph 1). After passing the bar exam, appropriate work experience in the legal profession is mandatory, in accordance with the type of court for which the candidate is elected (Article 49). Other requirements for the election of a judge are expertise, qualification, worthiness, as well as certain moral qualities (Article 50, paragraphs 1–5). Candidates who are elected as judges for the first time take a special exam before the High Judicial Council (Article 51, paragraph 1), and success in this exam is expressed in grades fr paragraph 2). Candidates who have completed initial training at the Judicial Academy do not take this exam, but their final grade at the initial training at the Judicial Academy is evaluate 3). In the procedure for the election of judges, discrimination on any grounds is prohibited (Article 52, paragraph 1), and the representation of national minorities and knowledge of the langu minorities in the work of the court are also taken into account (Article 52, paragraph 2). The High Judicial Council announces a public competition for the election of judges. A public competition for the election of a judge shall be announced no later than six months before th judicial office due to the completion of the working life, or no later than 15 days after the termination of the judicial office if it has ceased for another reason prescribed by law. The public announced in the “Official Gazette of the Republic of Serbia”, a means of public information covering the territory of the Republic of Serbia, and on the website of the High Judicial Counc The application shall be submitted within 15 days of the publication of the competition and must contain evidence of the fulfillment of the conditions (Article 54, paragraphs 1 and 2). A th shall check the timeliness, admissibility and completeness of the applications and shall reject irregular applications by a decision, against which an objection may be lodged with the High three days from the date of delivery of the decision. The Commission shall submit a timely, admissible and complete application to the High Judicial Council for further proceedings (Artic and 5). The High Judicial Council shall obtain information and opinions on the candidate and evaluate his/her work (Article 55, paragraph 1), and before making a decision, it shall interview the his/her communication, expertise and integrity (Article 56, paragraph 1). The decision on the selection shall be reasoned and the same decision with the reasoned decision shall be published in the “Official Gazette of the Republic of Serbia” and on the websi Council (Article 58). An appeal against the decision may be lodged with the Constitutional Court within 15 days (Article 59, paragraph 1). A judge shall take an oath before taking office (An elected judge shall assume office at a ceremonial session of all judges in the court to which he or she has been elected. Upon assuming office, the judge shall cease to hold office in a higher instance court who has been elected as the president of a lower instance court may, after the termination of his or her office as president of the court, return to the office of judg court. (Article 62) A judge shall be deemed not to have been elected if, without a justified reason, he or she fails to take office within 30 days of the expiry of the period referred to in Article 59, paragraph has been filed with the Constitutional Court, or within 30 days of the date of publication of the decision of the Constitutional Court rejecting the appeal against the decision on election to has been filed with the Constitutional Court. The decision in the case referred to in paragraph 1 of this Article shall be made by the High Judicial Council upon the proposal of the preside may file an appeal with the Constitutional Court against the decision of the High Judicial Council referred to in paragraph 2 of this Article, which excludes the right to file a constitutional a the date of delivery of the decision. The Constitutional Court may, by its decision, reject the appeal as unfounded or accept the appeal and annul the decision of the High Judicial Counci

Kosovo*	According to the Regulation 03/2021 on Recruitment, Appointment and Re-appointment of Judges, Article 8, stipulates that a candidate to be appointed as a judge must meet the followi 1.1. Be a citizen of the Republic of Kosovo; 1.2. Hold a law degree recognized in the Republic of Kosovo; 1.3. Have passed the Jurisprudence Exam as required by the applicable law in the Republic of Kosovo; 1.4. Have a high professional reputation and personal integrity; 1.5. Have no criminal convictions, except for offenses committed through negligence; 1.6. Have at least three (3) years of work experience in the legal field; and 1.7. Have passed the judicial exam, in accordance with the conditions and procedures set forth in this regulation. The candidates that fulfill the aforementioned criteria then have to undergo through a competitive exam. This exam is organized in three phases, namely: 1.1. The first phase includes th 1.2. The second phase includes the written test; and 1.3. The third phase includes the oral interview, which will also include an essay. The qualifying test includes fourty (40) questions from the criminal law and forty (40) questions from the civil law, while four (4) questions are from the following fields: administrative law, constitutional law, the code of ethics, and human rights. The Recruitment Commission evaluates the qualifying test. In the qualifying test, a candidate can earn a maximum of ten (10) points toward the final score in the recruitment process. A candidate who provides seventy (70) correct answers out of one hundred (100) questions in the qualifying test secures four (4) points in the final evaluation of the exam and is conside qualifying test. For each correct answer given from question seventy-one (71) to question one hundred (100), the candidate will receive an additional 0.2 points based on an arithmetic progression. A candidate who fails the qualifying test or does not achieve the passing threshold of seventy (70) correct answers cannot proceed to the next stage of the recruitment process. After the the candidates who pass the first phase, move on to the second phase, or the written exam phase. The written test consists of two (2) assignments: one from the criminal law field and o for which the Recruitment Commission assigns specific tasks. The written test is conducted over two (2) consecutive days: on the first day, candidates are tested on the criminal law cas day, they are tested on the civil law case. Each test lasts five (5) hours. In the written test for both fields (criminal and civil), a candidate can earn a maximum of sixty-six (66) points, whic percent (66%) of the final result in the recruitment process. A candidate who achieves thirty-nine (39) points in the total evaluation of the written test is considered to have passed it. In pl of the oral interview and evaluation, the candidate will be required to write an essay lasting no more than thirty (30) minutes, the topic of which will be determined by the Recruitment Cor be evaluated up to four (4) points, which represents four percent (4%) of the final evaluation of the recruitment process, while the interview will be evaluated up to twenty (20) points, rep (20%) of the final evaluation of the recruitment process. The final result for a candidate's success is calculated based on the points accumulated in the qualifying test, written test, essay, and oral interview. After the evaluation process is completed, the points are collected, the results are verified, and the final list is prepared in order to announce the exam results. The final results of candidates who have successfully passed the exam are published on the official Council's website. The announcement will include the candidate's name, surname, a the qualifying test, written test, essay, oral interview, and the total score. The Council, upon the proposal of the Recruitment Commission, appoints and assigns candidates to judges in the courts and branches

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 5.1.2 Entry criteria into the process to become a judge in 2025 (Q93)

Beneficiaries	Entry criteria into the process to become a judge											
	Basic law studies	Advanced law studies (masters or PhD)	Judicial exam/bar exam	Average grades in education	Years of work experience	Relevance of previous work experience	Citizenship	Age	Clean criminal record	Foreign language knowledge	Entry test / exam	Other
Albania												
Bosnia and Herzegovina												
Montenegro												
North Macedonia												
Serbia												
Kosovo*												

No
NA
Via Judicial Academy
Without Judicial Academy
Both - Via & without Judicial Academy

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 5.1.3 Authority competent for evaluation and decision during the entry selection of judges in 2025 (Q94)

Beneficiaries	Judges		
	Authority competent during the entry selection		
	Judicial Council	Judicial Academy	Other body
Albania			
Bosnia and Herzegovina			
Montenegro			
North Macedonia			
Serbia			
Kosovo*			

No
NA
Via Judicial Academy
Without Judicial Academy
Both - Via & without Judicial Academy

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 5.1.4 Availability of a public call to become a judge, and public availability of the list of pre-selected candidates for judges in 2025 (Q95 and Q96)

Beneficiaries	Judges				
	Availability of a public call for candidates	Public availability of the list of pre-selected candidates			
		Published on the internet	Sent only to the participants in the competition	Not published	Other
Albania					
Bosnia and Herzegovina					
Montenegro					
North Macedonia					
Serbia					
Kosovo*					

No
NA
Via Judicial Academy
Without Judicial Academy
Both - Via & without Judicial Academy

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 5.1.5 Possibility for non pre-selected judge candidates to appeal, and the body competent to decide on the appeal in 2025 (Q97 and Q98)

Beneficiaries	Judges					
	Possibility for non pre-selected candidates to appeal	Body competent to decide on the appeal				
		Judicial Council	Judicial Academy	Court	Other body
Albania					
Bosnia and Herzegovina					
Montenegro					
North Macedonia					
Serbia					
Kosovo*					

No
NA
Via Judicial Academy
Without Judicial Academy
Both - Via & without Judicial Academy

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 5.1.6 Criteria in the selection procedure (after exam/interview, etc) for judges in 2025 (Q99)

Beneficiaries	Criteria in the selection procedure for judges						
	Results/score from Judicial Academy training / Additional testing for non-Academy graduates	Relevance of previous work experience	Duration of previous work experience	Interview evaluation	Performance appraisal (from previous employer)	Other criteria	Automatic selection of each successful candidate from the Judicial Academy / Every pre-selected experienced candidate outside of Judicial Academy
Albania							
Bosnia and Herzegovina							
Montenegro							
North Macedonia							
Serbia							
Kosovo*							

No
NA
Via Judicial Academy
Without Judicial Academy
Both - Via & without Judicial Academy

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 5.1.7 Measures in place to ensure the transparency in case the selection of a judge takes place via an “Interview evaluation”, in 2025 (Q100)

Beneficiaries	Measures in place to ensure transparency in case of an interview evaluation to select a judge				
	Minutes of the interviews are taken	Audio or video recording of the interviews are taken	A standardised Questionnaire is used for all candidates	A standardised point system is used to evaluate the candidates	Other
Albania					
Bosnia and Herzegovina					
Montenegro					
North Macedonia					
Serbia					
Kosovo*					

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 5.1.8 Authority competent for the selection of judges in 2025 (Q101)

Beneficiaries	Authority competent for selection of judges			
	Parliament	Judicial Council	Judicial Academy	Other body
Albania		Via Judicial Academy	Via Judicial Academy	
Bosnia and Herzegovina		Without Judicial Academy		
Montenegro		Via Judicial Academy		
North Macedonia			Via Judicial Academy	
Serbia		Both - Via & without Judicial Academy		
Kosovo*		Without Judicial Academy		

No
NA
Via Judicial Academy
Without Judicial Academy
Both - Via & without Judicial Academy

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 5.1.9 Authority competent for the final appointment of judges in 2025 (Q102 and Q103)

Beneficiaries	Judges							
	Authority competent for the final appointment				Competences of the authority in the final appointment procedure			
	Parliament	Executive power	Judicial Council	Other body	Only confirms all the selected (proposed) candidates	Has the right to appoint some and reject some among the selected (proposed) candidates	Has the right to appoint candidates that were not selected (proposed) by the competent authority	Other
Albania								
Bosnia and Herzegovina								
Montenegro								
North Macedonia								
Serbia								
Kosovo*								

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 5.1.10 Possibility for non-selected candidates for a judge position to appeal against the decision of appointment and the competent body to decide on the appeal in 2025 (Q104 and Q105)

Beneficiaries	Judges					
	Possibility for non-selected candidates for a judge position to appeal against the decision of appointment	Competent body to decide on the appeal				
		Judicial Council	Court	Other body	Comment on Other body
Albania						
Bosnia and Herzegovina						
Montenegro						
North Macedonia						
Serbia						Constitutional Court
Kosovo*						

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

5.2 Recruitment of prosecutors

Table 5.2.1 Description of the specific procedure of recruitment (entry procedure/selection/appointment) for a prosecutor in 2025 (Q111)

Beneficiaries	Description of the specific procedure of recruitment (entry procedure/selection/appointment) for a prosecutor
Albania	According to Law 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended, any person who meets the criteria of article 28 thereof, has the right to apply and be admitted to the initial training for magistrates at the SoM, through an open examination for all candidates who meet the criteria of preliminary assessment of candidates.
Bosnia and Herzegovina	- Public call for candidates. - Qualification and written testing. - Interview evaluation. - Selection of candidates done by High Judicial and Prosecutorial Council. - High Judicial and Prosecutorial Council is entitled for formal decision on appointment. - Non-selected candidates can appeal against the decision of appointment to the state level court. - Conducting an asset and interest check. - Making a decision on the date of assuming office.
Montenegro	Law on the State Prosecutor's Office ("Official Gazette of Montenegro," Nos. 11/2015, 42/2015, 80/2017, 10/2018, 76/2020, 59/2021, 54/2024 and 92/2025), Articles 49–55 and Article 59. Law on State Prosecutor's Office, Article 57 - Advertising vacancies: Vacant posts of state prosecutors in basic state prosecutor's office shall be filled in on the basis of the internal advertisement for voluntary reassignment of state prosecutors from one basic state prosecutor's office to another. If a vacant post of the state prosecutor is not filled in according to paragraph 1 of this Article, state prosecutors in basic state prosecutor's offices shall be elected on the basis of a public advertisement. Vacancies of the state prosecutors in the basic state prosecutor's offices on the level of Montenegro shall be advertised by the Prosecutorial Council in the Official Gazette of Montenegro and in one of the printed media based in Montenegro
North Macedonia	All public prosecutors are appointed by the Council of Public Prosecutors except Public Prosecutor of the Republic of North Macedonia who is appointed by the Parliament. Public prosecutors in basic public prosecution offices are appointed by the Council of Public Prosecutors from the candidates which have finished initial training in the Academy for Judges and public prosecutors. Entrance in the initial training in the Academy for judges and prosecutors is through entrance exam. The initial training entry exam shall consist of taking the following: -test for the knowledge level of one of the three most commonly used languages of the European Union (English, French or German), - psychological test, - integrity test,
Serbia	The election procedure for a public prosecutor is conducted through a structured, merit-based evaluation carried out by the High Prosecutorial Council through its Commission. Candidates are assessed using a points system based on several components: professional competence and qualifications, interview performance, prior work evaluation (for sitting prosecutors), personal record data and the opinion of the prosecutorial collegium, relevant professional activities, and an assessment of the candidate's worthiness to perform the function. First-time candidates must pass an exam testing professional knowledge and skills (graded 1–5 points); candidates who completed initial training at the Judicial Academy may use their final training grade instead. Failing the exam excludes the candidate from further consideration for the current election. For current prosecutors, competence is primarily assessed through formal work evaluations, while candidates from outside the prosecution service are evaluated based on prior legal work, employer opinions, and the relevance of their professional experience. Additional points (1–5) are awarded for publications, training, foreign languages, and other professional achievements. All candidates undergo an interview to assess communication skills, readiness for office, and professional integrity. For chief public prosecutor positions, candidates must also present a development program for the prosecution office, scored separately. The candidate's worthiness is reviewed through professional background checks and publicly available information; a negative opinion on worthiness leads to disqualification. All scores are recorded, and candidates have limited rights to request corrections or review of evaluations. The final election or promotion is based
Kosovo*	The recruitment of prosecutors is conducted through a competitive process organized by the Kosovo Prosecutorial Council (KPC). It is based on the Law on State Prosecutor, Law on Kosovo Prosecutorial Council and Regulation on recruitment of prosecutors. The process begins with a public call for applications which is published by KPC. KPC establishes the Recruitment Committee which is responsible for the development and smooth running of the procedure for the appointment of candidates for state prosecutors, including but not limited to the preliminary selection of candidates, the design and evaluation of the qualifying test, the written test, the interview, the evaluation of candidates and the submission of the list of the most successful candidates to the Council. KPC establishes the Review Committee as well, which is responsible for is responsible for reviewing candidate complaints against the decisions of the Recruitment Committee. After the deadline for application is closed, the recruitment committee reviews the applications based on the criteria and decides on the list of candidates who fulfill the criteria and publishes the list online. The candidates who do not fulfill the criteria can send a complaint in the review committee which then decides on the complaint within a deadline. The next step is the qualifying test to assess basic eligibility. Candidates who pass proceed to a written examination, which evaluates professional legal knowledge and practical skills. Successful candidates then undergo integrity and eligibility verification and are invited to an interview, where their competence, ethics, and suitability for the role are assessed. Right to appeal The candidate, as a dissatisfied party, has the right to appeal, to oppose the process, regarding the violation of the rules, about the organization of the exam and the results of the qualifying test, written test, and oral interview, within three (3) days, from the day of the announcement of the results, on the basis of the notification made according to this Regulation. The complaint of the candidate according to paragraph 1 of this article, is reviewed by the Commission for Review of the Council, within five (5) days, from the day of the end of the complaint. In the event that the Review Committee, after evaluating the complaint, finds that violations of the rules regarding the organization of the qualifying test, written test, and oral interview, as defined by this Regulation, may take a decision to repeat the contested part of the exam. If the Review Committee decides to repeat the relevant part of the exam, the exam is organized within five (5) days, from the decision of the Review Committee. In this case, the Recruitment Commission will draft the new test, the results of which will be taken into consideration when compiling the final exam list. In case the Review Commission finds that technical errors have been made, in the case of calculating the points of the qualifying test, written test, essay and oral interview, while in the case of reviewing the complaint it is confirmed that the candidate is ranked in the group of candidates who have not passed the relevant part of the exam, that candidate will be included in the list of candidates who have passed that part of the exam. After reviewing the complaints for the qualifying test, the written test, and the oral interview, the Council shall compile the final list of the exam, as determined by this Regulation, which shall be published on the official website of the Council. A candidate who files a complaint has the right to access his test before filing a complaint.

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 5.2.2 Entry criteria into the process to become a prosecutor in 2025 (Q112)

Beneficiaries	Entry criteria into the process to become a prosecutor											
	Basic law studies	Advanced law studies (masters or PhD)	Judicial exam/bar exam	Average grades in education	Years of work experience	Relevance of previous work experience	Citizenship	Age	Clean criminal record	Foreign language knowledge	Entry test / exam	Other
Albania	Via Judicial Academy	Via Judicial Academy	No	Via Judicial Academy	Via Judicial Academy	Via Judicial Academy	Via Judicial Academy	No	Via Judicial Academy	Via Judicial Academy	Via Judicial Academy	Via Judicial Academy
Bosnia and Herzegovina	Without Judicial Academy	No	Without Judicial Academy	No	Without Judicial Academy	Without Judicial Academy	Without Judicial Academy	No	Without Judicial Academy	No	Without Judicial Academy	No
Montenegro	Via Judicial Academy	No	Via Judicial Academy	No	Via Judicial Academy	Via Judicial Academy	Via Judicial Academy	No	Via Judicial Academy	No	Via Judicial Academy	Via Judicial Academy
North Macedonia	Via Judicial Academy	No	Via Judicial Academy	No	Via Judicial Academy	Via Judicial Academy	Via Judicial Academy	No	Via Judicial Academy	Via Judicial Academy	Via Judicial Academy	Via Judicial Academy
Serbia	Both - Via & without Judicial Academy	No	Both - Via & without Judicial Academy	No	Both - Via & without Judicial Academy	Both - Via & without Judicial Academy	Both - Via & without Judicial Academy	No	Both - Via & without Judicial Academy	No	Without Judicial Academy	No
Kosovo*	Without Judicial Academy	No	Without Judicial Academy	No	Without Judicial Academy	Without Judicial Academy	Without Judicial Academy	No	Without Judicial Academy	No	Without Judicial Academy	Without Judicial Academy

No
NA
Via Judicial Academy
Without Judicial Academy
Both - Via & without Judicial Academy

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 5.2.3 Authority competent for evaluation and decision during the entry selection of prosecutors in 2025 (Q113)

Beneficiaries	Prosecutors			
	Authority competent during the entry selection			
	Judicial / Prosecutorial Council	Prosecution services	Judicial Academy	Other body
Albania				
Bosnia and Herzegovina				
Montenegro				
North Macedonia				
Serbia				
Kosovo*				

No
NA
Via Judicial Academy
Without Judicial Academy
Both - Via & without Judicial Academy

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 5.2.4 Availability of a public call to become a prosecutor, and public availability of the list of pre-selected candidates for prosecutors in 2025 (Q114 and Q115)

Beneficiaries	Prosecutors					
	Availability of a public call for candidates	Public availability of the list of pre-selected candidates				
		Published on the internet	Sent only to the participants in the competition	Not published	Other
Albania	Via Judicial Academy	Via Judicial Academy			
Bosnia and Herzegovina	Without Judicial Academy		Without Judicial Academy		
Montenegro	Without Judicial Academy			Via Judicial Academy	
North Macedonia	Via Judicial Academy	Via Judicial Academy			
Serbia	Both - Via & without Judicial Academy	Both - Via & without Judicial Academy			
Kosovo*	Without Judicial Academy	Without Judicial Academy			

No
NA
Via Judicial Academy
Without Judicial Academy
Both - Via & without Judicial Academy

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 5.2.5 Possibility for non pre-selected prosecutor candidates to appeal, and the body competent to decide on the appeal in 2025 (Q116 and Q117)

Beneficiaries	Prosecutors					
	Possibility for non pre-selected candidates to appeal	Body competent to decide on the appeal				
		Judicial / Prosecutorial Council	Prosecution services	Judicial Academy	Court	Other body
Albania						
Bosnia and Herzegovina						
Montenegro						
North Macedonia						
Serbia						
Kosovo*						

No
NA
Via Judicial Academy
Without Judicial Academy
Both - Via & without Judicial Academy

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 5.2.6 Criteria in the selection procedure (after exam/interview, etc) for prosecutors in 2025 (Q118)

Beneficiaries	Criteria in the selection procedure for prosecutors						
	Results/score from Judicial Academy training / Additional testing for non-Academy graduates	Relevance of previous work experience	Duration of previous work experience	Interview evaluation	Performance appraisal (from previous employer)	Other criteria	Automatic selection of each successful candidate from the Judicial Academy / Every pre-selected experienced candidate
Albania	Via Judicial Academy	Via Judicial Academy	Via Judicial Academy	NA	NA	Via Judicial Academy	Via Judicial Academy
Bosnia and Herzegovina	Both - Via & without Judicial Academy	Both - Via & without Judicial Academy	Both - Via & without Judicial Academy	Both - Via & without Judicial Academy	Both - Via & without Judicial Academy	Both - Via & without Judicial Academy	No
Montenegro	Via Judicial Academy	Via Judicial Academy	Via Judicial Academy	Via Judicial Academy	NA	NA	No
North Macedonia	Via Judicial Academy	NA	NA	NA	NA	Via Judicial Academy	No
Serbia	Both - Via & without Judicial Academy	Both - Via & without Judicial Academy	Both - Via & without Judicial Academy	Both - Via & without Judicial Academy	Both - Via & without Judicial Academy	Both - Via & without Judicial Academy	No
Kosovo*	Without Judicial Academy	NA	NA	Without Judicial Academy	NA	Without Judicial Academy	No

No
NA
Via Judicial Academy
Without Judicial Academy
Both - Via & without Judicial Academy

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 5.2.7 Measures in place to ensure the transparency in case the selection of a prosecutor takes place via an “Interview evaluation”, in 2025 (Q119)

Beneficiaries	Measures in place to ensure transparency in case of an interview evaluation to select a prosecutor				
	Minutes of the interviews are taken	Audio or video recording of the interviews are taken	A standardised questionnaire is used for all candidates	A standardised point system is used to evaluate the candidates	Other
Albania					
Bosnia and Herzegovina					
Montenegro					
North Macedonia					
Serbia					
Kosovo*					

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 5.2.8 Authority competent for selection of prosecutors in 2025 (Q120)

Beneficiaries	Authority competent for selection of prosecutors			
	Judicial / Prosecutorial Council	Prosecutorial services	Judicial Academy	Other body
Albania				
Bosnia and Herzegovina				
Montenegro				
North Macedonia				
Serbia				
Kosovo*				

No
NA
Via Judicial Academy
Without Judicial Academy
Both - Via & without Judicial Academy

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 5.2.9 Authority competent for the final appointment of prosecutors in 2025 (Q121 and Q122)

Beneficiaries	Prosecutors								
	Authority competent for the final appointment					Competences of the authority in the final appointment procedure			
	Parliament	Executive power	Judicial / Prosecutorial Council	Judicial Academy	Other body	Only confirms all the selected (proposed) candidates	Has the right to appoint some and reject some among the selected (proposed) candidates	Has the right to appoint candidates that were not selected (proposed) by the competent authority	Other
Albania									
Bosnia and Herzegovina									
Montenegro									
North Macedonia									
Serbia									
Kosovo*									

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 5.2.10 Possibility for non-selected candidates for a prosecutor position to appeal against the decision of appointment, and the competent body to decide on the appeal in 2025 (Q123 and Q124)

Beneficiaries	Prosecutors						
	Possibility for non-selected candidates (for a prosecutor position) to appeal against the decision of appointment	Competent body to decide on the appeal					
		Judicial / Prosecutorial Council	Court	Prosecution office	Judicial Academy	Other body	Comment on Other body
Albania							
Bosnia and Herzegovina							
Montenegro							
North Macedonia							
Serbia							Constitutional court
Kosovo*							

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

5.3 Integrity and mandate of judges and prosecutors

Table 5.3.1 Methods to check the integrity of candidate judges in 2025 (Q106)

	Methods to check integrity of candidate judges					
	Through the check of criminal records	Through the check of disciplinary proceedings and sanctions	Through intelligence investigation	Through an integrity assessment test	Through psychological assessment	Other
Albania						
Bosnia and Herzegovina						
Montenegro						
North Macedonia						
Serbia						
Kosovo*						

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 5.3.2 Mandate of judges and compulsory retirement age in 2025 (Q107)

Beneficiaries	Mandate of judges and compulsory retirement age in 2025	
	Appointed to office for an undetermined period	Compulsory retirement age
Albania		67
Bosnia and Herzegovina		70
Montenegro		65
North Macedonia		64
Serbia		65
Kosovo*		65

Yes
No
NA
Nap

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence

Table 5.3.3 Probation period for judges and institution responsible to decide if the probation period is successful in 2025 (Q108, Q109 and Q110)

Beneficiaries	Judges					
	Probation period for judges	Duration of the probation period (in years)	Institution responsible to decide if the probation period is successful			Possibility to appeal against this decision
			Executive power	Judicial Council	Other body	
Albania						
Bosnia and Herzegovina						
Montenegro						
North Macedonia						
Serbia						
Kosovo*		The proposal of a candidate for appointment as a judge with an initial three (3)-year mandate.				

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 5.3.4 Methods to check the integrity of candidate prosecutors in 2025 (Q125)

	Methods to check integrity of candidates for prosecutors					
	Through the check of criminal records	Through the check of disciplinary proceedings and sanctions	Through intelligence investigation	Through an integrity assessment test	Through psychological assessment	Other
Albania						
Bosnia and Herzegovina						
Montenegro						
North Macedonia						
Serbia						
Kosovo*						

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 5.3.5 Mandate of prosecutors and compulsory retirement age in 2025 (Q126)

Beneficiaries	Mandate of prosecutors and compulsory retirement age in 2025	
	Appointed to office for an undetermined period	Compulsory retirement age
Albania		67
Bosnia and Herzegovina		70
Montenegro		65
North Macedonia		64
Serbia		65
Kosovo*		65

Yes	
No	
NA	
NAP	

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 5.3.6 Probation period for prosecutors and institution responsible to decide if the probation period is successful in 2025 (Q127, Q128 and Q129)

Beneficiaries	Prosecutors						
	Probation period for prosecutor	Duration of the probation period (in years)	Institution responsible to decide if the probation period is successful				Possibility to appeal against this decision
			Judicial/ Prosecutorial Council	Prosecution office concerned	Higher prosecution office / Prosecutor general (State public prosecutor)	Other body	
Albania							
Bosnia and Herzegovina							
Montenegro		4					
North Macedonia							
Serbia							
Kosovo*		3					

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Indicator 5. Appointment/recruitment/mandate of judges/prosecutors

by country

92. Please describe the specific procedure of recruitment (entry procedure/selection/appointment) for a judge:
93. What are the entry criteria (pre-conditions) into the process to become a judge?
94. Which authority is competent during the entry selection procedure?
95. Is there a public call for candidates to become a judge?
96. Is there a list of pre-selected candidates which is public?
97. Is there a possibility for non pre-selected candidates to appeal?
98. If yes, what body is competent to decide on appeal?
99. What are the criteria for the selection of judges?
100. If you selected “Interview evaluation” in the previous question, please indicate what measures are in place to ensure the transparency of the interview process:
101. Which authority is competent to select judges?
102. Which authority is competent for the final appointment of a judge?
103. Which competences has this authority in the final appointment procedure (multiple replies possible):
104. May non-selected candidates appeal against the decision of appointment?
105. If yes, what body is competent to decide on appeal?
106. How do you check the integrity of candidate judges?
107. Are judges appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?
108. Is there a probation period for judges (e.g. before being appointed "for life")? If yes, how long is this period?
109. If yes, which authority is competent to decide if the probation period is successful?
110. Is there a possibility to appeal against this decision?
111. Please describe the specific procedure of recruitment (entry procedure/selection/appointment) for a prosecutor:
112. What are the entry criteria (pre-conditions) into the process to become a prosecutor?
113. Which authority is competent during the entry selection procedure?
114. Is there a public call for candidates to become a prosecutor?
115. Is there a list of pre-selected candidates which is public?
116. Is there a possibility for non pre-selected candidates to appeal?
117. If yes, what body is competent to decide on appeal?
118. What are the criteria of selection of public prosecutor?
119. If you selected “Interview evaluation” in the previous question, please indicate what measures are in place to ensure the transparency of the interview process:
120. Which authority is competent during the selection procedure of a public prosecutor?

121. Which authority is competent for the final appointment of a prosecutor?
122. Which competences has this authority in the final appointment procedure ? (multiple replies possible):
123. May non-selected candidates appeal against the decision of appointment?
124. If yes, what body is competent to decide on appeal?
125. How do you check the integrity of candidate prosecutors?
126. Are public prosecutors appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?
127. Is there a probation period for public prosecutors? If yes, how long is this period?
128. If yes, which authority is competent to decide if the probation period is successful?
129. Is there a possibility to appeal against this decision?

Albania

Q93 (General Comment): The recruitment of judges is conducted in cooperation between the School of Magistracy and the High Judicial Council . An important step is the process of verification of assets and integrity, carried out by the Council in accordance with the provisions in points 2 to 6 of Article 32 of Law 96/2019, as amended . Article 86 of Law No. 115/2016 "On the governance bodies of the justice system in the Republic of Albania", as amended
More detailed provisions regarding the above procedure can be found in Decision No. 75, dated 23.05.2019, "On the procedure for verifying the legal conditions and criteria for the recruitment of candidates for judges, for the career development of judges, and for the appointment of judges of the Supreme Court", issued by the High Judicial Council.

Q93 (2025): The recruitment of judges is conducted in cooperation between the School of Magistracy and the High Judicial Council . An important step is the process of verification of assets and integrity, carried out by the Council in accordance with the provisions in points 2 to 6 of Article 32 of Law 96/2019, as amended .

Q93 (2023): The recruitment of judges is conducted in cooperation between the School of Magistracy and the High Judicial Council . An important step is the process of verification of assets and integrity, carried out by the Council in accordance with the provisions in points 2 to 6 of Article 32 of Law 96/2019, as amended .
Q94 (2023): According to Article 30, paragraph 4 of Law No. 96/2016, as amended, the High Judicial Council may provide comments or objections no later than the end of March each year. The School of Magistracy approves the final evaluation report, taking into account the comments and objections made.

Q97 (General Comment): Please see the explanation on question 90. Appointments at the high court, from non judges, have a right to appeal, after their application has been reiewed and assessed by the council.
The law provides that: The High Judicial Council shall establish a written proposal on the appointment of candidates. The proposal shall be reasoned in relation to the fulfilment of legal requirements and shall rank the candidates in accordance with the criteria provided in paragraph 8 of this Article. The decision on proposal for appointment is appealable. The rules contained in Article 41
paragraphs 2 to 4 shall apply mutatis mutandis. The Council shall make public the final decision on proposal for appointment on its official website.
For more information please see article 49 of the law on status of judges and prosecutors: https://euralius.eu/index.php/en/library/albanian-legislation/send/86-status-of-judges-and-prosecutors/198-law-on-the-status-of-judges-and-prosecutors-en
Q97 (2025): Article 86 of Law No. 115/2016 "On the governance bodies of the justice system in the Republic of Albania", as amended
More detailed provisions regarding the above procedure can be found in Decision No. 75, dated 23.05.2019, "On the procedure for verifying the legal conditions and criteria for the recruitment of candidates for judges, for the career development of judges, and for the appointment of judges of the Supreme Court", issued by the High Judicial Council.According to Article 12 of the Internal Regulation of the School of Magistracy any candidate who is not included in the list of candidates who meet the eligibility criteria, has the right to use legal remedies provided by Law No. 115/2016, "On the governance bodies of the justice system," and other sublegal acts."

Q97 (2022): The Judicial Academy is the defendant in the administrative case. The appeal is done against their decision.
Q98 (General Comment): According to Article 12 of the Internal Regulation of the School of Magistracy any candidate who is not included in the list of candidates who meet the eligibility criteria, has the right to use legal remedies provided by Law No. 115/2016, "On the governance bodies of the justice system," and other sublegal acts."

Q98 (2025): According to Article 12 of the Internal Regulation of the School of Magistracy any candidate who is not included in the list of candidates who meet the eligibility criteria, has the right to use legal remedies provided by Law No. 115/2016, "On the governance bodies of the justice system," and other sublegal acts."
Q98 (2024): According to Article 12 of the Internal Regulation of the School of Magistracy any candidate who is not included in the list of candidates who meet the eligibility criteria, has the right to use legal remedies provided by Law No. 115/2016, "On the governance bodies of the justice system," and other sublegal acts."
Q98 (2023): According to Article 12 of the Internal Regulation of the School of Magistracy any candidate who is not included in the list of candidates who meet the eligibility criteria, has the right to use legal remedies provided by Law No. 115/2016, "On the governance bodies of the justice system," and other sublegal acts."
Q98 (2022): 1. The Judicial Academy is the defendant in the administrative case. The appeal is done against their decision. 2. Administrative Court of Appeal
Q99 (General Comment): The vetting process takes place before candidates start the School of Magistrates. It is conducted after they have been selected as winners in the entrance exam. If a candidate fails the vetting, they are dismissed and cannot enrol in the School of Magistrates.
Q99 (2025): The vetting process.
Q99 (2024): The vetting process
Q99 (2023): The vetting process.
Q101 (2024): The High Judicial Council decides on the qualification of the candidate graduated from the School of Magistracy and the continuation of further procedure related to his appointment as a judge, in accordance with articles 35 and 39 of Law No. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended.

Q101 (2023): The High Judicial Council decides on the qualification of the candidate graduated from the School of Magistracy and the continuation of further procedure related to his appointment as a judge, in accordance with articles 35 and 39 of Law No. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended.

Q103 (General Comment): According to Article 35 of law 96/2016 on the status of judges and prosecutors in the Republic of Albania:
1. The graduate shall be appointed magistrate, if she/he meets concurrently the following criteria:
a) Having graduated from the School of Magistrates in the initial training with a score of at least 70% of the maximum reachable scores;
b) Having achieved evaluation scores of at least ”good” in each of the assignments during the professional internship in the third year of the initial training;
c) Having passed the asset declaration and background check, carried out by the Councils in accordance with the provisions in paragraphs 2 to 6 of Article 32 of this Law.
2. A graduate may apply for appointment as magistrate following an invitation in accordance with Article 39 paragraph 1 of this Law,
within the period of two weeks beginning with the date of the publication of the graduates’ list. For justified reasons a graduate may apply to be appointed also in the following year.
3. A candidate for judge may, by notice in writing to the Council, apply for appointment as a judge. The request shall contain, in a
preferential list, three courts where the graduate seeks to be appointed. A candidate for prosecutor may, by notice in writing to the
Council, apply for appointment as a prosecutor. The request shall contain, in a preferential list, three prosecution offices where the
graduate seeks to be appointed. 4. Within the period of one month as of the date of the publication of the graduates’ list the Councils shall:
a) Appoint as magistrate, each person who appears in the graduates’ list, who satisfies the criteria for appointment, as well as has applied under the provisions of paragraph 2 and 3 of this Article,
b) Reject the appointment as magistrate to any person who appears in the graduates’ list and having submitted the request under points 2 and 3 of this Articles, however, not satisfying the criteria for appointment.
5. The Council shall approve more detailed rules regarding the reasons justifying putting up the candidacy in the upcoming year, under the provisions of paragraph 2 of this Article.

Q105 (2022): Administrative Court of Appeal
Q106 (General Comment): Integrity is part of the selection process in three moments. The first control, made by the School of Magistrates, is if the candidate fulfil the criteria for admission to initial training, two of which consist in integrity: they must have never been criminally convicted by a final decision and they must have never been dismissed from office for disciplinary reasons and are not subject to a current disciplinary sanction.
The second control is made with the psychological and mental health assessment, which is part of the recruitment exam. This assessment is also focused in the approach of the candidates to corruption, ethics, etc. And the third control is made by the Councils, after the applicants have successfully passed the two phases and the psychological and mental health assessment. The Councils shall request for each applicant, information from competent institutions for the verification of assets and background check regarding any other disqualifying grounds from the High Inspectorate for the Declaration and Audit of Assets and Conflict of Interest, prosecution office, financial, tax and customs authorities, National Bureau of Investigation, state intelligence institutions and any disciplinary authorities having supervised the discipline in the labour relations of the candidate.

Q107 (General Comment): Article 64 of Law No. 96/2016 foresees as quoted below:
2. Judges of the High Court shall retire at the age of 70. The mandate of a High Court judge shall end upon reaching the age of 70, regardless of the years of assuming the function in the position.
5. The magistrate retires at the age of 67. The magistrate, at his request, can remain in office until the age of 70. The request for staying in office is presented no later than 6 months before reaching retirement age. The status of the magistrate ends when he reaches the age of 67 or the age of 70, in cases where he has requested to remain in office until this age. The council declares with the decision ending the status of the magistrate, not later than two weeks before the end of the respective month.
6. The end of the mandate of the judge of the High Court is declared by the decision of the High Court no later than two weeks before the end of the relevant month
According to Law no 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended, Article 64 provides that the status of a magistrate terminates with:
a) resignation;
b) presence of conditions of ineligibility and incompatibility in the exercise of the function are verified;
c) reaching the retirement age;
d) dismissal from office for disciplinary liability issues, according to the provisions of this law;
e) verified inability to perform the duty.
The status of a magistrate shall end upon:
a) His or her resignation;
b) Establishment of circumstances of his/her inelectability and incompatibility in exercising the function;
c) Reaching the retirement age 67 years old;
ç) Dismissal as a result of a disciplinary liability, in accordance with this Law;
d) Establishment of circumstances of inability to exercise the function.
2. Judges of the High Court shall retire at the age of 70. The mandate of a High Court judge shall end upon reaching the age of 70,
regardless of the years of assuming the function in this position. The judges of the High Court are appointed for a 9 year term, without the right to re-appointment.

Q107 (2025): The age of retirement is 67 for all magistrates, with the possibility of extension as foreseen bylaw. The age of retirement is 70, for judges of the High Court of Albania.
According to Law no 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended, Article 64 provides that the status of a magistrate terminates with:
a) resignation;
b) presence of conditions of ineligibility and incompatibility in the exercise of the function are verified;
c) reaching the retirement age;
d) dismissal from office for disciplinary liability issues, according to the provisions of this law;
e) verified inability to perform the duty.

Q107 (2024): The age of retirement is 67 for all magistrates, with the possibility of extension as foreseen bylaw. The age of retirement is 70, for judges of the High Court of Albania.

Q107 (2023): The age of retirement is 67 for all magistrates, with the possibility of extension as foreseen bylaw. The age of retirement is 70, for judges of the High Court of Albania.
Article 64 of Law No. 96/2016 foresees as quoted below:
2. Judges of the High Court shall retire at the age of 70. The mandate of a High Court judge shall end upon reaching the age of 70, regardless of the years of assuming the function in the position.
5. The magistrate retires at the age of 67. The magistrate, at his request, can remain in office until the age of 70. The request for staying in office is presented no later than 6 months before reaching retirement age. The status of the magistrate ends when he reaches the age of 67 or the age of 70, in cases where he has requested to remain in office until this age. The council declares with the decision ending the status of the magistrate, not later than two weeks before the end of the respective month.
According to Law no 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended, Article 64 provides that the status of a magistrate terminates with:
a) resignation;
b) presence of conditions of ineligibility and incompatibility in the exercise of the function are verified;
c) reaching the retirement age;
d) dismissal from office for disciplinary liability issues, according to the provisions of this law;
e) verified inability to perform the duty.

Q107 (2022): Judges of the High Court shall retire at the age of 70.
Q112 (General Comment): In addition to the above criteria, in the Law “On the status of judges and prosecutors”, as amended, it is stipulated that candidates must meet other criteria such as:
- the lack of disciplinary measures in force;
- should not be members of political parties in the at the time of candidacy;
- they must not be a member or associate of State Security prior to 1990 and;
- have not been an associate, informant, or intelligence agent.

Q112 (2025): The criteria related to “Clean criminal record” means that, candidates should have not been convicted by a final criminal decision for a criminal offense that, due to the nature of the offense committed, discredits the position and image of the judge or prosecutor or seriously damages the public's trust in the judicial system, regardless of whether he has been rehabilitated according to the provisions of the Criminal Code. Also “Other” legal criteria are: The candidate should have not been removed from office or his license, authorization or permission to practice a profession has not been revoked for disciplinary reasons, regardless of whether the disciplinary measure is considered extinguished, and there is no disciplinary measure in force; is not a member of political parties at the time of candidacy; was not a member, associate or beneficiary of State Security prior to 1990; and, was not a collaborator, informant, or secret service agent (According to Article 28, of the Law “On the status of judges and prosecutors in the Republic of Albania”, as amended).

Q112 (2024): The criteria related to “Clean criminal record” means that, candidates should have not been convicted by a final criminal decision for a criminal offense that, due to the nature of the offense committed, discredits the position and image of the judge or prosecutor or seriously damages the public's trust in the judicial system, regardless of whether he has been rehabilitated according to the provisions of the Criminal Code. Also “Other” legal criteria are: The candidate should have not been removed from office or his license, authorization or permission to practice a profession has not been revoked for disciplinary reasons, regardless of whether the disciplinary measure is considered extinguished, and there is no disciplinary measure in force; is not a member of political parties at the time of candidacy; was not a member, associate or beneficiary of State Security prior to 1990; and, was not a collaborator, informant, or secret service agent (According to Article 28, of the Law “On the status of judges and prosecutors in the Republic of Albania”, as amended).

Q112 (2022): Related to the “age” criteria to become a prosecutor, in the Law “On the status of judges and prosecutors in the Republic of Albania”, as amended, there is no any criteria related to the age of the candidates to enter the exam and then, accepted in the Initial Forming program of the Judicial Academy. Each person, who fulfill the legal criteria, despite of his age, may enter the exam and be graduated in the Judicial Academy, to become a prosecutor.
The criteria related to “Clean criminal record” means that, candidates should have not been convicted by a final criminal decision for a criminal offense that, due to the nature of the offense committed, discredits the position and image of the judge or prosecutor or seriously damages the public's trust in the judicial system, regardless of whether he has been rehabilitated according to the provisions of the Criminal Code. Also “Other” legal criteria are: The candidate should have not been removed from office or his license, authorization or permission to practice a profession has not been revoked for disciplinary reasons, regardless of whether the disciplinary measure is considered extinguished, and there is no disciplinary measure in force; is not a member of political parties at the time of candidacy; was not a member, associate or beneficiary of State Security prior to 1990; and, was not a collaborator, informant, or secret service agent (Article 28, of the Law “On the status of judges and prosecutors in the Republic of Albania”, as amended).

Q115 (General Comment): According to Article 30/4, of the Law “On the status of judges and prosecutors”, as amended, the School of Magistrates, within March of each year publish on its website, the pre-selected list of candidates for prosecutors who fulfil the legal criteria provided in Article 28, of this law.

Q116 (General Comment): According to Article 30/5, of the Law “On the status of judges and prosecutors”, as amended, each candidate which is not included in the pre-selected candidates list, has the right to appeal in accordance with the provisions of the Law “On the governance institutions of the justice system”, as amended. The process of preliminary assessments is conducted as follows: By 15 March each year, the School of Magistrates carries out a preliminary assessment as to whether the applicant satisfies the application criteria as provided in the law. The School of Magistrates shall submit to the Councils the report of preliminary assessment outcome, together with the files of the application documents for each applicant. The School of Magistrates shall adopt the final assessment report by taking into account the comments and objections received and shall publish the final assessment report on its official website, including the list of applicants who fulfill the criteria. As for the appeal, the law provides that any applicant, who is not included in the list of applicants meeting the criteria, shall have the right to exercise the legal remedies of appeal foreseen by the Law “On Governance Institutions of the Justice System” and in the respective bylaw acts. Law on governance institutions does not provide as specific rule on the appeal of the applicant. Therefore, general rule of appeal are applicable. Hence, the appeal is submitted at the first instance administrative court.

Q117 (2024): According to Article 30/5, of the Law no. 96/2016 “On the status of judges and prosecutors”, as amended, each candidate which is not included in the pre-selected candidates list, has the right to appeal in accordance with the provisions of the Law “On the governance institutions of the justice system”, as amended.

Q117 (2022): We have checked “judicial academy” in the last version of the answers because the candidates who have taken the entry exam have the right to see/check their exam papers after making a request/complaint, when they do not agree with the result, at the Judicial Academy, in this case the School of Magistrates of Albania. The court option is checked because they can appeal against their results/score of the entry exam in court, if they choose to do so.

According to Article 30/5, of the Law “On the status of judges and prosecutors”, as amended, each candidate which is not included in the pre-selected candidates list, has the right to appeal in accordance with the provisions of the Law “On the governance institutions of the justice system”, as amended.

Q118 (General Comment): Article 28, of the Law on the status of judges and prosecutors provides for the following selection criteria applicable to both judges and prosecutors:
All persons are entitled to apply to the School of Magistrates for admission to the initial training as a magistrate, as long as they fulfil simultaneously the following criteria:
a) Have full capacity to act;
b) Be an Albanian citizen;
c) Have graduated with the minimum scoring as determined by the School of Magistrates the second cycle of university studies in law, with a diploma of "Master of Science" and have passed the state exam for jurists in Albania, or have graduated in law with the minimum points set out by the School of Magistrates in a European Union Member State and have been awarded an equivalent diploma, recognised under the rules for recognition of diplomas provided by law;
ç) Have at least three years of full time active professional experience in the judiciary or the prosecution office, public administration, free legal professions or teaching in law faculties, or in any other equivalent position in the private sector or international organizations;
d) Have never been criminally convicted by a final decision;
dh) Have never been dismissed from office for disciplinary reasons and are not subject to a current disciplinary sanction;
e) Not to be a member of political parties at the time of application;
ë) Have not been a member, collaborator or favoured by the State Security before 1990;
f) Have not been a collaborator, informant, or agent of any secret service.
Except the fulfilment of the legal criteria provided in Article 28, of the Law "On the status of judges and prosecutors", as amended, the candidates for prosecutors who pass successfully the entry exam of the School of Magistrates, should pass positively the process of verifying the integrity and assets before they are accepted in the initial forming programme of the School of Magistrates (Article 32, of the Law "On the status of judges and prosecutors", as amended).
Lastly, as provided in article 32 of the status law, a student at the School of Magistrates can be appointed as a judge or a prosecutor if it fulfills the following criteria:
a) Having graduated from the School of Magistrates in the initial training with a score of at least 70% of the maximum reachable scores;
b) Having achieved evaluation scores of at least "good" in each of the assignments during the professional internship in the third year of the initial training;
c) Having passed the asset declaration and background check, carried out by the Councils in accordance with the provisions in paragraphs 2 to 6 of Article 32 of this Law.

Q118 (2025): According to Article 28, of the Law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended, the candidates for prosecutors who successfully pass the entry exam of the School of Magistrates, undergo a process for verification of the integrity and assets as an additional criterion before they are accepted at the School of Magistrates. Negative results from this verification result in rejection of the candidate. The verification process is carried out from High Judicial /Prosecutorial Council (Article 32, of the Law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended).
Q118 (2024): According to Article 28, of the Law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended, (above mentioned in Q.112), the candidates for prosecutors who successfully pass the entry exam of the School of Magistrates, undergo a process for verification of the integrity and assets as an additional criterion before they are accepted at the School of Magistrates. Negative results from this verification result in rejection of the candidate. The verification process is carried out from High Judicial /Prosecutorial Council (Article 32, of the Law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended).

Q118 (2022): The focus of the question, regarding the selection criteria of judges/prosecutors, is after the entry exam. After the entry exam, the selection is made only on the basis of the results/score they received in the exam. The criteria of work performance and experience are applied in the pre-selection phase of the candidates who apply to be registered to take the entry exam. Except the fulfilment of the legal criteria provided in Article 28, of the Law "On the status of judges and prosecutors in the Republic of Albania", as amended, the candidates for prosecutors who pass successfully the entry exam of the School of Magistrates, should pass positively the process of verifying the integrity and assets before they are accepted in the initial forming programme of the School of Magistrates. The verification process is carried out from High Judicial /Prosecutorial Council (Article 32, of the Law "On the status of judges and prosecutors in the Republic of Albania", as amended).

Q120 (General Comment): According to Article 32/2, of the "On the status of judges and prosecutors", as amended, the process of verifying the integrity and assets of the candidates for prosecutors who pass successfully the entry exam, is realised from the High Prosecutorial Council who requests reporting from the competent institutions for the verification of integrity and assets and any other exceptional cause, from the High Inspectorate of Declaration and Control of Assets and Conflict of Interest, the prosecution offices, tax and customs administration bodies, the National Bureau of Investigation, state intelligence services, as well as any disciplinary body that has supervised the discipline in the previous employment relations of the candidates.

Q120 (2023): According to Article 32/2, of the Law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended, the process of verifying the integrity and assets of the candidates for prosecutors who pass successfully the entry exam, is realized and finalised from the High Prosecutorial Council. Before the decision, High Prosecutorial Council requests reports from the other national competent institutions for the verification of integrity and assets and any other exceptional cause, such as the High Inspectorate of Declaration and Control of Assets and Conflict of Interest, the prosecution offices, tax and customs bodies, the National Bureau of Investigation, state intelligence services, as well as any disciplinary body.

Q122 (General Comment): As answered in the Questionnaire, in principle, the High Prosecutorial Council on the final appointment procedure has a right to appoint some and reject some among the selected (proposed) candidates. According the article 35, of the Law "On the status of judges and prosecutors in the Republic of Albania", as amended, a graduate in the Judicial Academy, to be appointed as magistrate should fulfill these three criteria:

a) be graduated in the Initial Forming Program of Judicial Academy with at least 70 % of the total possible points;

b) is evaluated at least "good" on all the duties assigned during dhe professional experience in the third year of Initial Forming;

c) pass again the verification of integrity and assets realized from the Council, in accordance with this law. Also, a graduate in the Judicial Academy, may ask for justified reasons, to be appointed in the following year.

Within a month after the publication of the list of graduates, the Council may:

a) appoint as magistrate each person in the graduated list who fulfil the appointment criteria or refuse to appoint each person who is in the graduated list but doesn't fulfil the appointment criteria b) allow the candidate who fulfill the appointment criteria to be appointed the following year.

Q124 (General Comment): According to article 192/1, of the Law "On the governance institutions of justice system", as amended, for the individual administrative acts of the Council such as a refusal to appoint a graduate as a prosecutor an appeal may be submitted in the Administrative Court of Appeal within 15 days from the notice.

Q124 (2025): According to the Law no. 96/2016, “On the status of judges and prosecutors in the Republic of Albania”, as amended, Article 41 (…) 2. The appointee has the right to appeal the decision on the appointment to the position. The appeal does not suspend the implementation of the decision within 5 days from the notification of the decision of the Council. The competent court shall take a decision within two weeks of the date of the appeal. The decision of the competent court shall be final. 3. The decision of the Council on the appointment of the appointee to the position, in accordance with this Article, shall become final when:
a) no appeal has been filed within the appeal deadlines;
b) an appeal has been filed within the deadlines and the court has decided to dismiss the case or dismiss the appeal;
c) an appeal has been filed within the deadlines and a final court decision has been issued on its basis.
4. In cases where the court accepts the appeal and annuls the decision of the Council, the latter, within two weeks from the notification of the court decision, reviews the decision to appoint the appointee to the position, to the extent necessary for the implementation of the court's decision.
Q125 (2025): Considering the question related to the integrity check of candidates for prosecutors, in the answer we have referred to the phase after the completion of the Magistrates' School and the appointment of prosecutors by the High Prosecutorial Council. A psychological assessment is carried out by the Magistrates' School for the admission of aspirants for prosecutors to that school.
Q126 (General Comment): According to Article 64/1, the Law no. 96/2016 “On the status of judges and prosecutors in the Republic of Albania”, as amended, the prosecutor’s mandate may terminate also in cases when: the prosecutor has resigned; when are established conditions of ineligibility and incompatibility in the exercise of function; reaches the age of old-age pension; is dismissed from the function for disciplinary responsibility; when is established the fact of inability to perform the duty. Based on paragraph 5 of the same Article The magistrate retires on old age at the age of 67. The magistrate, at his request, may remain in office until the age of 70. The request to remain in office shall be submitted no later than 6 months before reaching retirement age. The status of the magistrate shall end when he reaches the age of 67 or the age of 70, in cases where he has requested to remain in office until this age. The Council shall declare by decision the end of the status of the magistrate, no later than two weeks before the end of the relevant month.

Q126 (2025): According to Article 64/1, the Law no. 96/2016 “On the status of judges and prosecutors in the Republic of Albania”, as amended, the prosecutor’s mandate may terminate also in cases when: the prosecutor has resigned; when are established conditions of ineligibility and incompatibility in the exercise of function; reaches the age of old-age pension; is dismissed from the function for disciplinary responsibility; when is established the fact of inability to perform the duty. Based on paragraph 5 of the same Article The magistrate retires on old age at the age of 67. The magistrate, at his request, may remain in office until the age of 70. The request to remain in office shall be submitted no later than 6 months before reaching retirement age. The status of the magistrate shall end when he reaches the age of 67 or the age of 70, in cases where he has requested to remain in office until this age. The Council shall declare by decision the end of the status of the magistrate, no later than two weeks before the end of the relevant month.

Q126 (2023): According to Article 64/1, the Law no. 96/2016 “On the status of judges and prosecutors in the Republic of Albania”, as amended, the prosecutors mandate may terminate also in cases when: the prosecutor is resigned; when are established conditions of ineligibility and incompatibility in the exercise of function; reaches the age of old-age pension, according to the provisions of this law; is dismissed from the function for disciplinary responsibility; when is established the fact of inability to perform the duty.

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Bosnia and Herzegovina

Q93 (General Comment): Clean criminal record:

During the appointment procedure consideration shall also be given to circumstances relevant for the evaluation of candidate suitability, such as information concerning any previous disciplinary offences, previous criminal convictions and other circumstances that may deem a candidate unsuitable to hold judicial office.

The candidate in the application form must reply to the following question: Have you been convicted of a felony or been found responsible for a misdemeanor offense or been found responsible for disciplinary offense?

Also, the candidate is required to submit as an attachment to the application form an official court document confirming that there is no pending criminal proceedings against him or her.

Candidate's criminal record does not constitute an eliminatory criterion in the process of appointment of candidates. But in this regard, the Interview panel and the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, through the appointment procedure determine the ability of the candidate with criminal record to perform the judicial function.

Q93 (2025): During the appointment procedure consideration shall also be given to circumstances relevant for the evaluation of candidate suitability, such as information concerning any previous disciplinary offences, previous criminal convictions and other circumstances that may deem a candidate unsuitable to hold judicial office.

The candidate in the application form must reply to the following question: Have you been convicted of a felony or been found responsible for a misdemeanor offense or been found responsible for disciplinary offense?

Also, the candidate is required to submit as an attachment to the application form an official court document confirming that there is no pending criminal proceedings against him or her. Candidate's criminal record does not constitute an eliminatory criterion in the process of appointment of candidates. But in this regard, the Interview panel and the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, through the appointment procedure determine the ability of the candidate with criminal record to perform the judicial function.

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Q96 (General Comment): The list of pre-selected candidates is published on the internet. The list is available only to the candidates who participate in the competition.

Q97 (General Comment): The decision on appointment made by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina is the final administrative act pursuant to the Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of BiH", No. 63/23), which entered into force in December 2023, and an administrative dispute may be initiated against the decision by the candidate in the appointment procedure. The Court of Bosnia and Herzegovina has jurisdiction to resolve these administrative disputes. In the event of an administrative dispute, the appointment of the newly appointed judge or prosecutor shall be postponed for that position until the court proceedings have been completed.
Q97 (2023): The decision on appointment made by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina is the final administrative act pursuant to the Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of BiH", No. 63/23), which entered into force in December 2023, and an administrative dispute may be initiated against the decision by the candidate in the appointment procedure. The Court of Bosnia and Herzegovina has jurisdiction to resolve these administrative disputes. In the event of an administrative dispute, the appointment of the newly appointed judge or prosecutor shall be postponed for that position until the court proceedings have been completed.
Q98 (General Comment): The decision on appointment made by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina is the final administrative act pursuant to the Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of BiH", No. 63/23), which entered into force in December 2023, and an administrative dispute may be initiated against the decision by the candidate in the appointment procedure. The Court of Bosnia and Herzegovina has jurisdiction to resolve these administrative disputes. In the event of an administrative dispute, the appointment of the newly appointed judge or prosecutor shall be postponed for that position until the court proceedings have been completed.
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Q99 (General Comment): Other: The candidates who do not hold judicial office and who have applied for a judge position on any level of court system must take entrance exam and written tests.
Q99 (2025): The candidates who do not hold judicial office and who have applied for a judge position on any level of court system must take entrance exam and written tests.

Q99 (2024): The candidates who do not hold judicial office and who have applied for a judge position on any level of court system must take entrance exam and written tests.

Q101 (General Comment): The procedure of recruitment and selection of judges is conducted by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina in accordance with the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, the Rules of Procedure of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina and the Book of Rules on Entrance Exams and Written Tests for Candidates for Judicial Office in the Judiciary of Bosnia and Herzegovina. A public announcement of vacant positions in any court (regardless of the level) precedes the appointment of judges, including court presidents. The Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina in general does not distinguish the recruitment of new judges from the promotion or transfer of judges to a different position in judiciary. Thus a public vacancy is applicable to both internal candidates (candidates who hold judicial office) and external candidates, who compete each other for the vacant position. However, certain aspects of selection procedure are different for internal or external candidates. Selection procedure may include entrance exams and written tests, depending on the status of the candidate. Entrance exams and written tests shall be carried out mainly for candidates who do not hold judicial office and who have applied for positions of judges on any level. Results of the aforementioned tests are relevant for the establishing the competences of the external candidates. Competences of the candidates who are already judges or prosecutors are established based on the performance evaluation. All candidates have to be interviewed by the interview panel, which assesses the criteria regulated in the aforementioned Rules of Procedure. Candidates are ranked based on their success in the selection procedure. The points received according to the competence criterion (results of entrance exam/written test or performance evaluation) are added to the points received at the interview and candidates are ranked according to the total points scored. The High Judicial and Prosecutorial Council of Bosnia and Herzegovina appoints judges from the list of successful candidates upon proposal of relevant nomination subcouncil (internal body within the High Judicial and Prosecutorial Council of Bosnia and Herzegovina). The decision on the appointment has to be reasoned.

Q102 (General Comment): The procedure of recruitment and selection of judges is conducted by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina in accordance with the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, the Rules of Procedure of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina and the Book of Rules on Entrance Exams and Written Tests for Candidates for Judicial Office in the Judiciary of Bosnia and Herzegovina. A public announcement of vacant positions in any court (regardless of the level) precedes the appointment of judges, including court presidents. The Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina in general does not distinguish the recruitment of new judges from the promotion or transfer of judges to a different position in judiciary. Thus a public vacancy is applicable to both internal candidates (candidates who hold judicial office) and external candidates, who compete each other for the vacant position. However, certain aspects of selection procedure are different for internal or external candidates. Selection procedure may include entrance exams and written tests, depending on the status of the candidate. Entrance exams and written tests shall be carried out mainly for candidates who do not hold judicial office and who have applied for positions of judges on any level. Results of the aforementioned tests are relevant for the establishing the competences of the external candidates. Competences of the candidates who are already judges or prosecutors are established based on the performance evaluation. All candidates have to be interviewed by the interview panel, which assesses the criteria regulated in the aforementioned Rules of Procedure. Candidates are ranked based on their success in the selection procedure. The points received according to the competence criterion (results of entrance exam/written test or performance evaluation) are added to the points received at the interview and candidates are ranked according to the total points scored. The High Judicial and Prosecutorial Council of Bosnia and Herzegovina appoints judges from the list of successful candidates upon proposal of relevant nomination subcouncil (internal body within the High Judicial and Prosecutorial Council of Bosnia and Herzegovina). The decision on the appointment has to be reasoned.

Q103 (General Comment): The relevant provisions of the Book of Rules, adopted by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, read as follows:
Article 61 (Decision on the Appointment of Judges and Prosecutors) (1) The Council shall decide on each appointment separately on the basis on the proposal from the relevant sub-council. (2) In the event that the Council does not adopt the proposal of a sub-council and the sub-council does not propose another candidate, the Council may, based on an elaborated proposal by any member of the Council, appoint one of the candidates who achieved the appropriate results required for appointment. (3) When proposing a candidate pursuant to paragraph (2) of the Article, consideration shall be given to circumstances from Article 59b, paragraph (2) of the Rules of Procedure. (4) During an appointment the Council shall also decide on the date of taking up office of an appointee. Article 59b
(Activities of the Sub-Council) (1) The relevant sub-council shall carry out the final candidate ranking and submit a proposal to the Council for action. (2) When nominating a candidate for appointment, apart from points scored and the ranking of the candidates who have achieved the required results, the relevant sub-council shall also cumulatively take into account the following: -circumstances that are relevant to the assessment of candidate suitability; -the need to ensure the appropriate ethnic and gender representation in the court or prosecutors office in accordance with Article 43, paragraph (2) of the Law; -the work-related experience of a candidate for a certain field of law, if the court for which appointment is being carried out, apart from municipal and basic court levels, has a need for a judge of a certain specialisation. (3) If the list of candidates who have achieved the minimum results required for appointment has no candidates of the appropriate ethnicity or with the specific work-related experience, the competition shall be repeated only once. (4) Apart from reasons pursuant to paragraph (3) of the Article, a competition may be repeated also in the event that none of the proposed candidates i.e. candidates who have achieved the minimum results required for appointment, receive a majority vote as required for appointment or in the event that none of the candidates achieved the required results within the competition procedure. Article 61b (Nomination and Appointment to Managerial Positions) (11) If, after the presentation of the work programs, no candidate has received a majority vote required to render a decision on appointment, any member of the Council may propose any candidate who has the achieved the appropriate result required for appointment to present their work program at the subsequent session

Q104 (General Comment): The decision on appointment made by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina is the final administrative act pursuant to the Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of BiH", No. 63/23), which entered into force in December 2023, and an administrative dispute may be initiated against the decision by the candidate in the appointment procedure.
Q105 (General Comment): The Court of Bosnia and Herzegovina has jurisdiction to resolve these administrative disputes. In the event of an administrative dispute, the appointment of the newly appointed judge or prosecutor shall be postponed for that position until the court proceedings have been completed.
Q105 (2023): The decision on appointment made by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina is the final administrative act pursuant to the Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of BiH", No. 63/23), which entered into force in December 2023, and an administrative dispute may be initiated against the decision by the candidate in the appointment procedure. The Court of Bosnia and Herzegovina has jurisdiction to resolve these administrative disputes. In the event of an administrative dispute, the appointment of the newly appointed judge or prosecutor shall be postponed for that position until the court proceedings have been completed.

Q106 (General Comment): Through the check of disciplinary proceedings and sanctions:
In the competition procedure for the post of a judge or a prosecutor information is checked whether disciplinary proceedings are being conducted against the candidate, whether a final disciplinary measure has been imposed to the candidate, meaning whether the candidate has been convicted. The said information impact the decision whether the candidate will be invited to an interview, meaning whether or not they will further participate in the competition procedure. If a disciplinary measure is imposed to the candidate in a certain time period, depending on the measure, they cannot participate in the competition procedure. Through an integrity assessment test:
The candidate's ability to responsibly, independently and impartially hold the office they applied for, professional impartiality and reputation and conduct outside the job is one of the criteria examined in the interview with the candidate by asking suitable questions.
During the appointment procedure consideration shall also be given to circumstances relevant for the evaluation of candidate suitability, such as information concerning any previous disciplinary offences, previous criminal convictions and other circumstances that may deem a candidate unsuitable to hold judicial office.
The candidate in the application form must reply to the following question: Have you been convicted of a felony or been found responsible for a misdemeanor offense or been found responsible for disciplinary offense?
Also, the candidate is required to submit as an attachment to the application form an official court document confirming that there is no pending criminal proceedings against him or her. Candidate's criminal record does not constitute an eliminatory criterion in the process of appointment of candidates. But in this regard, the Interview panel and the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, through the appointment procedure determine the ability of the candidate with criminal record to perform the judicial function.

Q106 (2022): The integrity of candidate judges is checked at the interview conducted with candidates and through the information which candidates submit in the application form.

Q107 (General Comment): According to the Law on High Judicial and Prosecutorial Council of Bosnia and Herzegovina the mandatory
retirement age for judges is age seventy (70). A judge can be removed from office as a disciplinary sanction. The disciplinary measure of dismissal shall only be used in cases where a serious disciplinary offence is found and the severity of the offence makes it clear that the offender is unfit or unworthy to continue to hold his or her office. A judge can resign from office. A judge can be removed from the office because it has been proven by the medical documentation that she or he has permanently lost the working capacity to perform his/her judicial function.
Reserve judges may be appointed on a temporary basis (up to 2 years).
Their role is to assist courts in reducing case backlogs, or to replace temporarily judges who are absent for a prolonged period of time. They are appointed in the publicly announced procedure by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina upon application by the president of a court; the High Judicial and Prosecutorial Council of Bosnia and Herzegovina may renew the mandate of reserve judges following the request of the president of a court.

Q112 (General Comment): Clean criminal record: During the appointment procedure consideration shall also be given to circumstances relevant for the evaluation of candidate suitability, such as information concerning any previous disciplinary offences, previous criminal convictions and other circumstances that may deem a candidate unsuitable to hold judicial office. The candidate in the application form must reply to the following question: Have you been convicted of a felony or been found responsible for a misdemeanor offense or been found responsible for disciplinary offense? Also, the candidate is required to submit as an attachment to the application form an official court document confirming that there is no pending criminal proceedings against him or her.
Candidate's criminal record does not constitute an eliminatory criterion in the process of appointment of candidates. But in this regard, the Interview panel and the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, through the appointment procedure determine the ability of the candidate with criminal record to perform the prosecutorial function.
Q112 (2025): During the appointment procedure consideration shall also be given to circumstances relevant for the evaluation of candidate suitability, such as information concerning any previous disciplinary offences, previous criminal convictions and other circumstances that may deem a candidate unsuitable to hold judicial office.
The candidate in the application form must reply to the following question: Have you been convicted of a felony or been found responsible for a misdemeanor offense or been found responsible for disciplinary offense?
Also, the candidate is required to submit as an attachment to the application form an official court document confirming that there is no pending criminal proceedings against him or her. Candidate's criminal record does not constitute an eliminatory criterion in the process of appointment of candidates. But in this regard, the Interview panel and the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, through the appointment procedure determine the ability of the candidate with criminal record to perform the judicial function.

Q113 (General Comment): The procedure of recruitment and selection of prosecutors is conducted by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina in accordance with the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, the Rules of Procedure of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina and the Book of Rules on Entrance Exams and Written Tests for Candidates for Judicial Office in the Judiciary of Bosnia and Herzegovina. A public announcement of vacant positions in any prosecutor's office (regardless of the level) precedes the appointment of prosecutors, including chief prosecutors. The Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina in general does not distinguish the recruitment of new prosecutors from the promotion or transfer of prosecutors to different positions within the judiciary. Thus a public vacancy is applicable to both internal candidates (candidates who hold judicial office) and external candidates, who compete each other for the vacant position. However, certain aspects of selection procedure are different for internal or external candidates. Selection procedure may include entrance exams and written tests, depending on the status of the candidate. Entrance exams and written tests shall be carried out mainly for candidates who do not hold judicial office and who have applied for positions of prosecutors on any level. Written tests shall be carried out mainly for candidates who do not hold judicial office and who have applied for positions in highest prosecutors' offices, and who have previously passed the entrance exam. Results of the aforementioned tests are relevant for the establishing the competences of the external candidates. Competences of the candidates who are already prosecutors are established based on the performance evaluation.

All candidates have to be interviewed by the interview panel, which assesses the criteria regulated in the aforementioned Rules of Procedure. Candidates are ranked based on their success in the selection procedure. The points received according to the competence criterion (results of entrance exam/written test or performance evaluation) are added to the points received at the interview and candidates are ranked according to the total points scored. The High Judicial and Prosecutorial Council of Bosnia and Herzegovina appoints prosecutors from the list of successful candidates upon proposal of the relevant nomination sub-council (an internal committee within the High Judicial and Prosecutorial Council of Bosnia and Herzegovina). The decision on the appointment has to be reasoned.

Q115 (General Comment): The list of pre-selected candidates is published on the internet. The list is available only to the candidates who participate in the competition.

Q116 (General Comment): The decision on appointment made by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina is the final administrative act pursuant to the Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of BiH", No. 63/23), which entered into force in December 2023, and an administrative dispute may be initiated against the decision by the candidate in the appointment procedure.

Q116 (2023): The decision on appointment made by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina is the final administrative act pursuant to the Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of BiH", No. 63/23), which entered into force in December 2023, and an administrative dispute may be initiated against the decision by the candidate in the appointment procedure. The Court of Bosnia and Herzegovina has jurisdiction to resolve these administrative disputes. In the event of an administrative dispute, the appointment of the newly appointed judge or prosecutor shall be postponed for that position until the court proceedings have been completed.

Q117 (General Comment): The Court of Bosnia and Herzegovina has jurisdiction to resolve these administrative disputes. In the event of an administrative dispute, the appointment of the newly appointed judge or prosecutor shall be postponed for that position until the court proceedings have been completed.

Q117 (2025): The decision on appointment made by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina is the final administrative act pursuant to the Law on Amendments to the Law on the
High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of BiH", No. 63/23), which entered into force in December 2023, and an administrative dispute may be initiated against the decision by the candidate in the appointment procedure. The Court of Bosnia and Herzegovina has jurisdiction to resolve these administrative disputes. In the event of an administrative dispute, the appointment of the newly appointed judge or prosecutor shall be postponed for that position until the court proceedings have been completed.

Q117 (2024): The decision on appointment made by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina is the final administrative act pursuant to the Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of BiH", No. 63/23), which entered into force in December 2023, and an administrative dispute may be initiated against the decision by the candidate in the appointment procedure. The Court of Bosnia and Herzegovina has jurisdiction to resolve these administrative disputes. In the event of an administrative dispute, the appointment of the newly appointed judge or prosecutor shall be postponed for that position until the court proceedings have been completed.
Q117 (2023): The decision on appointment made by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina is the final administrative act pursuant to the Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of BiH", No. 63/23), which entered into force in December 2023, and an administrative dispute may be initiated against the decision by the candidate in the appointment procedure. The Court of Bosnia and Herzegovina has jurisdiction to resolve these administrative disputes. In the event of an administrative dispute, the appointment of the newly appointed judge or prosecutor shall be postponed for that position until the court proceedings have been completed.
Q118 (General Comment): Other criteria: The candidates who do not hold judicial office and who have applied for a public prosecutor position must take entrance exam and written test.
Q118 (2025): Other criteria: The candidates who do not hold judicial office and who have applied for a public prosecutor position must take entrance exam and written test.

Q118 (2024): The candidates who do not hold judicial office and who have applied for a public prosecutor position must take
entrance exam and written test.

Q119 (2025): The candidates who do not hold judicial office and who have applied for a public prosecutor position must take entrance exam and written test

Q120 (General Comment): The procedure of recruitment and selection of prosecutors is conducted by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina in accordance with the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, the Rules of Procedure of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina and the Book of Rules on Entrance Exams and Written Tests for Candidates for Judicial Office in the Judiciary of Bosnia and Herzegovina. A public announcement of vacant positions in any prosecutor's office (regardless of the level) precedes the appointment of prosecutors, including chief prosecutors. The Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina in general does not distinguish the recruitment of new prosecutors from the promotion or transfer of prosecutors to different positions within the judiciary. Thus a public vacancy is applicable to both internal candidates (candidates who hold judicial office) and external candidates, who compete each other for the vacant position. However, certain aspects of selection procedure are different for internal or external candidates. Selection procedure may include entrance exams and written tests, depending on the status of the candidate. Entrance exams and written tests shall be carried out mainly for candidates who do not hold judicial office and who have applied for positions of prosecutors on any level. Written tests shall be carried out mainly for candidates who do not hold judicial office and who have applied for positions in highest prosecutors' offices, and who have previously passed the entrance exam. Results of the aforementioned tests are relevant for the establishing the competences of the external candidates. Competences of the candidates who are already prosecutors are established based on the performance evaluation.

All candidates have to be interviewed by the interview panel, which assesses the criteria regulated in the aforementioned Rules of Procedure. Candidates are ranked based on their success in the selection procedure. The points received according to the competence criterion (results of entrance exam/written test or performance evaluation) are added to the points received at the interview and candidates are ranked according to the total points scored. The High Judicial and Prosecutorial Council of Bosnia and Herzegovina appoints prosecutors from the list of successful candidates upon proposal of the relevant nomination sub-council (an internal committee within the High Judicial and Prosecutorial Council of Bosnia and Herzegovina). The decision on the appointment has to be reasoned.

Q121 (General Comment): The High Judicial and Prosecutorial Council of Bosnia and Herzegovina has a right to appoint some and reject some among the selected candidates. The High Judicial and Prosecutorial Council of Bosnia and Herzegovina also has a right to appoint candidates that were not selected (proposed) by its competent sub-council .
The procedure of recruitment and selection of prosecutors is conducted by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina in accordance with the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, the
Rules of Procedure of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina and the Book of Rules on Entrance Exams and Written Tests for Candidates for Judicial Office in the Judiciary of Bosnia and Herzegovina. A public announcement of vacant positions in any prosecutor's office (regardless of the level) precedes the appointment of prosecutors, including chief prosecutors. The Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina in general does not distinguish the recruitment of new prosecutors from the promotion or transfer of prosecutors to different positions within the judiciary. Thus a public vacancy is applicable to both internal candidates (candidates who hold judicial office) and external candidates, who compete each other for the vacant position. However, certain aspects of selection procedure are different for internal or external candidates. Selection procedure may include entrance exams and written tests, depending on the status of the candidate. Entrance exams and written tests shall be carried out mainly for candidates who do not hold judicial office and who have applied for positions of prosecutors on any level. Written tests shall be carried out mainly for candidates who do not hold judicial office and who have applied for positions in highest prosecutors' offices, and who have previously passed the entrance exam. Results of the aforementioned tests are relevant for the establishing the competences of the external candidates. Competences of the candidates who are already prosecutors are established based on the performance evaluation.
All candidates have to be interviewed by the interview panel, which assesses the criteria regulated in the aforementioned Rules of Procedure. Candidates are ranked based on their success in the selection procedure. The points received according to the competence criterion (results of entrance exam/written test or performance evaluation) are added to the points received at the interview and candidates are ranked according to the total points scored. The High Judicial and Prosecutorial Council of Bosnia and Herzegovina appoints prosecutors from the list of successful candidates upon proposal of the relevant nomination sub-council (an internal committee within the High Judicial and Prosecutorial Council of Bosnia and Herzegovina). The decision on the appointment has to be reasoned.

Q122 (General Comment): The relevant provisions of the Book of Rules, adopted by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, read as follows:
Article 61 (Decision on the Appointment of Judges and Prosecutors) (1) The Council shall decide on each appointment separately on the basis on the proposal from the relevant sub-council. (2) In the event that the Council does not adopt the proposal of a sub-council and the sub-council does not propose another candidate, the Council may, based on an elaborated proposal by any member of the Council, appoint one of the candidates who achieved the appropriate results required for appointment. (3) When proposing a candidate pursuant to paragraph (2) of the Article, consideration shall be given to circumstances from Article 59b, paragraph (2) of the Rules of Procedure. (4) During an appointment the Council shall also decide on the date of taking up office of an appointee. Article 59b
(Activities of the Sub-Council) (1) The relevant sub-council shall carry out the final candidate ranking and submit a proposal to the Council for action. (2) When nominating a candidate for appointment, apart from points scored and the ranking of the candidates who have achieved the required results, the relevant sub-council shall also cumulatively take into account the following: -circumstances that are relevant to the assessment of candidate suitability; -the need to ensure the appropriate ethnic and gender representation in the court or prosecutors office in accordance with Article 43, paragraph (2) of the Law; -the work-related experience of a candidate for a certain field of law, if the court for which appointment is being carried out, apart from municipal and basic court levels, has a need for a judge of a certain specialisation. (3) If the list of candidates who have achieved the minimum results required for appointment has no candidates of the appropriate ethnicity or with the specific work-related experience, the competition shall be repeated only once. (4) Apart from reasons pursuant to paragraph (3) of the Article, a competition may be repeated also in the event that none of the proposed candidates i.e. candidates who have achieved the minimum results required for appointment, receive a majority vote as required for appointment or in the event that none of the candidates achieved the required results within the competition procedure. Article 61b (Nomination and Appointment to Managerial Positions) (11) If, after the presentation of the work programs, no candidate has received a majority vote required to render a decision on appointment, any member of the Council may propose any candidate who has the achieved the appropriate result required for appointment to present their work program at the subsequent session

Q124 (2023): The decision on appointment made by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina is the final administrative act pursuant to the Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of BiH", No. 63/23), which entered into force in December 2023, and an administrative dispute may be initiated against the decision by the candidate in the appointment procedure. The Court of Bosnia and Herzegovina has jurisdiction to resolve these administrative disputes. In the event of an administrative dispute, the appointment of the newly appointed judge or prosecutor shall be postponed for that position until the court proceedings have been completed.

Q125 (General Comment): Through the check of disciplinary proceedings and sanctions:
In the competition procedure for the post of a judge or a prosecutor information is checked whether disciplinary proceedings are being conducted against the candidate, whether a final disciplinary measure has been imposed to the candidate, meaning whether the candidate has been convicted. The said information impact the decision whether the candidate will be invited to an interview, meaning whether or not they will further participate in the competition procedure. If a disciplinary measure is imposed to the candidate in a certain time period, depending on the measure, they cannot participate in the competition procedure. Through an integrity assessment test:
The candidate's ability to responsibly, independently and impartially hold the office they applied for, professional impartiality and reputation and conduct outside the job is one of the criteria examined in the interview with the candidate by asking suitable questions.
During the appointment procedure consideration shall also be given to circumstances relevant for the evaluation of candidate suitability, such as information concerning any previous disciplinary offences, previous criminal convictions and other circumstances that may deem a candidate unsuitable to hold judicial office.
The candidate in the application form must reply to the following question: Have you been convicted of a felony or been found responsible for a misdemeanor offense or been found responsible for disciplinary offense?
Also, the candidate is required to submit as an attachment to the application form an official court document confirming that there is no pending criminal proceedings against him or her. Candidate's criminal record does not constitute an eliminatory criterion in the process of appointment of candidates. But in this regard, the Interview panel and the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, through the appointment procedure determine the ability of the candidate with criminal record to perform the judicial function.

Q125 (2022): The integrity of candidate prosecutors is checked at the interview conducted with candidates and through the information which candidates submit in the application form.
Q126 (General Comment): Pursuant to the Law on High Judicial and Prosecutorial Council of Bosnia and Herzegovina, the mandatory retirement
age for prosecutors is age seventy (70). According to the Law, the disciplinary measure of dismissal shall only be used in cases where a serious disciplinary offence is found and the severity of the offence makes it clear that the offender is unfit or unworthy to continue to hold his or her office. A prosecutor is entitled to resign from office. He/she can be removed from office if it has been proven by the
medical documentation that he/she has permanently lost the working capacity to perform his/her judicial or prosecutorial function.

Montenegro

Q93 (General Comment): RULES OF THE JUDICIAL COUNCIL Application to a public announcement
Article 46Application to a public announcement represents a standard pattern, which is an integral part of these Rules.
The application form contains a warning that giving untrue or false informations shall result in exclusion of candidates from consideration.
With a completed and signed application form a candidate submits the following documents:
- A certified copy of the certificate on citizenship of Montenegro;
- Medical certificate;
- A certified copy of all university diplomas;
- A certified copy of certificate of having passed the bar exam;
- Evidence of the work experience;
- A certified copy of the certificate for completion of educational courses;
- The certificate that there is no criminal procedure against him/her;
- The candidate's statement as to whether he/she was imposed with a disciplinary measure, whether he/she was misdemeanored and penalized or convicted of any criminal offense and, if so, when, where and for which criminal offense;
- A statement that he/she is not a member of any political organization

Q93 (2025): no prior convictions or criminal proceedings
regarding age, no specific age as a criteria is established by the law. The conditions are related to the ages of relevant experience and there is a general labour rules for age of retirement.

Q93 (2024): no prior convictions or criminal proceedings
regarding age, no specific age as a criteria is established by the law. The conditions are related to the ages of relevant experience and there is a general labour rules for age of retirement.

Q93 (2023): no prior convictions or criminal proceedings
regarding age, no specific age as a criteria is established by the law. The conditions are related to the ages of relevant experience and there is a general labour rules for age of retirement.

Q93 (2022): no prior convictions or criminal proceedings
regarding age, no specific age as a criteria is established by the law. The conditions are related to the ages of relevant experience and there is a general labour rules for age of retirement.

Q94 (General Comment): According to the Constitution, Judicial Council elects the judges and court presidents. The Law on Judicial Council and Judges and the Rules of Procedure of Judicial Council regulate the procedure for the selection of judges and court presidents. The Judicial Council conducts the procedure for the selection of judges and makes decisions on election of judges after the procedure is completed.

Q95 (General Comment): The public announcement is published on the web site of the Judicial Council, in one daily printed media and in the Official Gazette of Montenegro.

Q96 (General Comment): Link to the Law on Judicial Council and judges- articles 47-51
Criteria for Appointment of Judges Appointed for the First Time
Article 47 -The criteria for appointment of judges appointed for the first time shall be: 1) Grade on the written test referred to in Article 48 of the present Law, or the grade on the bar exam, in accordance with the law governing the bar exam; 2) Evaluation of the interview with the candidate.
Written Testing Article 48- The Judicial Council shall conduct written testing of persons appointed as judges of Basic Court for the first time, who meet the statutory requirements and whose applications are timely and complete, through a commission consisting of three members of the Judicial Council, of which two from among the judges and one from among eminent lawyers. Written testing shall not be conducted for the persons referred to in paragraph 1 of this Article who received grades at the bar examination. The written test shall be prepared by the commission referred to in paragraph 1 of this Article, and shall include drafting of decisions in criminal and civil matters. The written test shall be answered under a code. Assessment of the written test shall be performed by a certain number of points awarded for the decision form, the application of law and the rationale of the decision, in such a manner that the maximum of 80 points may be achieved, of which up to 40 for drafting a decision in the criminal field and up to 40 for drafting a decision in the civil field. The written test shall be examined by the commission referred to in paragraph 1 of this Article, which shall submit it, along with proposed grade, to all members of the Judicial Council. The Judicial Council shall determine the grade at the written test. Implementation of the written testing shall be governed by the Rules of Procedure of the Judicial Council.
Interview Article 49 -The Judicial Council shall conduct an interview with persons who have achieved a score of more than 60 points in the written test or the bar exam. At an interview, the following shall be evaluated: - Motivation for work in court; - Communication skills;
- Ability to make decisions and resolve conflicts; - Comprehension of the role of a judge in society. Evaluation based on criteria referred to in paragraph 2 of this Article shall be exercised in such a manner that each member of the Judicial Council shall determine the number of points awarded to each person, where a person may achieve a maximum of 20 points at an interview. The final grade at an interview
shall be the average number of points, which is determined based on the number of points awarded by each member of the Judicial Council. A person who, based on the interview evaluation, scores less than 15 points at an interview may not be on the ranking list of candidates for judges. While conducting an interview, the Judicial Council may use the expert assistance of psychologists.
Ranking List of Candidates for Judges- Article 50 On the basis of grades in the written test or the bar exam and interview evaluation, the ranking list of candidates for judges shall be made (hereinafter: the ranking list), according to the number of points achieved. If two candidates in the ranking list have the same number of points, the preference shall be given to a candidate who has scored more points on a written test or the bar exam, and if candidates have scored the same number of points on the written test or the bar exam, the preference shall be given to the candidate who is a member of a minority or other minority ethnic community. If preference among candidates may not be determined in the manner referred to in paragraph 2 of this Article, the Judicial Council shall select a candidate through vote by secret ballot.
Appointment and Assignment of Candidates for Judges- Article 51 The Judicial Council shall make a decision on the appointment of as many candidates for judges as advertised

Q98 (General Comment): Administrative Court of Montenegro - Law on Administrative dispute proscribes entire procedure.
Q98 (2025): A candidate can challenge the Judicial Council's decision on judge appointments by filing a case with the Administrative Court of Montenegro

Q99 (General Comment): The Program Committee for Initial Training of the Center for Training in Courts and State Prosecution Office, after completing the theoretical part of the Initial training that lasts 6 months and of the practical part of training that lasts 12 months, establishes the Final proposal of the grade for theoretical and practical part of training, and on the basis of Article 44 paragraph 5 of the Law on Center for Training in Courts and State Prosecution Office submits this Final proposal of grades of the selected candidates for judges to the Judicial Council. The Judicial Council, on the basis of the Report of the legal entity authorized for training judges and mentors in the conducted training, on the basis of the Law on Judicial Council and Judges and the Final proposal of the grades, brings a decision determining the grade of the proposed candidate.

Q99 (2025): The criteria for appointment of judges appointed for the first time shall be: 1) Grade on the written test referred to in Article 48 of the present Law, or the grade on the bar exam, in accordance with the law governing the bar exam; 2) Evaluation of the interview with the candidate.

Q104 (General Comment): Candidates who are not elected have the possibility to file lawsuit to the Administrative court of Montenegro. Such procedure is defined by the Law on Administrative Dispute.
Article 52 of the Law on Judicial Council and Judges : ”A person who applied for the public announcement for the appointment of judges in the Basic Court shall have the right to inspect the documents, written test and the grades of persons who have applied for this public announcement, within 15 days from the date of the decision on the assignment of candidates for judges. The persons referred to in paragraph 1 of this Article may initiate an administrative dispute against the decision of the Judicial Council referred to in Article 51, paragraph 1 of the present Law.”
Q107 (General Comment): The judge ceases to be in office if he or she so requests, when he or she fulfills the conditions for entitlement to the retirement and is sentenced to a unconditional sentence.
A judge shall be dismissed if he has been convicted of an offense which makes him unworthy of performing his judicial office;
unprofessional or negligent performance of judicial office or if permanently incapacitated for the performance of judicial office.
Q107 (2025): The termination of a judge’s office occurs by law (age limit, personal request) or by a decision of the Judicial Council due to dismissal for the most serious disciplinary offenses. A judge’s most serious disciplinary offense is when they are convicted of an act that makes them unfit to perform judicial duties, or when they perform their judicial functions incompetently or negligently.
Q112 (General Comment): That no criminal proceedings are conducted; a medical certificate of fitness.
"Clean criminal record"- Certificate that criminal proceeding is not active against the person filing application. "Other" - Certificate of Citizenship of Montenegro; Certificate on Health Capability.
Q112 (2025): Law on the State Prosecutor’s Office (“Official Gazette of Montenegro,” Nos. 11/2015, 42/2015, 80/2017, 10/2018, 76/2020, 59/2021, 54/2024 and 92/2025), Article 39.
Q112 (2024): The criteria for applying for the procedure to become a prosecutor are defined in accordance with the Law on State Prosecution "Official Gazette of Montenegro", no. 11/2015, 42/2015, 80/2017, 10/2018, 76/2020, 59/2021 and 54/2024, articles 49 and 50

Q112 (2023): The competent authority issue relevant documents confirming that no criminal record of convictions or no criminal proceedings are being conducted against the candidate.

Q112 (2022): The competent authorities issue relevant documents confirming that no criminal record of convictions or no criminal proceedings are being conducted against the candidate.

Q113 (General Comment): The jurisdiction for selection of prosecutors and heads of prosecution offices is under the Prosecutorial Council. The Prosecutorial Council establishes the plan of vacated positions, announces the public call, receiving applications conducts the written testing procedure, performs the interview with the candidates, making decision on selection etc.
Q113 (2025): Prosecutorial Council is competent body for selection procedure.

Q114 (General Comment): In accordance with art. 57 par. 3 of the Law on State Prosecution Service, vacancies of the state prosecutors in the basic state prosecution offices on the level of Montenegro shall be advertised by the Prosecutorial Council in the Official Gazette of Montenegro and in one of the printed media with the headquarters in Montenegro

Q114 (2025): Law on the State Prosecutor's Office ("Official Gazette of Montenegro," Nos. 11/2015, 42/2015, 80/2017, 10/2018, 76/2020, 59/2021, 54/2024 and 92/2025), Article 39 and Article 57, paragraph 3.
Prosecutorial Council is authorize for public call for candidates.
Q116 (General Comment): Art. 64 of the Law on State Prosecution Service: "Rights of Applicants
Article 64
In the period of 15 days from the day on which the decision on assignment of candidates to the offices of the state prosecutors was rendered, every person who applied to the advertisement for election of the state prosecutor in the basic state prosecution offices shall be entitled to make an insight into the documents, written tests and grades of persons who applied for the advertised vacancy.
Persons referred to in paragraph 1 of this Article can initiate an administrative dispute against the decision of the Prosecutorial Council referred to in Article 63 paragraph 1 of this Law."
Q116 (2025): Law on the State Prosecutor's Office ("Official Gazette of Montenegro," Nos. 11/2015, 42/2015, 80/2017, 10/2018, 76/2020, 59/2021, 54/2024 and 92/2025), Article 30, paragraph 3.
Non-pre-selected candidates may appeal to the Administrative court.
Q117 (General Comment): In accordance with art. 40 par. 1 of the Law on State Prosecution Service, decisions of the Prosecutorial Council shall be final and administrative dispute may be initiated against them, unless this Law requires otherwise.
Q117 (2025): Administrative Court of Montenegro.

Q117 (2024): Administrative court
Q117 (2023): Administrative court
Q117 (2022): Administrative court
Q118 (General Comment): That the candidate for the state prosecutor receives grade "satisfactory" at initial training (the practical part of the training is conducted at the Basic State Prosecutor's Office in Podgorica and the theoretical part is at the Center for Training in Judiciary and State Prosecution).
Q119 (2025): Recording is carried out exclusively for the purposes of the sessions of the Prosecutorial Council.

Q122 (General Comment): State prosecutor candidates shall complete initial training that consists of theoretical and practical part and takes at least 18 months.
The Prosecutorial Council shall elect the state prosecutor candidate who was given the grade satisfactory in the initial training to the office of the state prosecutor in the basic state prosecution office he/she was assigned to. The right to a selection of the basic state prosecution office in which he/she will be assigned, candidate for state prosecutor exercises in order from the Ranking list from art. 62 of this Law.
The Prosecutorial Council shall make a decision on deployment to the basic prosecution office of elected state prosecutors based on the right to of candidate the election referred to in para. 2 above. (Law on State Prosecution Service)
Q122 (2024): The Prosecutor's Council selects and appoints candidates for state prosecutors
Q124 (General Comment): The candidate has the right to file an action with the Administrative Court.
Q124 (2025): Law on the State Prosecutor's Office ("Official Gazette of Montenegro," Nos. 11/2015, 42/2015, 80/2017, 10/2018, 76/2020, 59/2021, 54/2024 and 92/2025), Article 40, paragraph 3.
Q124 (2023): Administrative court
Q124 (2022): Administrative court
Q125 (2025): Also, Ethic and and complaints about the work of the prosecutor.
Q126 (General Comment): The function of the state prosecutor is permanent. Exceptionally, a person elected for the first time as a state prosecutor is elected for a term of 4 years. The Supreme State Prosecutor and the heads of state prosecutor's offices are elected for a term of five years.
The head of the state prosecutor's office and the state prosecutor shall be relieved of his / her duties if he / she is sentenced to unconditional imprisonment by a final judgment. Dismissal shall be pronounced for the most serious disciplinary offenses: 1) if he / she is convicted of 2) if he performs the prosecutorial function unprofessionally and unscrupulously.
The function of the State Prosecutor shall cease: 1) upon the expiration of the mandate; 2) resignation; 3) fulfilling the conditions for old-age pension; 4) termination of citizenship. The position of the head of the State Prosecutor's Office shall cease when: 1) the term for which he was elected expires; 2) his prosecutorial function ceases; 3) request it himself or in the case of abolition or merger of state prosecutor's offices. ,

Q126 (2025): Individuals appointed as State Prosecutors for the first time are elected for a four-year term, after which they may be appointed to a permanent position.
Q127 (2022): The mandate of the prosecutors that are selected for the first time lasts for 4 years, after which they have the right to apply for a permanent position if they satisfied criteria during the initial 4 year term period.
Q128 (General Comment): Prosecutorial Council
Q128 (2025): The mandate of the prosecutors that are selected for the first time lasts for 4 years, after which they have the right to apply for a permanent position if they satisfied criteria during the initial 4 year term period.
Q128 (2024): The mandate of the prosecutors that are selected for the first time lasts for 4 years, after which they have the right to apply for a permanent position if they satisfied criteria during the initial 4 year term period.
Q128 (2023): The mandate of the prosecutors that are selected for the first time lasts for 4 years, after which they have the right to apply for a permanent position if they satisfied criteria during the initial 4 year term period.

Q128 (2022): The mandate of the prosecutors that are selected for the first time lasts for 4 years, after which they have the right to apply for a permanent position if they satisfied criteria during the initial 4 year term period.
Q129 (General Comment): In accordance with art. 40 par. 1 of the Law on State Prosecution Service, decisions of the Prosecutorial Council shall be final and administrative dispute may be initiated against them, unless this Law requires otherwise.

North Macedonia
Q93 (General Comment): Law on Academy for judges and public prosecutors
Article 57, p.1
(1) Conditions for admission of a person to initial training shall be:
- be a law graduate with a four-year higher education VII / I degree in law studies or a law graduate that has acquired 300 credits under the European credit - transfer system (ECTS)
- to have passed the bar exam,
- to have work experience of at least two years in legal affairs after passing the bar exam,
- prohibition on practicing profession, performing an activity or duty not to be pronounced,
- to be a citizen of the Republic of Macedonia,
- to be fluent in Macedonian language,
- to be proficient in one of the three most commonly used languages of the European Union (English, French or German), which is determined with the entrance exam on the Academy.
- Practical work with computers and
- Be able to work and have general health capability.
Criminal code
Prohibition on practicing profession, performing an activity or duty
Article 38-b
(1) The court may prohibit the offender, sentenced to imprisonment or probation stipulating imprisonment, from performing a certain profession or activity, duties or works related to acquiring, disposal, use, management and handling of property or related to keeping of that property, if the offender has abused his profession, activity or duty in order to commit a crime and if, based on the nature of the committed crime and the circumstances for the crime, one may expect that such activity will be abused by the offender for further commission of a crime.
(2) The sentence referred to in paragraph (1) of this Article shall as well refer to a prohibition to perform duty of an official person, responsible person in a legal entity or person performing activities of public interest.
(3) In the cases determined by law it can be prescribed mandatory imposing of the prohibition together with the imprisonment sentence, in duration of at least six months.
(4) The court shall determine the duration of the prohibition referred in paragraph (1), which may not be shorter than one or longer than ten years, as of the day of the legal validity of the decision, whereas the time spent in imprisonment shall not be calculation in the duration of the prohibition.
(5) When sentencing on probation, the court may determine that such probation shall be revoked should the offender violate the prohibition from performing profession, activity or duty.

Q93 (2025): The Law on the Academy for judges and prosecutors
Initial Training Admission Requirements Article 31 (1)The initial training admission requirements shall be as follows: – bachelor of law with completed four-year higher education VII/I degree of studies of law or bachelor of law with acquired 300 credits according to the European Credit Transfer System (ECTS),
- passed bar exam, - at least two years of service in legal matters following the passing of the bar exam, - without pronounced measure prohibiting the execution of a profession, activity or duty, - to be a citizen of the Republic of North Macedonia, - active knowledge of the Macedonian language, - knowledge of one of the three most commonly used languages of the European Union, level B1 (English, French or German), which can be determined within the entry exam in the Academy, - practical work with computers and - capable to work and with general medical fitness.
Q93 (2024): The Law on the Academy for judges and prosecutors
Initial Training Admission Requirements Article 31 (1)The initial training admission requirements shall be as follows: – bachelor of law with completed four-year higher education VII/I degree of studies of law or bachelor of law with acquired 300 credits according to the European Credit Transfer System (ECTS),
- passed bar exam, - at least two years of service in legal matters following the passing of the bar exam, - without pronounced measure prohibiting the execution of a profession, activity or duty, - to be a citizen of the Republic of North Macedonia, - active knowledge of the Macedonian language, - knowledge of one of the three most commonly used languages of the European Union, level B1 (English, French or German), which can be determined within the entry exam in the Academy, - practical work with computers and - capable to work and with general medical fitness.
Q93 (2023): The Law on the Academy for judges and prosecutors
Initial Training Admission Requirements Article 31 (1)The initial training admission requirements shall be as follows: – bachelor of law with completed four-year higher education VII/I degree of studies of law or bachelor of law with acquired 300 credits according to the European Credit Transfer System (ECTS),
- passed bar exam, - at least two years of service in legal matters following the passing of the bar exam, - without pronounced measure prohibiting the execution of a profession, activity or duty, - to be a citizen of the Republic of North Macedonia, - active knowledge of the Macedonian language, - knowledge of one of the three most commonly used languages of the European Union, level B1 (English, French or German), which can be determined within the entry exam in the Academy, - practical work with computers and - capable to work and with general medical fitness.

Q94 (General Comment): The entrance exam is taken before the Commission for an entrance exam. The Commission is composed of a chair and nine members and their deputies for a term of two exam sessions.The Managing Board appoints and constitutes the Committee: four members and their deputies on a proposal of the Judicial Council of the Republic of Macedonia from the ranks of judges, two members and their deputies on a proposal of the Council of Public Prosecutors Macedonia from the ranks of public prosecutors and one deputy member of the Association of Judges of the Republic of Macedonia, a member and the deputy of the Association of Public Prosecutors, one member and deputy on the proposal of the Minister of Justice from the managing administrative staff at the Ministry of Justice and a member and the Deputy and professional - psychologist. For the President, members and deputy members of the Commission may be selected judges and prosecutors, as well as senior administrative officers of the Ministry of Justice in previous professional career is distinguished by its professionalism, ethics, proven results and that enjoy high reputation in judiciary. President of the Commission, the Management Board elected from among the judges and public prosecutors.
The members and alternates of the Board, the Programming Council, the Commission for the final examination, the director of the Academy, as well as trainers and mentors at that time engaged in initial training, cannot be members of the Commission. Member of the Commission may not be the chair or the members of the Judicial Council of the Republic of Macedonia or the Council of Public Prosecutors, the Minister and the Deputy Minister of Justice.
The Management Board shall be the managing body of the Academy and shall be composed of nine members. Four members and their deputies in the Management Board shall be proposed by the Judicial Council of the Republic of Macedonia in this manner: one member from the ranks of the judges of the Supreme Court of the Republic of Macedonia, from the courts of appeal, from the basic courts, and one member from the Administrative Court or the Higher Administrative Court. Four members and their deputies in the Management Board shall be proposed by the Council of Public Prosecutors in this manner: one member from the ranks of the public prosecutors in the Public Prosecutor's Office of Republic of Macedonia, from the higher public prosecutor's offices, from the basic public prosecutor's offices, and from the public prosecutor's office for organized crime and corruption. The Minister of Justice shall appoint one member and his deputy from the senior administrative officials in the Ministry of Justice. The director of the Academy (hereinafter referred to as: the Director) without the right to vote, shall participate in the work of the Management Board.

Q94 (2025): Competent authority for entrance in the initial training of the Academy for Judges and public Prosecutors is Commission for entrance exam. The Management Board of the Academy appoints the members of the Commission for entrance exam in the following composition: two members and their deputies upon proposal of the Judicial Council from among the judges, two members and their deputies upon proposal of the Council of Public Prosecutors from among the public prosecutors, one member and his/her deputy from the Association of judges, one member and his/her deputy from the Association of public prosecutors, one member and his/her deputy upon proposal of the Minister of Justice from among the managerial administrative servants in the Ministry of Justice.
Q94 (2024): Competent authority for entrance in the initial training of the Academy for Judges and public Prosecutors is Commission for entrance exam. The Management Board of the Academy appoints the members of the Commission for entrance exam in the following composition: two members and their deputies upon proposal of the Judicial Council from among the judges, two members and their deputies upon proposal of the Council of Public Prosecutors from among the public prosecutors, one member and his/her deputy from the Association of judges, one member and his/her deputy from the Association of public prosecutors, one member and his/her deputy upon proposal of the Minister of Justice from among the managerial administrative servants in the Ministry of Justice.
Q94 (2023): Competent authority for enterance in the initial training of the Academy for Judges and public Prosecutors is Commission for enterance exam. The Management Board of the Academy appoints the members of the Commission for enterance exam in the following composition: two members and their deputies upon proposal of the Judicial Council from among the judges, two members and their deputies upon proposal of the Council of Public Prosecutors from among the public prosecutors, one member and his/her deputy from the Association of judges, one member and his/her deputy from the Association of public prosecutors, one member and his/her deputy upon proposal of the Minister of Justice from among the managerial administrative servants in the Ministry of Justice.

Q97 (2025): Following the expiry of the application deadline, the Commission for entrance exam shall, with a decision, reject the untimely and incomplete applications. The applicant shall within two working days as of the receipt of the decision be entitled to lodge a complaint with the Management Board of the Academy. The Management Board shall reach the decision on the complaint within two working days.
Q97 (2024): Following the expiry of the application deadline, the Commission for entrance exam shall, with a decision, reject the untimely and incomplete applications. The applicant shall within two working days as of the receipt of the decision be entitled to lodge a complaint with the Management Board of the Academy. The Management Board shall reach the decision on the complaint within two working days.
Q97 (2023): Following the expiry of the application deadline, the Commission for enterance exam shall, with a decision, reject the untimely and incomplete applications. The applicant shall within two working days as of the receipt of the decision be entitled to lodge a complaint with the Management Board of the Academy. The Management Board shall reach the decision on the complaint within two working days.
Q98 (General Comment): Right of appeal
Article 88
(1) Candidate dissatisfied with the resulting grade is entitled to appeal to the Commission for an entrance exam within 3 days from the date of announcement of the results on the official website and on the notice board of the Academy.
(2) Commission for entrance examination is obliged to decide on the complaint within 2 days from the date of receipt of the appeal at the Academy.
(3) Against the decision of the Commission for the entrance exam, dissatisfied candidate has the right to appeal to the Management Board within 8 days of receipt.
(4) The Management Board's decision on the appeal is taken within three days from the deadline for submission of appeals against the decisions of the Commission under Article 67 of this Law.
(5) At the meeting of the Board that considers the appeal, the chair of Commission or a member appointed by him also takes part without right to vote.
(6) The Board of Directors accepts by the conclusion or rejects the appeal of the candidate, and untimely appeals are rejected and a copy of the brief is submitted to the applicant.
(7) If the Board accepts the appeal of the applicant, it will oblige the Commission to again review also grading of the candidate's qualification test.
(8) Against the decision of the Board under paragraph (7) of this Article, dissatisfied applicant within three days of receipt may initiate an administrative dispute before the Administrative Court.
(9) Upon the lawsuit referred to in paragraph 8 of this Article, the Administrative Court shall decide within 5 days.
(10) Against the decision of the Administrative Court under paragraph 9 of this Article, an appeal may be sent to the Higher Administrative Court within three days of receipt of the decision of the Administrative Court.
(11) The Higher Administrative Court on appeal under paragraph 10 of this Article shall decide within 7 days of receiving the appeal.

Q98 (2025): The Management Board of the Academy is competent to decide on complaints of applicants.
Q98 (2024): The Management Board of the Academy is competent to decide on complaints of applicants.
Q98 (2023): The Management Board of the Academy is competend to decide on complaints of aplicants.

Q99 (General Comment): Judicial Council adopted the Rulebook on the method of ranking candidates for judges from the Academy for Judges and Public Prosecutors, available at http://www.sud.mk/wps/portal/ssrm/sud/legislativa/podzakonski-akti/!ut/p/z1/hZHNTsMwEISfpYcc8W5-6hpukRAJBalwME33gtLIJJHquHKd5vVbtyckcPa20nyzox0gqICG-ty3tevNUB-u-474Ny-yDMUbvhfxRmAuN5I_li_Jc7GCbUggZQoU5r-AgJrRWjU42Dk7qrClZ7wl_jM5hvn152ykOx84MMvTXEQKedwihgT-rWugfq_Z1GiGTMTpMk0EX2ZJJlY89rXlwz4VLZBVP8oqy0Z7bbNz7nh6ijDCaZpYa0x7UKwxOsK_kM6cHFS_lVCivx0Od9RSP0hZYf-ht8KJ13yxuAAllS7M/p0/IZ7_6G4408K0LG1O80AUOU69HF2DO7=CZ6_6G4408K0LG1O80AUOU69HF2DG7=MECTX!QCPsovet_mkQCPSudQCPLegislativaQCPPodzakonskiQCAaktiQCPPodzakonskiQCAakti=ns_Z7_6G4408K0LG1O80AUOU69HF2DO7_WCM_Page.7e4d7b72-297c-4395-bbd7-4f25f1b2c8cf!2=WCM_PI!1==/#Z7_6G4408K0LG1O80AUOU69HF2DO7

Q99 (2025): To pass the final exam on the initial training within the Academy for Judges and Public Prosecutors.
Q99 (2024): To pass the final exam on the initial training within the Academy for Judges and Public Prosecutors.
Q99 (2023): To pass the final exam on the initial training within the Academy for Judges and Public Prosecutors.
Q100 (2025): Final exam consists written part, moot court and oral part
Q101 (2025): Commission for final exam within Academy.
Q101 (2024): Commission for final exam within Academy.
Q101 (2023): Commission for final exam within Academy.
Q104 (General Comment): Law on Judicial Council, article 49, paragraph 5
The candidate who is not selected as a judge shall have the right to appeal in front the Appeal Council at the Supreme Court of the Republic of North Macedonia within a period of eight days as of the day of receipt of the information in a way and procedure prescribed by this law.
The Appeal Council in the Supreme court against a decision for election and promotion on judges is composed from five members and their deputies from the rank of the judges in the Supreme court. The members on this council are elected by the President of the Supreme court with the yearly working plan.
This Council is responsible to decide only about submitted appeals by the judge against decisions on the Judicial council for election on a judge in a Basic court, promotion on a judge and election on a president of the court.
Q105 (2025): Appeal Council within the Supreme Court is competent to decide on the appeal of candidate who is not appointed by the Judicial Council.
Q105 (2024): Appeal Council within the Supreme Court is competent to decide on the appeal of candidate who is not appointed by the Judicial Council.
Q105 (2023): Appeal Council within the Supreme Court is competent to decide on the appeal of candidate who is not appointed by the Judicial Council.

Q106 (General Comment): The integrity of candidate judge is checked with a conducting on a psychological and integrity test by the Judicial Council according to the article 45-a from the Law on courts.
Article 45-a
(1) The psychological test, conducted by the Judicial Council of the Republic of Macedonia, shall aim at affirming the candidates for exercising the judicial office by checking their social skills.
(2) The integrity test that is conducted by the Judicial Council of the Republic of Macedonia shall be founded on the existing ethical and professional codes for exercising the judicial office and shall aim at checking the ethical and moral values of the candidate for exercising the judicial office, and shall consist of:
- test that is conducted in a written form and anonymously, based on the standardized list of questions, and - abolished
(3) The Judicial Council of the Republic of Macedonia, when conducting the psychological test and the integrity test, shall be obliged to take into account the protection of the personal data, reputation and dignity of the candidate in accordance with the law.
(4) The Judicial Council of the Republic of Macedonia shall engage experts from an independent and fully accredited professional institution for conducting the psychological test and the first part of the integrity test.
(5) The psychological test shall be conducted on the basis of internationally recognized psychological tests for exercising the judicial office that are applied in at least one of the member states of the European Union and the OECD.
Q107 (General Comment): The official age of 64 years is new compulsory age for retirement in North Macedonia.
With the amendments to the Labor Law from February 2025, there is a possibility for judges to prolong their retirement until 67.
Q107 (2025): With the amendments to the Labor Law from February 2025, there is a possibility for judges to prolong their retirement until 67.
Q107 (2024): With the amendments to the Labor Law from February 2025, there is a possibility for judges to prolong their retirement until 67.
Q107 (2022): In 2022, the official compulsory age of retirement is 64 years (please, see the general comment). As a right to gender equality, women can choose the age between 62-64 for retirement.

Q112 (General Comment): Law on Academy for judges and public prosecutors
Article 57, p.1
(1) Conditions for admission of a person to initial training shall be:
- be a law graduate with a four-year higher education VII / I degree in law studies or a law graduate that has acquired 300 credits under the European credit - transfer system (ECTS)
- to have passed the bar exam,
- to have work experience of at least two years in legal affairs after passing the bar exam,
- prohibition on practicing profession, performing an activity or duty not to be pronounced,
- to be a citizen of the Republic of Macedonia,
- to be fluent in Macedonian language,
- to be proficient in one of the three most commonly used languages of the European Union (English, French or German), which is determined with the entrance exam on the Academy.
- Practical work with computers and
- Be able to work and have general health capability.
Criminal code
Prohibition on practicing profession, performing an activity or duty
Article 38-b
(1) The court may prohibit the offender, sentenced to imprisonment or probation stipulating imprisonment, from performing a certain profession or activity, duties or works related to acquiring, disposal, use, management and handling of property or related to keeping of that property, if the offender has abused his profession, activity or duty in order to commit a crime and if, based on the nature of the committed crime and the circumstances for the crime, one may expect that such activity will be abused by the offender for further commission of a crime.
(2) The sentence referred to in paragraph (1) of this Article shall as well refer to a prohibition to perform duty of an official person, responsible person in a legal entity or person performing activities of public interest.
(3) In the cases determined by law it can be prescribed mandatory imposing of the prohibition together with the imprisonment sentence, in duration of at least six months.
(4) The court shall determine the duration of the prohibition referred in paragraph (1), which may not be shorter than one or longer than ten years, as of the day of the legal validity of the decision, whereas the time spent in imprisonment shall not be calculation in the duration of the prohibition.
(5) When sentencing on probation, the court may determine that such probation shall be revoked should the offender violate the prohibition from performing profession, activity or duty.

Q112 (2025): The Law on the Academy for judges and prosecutors
Initial Training Admission Requirements Article 31 (1)The initial training admission requirements shall be as follows: – bachelor of law with completed four-year higher education VII/I degree of studies of law or bachelor of law with acquired 300 credits according to the European Credit Transfer System (ECTS),
- passed bar exam, - at least two years of service in legal matters following the passing of the bar exam, - without pronounced measure prohibiting the execution of a profession, activity or duty, - to be a citizen of the Republic of North Macedonia, - active knowledge of the Macedonian language, - knowledge of one of the three most commonly used languages of the European Union, level B1 (English, French or German), which can be determined within the entry exam in the Academy, - practical work with computers and - capable to work and with general medical fitness.
Q112 (2024): The Law on the Academy for judges and prosecutors
Initial Training Admission Requirements Article 31 (1)The initial training admission requirements shall be as follows: – bachelor of law with completed four-year higher education VII/I degree of studies of law or bachelor of law with acquired 300 credits according to the European Credit Transfer System (ECTS),
- passed bar exam, - at least two years of service in legal matters following the passing of the bar exam, - without pronounced measure prohibiting the execution of a profession, activity or duty, - to be a citizen of the Republic of North Macedonia, - active knowledge of the Macedonian language, - knowledge of one of the three most commonly used languages of the European Union, level B1 (English, French or German), which can be determined within the entry exam in the Academy, - practical work with computers and - capable to work and with general medical fitness.
Q112 (2023): The Law on the Academy for judges and prosecutors
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- passed bar exam, - at least two years of service in legal matters following the passing of the bar exam, - without pronounced measure prohibiting the execution of a profession, activity or duty, - to be a citizen of the Republic of North Macedonia, - active knowledge of the Macedonian language, - knowledge of one of the three most commonly used languages of the European Union, level B1 (English, French or German), which can be determined within the entry exam in the Academy, - practical work with computers and - capable to work and with general medical fitness.

Q113 (General Comment): The entrance exam is taken before the Commission for an entrance exam. The Commission is composed of a chair and nine members and their deputies for a term of two exam sessions.The Managing Board appoints and constitutes the Committee: four members and their deputies on a proposal of the Judicial Council of the Republic of Macedonia from the ranks of judges, two members and their deputies on a proposal of the Council of Public Prosecutors Macedonia from the ranks of public prosecutors and one deputy member of the Association of Judges of the Republic of Macedonia, a member and the deputy of the Association of Public Prosecutors, one member and deputy on the proposal of the Minister of Justice from the managing administrative staff at the Ministry of Justice and a member and the Deputy and professional - psychologist. For the President, members and deputy members of the Commission may be selected judges and prosecutors, as well as senior administrative officers of the Ministry of Justice in previous professional career is distinguished by its professionalism, ethics, proven results and that enjoy high reputation in judiciary. President of the Commission, the Management Board elected from among the judges and public prosecutors.
The members and alternates of the Board, the Programming Council, the Commission for the final examination, the director of the Academy, as well as trainers and mentors at that time engaged in initial training, cannot be members of the Commission. Member of the Commission may not be the chair or the members of the Judicial Council of the Republic of Macedonia or the Council of Public Prosecutors, the Minister and the Deputy Minister of Justice.
The Management Board shall be the managing body of the Academy and shall be composed of nine members. Four members and their deputies in the Management Board shall be proposed by the Judicial Council of the Republic of Macedonia in this manner: one member from the ranks of the judges of the Supreme Court of the Republic of Macedonia, from the courts of appeal, from the basic courts, and one member from the Administrative Court or the Higher Administrative Court. Four members and their deputies in the Management Board shall be proposed by the Council of Public Prosecutors in this manner: one member from the ranks of the public prosecutors in the Public Prosecutor's Office of Republic of Macedonia, from the higher public prosecutor's offices, from the basic public prosecutor's offices, and from the public prosecutor's office for organized crime and corruption. The Minister of Justice shall appoint one member and his deputy from the senior administrative officials in the Ministry of Justice. The director of the Academy (hereinafter referred to as: the Director) without the right to vote, shall participate in the work of the Management Board.

Q113 (2025): Competent authority for entrance in the initial training of the Academy for Judges and public Prosecutors is Commission for entrance exam. The Management Board of the Academy appoints the members of the Commission for entrance exam in the following composition: two members and their deputies upon proposal of the Judicial Council from among the judges, two members and their deputies upon proposal of the Council of Public Prosecutors from among the public prosecutors, one member and his/her deputy from the Association of judges, one member and his/her deputy from the Association of public prosecutors, one member and his/her deputy upon proposal of the Minister of Justice from among the managerial administrative servants in the Ministry of Justice.
Q113 (2024): Competent authority for entrance in the initial training of the Academy for Judges and public Prosecutors is Commission for entrance exam. The Management Board of the Academy appoints the members of the Commission for entrance exam in the following composition: two members and their deputies upon proposal of the Judicial Council from among the judges, two members and their deputies upon proposal of the Council of Public Prosecutors from among the public prosecutors, one member and his/her deputy from the Association of judges, one member and his/her deputy from the Association of public prosecutors, one member and his/her deputy upon proposal of the Minister of Justice from among the managerial administrative servants in the Ministry of Justice.

Q113 (2023): Competent authority for enterance in the initial training of the Academy for Judges and public Prosecutors is Commission for enterance exam. The Management Board of the Academy appoints the members of the Commission for enterance exam in the following composition: two members and their deputies upon proposal of the Judicial Council from among the judges, two members and their deputies upon proposal of the Council of Public Prosecutors from among the public prosecutors, one member and his/her deputy from the Association of judges, one member and his/her deputy from the Association of public prosecutors, one member and his/her deputy upon proposal of the Minister of Justice from among the managerial administrative servants in the Ministry of Justice.

Q116 (2025): Following the expiry of the application deadline, the Commission for entrance exam shall, with a decision, reject the untimely and incomplete applications. The applicant shall within two working days as of the receipt of the decision be entitled to lodge a complaint with the Management Board of the Academy. The Management Board shall reach the decision on the complaint within two working days.

Q116 (2024): Following the expiry of the application deadline, the Commission for entrance exam shall, with a decision, reject the untimely and incomplete applications. The applicant shall within two working days as of the receipt of the decision be entitled to lodge a complaint with the Management Board of the Academy. The Management Board shall reach the decision on the complaint within two working days.

Q116 (2023): Following the expiry of the application deadline, the Commission for enterance exam shall, with a decision, reject the untimely and incomplete applications. The applicant shall within two working days as of the receipt of the decision be entitled to lodge a complaint with the Management Board of the Academy. The Management Board shall reach the decision on the complaint within two working days.

Q117 (General Comment): Right of appeal
Article 88
(1) A candidate dissatisfied with the resulting grade is entitled to appeal to the Commission for an entrance exam within 3 days from the date of announcement of the results on the official website and on the notice board of the Academy.
(2) The Commission for entrance examination is obliged to decide on the complaint within 2 days from the date of receipt of the appeal at the Academy.
(3) Against the decision of the Commission for the entrance exam, dissatisfied candidate has the right to appeal to the Management Board within 8 days of receipt.
(4) The Management Board's decision on the appeal is taken within three days from the deadline for submission of appeals against the decisions of the Commission under Article 67 of this Law.
(5) At the meeting of the Board that considers the appeal, the chair of Commission or a member appointed by him also takes part without right to vote.
(6) The Board of Directors accepts by the conclusion or rejects the appeal of the candidate, and untimely appeals are rejected and a copy of the brief is submitted to the applicant.
(7) If the Board accepts the appeal of the applicant, it will oblige the Commission to again review also grading of the candidate's qualification test.
(8) Against the decision of the Board under paragraph (7) of this Article, dissatisfied applicant within three days of receipt may initiate an administrative dispute before the Administrative Court.
(9) Upon the lawsuit referred to in paragraph 8 of this Article, the Administrative Court shall decide within 5 days.
(10) Against the decision of the Administrative Court under paragraph 9 of this Article, an appeal may be sent to the Higher Administrative Court within three days of receipt of the decision of the Administrative Court.
(11) The Higher Administrative Court on appeal under paragraph 10 of this Article shall decide within 7 days of receiving the appeal.
Law on Academy for Judges and Public Prosecutors
II. BODIES OF THE ACADEMY
Article 10
Bodies of the Academy are the Management Board, the director, the deputy director and the Program Council.
Management board
Article 11
(1) The Management Board is the management body of the Academy and consists of 9 members.
(2) Four members and their deputies in the Management Board are proposed by the Judicial Council of Republic of Macedonia and one member each from the ranks of judges from the Supreme Court of The Republic of Macedonia, from the appellate courts, from the basic courts, as well as one member from the Administrative Court or from the Higher Administrative Court.

Q117 (2025): The Management Board of the Academy is competent to decide on complaints of applicants.
Q117 (2024): The Management Board of the Academy is competent to decide on complaints of applicants.
Q117 (2023): The Management Board of the Academy is competend to decide on complaints of aplicants.

Q118 (General Comment): Law on the Public Prosecutors Council
Election of a public prosecutor in the basic public prosecution offices
Article 37
(1) The Council shall elect a public prosecutor in a Basic Public Prosecution Office according to the rating and successfulness from the list of candidates delivered by the Academy for Training of Judges and Public Prosecutors who have responded to the job advertisement, after a year of completion of the training.
(2) If a candidate does not respond to three consecutive advertisements for election of public prosecutors, the candidate shall lose the established priority from the list of candidates of the Academy for Training of Judges and Public Prosecutors.
Q118 (2025): To pass the final exam on the initial training within the Academy for judges and public prosecutors.
Q118 (2024): To pass the final exam on the initial training within the Academy for judges and public prosecutors.
Q118 (2023): To pass te final exam on the initial training within the Academy for judges and public prosecutors.
Q119 (2025): Final exam consists written part, moot court and oral part
Q120 (2025): Commission for final exam within Academy.
Q120 (2024): Commission for final exam within Academy.
Q120 (2023): Commission for final exam within Academy.
Q125 (2022): Integrity test is part of the entering exam on the Academy for judges and Public Prosecutors.
Q126 (General Comment): The official age of 64 years is new compulsory age for retirement in North Macedonia.
With the amendments to the Labor Law from February 2025, there is a possibility for judges to prolong their retirement until 67.
Q126 (2025): With the amendments to the Labor Law from February 2025, there is a possibility for public prosecutors to prolong their retirement until 67.
Q126 (2024): With the amendments to the Labor Law from February 2025, there is a possibility for public prosecutors to prolong their retirement until 67.
Q126 (2022): The official compulsory age of retirement is 64 years (see general comment). As a right to gender equality, women can choose the age between 62-64 for retirement.

Serbia

Q92 (General Comment): LAW on Judges "Official Gazette of the Republic of Serbia", No. 10 of February 9, 2023

III. ELECTION OF A JUDGE

1. Conditions for election

General conditions for election

Article 48.

A citizen of the Republic of Serbia who meets the general conditions for work in a state body, who has graduated from a law school, passed the bar exam and who is professional, qualified and worthy to perform the function of a judge may be elected as a judge.

Article 49.

After passing the bar exam, work experience in the legal profession is required:

1) two years for a misdemeanor court judge;

2) three years for a basic court judge;

3) six years for a judge of a higher court, commercial court and misdemeanor court of appeal;

4) ten years for a judge of an appellate court, commercial court of appeal and administrative court;

5) twelve years for a judge of the Supreme Court.

Article 50.

Other conditions for election of a judge are expertise, competence and dignity.

Expertise implies possession of theoretical and practical knowledge necessary for the performance of judicial functions.

Competence implies skills that enable the effective application of specific legal knowledge in resolving court cases.

Dignity implies the moral qualities that a judge should possess and behavior in accordance with those qualities.

The moral qualities that a judge should possess are: honesty, conscientiousness, fairness, dignity, perseverance and exemplary behavior, and behavior in accordance with these qualities implies preserving the reputation of the judge and the court in the service and outside it, awareness of social responsibility, maintaining independence and impartiality, reliability and dignity in the service and outside it, and assuming responsibility for the internal organization and a positive image of the judiciary in the public.

The indicators for assessing expertise, competence and dignity are prescribed by the High Judicial Council, in accordance with the law.

Article 51.

The expertise and competence of a candidate for a judge who is elected to a judicial position for the first time shall be verified in an examination organized by the High Judicial Council.

Success in the examination shall be expressed in grades from 1 to 5.

Q93 (General Comment): According to the provisions of Article 48 of the Law on Judges, a citizen of the Republic of Serbia who meets the general requirements for work in a state body, who has graduated from law school, passed the bar exam, and who is professional, capable and worthy of performing the function of a judge can be elected as a judge.
According to Art 45 od Law on civil servants a person who is legally an adult, has the nationality of the Republic of Serbia, has prescribed professional qualifications and fulfils other requirements prescribed by law, other legislation or Regulations on internal organization and systematisation of job positions may be employed as a civil servant, if his or her employment relationship was not earlier terminated due to a grave breach of obligation from the employment relationship and if he or she was not convicted by prison sentence of at least six months.

Q93 (2025): Law on Judges ("Official Gazette of RS", No. 10/2023) in Art 48 prescribe that a citizen of the Republic of Serbia who meets the general requirements for work in state authority, who has graduated from law school, passed the bar exam, who is professional and worthy of exercising the judicial function can be elected as a judge.
According to Art 45 of Law on civil servants a person who is legally an adult, has the nationality of the Republic of Serbia, has prescribed professional qualifications and fulfils other requirements prescribed by law, other legislation or Regulation on internal organisation and systematisation of job positions may be employed as a civil servant, if his or her employment relationship was not earlier terminated due to grave breach of obligation from the employment relationship and if he or she was not convicted by prison sentence of at least six months.

Q93 (2024): The Law on the Judges ("Official Gazette of RS", No. 10/2023) in Art 48 prescribes that a citizen of the Republic of Serbia who meets the general requirements for work in state authority, who has graduated from law school, passed the bar exam, who is professional and worthy of exercising the judicial function can be elected as a judge. According to Art 45 of the Law on civil servants a person who is legally an adult has the nationality of the Republic of Serbia, has prescribed professional qualifications, and fulfills other requirements prescribed by law, other legislation, or Regulation on internal organization and systematization of job positions may be employed as a civil servant if his or her employment relationship was not earlier terminated due to grave breach of obligation from the employment relationship and if he or she was not convicted by a prison sentence of at least six months.
Q93 (2023): The Law on the Judges ("Official Gazette of RS", No. 10/2023) in Art 48 prescribes that a citizen of the Republic of Serbia who meets the general requirements for work in state authority, who has graduated from law school, passed the bar exam, who is professional and worthy of exercising the judicial function can be elected as a judge.
According to Art 45 of the Law on civil servants a person who is legally an adult has the nationality of the Republic of Serbia, has prescribed professional qualifications, and fulfills other requirements prescribed by law, other legislation, or Regulation on internal organization and systematization of job positions may be employed as a civil servant if his or her employment relationship was not earlier terminated due to grave breach of obligation from the employment relationship and if he or she was not convicted by a prison sentence of at least six months.

Q94 (General Comment): According to the new Law on Judges (adopted after Constitutional changes) High Judicial Council is the only institution in charge for appoing and dismissing a judge.

Q95 (General Comment): Yes. The public competition for the election of a judge is published by the High Council of the Judiciary.
The public competition for the election of a judge is announced no later than six months before the termination of the judicial function due to the completion of the working life, that is, no later than 15 days after the termination of the judicial function if it was terminated for another reason prescribed by law.
The public competition is published in the "Official Gazette of the Republic of Serbia", a means of public information covering the territory of the Republic of Serbia and on the website of the High Council of the Judiciary.
Q95 (2024): The High Judicial Council shall announce a public competition for the election of judges. The public competition is published in the “Official Gazette of the Republic of Serbia”, other media with national coverage in the Republic of Serbia, and at the website of the High Judicial Council.
Q95 (2023): The High Judicial Council shall announce a public competition for the election of judges.
The public competition is published in the “Official Gazette of the Republic of Serbia”, other
media with national coverage in the Republic of Serbia, and at the website of the High Judicial
Council.

Q96 (General Comment): The list of candidates shall be published on the Council's website, with an indication of the date and time of publication, on the form which is an integral part of the Rulebook on manner for evaluation of expertise, competence and worthiness of candidates for judges who are being elected for the first time ("Official Gazette of RS", 7/18).
Q96 (2025): The ranking list of candidates shall be published on the Council's website, with an indication of the date and time of publication, on the form which is an integral part of the Rulebook on the procedure for the election of a judge and the president of the court (“Official Gazette of RS", No.34/2024).
Q96 (2024): The ranking list of candidates shall be published on the Council's website, with an indication of the date and time of publication, on the form which is an integral part of the Rulebook on the procedure for the election of a judge and the president of the court (“Official Gazette of RS", No.34/2024).
Q96 (2023): The ranking list of candidates shall be published on the Council's website, with an indication of the date and time of publication, on the form which is an integral part of the Rulebook on criteria and standards for evaluation of expertise, competence and worthines for the election of judges with permanent tenure to another or higher court and on criteria for proposing candidates for the court president ("Official Gazette of RS", No.94/16 and 48/23).
Q97 (General Comment): Yes.
Q97 (2025): The High Judicial Council adopts a decision on the election to the judicial function, which must be explained. The decision with the rationale is published in the “Official Gazette of the Republic of Serbia”, and at the website of the High Judicial Council.
Against the decision on the election to the judicial function, the candidate may file an appeal to the Constitutional Court within 15 days from the day of the publication of the decision in the "Official Gazette of the Republic of Serbia", which excludes the right to submit a constitutional appeal.

Q97 (2024): The High Judicial Council adopts a decision on the election to the judicial function, which must be explained. The decision with the rationale is published in the “Official Gazette of the Republic of Serbia”, and at the website of the High Judicial Council. Against the decision on the election to the judicial function, the candidate may file an appeal to the Constitutional Court within 15 days from the day of the publication of the decision in the "Official Gazette of the Republic of Serbia", which excludes the right to submit a constitutional appeal.

Q97 (2023): The High Judicial Council adopts a decision on the election to the judicial function, which must be explained. The decision with the rationale is published in the “Official Gazette of the Republic of Serbia”, and at the website of the High Judicial Council.
Against the decision on the election to the judicial function, the candidate may file an appeal to the Constitutional Court within 15 days from the day of the publication of the decision in the "Official Gazette of the Republic of Serbia", which excludes the right to submit a constitutional appeal.

Q98 (General Comment): Against the decision on the election to the post of judge, the candidate can appeal to the Constitutional Court, which excludes the right to file a constitutional appeal, within 15 days from the date of publication of the decision in the "Official Gazette of the Republic of Serbia".
The Constitutional Court is obliged to make a decision on the appeal referred to in paragraph 1 of this article within 30 days from the expiry of the deadline for filing an appeal.
The Constitutional Court can reject the appeal from paragraph 1 of this article as unfounded and confirm the decision on election to the judicial position or accept the appeal and cancel the decision on election to the judicial position.
The decision from paragraph 2 of this article with an explanation is published in the "Official Gazette of the Republic of Serbia".

Q98 (2025): The Constitutional Court is obliged to provide a decision on the appeal within 30 days from the day of the expiration of the deadline for filing the appeal.
The Constitutional Court may reject the appeal as unbased and confirm the decision on the selection to the judicial function or approve the appeal and cancel the decision on the selection to the judicial function.
Q98 (2024): Constitutional Court
The Constitutional Court is obliged to provide a decision on the appeal to the Constitutional Court within 30 days from the day of the expiration of the deadline for filing the appeal to the Constitutional Court.
The Constitutional Court may reject the appeal to the Constitutional Court as unbased and confirm the decision on the selection to the judicial function or approve the appeal to the Constitutional Court and cancel the decision on the selection to the judicial function.
Q98 (2023): Constitutional Court
Q98 (2022): Constitutional Court

Q99 (General Comment): THE LAW
ABOUT JUDGES
("Official Gazette of RS", No. 10/2023)
1. Conditions for selection
General conditions for selection
Article 48
A citizen of the Republic of Serbia who meets the general requirements for working in a state body, who has graduated from law school, passed the bar exam and who is professional, capable and worthy of performing the function of a judge can be elected as a judge.
Work experience required
Article 49
After passing the bar exam, work experience in the legal profession is required:
1) two years for the judge of the misdemeanor court;
2) three years for a basic court judge;
3) six years for a judge of the higher court, the commercial court and the Misdemeanor Court of Appeal;
4) ten years for a judge of the Court of Appeal, the Commercial Court of Appeal and the Administrative Court;
5) twelve years for a judge of the Supreme Court.
Other conditions for selection
Article 50
Other conditions for the selection of a judge are expertise, competence and worthiness.
Expertise implies having the theoretical and practical knowledge necessary to perform the function of a judge.
Competency means skills that enable effective application of specific legal knowledge in solving court cases.
Dignity implies moral qualities that a judge should possess and conduct in accordance with those qualities.
The moral qualities that a judge should possess are: honesty, conscientiousness, fairness, dignity, perseverance and exemplary behavior, and behavior in accordance with these qualities means preserving the reputation of the judge and the court in and outside the service, awareness of social responsibility, maintaining independence and impartiality, reliability and dignity in and outside the service and assuming responsibility for the internal organization and positive image of the judiciary in the public.
Indicators for the assessment of expertise, competence and worthiness are prescribed by the High Council of the Judiciary, in accordance with the law.
Determining the expertise and competence of a candidate for a judge who is elected to the position of judge for the first time

Q100 (General Comment): Minutes of the interviews are taken
Audio or video recording of the interviews are taken
A standardised questionnaire is used for all candidate
Q101 (General Comment): High Judicial Council is the only institution in charge to select judges.

Q102 (General Comment): The High Judicial Council is the only institution in charge of the appointment of a judge after the Constitutional changes. Article 150 of Serbian Constitution

The High Council of the Judiciary is an independent state body that ensures and guarantees the independence of courts, judges, presidents of courts, and lay judges.

The High Council of the Judiciary elects judges and lay judges and decides on the termination of their office, elects the president of the Supreme Court and the presidents of other courts and decides on the termination of their office, decides on the transfer and assignment of judges, determines the required number of judges and lay judges, decides on other matters of position judges, presidents of courts and lay judges and exercises other competencies determined by the Constitution and the law.According to the Law on Judges, the High Judiciary Council publishes the public competition for the selection of a judge.

The public competition for the election of a judge is published no later than six months before the termination of the judicial office due to the completion of the working life, that is, no later than 15 days after the termination of the judicial office if it was terminated for another reason prescribed by law.

The public competition is published in the "Official Gazette of the Republic of Serbia", a means of public information covering the territory of the Republic of Serbia, and on the High Judiciary Council website.

The High Judiciary Council decides on the election of a judge, which must be explained.

The decision from paragraph 1 of this article with an explanation is published in the "Official Gazette of the Republic of Serbia" and on the website of the High Judiciary Council.

The right to appeal to the Constitutional Court against the decision on election to judicial office

Article 59

Against the decision on the election of a judge, the candidate can appeal to the Constitutional Court, which excludes the right to file a constitutional appeal, within 15 days from the date of publication of the decision in the "Official Gazette of the Republic of Serbia".

The Constitutional Court is obliged to decide on the appeal referred to in paragraph 1 of this article within 30 days from the expiry of the deadline for filing an appeal.

The Constitutional Court can reject the appeal from paragraph 1 of this article as unfounded and confirm the decision on election to the judicial position or accept the appeal and cancel the decision on election to the judicial position.

The decision from paragraph 2 of this article with an explanation is published in the "Official Gazette of the Republic of Serbia".

Q102 (2024): Article 150 of Serbian Constitution

The High Council of the Judiciary is an independent state body that ensures and guarantees the independence of courts, judges, presidents of courts, and lay judges.

The High Council of the Judiciary elects judges and lay judges and decides on the termination of their office, elects the president of the Supreme Court and the presidents of other courts and decides on the termination of their office, decides on the transfer and assignment of judges, determines the required number of judges and lay judges, decides on other matters of position judges, presidents of courts and lay judges and exercises other competencies determined by the Constitution and the law.

According to the Law on Judges, the High Judiciary Council publishes the public competition for the selection of a judge.

The public competition for the election of a judge is published no later than six months before the termination of the judicial office due to the completion of the working life, that is, no later than 15 days after the termination of the judicial office if it was terminated for another reason prescribed by law.

The public competition is published in the "Official Gazette of the Republic of Serbia", a means of public information covering the territory of the Republic of Serbia, and on the High Judiciary Council website.

The High Judiciary Council decides on the election of a judge, which must be explained.

The decision from paragraph 1 of this article with an explanation is published in the "Official Gazette of the Republic of Serbia" and on the website of the High Judiciary Council.

The right to appeal to the Constitutional Court against the decision on election to judicial office

Article 59

Against the decision on the election of a judge, the candidate can appeal to the Constitutional Court, which excludes the right to file a constitutional appeal, within 15 days from the date of publication of the decision in the "Official Gazette of the Republic of Serbia". The Constitutional Court is obliged to decide on the appeal referred to in paragraph 1 of this article within 30 days from the expiry of the deadline for filing an appeal.

The Constitutional Court can reject the appeal from paragraph 1 of this article as unfounded and confirm the decision on election to the judicial position or accept the appeal and cancel the decision on election to the judicial position.

The decision from paragraph 2 of this article with an explanation is published in the "Official Gazette of the Republic of Serbia".

Q102 (2023): Article 150 of Serbian Constitution

The High Council of the Judiciary is an independent state body that ensures and guarantees the independence of courts, judges, presidents of courts, and lay judges.

The High Council of the Judiciary elects judges and lay judges and decides on the termination of their office, elects the president of the Supreme Court and the presidents of other courts and decides on the termination of their office, decides on the transfer and assignment of judges, determines the required number of judges and lay judges, decides on other matters of position judges, presidents of courts and lay judges and exercises other competencies determined by the Constitution and the law.

According to the Law on Judges, the High Judiciary Council publishes the public competition for the selection of a judge.

The public competition for the election of a judge is published no later than six months before the termination of the judicial office due to the completion of the working life, that is, no later than 15 days after the termination of the judicial office if it was terminated for another reason prescribed by law.

The public competition is published in the "Official Gazette of the Republic of Serbia", a means of public information covering the territory of the Republic of Serbia, and on the High Judiciary Council website.

The High Judiciary Council decides on the election of a judge, which must be explained.

The decision from paragraph 1 of this article with an explanation is published in the "Official Gazette of the Republic of Serbia" and on the website of the High Judiciary Council.

The right to appeal to the Constitutional Court against the decision on election to judicial office

Article 59

Against the decision on the election of a judge, the candidate can appeal to the Constitutional Court, which excludes the right to file a constitutional appeal, within 15 days from the date of publication of the decision in the "Official Gazette of the Republic of Serbia".

The Constitutional Court is obliged to decide on the appeal referred to in paragraph 1 of this article within 30 days from the expiry of the deadline for filing an appeal.

The Constitutional Court can reject the appeal from paragraph 1 of this article as unfounded and confirm the decision on election to the judicial position or accept the appeal and cancel the decision on election to the judicial position.

The decision from paragraph 2 of this article with an explanation is published in the "Official Gazette of the Republic of Serbia".

Q103 (General Comment): The High Judicial Council is the only institution in charge of the appointment of a judge.
Article 150
The High Judiciary Council is an independent state body that ensures and guarantees the independence of courts, judges, presidents of courts, and lay judges.
The High Council of the Judiciary elects judges and lay judges and decides on the termination of their office, elects the president of the Supreme Court and the presidents of other courts and decides on the termination of their office, decides on the transfer and assignment of judges, determines the required number of judges and lay judges, decides on other matters of position judges, presidents of courts and lay judges and exercises other competences determined by the Constitution and the law.
According to the Law on Judges, the High Judiciary Council publishes the public competition for the selection of a judge.
The public competition for the election of a judge is published no later than six months before the termination of the judicial office due to the completion of the working life, that is, no later than 15 days after the termination of the judicial office if it was terminated for another reason prescribed by law.
The public competition is published in the "Official Gazette of the Republic of Serbia", a means of public information covering the territory of the Republic of Serbia, and on the High Judiciary Council website.
The High Judiciary Council decides on the election of a judge, which must be explained.
The decision from paragraph 1 of this article with an explanation is published in the "Official Gazette of the Republic of Serbia" and on the website of the High Judiciary Council.
The right to appeal to the Constitutional Court against the decision on election to judicial office
Article 59
Against the decision on the election of a judge, the candidate can appeal to the Constitutional Court, which excludes the right to file a constitutional appeal, within 15 days from the date of publication of the decision in the "Official Gazette of the Republic of Serbia".
The Constitutional Court is obliged to decide on the appeal referred to in paragraph 1 of this article within 30 days from the expiry of the deadline for filing an appeal.
The Constitutional Court can reject the appeal from paragraph 1 of this article as unfounded and confirm the decision on election to the judicial position or accept the appeal and cancel the decision on election to the judicial position.
The decision from paragraph 2 of this article with an explanation is published in the "Official Gazette of the Republic of Serbia".

Q103 (2024): Article 150

The High Judiciary Council is an independent state body that ensures and guarantees the independence of courts, judges, presidents of courts, and lay judges.

The High Council of the Judiciary elects judges and lay judges and decides on the termination of their office, elects the president of the Supreme Court and the presidents of other courts and decides on the termination of their office, decides on the transfer and assignment of judges, determines the required number of judges and lay judges, decides on other matters of position judges, presidents of courts and lay judges and exercises other competences determined by the Constitution and the law.

According to the Law on Judges, the High Judiciary Council publishes the public competition for the selection of a judge.

The public competition for the election of a judge is published no later than six months before the termination of the judicial office due to the completion of the working life, that is, no later than 15 days after the termination of the judicial office if it was terminated for another reason prescribed by law.

The public competition is published in the "Official Gazette of the Republic of Serbia", a means of public information covering the territory of the Republic of Serbia, and on the High Judiciary Council website.

The High Judiciary Council decides on the election of a judge, which must be explained.

The decision from paragraph 1 of this article with an explanation is published in the "Official Gazette of the Republic of Serbia" and on the website of the High Judiciary Council.

The right to appeal to the Constitutional Court against the decision on election to judicial office

Article 59

Against the decision on the election of a judge, the candidate can appeal to the Constitutional Court, which excludes the right to file a constitutional appeal, within 15 days from the date of publication of the decision in the "Official Gazette of the Republic of Serbia". The Constitutional Court is obliged to decide on the appeal referred to in paragraph 1 of this article within 30 days from the expiry of the deadline for filing an appeal.

The Constitutional Court can reject the appeal from paragraph 1 of this article as unfounded and confirm the decision on election to the judicial position or accept the appeal and cancel the decision on election to the judicial position. The decision from paragraph 2 of this article with an explanation is published in the "Official Gazette of the Republic of Serbia".

Q103 (2023): Article 150
The High Judiciary Council is an independent state body that ensures and guarantees the independence of courts, judges, presidents of courts, and lay judges.
The High Council of the Judiciary elects judges and lay judges and decides on the termination of their office, elects the president of the Supreme Court and the presidents of other courts and decides on the termination of their office, decides on the transfer and assignment of judges, determines the required number of judges and lay judges, decides on other matters of position judges, presidents of courts and lay judges and exercises other competences determined by the Constitution and the law.
According to the Law on Judges, the High Judiciary Council publishes the public competition for the selection of a judge.
The public competition for the election of a judge is published no later than six months before the termination of the judicial office due to the completion of the working life, that is, no later than 15 days after the termination of the judicial office if it was terminated for another reason prescribed by law.
The public competition is published in the "Official Gazette of the Republic of Serbia", a means of public information covering the territory of the Republic of Serbia, and on the High Judiciary Council website.
The High Judiciary Council decides on the election of a judge, which must be explained.
The decision from paragraph 1 of this article with an explanation is published in the "Official Gazette of the Republic of Serbia" and on the website of the High Judiciary Council.
The right to appeal to the Constitutional Court against the decision on election to judicial office
Article 59
Against the decision on the election of a judge, the candidate can appeal to the Constitutional Court, which excludes the right to file a constitutional appeal, within 15 days from the date of publication of the decision in the "Official Gazette of the Republic of Serbia".
The Constitutional Court is obliged to decide on the appeal referred to in paragraph 1 of this article within 30 days from the expiry of the deadline for filing an appeal.
The Constitutional Court can reject the appeal from paragraph 1 of this article as unfounded and confirm the decision on election to the judicial position or accept the appeal and cancel the decision on election to the judicial position.
The decision from paragraph 2 of this article with an explanation is published in the "Official Gazette of the Republic of Serbia".

Q104 (General Comment): Article 59 Law on Judges Against the decision on the election of a judge, the candidate can appeal to the Constitutional Court, which excludes the right to file a constitutional appeal, within 15 days from the date of publication of the decision in the "Official Gazette of the Republic of Serbia".
The Constitutional Court is obliged to decide on the appeal referred to in paragraph 1 of this article within 30 days from the expiry of the deadline for filing an appeal.
The Constitutional Court can reject the appeal from paragraph 1 of this article as unfounded and confirm the decision on election to the judicial position or accept the appeal and cancel the decision on election to the judicial position.
The decision from paragraph 2 of this article with an explanation is published in the "Official Gazette of the Republic of Serbia".
Q105 (General Comment): Constitutional Court
Q105 (2025): Against the decision on the election to the judicial function, the candidate may file an appeal to the Constitutional Court within 15 days from the day of the publication of the decision in the "Official Gazette of the Republic of Serbia", which excludes the right to submit a constitutional appeal.

Q105 (2024): Article 59 Law on Judges Against the decision on the election of a judge, the candidate can appeal to the Constitutional Court, which excludes the right to file a constitutional appeal, within 15 days from the date of publication of the decision in the "Official Gazette of the Republic of Serbia".
The Constitutional Court is obliged to decide on the appeal referred to in paragraph 1 of this article within 30 days from the expiry of the deadline for filing an appeal.
The Constitutional Court can reject the appeal from paragraph 1 of this article as unfounded and confirm the decision on election to the judicial position or accept the appeal and cancel the decision on election to the judicial position. The decision from paragraph 2 of this article with an explanation is published in the "Official Gazette of the Republic of Serbia"
Q105 (2023): Article 59 Law on Judges Against the decision on the election of a judge, the candidate can appeal to the Constitutional Court, which excludes the right to file a constitutional appeal, within 15 days from the date of publication of the decision in the "Official Gazette of the Republic of Serbia".
The Constitutional Court is obliged to decide on the appeal referred to in paragraph 1 of this article within 30 days from the expiry of the deadline for filing an appeal.
The Constitutional Court can reject the appeal from paragraph 1 of this article as unfounded and confirm the decision on election to the judicial position or accept the appeal and cancel the decision on election to the judicial position.
The decision from paragraph 2 of this article with an explanation is published in the "Official Gazette of the Republic of Serbia".
Q105 (2022): Constitutional Court
Q106 (General Comment): Obtaining data and opinions
Article 55
The High Council of the Judiciary obtains data and opinions on the expertise, competence and worthiness of candidates.
Data and opinions are obtained from authorities and organizations where the candidate worked in the legal profession.
For a candidate who has worked in court, data is obtained from the candidate's personal file, and the opinion of the session of all judges of the court where the candidate worked must be obtained.
For a candidate from the ranks of judges, in addition to the data and opinion from paragraph 3 of this article, the opinion of the session of all judges of the immediately higher court is obtained.
When making a decision on the selection of a judge, the High Council of the Judiciary takes into account the grade obtained in the process of evaluating the work of candidates from the ranks of judges.
During the selection of candidates from the ranks of judges, other activities of importance for the performance of the judicial function may also be taken into account.
For a candidate who works as a judge's assistant, a performance evaluation must be obtained.
For a candidate who has not worked as a judge before, the High Council of the Judiciary especially appreciates the type of work he performed after passing the bar exam.
Before the election, the candidate has the right to inspect the entire documentation and opinions that are the basis for the decision on the election of the candidate.

Q106 (2025): Law on Judges stipulates conditions for selection to judicial function. Apart from conditions for a candidate to be a citizen of the Republic of Serbia who meets the general requirements for employment in state bodies, who is a law school graduate, who has passed the bar exam and has relevant work experience, a judge has to be qualified, competent and worthy of a judicial function. Worthiness in this case means ethical characteristics that a judge should possess, and their conduct in accordance with such characteristics. A judge must possess the following moral characteristics: honesty, thoroughness, diligence, fairness, dignity, perseverance, and esteem, and conduct in compliance with these characteristics involves upholding of dignity of a judge and a court on and off duty; awareness of social responsibility; preserving of independence and impartiality; reliability and dignity on duty and off; as well as taking the responsibility for the internal organisation and a positive public image of the judiciary.
Upon selection for a judge, worthiness is assumed. For the purpose of assessing worthiness for performance of a judicial function, an opinion of a candidate's work collective is obtained for their selection.
Criteria and measures for assessing qualification and competence, as well as worthiness for judges' selection are provided by the Council. The Law on judges ("Official Gazette of the Republic of Serbia" no. 10/2023, February 9th, 2023), stipulates with article 50 that integrity is one of criteria for the selection and promotion of judges and also refers to the adoption of acts by the Council that will stipulate indicators for the worthiness of a judge.
In April 2024, the High Judicial Council adopted Rulebook on the procedure for the election of a judge and the president of the court which stipulates that a citizen of the Republic of Serbia who meets the general requirements for work in a state body, who graduated from the Faculty of Law, passed the bar exam and who is professional, capable and worthy to perform the function of a judge may be elected as a judge.

Q106 (2024): Article 48. Law on Judges ("Official Gazette of RS", No. 10/2023) A citizen of the Republic of Serbia who meets the general requirements for working in a state body, who has graduated from law school, passed the bar exam and who is professional, capable and worthy of performing the function of a judge can be elected as a judge.
General requirements for working in the state body are prescribed in Article 45. Law on civil servants. An adult citizen of the Republic of Serbia who has the prescribed professional qualification and meets the other conditions determined by the law, other regulations, and the rulebook on the internal organization and systematization of workplaces in the state body can be employed as a civil servant, if his employment in the state body has not been terminated before due to breach of duty from the employment relationship and has not been sentenced to a prison sentence of at least six months.
Obtaining data and opinions
Article 55
The High Council of the Judiciary obtains data and opinions on the expertise, competence and worthiness of candidates.
Data and opinions are obtained from authorities and organizations where the candidate worked in the legal profession.
For a candidate who has worked in court, data is obtained from the candidate's personal file, and the opinion of the session of all judges of the court where the candidate worked must be obtained.
For a candidate from the ranks of judges, in addition to the data and opinion from paragraph 3 of this article, the opinion of the session of all judges of the immediately higher court is obtained.
When making a decision on the selection of a judge, the High Council of the Judiciary takes into account the grade obtained in the process of evaluating the work of candidates from the ranks of judges.
During the selection of candidates from the ranks of judges, other activities of importance for the performance of the judicial function may also be taken into account.
For a candidate who works as a judge's assistant, a performance evaluation must be obtained.
For a candidate who has not worked as a judge before, the High Council of the Judiciary especially appreciates the type of work he performed after passing the bar exam.
Before the election, the candidate has the right to inspect the entire documentation and opinions that are the basis for the decision on the election of the candidate.
Law on Judges stipulates conditions for selection to judicial function. Apart from conditions for a candidate to be a citizen of the Republic of Serbia who meets the general requirements for employment in state bodies, who is a law school graduate, who has passed the bar exam and has relevant work experience, a judge has to be qualified, competent and worthy of a judicial function. Worthiness in this case means ethical characteristics that a judge should possess, and their conduct in accordance with such characteristics. A judge must possess the following moral characteristics: honesty, thoroughness, diligence, fairness, dignity, perseverance, and esteem, and conduct in compliance with these characteristics involves upholding of dignity of a judge and a court on and off duty; awareness of social responsibility; preserving of independence and impartiality; reliability and dignity on duty and off; as well as taking the responsibility for the internal organisation and a positive public image of the judiciary.
Upon selection for a judge, worthiness is assumed. For the purpose of assessing worthiness for performance of a judicial function, an opinion of a candidate’s work collective is

Q106 (2023): Article 48. Law on Judges ("Official Gazette of RS", No. 10/2023) A citizen of the Republic of Serbia who meets the general requirements for working in a state body, who has graduated from law school, passed the bar exam and who is professional, capable and worthy of performing the function of a judge can be elected as a judge.
General requirements for working in the state body are prescribed in Article 45. Law on civil servants. An adult citizen of the Republic of Serbia who has the prescribed professional qualification and meets the other conditions determined by the law, other regulations, and the rulebook on the internal organization and systematization of workplaces in the state body can be employed as a civil servant, if his employment in the state body has not been terminated before due to breach of duty from the employment relationship and has not been sentenced to a prison sentence of at least six months.
Obtaining data and opinions
Article 55
The High Council of the Judiciary obtains data and opinions on the expertise, competence and worthiness of candidates.
Data and opinions are obtained from authorities and organizations where the candidate worked in the legal profession.
For a candidate who has worked in court, data is obtained from the candidate's personal file, and the opinion of the session of all judges of the court where the candidate worked must be obtained.
For a candidate from the ranks of judges, in addition to the data and opinion from paragraph 3 of this article, the opinion of the session of all judges of the immediately higher court is obtained.
When making a decision on the selection of a judge, the High Council of the Judiciary takes into account the grade obtained in the process of evaluating the work of candidates from the ranks of judges.
During the selection of candidates from the ranks of judges, other activities of importance for the performance of the judicial function may also be taken into account.
For a candidate who works as a judge's assistant, a performance evaluation must be obtained.
For a candidate who has not worked as a judge before, the High Council of the Judiciary especially appreciates the type of work he performed after passing the bar exam.
Before the election, the candidate has the right to inspect the entire documentation and opinions that are the basis for the decision on the election of the candidate.

Q106 (2022): Opinions on candidates and judges are required and criminal records are checked.
Q107 (General Comment): By the Law on Judges ("Official Gazette of RS", No. 10/2023), continuity of the judge position is guaranteed. A term
Article 13
The judicial office lasts continuously from the election as a judge until the completion of the working life.
Q107 (2025): In accordance with the Law on Judges (“Official Gazette of RS", No. 10/2023) the judicial function shall last continuously from the election to the judge’s function until the end of career. The function of the judge ends when the judge reaches the end of working career by force of law. The working career of a judge ends at the age of 65 years, except a judge of the Supreme court who may perform judicial function until the age of 67 years.
A judge’s function ends at the request of the judge, at the end of his/her career, due to a permanent loss of working ability for judicial function, if his/her citizenship of the Republic of Serbia is cancelled, or if he/she is dismissed.
A judge is dismissed if convicted for an offence carrying imprisonment sentence of at least six months or if a disciplinary proceeding shows that the judge has committed a severe disciplinary violation which, in the opinion of the High Judicial Council, seriously damages the reputation of the judicial function or the public’s trust in courts.

Q107 (2024): The Law on the Judges ("Official Gazette of RS", No. 10/2023)
Article 13
The judicial office lasts continuously from the election as a judge until the completion of the working life. Completion of working life Article 66
A judge's function ends when he reaches the end of his working life, by force of law.
The working life of a judge ends when the judge reaches 65 years of age, except a judge of the Supreme Court who can perform the function of a judge until reaching 67 years of age.

Q107 (2023): The Law on the Judges ("Official Gazette of RS", No. 10/2023)
Article 13
The judicial office lasts continuously from the election as a judge until the completion of the working life. Completion of working life
Article 66
A judge's function ends when he reaches the end of his working life, by force of law.
The working life of a judge ends when the judge reaches 65 years of age, except a judge of the Supreme Court who can perform the function of a judge until reaching 67 years of age.

Q109 (General Comment): The High Judicial Council elects judges to be appointed to permanent office.
A first-time elected judge whose work during the first three-year term of office is
assessed with performs the judicial duty with exceptional success . Rating shall be elected to
permanent office as mandatory. A first-time elected judge whose work during the first three-year term of office is
assessed as not satisfactory; may not be appointed to permanent office. Every decision on the election must be reasoned and published in the ''Official Gazette
of the Republic of Serbia''.
Q110 (General Comment): Article 67
Against the legally binding decision of the High Council of the Judiciary on termination of office, the judge has the right to appeal to the Constitutional Court, within 30 days from the date of delivery of the decision.
By its decision, the Constitutional Court can reject the appeal or accept the appeal and cancel the decision on termination of office.
The decision of the Constitutional Court is final.

Q112 (General Comment): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023) Article 81
A citizen of the Republic of Serbia who meets the general requirements for work in a state body, who has graduated from law school, passed the bar exam, and who is professional and worthy of performing the public prosecutor's office can be elected as the holder of the public prosecutor's office.
Law on Public Prosecutors Article 82 A person who, in addition to the general requirements, has work experience in the legal profession after passing the bar exam can be elected as the holder of the public prosecutor's office, namely:
1) four years for the basic chief public prosecutor and three years for the public prosecutor of the basic public prosecution;
2) seven years for the senior chief public prosecutor and six years for the public prosecutor of the higher public prosecution;
3) ten years for the appellate chief public prosecutor and the chief public prosecutor of special jurisdiction and nine years for the public prosecutor of the appellate public prosecution and the public prosecutor of the public prosecution of special jurisdiction;
4) twelve years for the Supreme Public Prosecutor and eleven years for the public prosecutor of the Supreme Public Prosecutor's Office.
Law on Public Prosecutors Article 83
Other conditions for selection to the position of public prosecutor are expertise, competence, and worthiness.
Expertise implies the possession of theoretical and practical knowledge necessary for the performance of the public prosecutor's function.
Competency means skills that enable the effective application of specific legal knowledge in the resolution of a public prosecutor's case.
Dignity implies the moral qualities that the holder of the office of public prosecutor should possess and conduct in accordance with those qualities. Moral qualities are: honesty, conscientiousness, fairness, dignity, perseverance and exemplary behavior, and behavior in accordance with these qualities means preserving the reputation of the public prosecutor's office inside and outside the service, awareness of social responsibility, maintaining independence and impartiality, reliability and dignity in the service and outside of it and assuming responsibility for the internal organization and a positive image of the Public Prosecutor's Office in the public.
The criteria and standards for assessing the expertise, competence and worthiness of the candidates and the selection procedure are regulated in more detail by an act of the High Council of the Prosecutor's Office.
Determining the expertise and competence of a candidate for the position of public prosecutor who is elected to the position of public prosecutor for the first time
Article 84
In the process of selecting the holder of the position of public prosecutor, a candidate who is elected for the first time to the position of public prosecutor in the public prosecutor's office is specially checked for expertise and competence.
The expertise and competence of the candidate is checked in an exam organized by the High Council of the Prosecutor's Office.

Q112 (2024): THE LAW ON THE PUBLIC PROSECUTOR'S OFFICE ("Official Gazette of RS", No. 10/2023) Article 81
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The expertise and competence of the candidate is checked in an exam organized by the High Council of the Prosecutor's Office.
Success in the exam is expressed in grades from 1 to 5.
A candidate for public prosecutor who is elected as a public prosecutor in the basic public prosecutor's office, and who has completed initial training at the Judicial Academy, is not

Q112 (2023): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023) Article 81
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1) four years for the basic chief public prosecutor and three years for the public prosecutor of the basic public prosecution;
2) seven years for the senior chief public prosecutor and six years for the public prosecutor of the higher public prosecution;
3) ten years for the appellate chief public prosecutor and the chief public prosecutor of special jurisdiction and nine years for the public prosecutor of the appellate public prosecution and the public prosecutor of the public prosecution of special jurisdiction;
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The expertise and competence of the candidate is checked in an exam organized by the High Council of the Prosecutor's Office.

Q113 (General Comment): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)1. Jurisdiction and conditions for the election of the holder of the office of public prosecutor
Jurisdiction to choose
Article 80
The Supreme Public Prosecutor is elected by the National Assembly, on the proposal of the High Council of Prosecutors, for a term of six years.
The Chief Public Prosecutor is elected by the High Council of Prosecutors for a six-year term.
The public prosecutor is elected by the High Council of Prosecutions to a permanent position of public prosecutor in the public prosecutor's office.
The number of public prosecutors for each public prosecution is determined by the High Council of Prosecutors.
Q114 (General Comment): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
Article 86
The public competition for the election of the chief public prosecutor and the public prosecutor is published by the High Prosecutorial Council. The public competition for the election of the chief public prosecutor is published no later than six months before the end of the chief public prosecutor's office, i.e. no later than 15 days from the date of the decision on the termination of the office of the chief public prosecutor due to the termination of the public prosecutor's function, due to the election for the holder of the public prosecutor's function in another public prosecutor's office, termination of office at personal request, termination of office due to the abolition of the public prosecutor's office or due to dismissal from the office of the chief public prosecutor.
The public competition for the election of a public prosecutor is published no later than six months before the termination of the public prosecutor's office due to the completion of his working life, i.e. no later than 15 days after the termination of the public prosecutor's office if the public prosecutor's office was terminated for another reason prescribed by law.
The public competition for the election of the chief public prosecutor and the public prosecutor is published in the "Official Gazette of the Republic of Serbia", a means of public information that covers the territory of the Republic of Serbia and the website of the Supreme Council of Prosecutors.

Q114 (2024): THE LAW ON THE PUBLIC PROSECUTOR'S OFFICE ("Official Gazette of RS", No. 10/2023)
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The public competition for the election of a public prosecutor is published no later than six months before the termination of the public prosecutor's office due to the completion of his working life, i.e. no later than 15 days after the termination of the public prosecutor's office if the public prosecutor's office was terminated for another reason prescribed by law.
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The public competition for the election of a public prosecutor is published no later than six months before the termination of the public prosecutor's office due to the completion of his working life, i.e. no later than 15 days after the termination of the public prosecutor's office if the public prosecutor's office was terminated for another reason prescribed by law.
The public competition for the election of the chief public prosecutor and the public prosecutor is published in the "Official Gazette of the Republic of Serbia", a means of public information that covers the territory of the Republic of Serbia and the website of the Supreme Council of Prosecutors.
Q115 (General Comment): Yes
Q116 (General Comment): NO

Q116 (2024): THE LAW ON THE PUBLIC PROSECUTOR'S OFFICE ("Official Gazette of RS", No. 10/2023)
The right to appeal to the Constitutional Court against the decision on the election of the chief public prosecutor and public prosecutor to the position of public prosecutor
Article 93
Against the decision on the election of the chief public prosecutor and the public prosecutor, the candidate can appeal to the Constitutional Court, which excludes the right to file a constitutional appeal, within 15 days from the date of publication of the decision in the "Official Gazette of the Republic of Serbia".
The Constitutional Court is obliged to make a decision on the appeal referred to in paragraph 1 of this article within 30 days from the expiry of the deadline for filing an appeal.
The Constitutional Court may reject the appeal from paragraph 1 of this article as unfounded and confirm the decision on the election of the chief public prosecutor and the public prosecutor or accept the appeal and annul the decision on the election of the chief public prosecutor and the public prosecutor. The decision from paragraph 2 of this article with an explanation is published in the "Official Gazette of the Republic of Serbia".

Q116 (2023): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
The right to appeal to the Constitutional Court against the decision on the election of the chief public prosecutor and public prosecutor to the position of public prosecutor
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The decision from paragraph 2 of this article with an explanation is published in the "Official Gazette of the Republic of Serbia".

Q117 (General Comment): Law on the Public Prosecutor's Office "Official Gazette of the Republic of Serbia", No. 10 of 9 February 2023
Ranking list of candidates
Article 91 For the election of the Chief Public Prosecutor and the Public Prosecutor, the High Prosecutorial Council shall compile a ranking list of candidates based on the expertise, qualifications and worthiness of the candidates.
The ranking list referred to in paragraph 1 of this Article shall be published on the website of the High Prosecutorial Council.
Q117 (2024): Constitutional Court
Q117 (2023): Constitutional Court
Q117 (2022): Constitutional Court

Q118 (General Comment): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
General conditions for selection
Article 81
A citizen of the Republic of Serbia who meets the general requirements for work in a state body, who has graduated from law school, passed the bar exam, and who is professional and worthy of performing the public prosecutor's office can be elected as the holder of the public prosecutor's office.
Work experience required
Article 82
A person who, in addition to the general requirements, has work experience in the legal profession after passing the bar exam can be elected as the holder of the public prosecutor's office, namely:
1) four years for the basic chief public prosecutor and three years for the public prosecutor of the basic public prosecution;
2) seven years for the senior chief public prosecutor and six years for the public prosecutor of the higher public prosecution;
3) ten years for the appellate chief public prosecutor and the chief public prosecutor of special jurisdiction and nine years for the public prosecutor of the appellate public prosecution and the public prosecutor of the public prosecution of special jurisdiction;
4) twelve years for the Supreme Public Prosecutor and eleven years for the public prosecutor of the Supreme Public Prosecutor's Office.
Other conditions for selection
Article 83
Other conditions for selection to the position of public prosecutor are expertise, competence and worthiness.
Expertise implies the possession of theoretical and practical knowledge necessary for the performance of the public prosecutor's function.
Competency means skills that enable the effective application of specific legal knowledge in the resolution of a public prosecutor's case.
Dignity implies the moral qualities that the holder of the office of public prosecutor should possess and conduct in accordance with those qualities. Moral qualities are: honesty, conscientiousness, fairness, dignity, perseverance and exemplary behavior, and behavior in accordance with these qualities means preserving the reputation of the public prosecutor's office inside and outside the service, awareness of social responsibility, maintaining independence and impartiality, reliability and dignity in the service and outside of it and assuming responsibility for the internal organization and a positive image of the Public Prosecutor's Office in the public.
The criteria and standards for assessing the expertise, competence and worthiness of the candidates and the selection procedure are regulated in more detail by an act of the High Council of the Prosecutor's Office.

Q118 (2024): THE LAW ON THE PUBLIC PROSECUTOR'S OFFICE ("Official Gazette of RS", No. 10/2023)
Obtaining data and opinions Article 88
The High Prosecutorial Council obtains data and opinions on the expertise, competence, and worthiness of candidates.
Data and opinions are obtained from authorities and organizations where the candidate worked in the legal profession.
For a candidate who worked in the public prosecutor's office, data is obtained from the candidate's file, and the opinion of the collegium of the public prosecutor's office where the candidate worked must be obtained.
For candidates from the ranks of chief public prosecutors and public prosecutors, the grade obtained in the work evaluation procedure is taken into account.
During the selection of candidates from the ranks of the chief public prosecutor and the public prosecutor, other activities of importance for the performance of the public prosecutor's office may be taken into account.
For a candidate who works as a public prosecutor's assistant, a performance evaluation must be obtained.
For a candidate who has not previously worked as a public prosecutor, the High Prosecutorial Council will especially value the type of work he/she performed after passing the bar exam.
Before the election, the candidate has the right to inspect the entire documentation and opinions that are the basis for the decision on his election.
Q118 (2023): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
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For a candidate who works as a public prosecutor's assistant, a performance evaluation must be obtained.
For a candidate who has not previously worked as a public prosecutor, the High Prosecutorial Council will especially value the type of work he/she performed after passing the bar exam.
Before the election, the candidate has the right to inspect the entire documentation and opinions that are the basis for the decision on his election.

Q119 (General Comment): Minutes of the interviews are taken
A standardised point system is used to evaluate the candidates

Q120 (General Comment): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)IV SELECTION
1. Jurisdiction and conditions for the election of the holder of the office of public prosecutor
Jurisdiction to choose
Article 80
The Supreme Public Prosecutor is elected by the National Assembly, on the proposal of the High Council of Prosecutors, for a term of six years.
The Chief Public Prosecutor is elected by the High Council of Prosecutors for a six-year term.
The public prosecutor is elected by the High Council of Prosecutions to a permanent position of public prosecutor in the public prosecutor's office.
The number of public prosecutors for each public prosecution is determined by the High Council of Prosecutors.
Q120 (2024): THE LAW ON THE PUBLIC PROSECUTOR'S OFFICE ("Official Gazette of RS", No. 10/2023)
IV SELECTION
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Q120 (2023): THE LAW
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Q121 (General Comment): THE LAW ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
IV SELECTION
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Q121 (2024): THE LAW ON THE PUBLIC PROSECUTOR'S OFFICE ("Official Gazette of RS", No. 10/2023)
IV SELECTION
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The public prosecutor is elected by the High Council of Prosecutions to a permanent position of public prosecutor in the public prosecutor's office.
The number of public prosecutors for each public prosecution is determined by the High Council of Prosecutors.
Q123 (General Comment): Yes.

Q124 (General Comment): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
The right to appeal to the Constitutional Court against the decision on the election of the chief public prosecutor and public prosecutor to the position of public prosecutor
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The Constitutional Court may reject the appeal from paragraph 1 of this article as unfounded and confirm the decision on the election of the chief public prosecutor and the public prosecutor or accept the appeal and annul the decision on the election of the chief public prosecutor and the public prosecutor.
The decision from paragraph 2 of this article with an explanation is published in the "Official Gazette of the Republic of Serbia".

Q124 (2024): THE LAW ON THE PUBLIC PROSECUTOR'S OFFICE ("Official Gazette of RS", No. 10/2023)
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Article 93.
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The Constitutional Court is obliged to decide on the appeal referred to in paragraph 1 of this article within 30 days from the expiry of the deadline for filing an appeal.

Q124 (2023): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
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The Constitutional Court is obliged to decide on the appeal referred to in paragraph 1 of this article within 30 days from the expiry of the deadline for filing an appeal.

Q124 (2022): Non-selected candidates may file Constitutional Appeal to the Constitutional Court.
The decision of the Constitutional Court is final.

Q125 (General Comment): Article 83 THE LAW ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
Other conditions for selection to the position of public prosecutor are expertise, competence, and worthiness.
Expertise implies the possession of theoretical and practical knowledge necessary for the performance of the public prosecutor's function.
Competency means skills that enable the effective application of specific legal knowledge in the resolution of a public prosecutor's case.
Dignity implies moral qualities that the holder of the office of public prosecutor should possess and represent by those qualities. Moral qualities are: respect, correctness, correctness, durability and exemplary behavior, and behavior by these qualities implies preserving the appearance of the public prosecutor in and outside the service, awareness of independence, belonging to the state, and the responsibility of the staff in and outside the service and taking responsibility for internal organization and a positive image of the public prosecutor's office in the public.
THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
General conditions for selection
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Law on civil servants
Article 45.
An adult citizen of the Republic of Serbia who has the prescribed professional qualification and meets the other conditions determined by the law, other regulations, and the rulebook on the internal organization and systematization of workplaces in the state body can be employed as a civil servant, if his employment in the state body has not been terminated before due to breach of duty from the employment relationship and has not been sentenced to a prison sentence of at least six months.
Obtaining data and opinions
Article 88
The High Council of the Prosecutor's Office obtains data and opinions on the expertise, competence and worthiness of candidates.
Data and opinions are obtained from authorities and organizations where the candidate worked in the legal profession.
For a candidate who worked in the public prosecutor's office, data is obtained from the candidate's personal file, and the opinion of the collegium of the public prosecutor's office where the candidate worked must be obtained.

Q125 (2024): Article 83 THE LAW ON THE PUBLIC PROSECUTOR'S OFFICE ("Official Gazette of RS", No. 10/2023)
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Competency means skills that enable the effective application of specific legal knowledge in the resolution of a public prosecutor's case. Dignity implies moral qualities that the holder of the office of public prosecutor should possess and represent by those qualities. Moral qualities are: respect, correctness, correctness, durability and exemplary behavior, and behavior by these qualities implies preserving the appearance of the public prosecutor in and outside the service, awareness of independence, belonging to the state, and the responsibility of the staff in and outside the service and taking responsibility for internal organization and a positive image of the public prosecutor's office in the public.
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Data and opinions are obtained from authorities and organizations where the candidate worked in the legal profession.
For a candidate who worked in the public prosecutor's office, data is obtained from the candidate's personal file, and the opinion of the collegium of the public prosecutor's office where the candidate worked must be obtained.
For candidates from the ranks of chief public prosecutors and public prosecutors, the grade obtained in the work evaluation procedure is taken into account.
During the selection of candidates from the ranks of the chief public prosecutor and the public prosecutor, other activities of importance for the performance of the public prosecutor's office may be taken into account.
For a candidate who works as a public prosecutor's assistant, a performance evaluation must be obtained.
For a candidate who has not previously worked as a public prosecutor, the High Council of Prosecutions will especially value the type of work he/she performed after passing the bar exam.

Q125 (2023): Article 83 THE LAW
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("Official Gazette of RS", No. 10/2023)
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Expertise implies the possession of theoretical and practical knowledge necessary for the performance of the public prosecutor's function.
Competency means skills that enable the effective application of specific legal knowledge in the resolution of a public prosecutor's case.
Dignity implies moral qualities that the holder of the office of public prosecutor should possess and represent by those qualities. Moral qualities are: respect, correctness, correctness, durability and exemplary behavior, and behavior by these qualities implies preserving the appearance of the public prosecutor in and outside the service, awareness of independence, belonging to the state, and the responsibility of the staff in and outside the service and taking responsibility for internal organization and a positive image of the public prosecutor's office in the public.
THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
General conditions for selection
Article 81.
A citizen of the Republic of Serbia who meets the general requirements for work in a state body, who has graduated from law school, passed the bar exam, and who is professional and worthy of performing the public prosecutor's office can be elected as the holder of the public prosecutor's office.
Law on civil servants
Article 45.
An adult citizen of the Republic of Serbia who has the prescribed professional qualification and meets the other conditions determined by the law, other regulations, and the rulebook on the internal organization and systematization of workplaces in the state body can be employed as a civil servant, if his employment in the state body has not been terminated before due to breach of duty from the employment relationship and has not been sentenced to a prison sentence of at least six months.
Obtaining data and opinions
Article 88
The High Council of the Prosecutor's Office obtains data and opinions on the expertise, competence and worthiness of candidates.
Data and opinions are obtained from authorities and organizations where the candidate worked in the legal profession.
For a candidate who worked in the public prosecutor's office, data is obtained from the candidate's personal file, and the opinion of the collegium of the public prosecutor's office

Q126 (General Comment): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
Article 101.
The working life of a public prosecutor ends when the public prosecutor reaches the age of 65, except the public prosecutor of the Supreme Public Prosecutor's Office, who can perform the function of a public prosecutor until the age of 67.
Duration of the public prosecutor's office
Article 61
The public prosecutor function of the public prosecutor is permanent and ends for the reasons prescribed by the Constitution and this law.
Q126 (2025): 67 years of age for the Supreme Public Prosecutor’s Office
Q126 (2024): THE LAW ON THE PUBLIC PROSECUTOR'S OFFICE ("Official Gazette of RS", No. 10/2023) Article 101.
The working life of a public prosecutor ends when the public prosecutor reaches the age of 65, except the public prosecutor of the Supreme Public Prosecutor's Office, who can perform the function of a public prosecutor until the age of 67.
Duration of the public prosecutor's office
Article 61 The public prosecutor function of the public prosecutor is permanent and ends for the reasons prescribed by the Constitution and this law.
Q126 (2023): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
Article 101.
The working life of a public prosecutor ends when the public prosecutor reaches the age of 65, except the public prosecutor of the Supreme Public Prosecutor's Office, who can perform the function of a public prosecutor until the age of 67.
Duration of the public prosecutor's office
Article 61
The public prosecutor function of the public prosecutor is permanent and ends for the reasons prescribed by the Constitution and this law.
Q127 (General Comment): No.

Q129 (General Comment): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
Appeal to the Constitutional Court, which excludes the right to file a constitutional appeal
Article 108.
Against the decision of the National Assembly, i.e. the High Prosecutorial Council on the termination of the public prosecutor's office, the Supreme Public Prosecutor, the Chief Public Prosecutor, or the Public Prosecutor may appeal to the Constitutional Court, which excludes the right to file a constitutional appeal, within 30 days from the date of delivery of the decision.
By its decision, the Constitutional Court can reject the appeal to the Constitutional Court or accept the appeal to the Constitutional Court and annul the decision on the termination of the public prosecutor's office.
The decision of the Constitutional Court is final and is published in the "Official Gazette of the Republic of Serbia".
Q129 (2024): THE LAW ON THE PUBLIC PROSECUTOR'S OFFICE ("Official Gazette of RS", No. 10/2023)
Appeal to the Constitutional Court, which excludes the right to file a constitutional appeal Article 108.
Against the decision of the National Assembly, i.e. the High Prosecutorial Council on the termination of the public prosecutor's office, the Supreme Public Prosecutor, the Chief Public Prosecutor, or the Public Prosecutor may appeal to the Constitutional Court, which excludes the right to file a constitutional appeal, within 30 days from the date of delivery of the decision.
By its decision, the Constitutional Court can reject the appeal to the Constitutional Court or accept the appeal to the Constitutional Court and annul the decision on the termination of the public prosecutor's office. The decision of the Constitutional Court is final and is published in the "Official Gazette of the Republic of Serbia".
Q129 (2023): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
Appeal to the Constitutional Court, which excludes the right to file a constitutional appeal
Article 108.
Against the decision of the National Assembly, i.e. the High Prosecutorial Council on the termination of the public prosecutor's office, the Supreme Public Prosecutor, the Chief Public Prosecutor, or the Public Prosecutor may appeal to the Constitutional Court, which excludes the right to file a constitutional appeal, within 30 days from the date of delivery of the decision.
By its decision, the Constitutional Court can reject the appeal to the Constitutional Court or accept the appeal to the Constitutional Court and annul the decision on the termination of the public prosecutor's office.
The decision of the Constitutional Court is final and is published in the "Official Gazette of the Republic of Serbia".
Q129 (2022): The Appeal to the Constitutional Court may be filed.

Kosovo*
Q93 (General Comment): By clean criminal record is meant the candidate has not been convicted of a criminal offence nor is under criminal investigation(has an indictment)

Q93 (2025): •To have a high professional reputation and personal integrity;
•As additional specific criteria, a health certificate is also required to assess psycho-physical abilities;
•Not to have been convicted of a criminal offense, with the exception of offenses committed by negligence.
Q93 (2024): To have a high professional reputation and personal integrity;
Additionally, as specific criteria, a medical certificate is required for the assessment of psycho-physical abilities.

Q94 (2022): KJC through the commission for recruitment of judges, as per the law on the Kosovo Judicial Council is responsible for organizing recruitment of judges and selection of candidates.
Q97 (General Comment): Unsatisfied candidates that were not selected, have the right to appeal. In the event that the Review Committee of the KJC, after evaluating the complaint, finds that there have been violations of the rules regarding the organization of the qualifying test, the written test, the essay and the oral interview, as defined in this regulation, it may decide to repeat the part opposed to the exam to which the candidates from the list who have met the conditions to be submitted to the relevant part of the exam will be submitted. If the Review Committee of the KJC decides to repeat the relevant part of the exam, the exam will be organized within five (5) days from the decision of the Review Committee. In the event that the Review Committee finds that technical errors have been made in the calculation of the points of the qualifying test, the written test, the essay and the oral interview, while in the case of reviewing the complaint it is verified that the candidate is ranked in the group of candidates who have not passed the relevant part of the exam, that candidate will be included in the list of candidates who have passed that part of the exam. After reviewing the complaints for the qualifying test, the written test, and the oral interview, the Council compiles the final list of the exam, as determined by this regulation, which is published on the Council's official website.

Q98 (General Comment): There are three different Commissions working on the recruitment process: first, the recruitment commission which is consisted of five (5) members, three (3) of whom are members of the KJC; second, there is a Review Commission consisting of 3 (three) members, of which at least one (1) member is from among the judges of the Supreme Court, one (1) judge from the Court of Appeal and one (1) a member of the KJC Judges; and third, the Qualification Test Drafting Commission which is composed of nine (9) members whose mandate ends with the preparation of the Qualifying Test with which they have been assigned as the Commission. So, the commission who drafts the exam, the recruitment commission and the review commission are three different bodies.
Q98 (2025): The Review Commission refers to the Commission established by the Kosovo Judicial Council, responsible for examining candidates' appeals in the judge recruitment process.

Q99 (General Comment): According to the Law on Kosovo Judicial Council, article 20 (recruitment of judges), there are seven main requirements when it comes to the recruiting criteria: 1. professional knowledge, work experience and performance, including knowledge
and respect for human rights;
2. capacity for legal justifications as evidenced by professional activities in the field
of justice, including in the capacity of a judge, prosecutor or Lawyer, academic work or
other professional activity;
3. the professional ability based on the result of the previous career results, including
participation in organized training forms where performance is assessed;
4. ability and capacity to analyze legal problems;
5. the ability to perform tasks impartially, honestly, with care and responsibility;
6. communication skills; and
7. personal integrity.
The procedure for assessing the eligibility of a candidate to become part of the judiciary is carried out through verification of the data submitted by the candidate, data from relevant public records for evaluation, including the standard verification of records for the criminal past.
Q99 (2025): Evaluation of the essay
Q99 (2024): See general comment
Q102 (General Comment): At the end of these procedures, in accordance with the proposal of the KJC, the President of Kosovo decrees the new judges
Q102 (2025): The President of the State in Kosovo is not part of the executive power.
Q102 (2024): At the end of these procedures, in accordance with the proposal of the KJC, the President of Kosovo decrees the new judges.
Q103 (General Comment): According to the Article 22 of Law on KJC, The President appoints judges in the judicial system with a three (3) year initial mandate
based on the Council's proposals. Within sixty (60) days after the receipt of the proposal, the President shall issue a decree on the appointment as judge of the candidate proposed by the Council. If within this deadline the President does not appoint the judge, the Council may re-submit the proposed candidate together with the supplementary reasoning in writing. Thereafter the President appoints the judge upon the proposal of the Council. As per the article 84, the President of the Republic of Kosovo appoints and dismisses judges of the Republic of Kosovo upon the proposal of the Kosovo Judicial Council. Therefore, candidates that are proposed by the Kosovo Judicial Council, will be verified again by the office of the President, hence it is upon President's discretion to appoint a judge or to return back the proposal regarding that judge to the KJC.

Q105 (General Comment): There are three different Commissions working on the recruitment process: first, the recruitment commission which is consisted of five (5) members, three (3) of whom are members of the KJC; second, there is a Review Commission consisting of 3 (three) members, of which at least one (1) member is from among the judges of the Supreme Court, one (1) judge from the Court of Appeal and one (1) a member of the KJC Judges; and third, the Qualification Test Drafting Commission which is composed of nine (9) members whose mandate ends with the preparation of the Qualifying Test with which they have been assigned as the Commission. So, the commission who drafts the exam, the recruitment commission and the review commission are three different bodies.
Q106 (General Comment): Based on Article 27 point 1.8 of Law no. 06/L-055 Law on the Judicial Council, personal integrity is required, which is in accordance with the Constitution and the criteria defined by the Law.

Q107 (2025): Based on Article 25, paragraph 1, of Law No 06/L-055, it is stipulated that judges may be dismissed from office due to a conviction for a criminal offense or for a serious failure to perform their duties.
Q107 (2023): Based on Article 25 of Law No. 06/L-055 Dismissal of Judges, Judges may be dismissed from office due to conviction for a criminal offense or serious non-compliance with duties.
Q107 (2022): Based on Article 25 of Law No. 06/L-055 Dismissal of Judges, Judges may be dismissed from office due to conviction for a criminal offense or serious non-compliance with duties.
Q109 (2024): Initial mandate of judges is 3 years.
Q110 (2024): There is a possibility to submit a claim to the competent court.
Q112 (General Comment): The clean criminal record is defined as follows: “have not been convicted of a criminal offence;”
Other criteria include: be a citizen and resident of Kosovo; and have high professional reputation and personal integrity
As I have explained in the previous section, Kosovo Prosecutorial Council and Kosovo Judicial Council are two independent institutions of the Rule of Law Sector. Therefore, they have both internal specific regulations which define the criteria for becoming a judge or prosecutors. So, KPC and KJC are fully competent to define the criteria independently.

Q112 (2025): Regarding clean criminal record, the criteria specified by law is: •Not have been convicted of a criminal offense, except for criminal offenses committed through negligence;
•There is not any indictment filed against him, except those filed for criminal offences committed by negligence.
Regarding “Other”:
•Be a citizen of the Republic of Kosovo;
•Have high professional reputation and personal integrity;
Article 24 of Law on State Prosecutor: https://gzk.rks-gov.net/ActDetail.aspx?ActID=74943
Q112 (2024): Regarding clean criminal record, the criteria specified by law is: •Not have been convicted of a criminal offense, except for criminal offenses committed through negligence;
•There is not any indictment filed against him, except those filed for criminal offences committed by negligence.
Regarding “Other”:
•Be a citizen of the Republic of Kosovo;
•Have high professional reputation and personal integrity;
Article 24 of Law on State Prosecutor: https://gzk.rks-gov.net/ActDetail.aspx?ActID=74943
Q112 (2023): Regarding clean criminal record, the criteria specified by the law is "not have been convicted of a criminal offence," Regarding "Other":
- be a citizen of the Republic of Kosovo,
- have high professional reputation and personal integrity

Q112 (2022): Regarding clean criminal record, the criteria specified by law is “not have been convicted of a criminal offence;”
Regarding “Other”:
- Be a citizen of the Republic of Kosovo;
- Have high professional reputation and personal integrity;

Q113 (General Comment): The competent authority is Kosovo Prosecutorial Council
Q113 (2025): The recruitment committee established by the Council.
Q113 (2024): The recruitment committee established by the Council
Q113 (2023): The recruitment committee established by the Council.
Q113 (2022): The recruitment committee established by the Council.
Q115 (General Comment): Article 14 of Regulation on recruitment of prosecutors (https://prokuroria-rks.org/assets/cms/uploads/files/Regulation%20on%20the%20Recruitment%20of%20State%20Prosecutors%2Cno.02.2022.pdf)
Preliminary selection
1. The Recruitment Commission in support of support staff reviews all applications received. 2. In case of rejection of the application, the candidate is notified individually of the reasons for rejection, to which he has the right to appeal, within three (3) days from the date of notification. 3. The complaint of the candidate is reviewed by the Commission for Review, within five (5) days from the day of expiration of the deadline for appeal. 4. After reviewing the complaint by the Review Committee, the Council, through its official website and e-mail address, notifies the candidate who meets the conditions to undergo the first part of the exam. 5. The announcement contains the list with the name and surname of the candidate, as well as information about the time, date, place, and other data about the organization of the exam.

Q115 (2025): Article 14 of Regulation on recruitment of prosecutors (https://prokuroria-rks.org/assets/cms/uploads/files/Regulation%20on%20the%20Recruitment%20of%20State%20Prosecutors%2Cno.02.2022.pdf) Preliminary selection
1. The Recruitment Commission with the assistance of support staff reviews all applications received. 2. In case of rejection of the application, the candidate is notified individually of the reasons for rejection, to which he has the right to appeal, within three (3) days from the date of notification. 3. The complaint of the candidate is reviewed by the Commission for Review, within five (5) days from the day of expiration of the deadline for appeal. 4. After reviewing the complaint by the Review Committee, the Council, through its official website and e-mail address, notifies the candidate who meets the conditions to undergo the first part of the exam. 5. The announcement contains the list with the name and surname of the candidate, as well as information about the time, date, place, and other data about the organization of the exam.

Q115 (2023): Article 14 of Regulation on recruitment of prosecutors (https://prokuroria-rks.org/assets/cms/uploads/files/Regulation%20on%20the%20Recruitment%20of%20State%20Prosecutors%2Cno.02.2022.pdf)
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3. The complaint of the candidate is reviewed by the Commission for Review, within five (5) days from the day of expiration of the deadline for appeal.
4. After reviewing the complaint by the Review Committee, the Council, through its official website and e-mail address, notifies the candidate who meets the conditions to undergo the first part of the exam.
5. The announcement contains the list with the name and surname of the candidate, as well as information about the time, date, place, and other data about the organization of the exam.

Q117 (General Comment): Article 14 of Regulation on recruitment of prosecutors (https://prokuroria-rks.org/assets/cms/uploads/files/Regulation%20on%20the%20Recruitment%20of%20State%20Prosecutors%2Cno.02.2022.pdf)
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Article 29 of Regulation no.02/2022 on the recruitment, examination, appointment and
reappointment of prosecutors Right to appeal
The candidate, as a dissatisfied party, has the right to appeal, to oppose the process, regarding the violation of the rules, about the organization of the exam and the results of the qualifying test, written test, and oral interview, within three (3) days, from the day of the announcement of the results, on the basis of the notification made according to this Regulation. The complaint of the candidate according to paragraph 1 of this article, is reviewed by the Commission for Review of the Council, within five (5) days, from the day of the end of the complaint. In the event that the Review Committee, after evaluating the complaint, finds that violations of the rules regarding the organization of the qualifying test, written test, and oral interview, as defined by this Regulation, may take a decision to repeat the contested part of the exam. If the Review Committee decides to repeat the relevant part of the exam, the exam is organized within five (5) days, from the decision of the Review Committee. In this case, the Recruitment Commission will draft the new test, the results of which will be taken into consideration when compiling the final exam list. In case the Review Commission finds that technical errors have been made, in the case of calculating the points of the qualifying test, written test, essay and oral interview, while in the case of reviewing the complaint it is confirmed that the candidate is ranked in the group of candidates who have not passed the relevant part of the exam, that candidate will be included in the list of candidates who have passed that part of the exam. After reviewing the complaints for the qualifying test, the written test, and the oral interview, the Council shall compile the final list of the exam, as determined by this Regulation, which shall be published on the official website of the Council. A candidate who files a complaint has the right to access his test before filing a complaint.
Article 25 of Regulation 07/2015 on State Prosecutors` Recruitment, Exam, Appointment and Reappointment
The right on appeal
1. Candidates enjoy the right on appealing against the qualification test, written test and interview, in a deadline from three (3) days following the publishing of the results, as per announcement basis set by Articles 15.2, 20.2 and 23.3 of this Regulation.
2. Candidates` appeals as per paragraph 1 of this Article shall be reviewed by the KPC Review Committee in a deadline from five (5) days from the closure date of the appealing deadline. The appeal bench is the Kosovo Prosecutorial Council(KPC). All appeals are directed to the KPC and then, the KPC takes decisions on each case by voting. The KPC member

Q117 (2025): Article 14 of Regulation on recruitment of prosecutors (https://prokuroria-rks.org/assets/cms/uploads/files/Regulation%20on%20the%20Recruitment%20of%20State%20Prosecutors%2Cno.02.2022.pdf)
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1. The Recruitment Commission in support of support staff reviews all applications received. 2. In case of rejection of the application, the candidate is notified individually of the reasons for rejection, to which he has the right to appeal, within three (3) days from the date of notification. 3. The complaint of the candidate is reviewed by the Commission for Review, within five (5) days from the day of expiration of the deadline for appeal. 4. After reviewing the complaint by the Review Committee, the Council, through its official website and e-mail address, notifies the candidate who meets the conditions to undergo the first part of the exam. 5. The announcement contains the list with the name and surname of the candidate, as well as information about the time, date, place, and other data about the organization of the exam.

Q117 (2024): Article 14 of Regulation on recruitment of prosecutors (https://prokuroria-rks.org/assets/cms/uploads/files/Regulation%20on%20the%20Recruitment%20of%20State%20Prosecutors%2Cno.02.2022.pdf)
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1. The Recruitment Commission in support of support staff reviews all applications received. 2. In case of rejection of the application, the candidate is notified individually of the reasons for rejection, to which he has the right to appeal, within three (3) days from the date of notification. 3. The complaint of the candidate is reviewed by the Commission for Review, within five (5) days from the day of expiration of the deadline for appeal. 4. After reviewing the complaint by the Review Committee, the Council, through its official website and e-mail address, notifies the candidate who meets the conditions to undergo the first part of the exam. 5. The announcement contains the list with the name and surname of the candidate, as well as information about the time, date, place, and other data about the organization of the exam.
Article 29 of Regulation no.02/2022 on the recruitment, examination, appointment and
reappointment of prosecutors Right to appeal
The candidate, as a dissatisfied party, has the right to appeal, to oppose the process, regarding the violation of the rules, about the organization of the exam and the results of the qualifying test, written test, and oral interview, within three (3) days, from the day of the announcement of the results, on the basis of the notification made according to this Regulation. The complaint of the candidate according to paragraph 1 of this article, is reviewed by the Commission for Review of the Council, within five (5) days, from the day of the end of the complaint. In the event that the Review Committee, after evaluating the complaint, finds that violations of the rules regarding the organization of the qualifying test, written test, and oral interview, as defined by this Regulation, may take a decision to repeat the contested part of the exam. If the Review Committee decides to repeat the relevant part of the exam, the exam is organized within five (5) days, from the decision of the Review Committee. In this case, the Recruitment Commission will draft the new test, the results of which will be taken into consideration when compiling the final exam list. In case the Review Commission finds that technical errors have been made, in the case of calculating the points of the qualifying test, written test, essay and oral interview, while in the case of reviewing the complaint it is confirmed that the candidate is ranked in the group of candidates who have not passed the relevant part of the exam, that candidate will be included in the list of candidates who have passed that part of the exam. After reviewing the complaints for the qualifying test, the written test, and the oral interview, the Council shall compile the final list of the exam, as determined by this Regulation, which shall be published on the official website of the Council. A candidate who files a complaint has the right to access his test before filing a complaint.

Q117 (2023): Article 14 of Regulation on recruitment of prosecutors (https://prokuroria-rks.org/assets/cms/uploads/files/Regulation%20on%20the%20Recruitment%20of%20State%20Prosecutors%2Cno.02.2022.pdf)

Preliminary selection

1. The Recruitment Commission in support of support staff reviews all applications received.
2. In case of rejection of the application, the candidate is notified individually of the reasons for rejection, to which he has the right to appeal, within three (3) days from the date of notification.
3. The complaint of the candidate is reviewed by the Commission for Review, within five (5) days from the day of expiration of the deadline for appeal.
4. After reviewing the complaint by the Review Committee, the Council, through its official website and e-mail address, notifies the candidate who meets the conditions to undergo the first part of the exam.
5. The announcement contains the list with the name and surname of the candidate, as well as information about the time, date, place, and other data about the organization of the exam.

Article 29 of Regulation no.02/2022 on the recruitment, examination, appointment and reappointment of prosecutors

Right to appeal

The candidate, as a dissatisfied party, has the right to appeal, to oppose the process, regarding the violation of the rules, about the organization of the exam and the results of the qualifying test, written test, and oral interview, within three (3) days, from the day of the announcement of the results, on the basis of the notification made according to this Regulation.

The complaint of the candidate according to paragraph 1 of this article, is reviewed by the Commission for Review of the Council, within five (5) days, from the day of the end of the complaint. In the event that the Review Committee, after evaluating the complaint, finds that violations of the rules regarding the organization of the qualifying test, written test, and oral interview, as defined by this Regulation, may take a decision to repeat the contested part of the exam.

If the Review Committee decides to repeat the relevant part of the exam, the exam is organized within five (5) days, from the decision of the Review Committee.

In this case, the Recruitment Commission will draft the new test, the results of which will be taken into consideration when compiling the final exam list.

In case the Review Commission finds that technical errors have been made, in the case of calculating the points of the qualifying test, written test, essay and oral interview, while in the case of reviewing the complaint it is confirmed that the candidate is ranked in the group of candidates who have not passed the relevant part of the exam, that candidate will be included in the list of candidates who have passed that part of the exam.

After reviewing the complaints for the qualifying test, the written test, and the oral interview, the Council shall compile the final list of the exam, as determined by this Regulation,

Q117 (2022): Article 29 of Regulation no.02/2022 on the recruitment, examination, appointment and reappointment of prosecutors Right to appeal

The candidate, as a dissatisfied party, has the right to appeal, to oppose the process, regarding the violation of the rules, about the organization of the exam and the results of the qualifying test, written test, and oral interview, within three (3) days, from the day of the announcement of the results, on the basis of the notification made according to this Regulation. The complaint of the candidate according to paragraph 1 of this article, is reviewed by the Commission for Review of the Council, within five (5) days, from the day of the end of the complaint. In the event that the Review Committee, after evaluating the complaint, finds that violations of the rules regarding the organization of the qualifying test, written test, and oral interview, as defined by this Regulation, may take a decision to repeat the contested part of the exam. If the Review Committee decides to repeat the relevant part of the exam, the exam is organized within five (5) days, from the decision of the Review Committee. In this case, the Recruitment Commission will draft the new test, the results of which will be taken into consideration when compiling the final exam list. In case the Review Commission finds that technical errors have been made, in the case of calculating the points of the qualifying test, written test, essay and oral interview, while in the case of reviewing the complaint it is confirmed that the candidate is ranked in the group of candidates who have not passed the relevant part of the exam, that candidate will be included in the list of candidates who have passed that part of the exam. After reviewing the complaints for the qualifying test, the written test, and the oral interview, the Council shall compile the final list of the exam, as determined by this Regulation, which shall be published on the official website of the Council. A candidate who files a complaint has the right to access his test before filing a complaint.

Q118 (General Comment): Article 28 of Regulation no.02/2022 on the recruitment, examination, appointment and reappointment of prosecutors Preliminary results of the exam 1.The final result for the success of a candidate is calculated on the basis of the accumulation of points achieved in the qualifying test, written test, and oral interview. 2. After the completion of the evaluation process, the points are collected, the results are verified and the final list is prepared in order to announce the exam results. 3. The final results of the candidates who have successfully passed the exam are published on the official website of the Council. The notice for this will contain the name, surname and number of points achieved by the candidate, in the qualifying test, written test, essay, oral interview and total points. 4. A candidate is considered to have not successfully passed the prosecutor's exam, if he fails to obtain at least (55) points, from the final score of one hundred (100) points, as many as are possible, in the entire recruitment process. 5. The Recruitment Commission compiles the list of candidates, according to the points obtained in the exam. Candidates are ranked The law on state prosecutor, article 19 specifies: Candidates for appointment as a prosecutor must meet the following minimum qualifications and criteria, and shall:

1.1. be a citizen and resident of Kosovo;

1.2. possess a valid university degree in law recognized by the laws of Kosovo;

1.3. have passed the bar examination;

1.4. have passed the preparatory examination for prosecutors and judges;

1.5. have positive high professional reputation and moral integrity;

1.6. have no final convictions for criminal offenses, with the exception of minor offenses as defined by the law;

1.7. have passed the legal education exam, except the persons, that have at least seven (7) years of legal experience and lawyers that have exercised the lawyer’s profession at least five (5) years.

1.8. candidates who have exercised the judge’s or prosecutor’s job at least three (3) years, as well as candidates who have at least seven (7) years of legal experience and have passed the preparation exam during the process of appointment and re-appointment for judges and prosecutors, shall not enter the preparation exam.

For certain state Prosecutors, there are special criteria in addition to the minimum qualifications, as follows: 1. to exercise prosecutor’s function for the Serious Crimes Department of a Basic Prosecution Office, the candidate must have at least three years of legal experience as a prosecutor or a judge.

2. to exercise the function of a prosecutor at the Appellate Prosecution Office, the candidate

Q118 (2025): Based on Regulation No. 02/2022 on the Recruitment, Examination, Appointment and Re-appointment of State Prosecutors, the testing and interview process for prosecutor candidates consists of these main stages:
1. Qualifying exam
The qualifying test (also sometimes called a qualification test) is the first stage in the recruitment process, after the preselection of candidates who fulfil the legal criteria. It is designed to assess the basic eligibility and general knowledge of candidates before they move on to more advanced evaluation stages. Only candidates who pass this qualifying test are allowed to continue to the next phase, which is the written exam. A list of candidates who passed the qualifying test is published, and candidates have the right to file appeals against the results within a specified deadline.
2. Written exam
The written test is the next stage after the qualifying test. It evaluates candidates on substantive legal knowledge and practical legal skills, typically focusing on specific areas of law (e.g., criminal law) and practical problem-solving relevant to prosecutorial duties. Passing the written test is necessary before candidates can advance to the integrity evaluation and interview. A list of candidates who passed the written test is published, and candidates have the right to file appeals against the results within a specified deadline.
3. Integrity and Eligibility Verification
Candidates who pass the written exam undergo verification of submitted documentation and integrity, including compliance with legal and ethical requirements.
4. Interview
Eligible candidates are invited to an interview before the Recruitment Commission. The interview assesses professional competence, ethical standards, communication skills, reasoning ability, and overall suitability for the position of State Prosecutor.
5. Final Scoring and Ranking
Final scores are calculated based on the results of the written exams and the interview. Candidates are ranked, and those with the highest scores are proposed for appointment, in line with the number of available positions.

Q118 (2024): Article 28 of Regulation no.02/2022 on the recruitment, examination, appointment and
reappointment of prosecutors Preliminary results of the exam 1.The final result for the success of a candidate is calculated on the basis of the accumulation of points achieved in the qualifying test, written test, and oral interview. 2. After the completion of the evaluation process, the points are collected, the results are verified and the final list is prepared in order to announce the exam results. 3. The final results of the candidates who have successfully passed the exam are published on the official website of the Council. The notice for this will contain the name, surname and number of points achieved by the candidate, in the qualifying test, written test, essay, oral interview and total points. 4. A candidate is considered to have not successfully passed the prosecutor's exam, if he fails to obtain at least (55) points, from the final score of one hundred (100) points, as many as are possible, in the entire recruitment process. 5. The Recruitment Commission compiles the list of candidates, according to the points obtained in the exam. Candidates are ranked according to the highest score obtained in the qualifying test, written test, essay and oral interview. The ranking of successful candidates in the list ends with the number of candidates determined by announcement (competition) by the Council. The Chairman of the Recruitment Commission sends the list of successful candidates to the Council, after reviewing any complaints by the Review Commission.

Q119 (General Comment): Articles 20, 23 and 27 of Regulation no.02/2022 on the recruitment, examination, appointment and
reappointment of prosecutors
Q119 (2025): Articles 20, 22, 23 and 27 of Regulation no.02/2022 on the recruitment, examination, appointment and reappointment of prosecutors

Q120 (General Comment): The competent authority is the Kosovo Prosecutorial Council
Q120 (2025): Kosovo Prosecutorial Council establishes the recruitment committee which is responsible for all the procedures of the recruitment process of prosecutors. KPC establishes the review committee which is responsible for the review of appeals of candidates. Based on the reports of these 2 committees, KPC decides on the final list of the most successful candidates which list is then sent to the Office of the President of the Republic of Kosovo for decree, where the final official appointment for the position of state prosecutor is done.
Article 34 of the Regulation Selection of the most successful candidate
1. The appointment and systematization of the candidate for prosecutors in the basic prosecution offices is done by the Council, upon the proposal of the Recruitment Commission.
2. Only 1/5 of the candidates, who are ranked as the best, in the final list of the exam, have the right to choose the prosecution office where they will be appointed.
3. Regardless the right of the candidate determined according to paragraph 2 of this article, the right of the Council to appoint a prosecutor in a prosecution office, taking into account the needs of the prosecution.
4. The Chairman of the Recruitment Commission sends to the Council, the final list of candidates including the information from paragraph 2 of this article.

Q120 (2024): The recruitment committee established by the Council.
Q121 (General Comment): Kosovo Prosecutorial Council forms a recruitment committee which deals with all the procedures of the selection of prosecutors. KPC also establishes a reconsideration committee which deals with the appeals of the candidates who did not pass the exams or who were not selected. Based on the reports of these 2 committees, KPC decides on the final list of the successful candidates, which list is then sent to the President who decrees the new prosecutors
Q121 (2025): Article 35 of the Regulation
Proposal for decree of the prosecutor
1. The Council, by a simple majority of votes, decides on the proposal of a candidate for appointment as prosecutors to the President of the Republic of Kosovo.
2. In the event that the Council does not propose a candidate for appointment as a prosecutor to the President of the Republic of Kosovo, issue a reasoned decision in writing regarding the reasons for his rejection.
Please note that in Kosovo, the President is not part of the executive power.
Q121 (2024): Kosovo Prosecutorial Council establishes the recruitment committee which is responsible for all the procedures of the recruitment process of prosecutors. KPC establishes the review committee which is responsible for the review of appeals of candidates. Based on the reports of these 2 committees, KPC decides on the final list of the most successful candidates which list is then sent to the Office of the President of the Republic of Kosovo for decree, where the final official appointment for the position of state prosecutor is done.
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3. Regardless the right of the candidate determined according to paragraph 2 of this article, the right of the Council to appoint a prosecutor in a prosecution office, taking into account the needs of the prosecution.
4. The Chairman of the Recruitment Commission sends to the Council, the final list of candidates including the information from paragraph 2 of this article.

Q121 (2023): Kosovo Prosecutorial Council establishes the recruitment committee which is responsible for all the procedures of the recruitment process of prosecutors. KPC establishes the review committee which is responsible for the review of appeals of candidates. Based on the reports of these 2 committees, KPC decides on the final list of the most successful candidates which list is then sent to the Office of the President of the Republic of Kosovo for decree, where the final official appointment for the position of state prosecutor is done.
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3. Regardless the right of the candidate determined according to paragraph 2 of this article, the right of the Council to appoint a prosecutor in a prosecution office, taking into account the needs of the prosecution.
4. The Chairman of the Recruitment Commission sends to the Council, the final list of candidates including the information from paragraph 2 of this article.

Q121 (2022): Kosovo Prosecutorial Council establishes the recruitment committee which is responsible for all the procedures of the recruitment process of prosecutors. KPC establishes the review committee which is responsible for the review of appeals of candidates. Based on the reports of these 2 committees, KPC decides on the final list of the most successful candidates which list is then sent to the Office of the President of the Republic of Kosovo for decree, where the final official appointment for the position of state prosecutor is done.
Q122 (General Comment): Article 23 of Law on KPC
Appointment and re-appointment of prosecutors
1.The President appoints and reappoints prosecutors based on the Council’s proposals.
2.Within 60 days after the receipt of the proposal, the President shall issue a decree on the appointment as prosecutor of the candidate proposed by the Council. If within this deadline the President does not appoint the prosecutor, the Council may re-submit the proposed candidate together with the supplementary reasoning in writing. Thereafter the President appoints the prosecutor upon the proposal of the Council.
The Law on Amending and Supplementing the Law No. 06/L-056 on Kosovo Prosecutorial Council now provides that: The aggrieved party shall have the right to appeal against the Council's decision on the appointment and reappointment to the Supreme Court within fifteen (15) days from the decision.

Q122 (2024): Article 23 of Law on KPC
Appointment and re-appointment of prosecutors
1.The President appoints and reappoints prosecutors based on the Council's proposals.
2.Within 60 days after the receipt of the proposal, the President shall issue a decree on the appointment as prosecutor of the candidate proposed by the Council. If within this deadline the President does not appoint the prosecutor, the Council may re-submit the proposed candidate together with the supplementary reasoning in writing. Thereafter the President appoints the prosecutor upon the proposal of the Council.
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Proposal for decree of the prosecutor
1. The Council, by a simple majority of votes, decides on the proposal of a candidate for appointment as prosecutors to the President of the Republic of Kosovo.
2. In the event that the Council does not propose a candidate for appointment as a prosecutor to the President of the Republic of Kosovo, issue a reasoned decision in writing regarding the reasons for his rejection.
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Article 35 of the Regulation
Proposal for decree of the prosecutor
1. The Council, by a simple majority of votes, decides on the proposal of a candidate for appointment as prosecutors to the President of the Republic of Kosovo.
2. In the event that the Council does not propose a candidate for appointment as a prosecutor to the President of the Republic of Kosovo, issue a reasoned decision in writing regarding the reasons for his rejection.
Q123 (General Comment): Candidates can appeal during all phases of the selection and recruitment process, however they can not appeal the decree of the President.
Q124 (General Comment): Non selected candidates have the right to appeal to the Basic Court.

Q125 (General Comment): Verification of integrity of prosecutors is done based on article 20 paragraph 5 of Law on Kosovo Prosecutorial Council and article 25 of Regulation no.02/2022 on the recruitment, examination, appointment and reappointment of prosecutors
The procedure for assessment of the compatibility of the candidate in order to become part of the prosecution office shall be done through the verification of the data submitted by the candidate, data from the relevant public registries for assessment, including the standard verification of registries for the criminal past.
1. All candidates who have met the conditions to undergo the interview are subject to the procedure of personal and professional integrity verification.
2. Under the authority of the Council and the supervision of the Recruitment Committee, the support staff is responsible for the collection and collection of the necessary data, which will serve the committee to verify and evaluate the personal and professional integrity of the candidate, respecting the international standards and applicable laws in force.
3. Candidates are notified that they have the right to see the documents collected in their file, no earlier than five (5) days and no later than ten (10) days, before the oral interview, except when such a thing is not allowed by the laws in force.
4. The procedure for assessing personal integrity and professional skills is included as part of the oral interview, in which candidates can be asked about issues related to their personal and professional integrity, being given the opportunity to confirm, complete or contradict evaluation based on the verification of documents and information requested and collected.

Q125 (2025): Verification of integrity of prosecutors is done based on article 20 paragraph 5 of Law on Kosovo Prosecutorial Council and article 25 of Regulation no.02/2022 on the recruitment, examination, appointment and reappointment of prosecutors
The procedure for assessment of the compatibility of the candidate in order to become part of the prosecution office shall be done through the verification of the data submitted by the candidate, data from the relevant public registries for assessment, including the standard verification of registries for the criminal past.
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The procedure for assessment of the compatibility of the candidate in order to become part of the prosecution office shall be done through the verification of the data submitted by the candidate, data from the relevant public registries for assessment, including the standard verification of registries for the criminal past.
1. All candidates who have met the conditions to undergo the interview are subject to the procedure of personal and professional integrity verification.
2. Under the authority of the Council and the supervision of the Recruitment Committee, the support staff is responsible for the collection and collection of the necessary data, which will serve the committee to verify and evaluate the personal and professional integrity of the candidate, respecting the international standards and applicable laws in force.
3. Candidates are notified that they have the right to see the documents collected in their file, no earlier than five (5) days and no later than ten (10) days, before the oral interview, except when such a thing is not allowed by the laws in force.
4. The procedure for assessing personal integrity and professional skills is included as part of the oral interview, in which candidates can be asked about issues related to their personal and
professional integrity, being given the opportunity to confirm, complete or contradict evaluation based on the verification of documents and information requested and collected.

Q125 (2022): The Kosovo Prosecutorial Council, based on the Constitution and applicable law, develops and implements procedures for the recruitment and nomination of state prosecutors.
All candidates for prosecutors who have passed the relevant tests are part of the process of assessment of personal integrity and professional skills that includes verification of information provided by candidates and any other relevant information such as: work experience and performance, professional and academic documents, information regarding disciplinary measures, extrajudicial behaviour and criminal past.
This process is conducted in accordance with legal provisions that protect human rights and freedoms as well as in order to provide information relevant to the disclosure of personality, professionalism and personal experience of candidates.
Candidates have the right to be informed and to view all documentation collected prior to the interview.
Article 25 of Regulation no.02/2022 on the recruitment, examination, appointment and
reappointment of prosecutors
“The process of verifying the personal and professional integrity of the candidate”

Q126 (2025): Yes there may be dismissal as a result of disciplinary sanctions and there have been such cases.
Article 27 of Law on State Prosecutor
Termination of mandate
1. The mandate of the prosecutor ends in the following ways:
1.1. with resignation;
1.2. dismissal;
1.3. death;
1.4. upon reaching retirement age;
1.5. not reappointed for a permanent term after the probation period or initial mandate
Q126 (2024): Yes there may be dismissal as a result of disciplinary sanctions and there have been such cases.
Also according to Article 27 of Law on state prosecutor, the mandate of the prosecutor ends in the following ways:
1.1. with resignation;
1.2. Dismissal;
1.3. death;
1.4. upon reaching retirement age;
1.5. not reappointed for a permanent term after the probation period or initial mandate

Q126 (2023): Yes there may be dismissal as a result of disciplinary sanctions and there have been such cases.
Also according to Article 27 of Law on state prosecutor, the mandate of the prosecutor ends in the following ways:
1.1. with resignation;
1.2. Dismissal;
1.3. death;
1.4. upon reaching retirement age;
1.5. not reappointed for a permanent term after the probation period or initial mandate.
Q126 (2022): Yes there may be dismissal as a result of disciplinary sanctions and there have been such cases.
The prosecutor's mandate ends upon:
1.1. resignation;
1.2. dismissal;
1.3. death;
1.4. retirement;
1.5. the loss of working ability due to proved medical reasons, and
1.6. if not re-appointment with a permanent mandate

Q128 (General Comment): Article 36 of Regulation 07/2015 on State Prosecutors` Recruitment, Exam, Appointment and Reappointment
Reappointment of State Prosecutors
1.The Performance Assessment Committee shall submit to KPC justified recommendation for reappointment or non-reappointment of a Prosecutor.
2.The Decision of KPC regarding the reappointment or non-reappointment of a Prosecutor shall be in place within forty-five (45) days following the receipt of the recommendation by the Performance Assessment Committee; and the respective shall be done in accordance with the criteria and procedures stipulated by the legislation in force.
3.KPC shall inform the Prosecutor regarding the reappointment process through a justified Decision in written.
4.Before submitting reappointment recommendations, KPC shall request the opinion of the respective Prosecution at which was recommended the candidate to be assigned.
5.KPC shall submit the reappointment recommendation of the respective Prosecutor to the President of the Republic.

Q128 (2025): Article 37 of Regulation no.02/2022 on the recruitment, examination, appointment and reappointment of prosecutors

Reappointment of State Prosecutors

1. The Commission for Performance Evaluation submits to the KPK the recommendation for the evaluation of the performance of the prosecutors for the initial mandate, the reasoned recommendation for the reappointment or not of a prosecutor. 2. KPC decides on the reappointment or not of the prosecutor within forty five (45) days after receiving the proposal from the Commission for Performance Evaluation, in accordance with the criteria and procedures set by applicable law. 3. The Council sends the name of the prosecutor proposed for reappointment with a permanent mandate to the President of the Republic of Kosovo, fifteen (15) days at the latest, before the expiration of the initial mandate. 4. The KPC notifies the prosecutor about the reappointment process through a reasoned written decision 5. Before submitting the proposals for reappointment, the KPC requests the opinion of the relevant prosecution in which the candidate has been proposed for reappointment. 6. KPC submits the proposal for reappointment of the respective prosecutor to the President of the Republic.

Q128 (2024): Article 37 of Regulation no.02/2022 on the recruitment, examination, appointment and reappointment of prosecutors

Reappointment of State Prosecutors

1. The Commission for Performance Evaluation submits to the KPK the recommendation for the evaluation of the performance of the prosecutors for the initial mandate, the reasoned recommendation for the reappointment or not of a prosecutor. 2. KPC decides on the reappointment or not of the prosecutor within forty five (45) days after receiving the proposal from the Commission for Performance Evaluation, in accordance with the criteria and procedures set by applicable law. 3. The Council sends the name of the prosecutor proposed for reappointment with a permanent mandate to the President of the Republic of Kosovo, fifteen (15) days at the latest, before the expiration of the initial mandate. 4. The KPC notifies the prosecutor about the reappointment process through a reasoned written decision 5. Before submitting the proposals for reappointment, the KPC requests the opinion of the relevant prosecution in which the candidate has been proposed for reappointment. 6. KPC submits the proposal for reappointment of the respective prosecutor to the President of the Republic.

Q128 (2023): Article 37 of Regulation no.02/2022 on the recruitment, examination, appointment and reappointment of prosecutors

Reappointment of State Prosecutors

1. The Commission for Performance Evaluation submits to the KPK the recommendation for the evaluation of the performance of the prosecutors for the initial mandate, the reasoned recommendation for the reappointment or not of a prosecutor.

2. KPC decides on the reappointment or not of the prosecutor within forty five (45) days after receiving the proposal from the Commission for Performance Evaluation, in accordance with the criteria and procedures set by applicable law.

3. The Council sends the name of the prosecutor proposed for reappointment with a permanent mandate to the President of the Republic of Kosovo, fifteen (15) days at the latest, before the expiration of the initial mandate.

4. The KPC notifies the prosecutor about the reappointment process through a reasoned written decision

5. Before submitting the proposals for reappointment, the KPC requests the opinion of the relevant prosecution in which the candidate has been proposed for reappointment.

6. KPC submits the proposal for reappointment of the respective prosecutor to the President of the Republic.

Q128 (2022): Article 37 of Regulation no.02/2022 on the recruitment, examination, appointment and reappointment of prosecutors

Reappointment of State Prosecutors

1. The Commission for Performance Evaluation submits to the KPK the recommendation for the evaluation of the performance of the prosecutors for the initial mandate, the reasoned recommendation for the reappointment or not of a prosecutor. 2. KPC decides on the reappointment or not of the prosecutor within forty five (45) days after receiving the proposal from the Commission for Performance Evaluation, in accordance with the criteria and procedures set by applicable law. 3. The Council sends the name of the prosecutor proposed for reappointment with a permanent mandate to the President of the Republic of Kosovo, fifteen (15) days at the latest, before the expiration of the initial mandate. 4. The KPC notifies the prosecutor about the reappointment process through a reasoned written decision 5. Before submitting the proposals for reappointment, the KPC requests the opinion of the relevant prosecution in which the candidate has been proposed for reappointment. 6. KPC submits the proposal for reappointment of the respective prosecutor to the President of the Republic.

Indicator 5. Appointment/recruitment/mandate of judges/prosecutors

by question No.

92. Please describe the specific procedure of recruitment (entry procedure/selection/appointment) for a judge:
93. What are the entry criteria (pre-conditions) into the process to become a judge?
94. Which authority is competent during the entry selection procedure?
95. Is there a public call for candidates to become a judge?
96. Is there a list of pre-selected candidates which is public?
97. Is there a possibility for non pre-selected candidates to appeal?
98. If yes, what body is competent to decide on appeal?
99. What are the criteria for the selection of judges?
100. If you selected “Interview evaluation” in the previous question, please indicate what measures are in place to ensure the transparency of the interview process:
101. Which authority is competent to select judges?
102. Which authority is competent for the final appointment of a judge?
103. Which competences has this authority in the final appointment procedure (multiple replies possible):
104. May non-selected candidates appeal against the decision of appointment?
105. If yes, what body is competent to decide on appeal?
106. How do you check the integrity of candidate judges?
107. Are judges appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?
108. Is there a probation period for judges (e.g. before being appointed "for life")? If yes, how long is this period?
109. If yes, which authority is competent to decide if the probation period is successful?
110. Is there a possibility to appeal against this decision?
111. Please describe the specific procedure of recruitment (entry procedure/selection/appointment) for a prosecutor:
112. What are the entry criteria (pre-conditions) into the process to become a prosecutor?
113. Which authority is competent during the entry selection procedure?
114. Is there a public call for candidates to become a prosecutor?
115. Is there a list of pre-selected candidates which is public?
116. Is there a possibility for non pre-selected candidates to appeal?
117. If yes, what body is competent to decide on appeal?
118. What are the criteria of selection of public prosecutor?
119. If you selected “Interview evaluation” in the previous question, please indicate what measures are in place to ensure the transparency of the interview process:

120. Which authority is competent during the selection procedure of a public prosecutor?
121. Which authority is competent for the final appointment of a prosecutor?
122. Which competences has this authority in the final appointment procedure ? (multiple replies possible):
123. May non-selected candidates appeal against the decision of appointment?
124. If yes, what body is competent to decide on appeal?
125. How do you check the integrity of candidate prosecutors?
126. Are public prosecutors appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?
127. Is there a probation period for public prosecutors? If yes, how long is this period?
128. If yes, which authority is competent to decide if the probation period is successful?
129. Is there a possibility to appeal against this decision?

Question 92

Serbia

(General Comment): LAW on Judges "Official Gazette of the Republic of Serbia", No. 10 of February 9, 2023
III. ELECTION OF A JUDGE
1. Conditions for election
General conditions for election
Article 48.
A citizen of the Republic of Serbia who meets the general conditions for work in a state body, who has graduated from a law school, passed the bar exam and who is professional, qualified and worthy to perform the function of a judge may be elected as a judge.
Article 49.
After passing the bar exam, work experience in the legal profession is required:
1) two years for a misdemeanor court judge;
2) three years for a basic court judge;
3) six years for a judge of a higher court, commercial court and misdemeanor court of appeal;
4) ten years for a judge of an appellate court, commercial court of appeal and administrative court;
5) twelve years for a judge of the Supreme Court.
Article 50.
Other conditions for election of a judge are expertise, competence and dignity.
Expertise implies possession of theoretical and practical knowledge necessary for the performance of judicial functions.
Competence implies skills that enable the effective application of specific legal knowledge in resolving court cases.
Dignity implies the moral qualities that a judge should possess and behavior in accordance with those qualities.
The moral qualities that a judge should possess are: honesty, conscientiousness, fairness, dignity, perseverance and exemplary behavior, and behavior in accordance with these qualities implies preserving the reputation of the judge and the court in the service and outside it, awareness of social responsibility, maintaining independence and impartiality, reliability and dignity in the service and outside it, and assuming responsibility for the internal organization and a positive image of the judiciary in the public.
The indicators for assessing expertise, competence and dignity are prescribed by the High Judicial Council, in accordance with the law.
Article 51.
The expertise and competence of a candidate for a judge who is elected to a judicial position for the first time shall be verified in an examination organized by the High Judicial Council.
Success in the examination shall be expressed in grades from 1 to 5.

Question 93

Albania

(General Comment): The recruitment of judges is conducted in cooperation between the School of Magistracy and the High Judicial Council . An important step is the process of verification of assets and integrity, carried out by the Council in accordance with the provisions in points 2 to 6 of Article 32 of Law 96/2019, as amended . Article 86 of Law No. 115/2016 "On the governance bodies of the justice system in the Republic of Albania", as amended
More detailed provisions regarding the above procedure can be found in Decision No. 75, dated 23.05.2019, "On the procedure for verifying the legal conditions and criteria for the recruitment of candidates for judges, for the career development of judges, and for the appointment of judges of the Supreme Court", issued by the High Judicial Council.

(2025): The recruitment of judges is conducted in cooperation between the School of Magistracy and the High Judicial Council . An important step is the process of verification of assets and integrity, carried out by the Council in accordance with the provisions in points 2 to 6 of Article 32 of Law 96/2019, as amended .

(2023): The recruitment of judges is conducted in cooperation between the School of Magistracy and the High Judicial Council . An important step is the process of verification of assets and integrity, carried out by the Council in accordance with the provisions in points 2 to 6 of Article 32 of Law 96/2019, as amended .

Bosnia and Herzegovina

(General Comment): Clean criminal record:
During the appointment procedure consideration shall also be given to circumstances relevant for the evaluation of candidate suitability, such as information concerning any previous disciplinary offences, previous criminal convictions and other circumstances that may deem a candidate unsuitable to hold judicial office.
The candidate in the application form must reply to the following question: Have you been convicted of a felony or been found responsible for a misdemeanor offense or been found responsible for disciplinary offense?
Also, the candidate is required to submit as an attachment to the application form an official court document confirming that there is no pending criminal proceedings against him or her.
Candidate's criminal record does not constitute an eliminatory criterion in the process of appointment of candidates. But in this regard, the Interview panel and the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, through the appointment procedure determine the ability of the candidate with criminal record to perform the judicial function.

(2025): During the appointment procedure consideration shall also be given to circumstances relevant for the evaluation of candidate suitability, such as information concerning any previous disciplinary offences, previous criminal convictions and other circumstances that may deem a candidate unsuitable to hold judicial office.
The candidate in the application form must reply to the following question: Have you been convicted of a felony or been found responsible for a misdemeanor offense or been found responsible for disciplinary offense?
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Montenegro

(General Comment): RULES OF THE JUDICIAL COUNCIL Application to a public announcement
Article 46Application to a public announcement represents a standard pattern, which is an integral part of these Rules.
The application form contains a warning that giving untrue or false informations shall result in exclusion of candidates from consideration.
With a completed and signed application form a candidate submits the following documents:
- A certified copy of the certificate on citizenship of Montenegro;
- Medical certificate;
- A certified copy of all university diplomas;
- A certified copy of certificate of having passed the bar exam;
- Evidence of the work experience;
- A certified copy of the certificate for completion of educational courses;
- The certificate that there is no criminal procedure against him/her;
- The candidate's statement as to whether he/she was imposed with a disciplinary measure, whether he/she was misdemeanored and penalized or convicted of any criminal offense and, if so, when, where and for which criminal offense;
- A statement that he/she is not a member of any political organization

(2025): no prior convictions or criminal proceedings
regarding age, no specific age as a criteria is established by the law. The conditions are related to the ages of relevant experience and there is a general labour rules for age of retirement.

(2024): no prior convictions or criminal proceedings
regarding age, no specific age as a criteria is established by the law. The conditions are related to the ages of relevant experience and there is a general labour rules for age of retirement.

(2023): no prior convictions or criminal proceedings
regarding age, no specific age as a criteria is established by the law. The conditions are related to the ages of relevant experience and there is a general labour rules for age of retirement.

(2022): no prior convictions or criminal proceedings
regarding age, no specific age as a criteria is established by the law. The conditions are related to the ages of relevant experience and there is a general labour rules for age of retirement.

North Macedonia

(General Comment): Law on Academy for judges and public prosecutors
Article 57, p.1
(1) Conditions for admission of a person to initial training shall be:
- be a law graduate with a four-year higher education VII / I degree in law studies or a law graduate that has acquired 300 credits under the European credit - transfer system (ECTS)
- to have passed the bar exam,
- to have work experience of at least two years in legal affairs after passing the bar exam,
- prohibition on practicing profession, performing an activity or duty not to be pronounced,
- to be a citizen of the Republic of Macedonia,
- to be fluent in Macedonian language,
- to be proficient in one of the three most commonly used languages of the European Union (English, French or German), which is determined with the entrance exam on the Academy.
- Practical work with computers and
- Be able to work and have general health capability.
Criminal code
Prohibition on practicing profession, performing an activity or duty
Article 38-b
(1) The court may prohibit the offender, sentenced to imprisonment or probation stipulating imprisonment, from performing a certain profession or activity, duties or works related to acquiring, disposal, use, management and handling of property or related to keeping of that property, if the offender has abused his profession, activity or duty in order to commit a crime and if, based on the nature of the committed crime and the circumstances for the crime, one may expect that such activity will be abused by the offender for further commission of a crime.
(2) The sentence referred to in paragraph (1) of this Article shall as well refer to a prohibition to perform duty of an official person, responsible person in a legal entity or person performing activities of public interest.
(3) In the cases determined by law it can be prescribed mandatory imposing of the prohibition together with the imprisonment sentence, in duration of at least six months.
(4) The court shall determine the duration of the prohibition referred in paragraph (1), which may not be shorter than one or longer than ten years, as of the day of the legal validity of the decision, whereas the time spent in imprisonment shall not be calculation in the duration of the prohibition.
(5) When sentencing on probation, the court may determine that such probation shall be revoked should the offender violate the prohibition from performing profession, activity or duty.

(2025): The Law on the Academy for judges and prosecutors
Initial Training Admission Requirements Article 31 (1)The initial training admission requirements shall be as follows: – bachelor of law with completed four-year higher education VII/I degree of studies of law or bachelor of law with acquired 300 credits according to the European Credit Transfer System (ECTS),
- passed bar exam, - at least two years of service in legal matters following the passing of the bar exam, - without pronounced measure prohibiting the execution of a profession, activity or duty, - to be a citizen of the Republic of North Macedonia, - active knowledge of the Macedonian language, - knowledge of one of the three most commonly used languages of the European Union, level B1 (English, French or German), which can be determined within the entry exam in the Academy, - practical work with computers and - capable to work and with general medical fitness.

(2024): The Law on the Academy for judges and prosecutors
Initial Training Admission Requirements Article 31 (1)The initial training admission requirements shall be as follows: – bachelor of law with completed four-year higher education VII/I degree of studies of law or bachelor of law with acquired 300 credits according to the European Credit Transfer System (ECTS),
- passed bar exam, - at least two years of service in legal matters following the passing of the bar exam, - without pronounced measure prohibiting the execution of a profession, activity or duty, - to be a citizen of the Republic of North Macedonia, - active knowledge of the Macedonian language, - knowledge of one of the three most commonly used languages of the European Union, level B1 (English, French or German), which can be determined within the entry exam in the Academy, - practical work with computers and - capable to work and with general medical fitness.

(2023): The Law on the Academy for judges and prosecutors
Initial Training Admission Requirements Article 31 (1)The initial training admission requirements shall be as follows: – bachelor of law with completed four-year higher education VII/I degree of studies of law or bachelor of law with acquired 300 credits according to the European Credit Transfer System (ECTS),
- passed bar exam, - at least two years of service in legal matters following the passing of the bar exam, - without pronounced measure prohibiting the execution of a profession, activity or duty, - to be a citizen of the Republic of North Macedonia, - active knowledge of the Macedonian language, - knowledge of one of the three most commonly used languages of the European Union, level B1 (English, French or German), which can be determined within the entry exam in the Academy, - practical work with computers and - capable to work and with general medical fitness.

Serbia

(General Comment): According to the provisions of Article 48 of the Law on Judges, a citizen of the Republic of Serbia who meets the general requirements for work in a state body, who has graduated from law school, passed the bar exam, and who is professional, capable and worthy of performing the function of a judge can be elected as a judge.
According to Art 45 od Law on civil servants a person who is legally an adult, has the nationality of the Republic of Serbia, has prescribed professional qualifications and fulfils other requirements prescribed by law, other legislation or Regulations on internal organization and systematisation of job positions may be employed as a civil servant, if his or her employment relationship was not earlier terminated due to a grave breach of obligation from the employment relationship and if he or she was not convicted by prison sentence of at least six months.

(2025): Law on Judges ("Official Gazette of RS", No. 10/2023) in Art 48 prescribe that a citizen of the Republic of Serbia who meets the general requirements for work in state authority, who has graduated from law school, passed the bar exam, who is professional and worthy of exercising the judicial function can be elected as a judge.
According to Art 45 of Law on civil servants a person who is legally an adult, has the nationality of the Republic of Serbia, has prescribed professional qualifications and fulfils other requirements prescribed by law, other legislation or Regulation on internal organisation and systematisation of job positions may be employed as a civil servant, if his or her employment relationship was not earlier terminated due to grave breach of obligation from the employment relationship and if he or she was not convicted by prison sentence of at least six months.

(2024): The Law on the Judges ("Official Gazette of RS", No. 10/2023) in Art 48 prescribes that a citizen of the Republic of Serbia who meets the general requirements for work in state authority, who has graduated from law school, passed the bar exam, who is professional and worthy of exercising the judicial function can be elected as a judge. According to Art 45 of the Law on civil servants a person who is legally an adult has the nationality of the Republic of Serbia, has prescribed professional qualifications, and fulfills other requirements prescribed by law, other legislation, or Regulation on internal organization and systematization of job positions may be employed as a civil servant if his or her employment relationship was not earlier terminated due to grave breach of obligation from the employment relationship and if he or she was not convicted by a prison sentence of at least six months.

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According to Art 45 of the Law on civil servants a person who is legally an adult has the nationality of the Republic of Serbia, has prescribed professional qualifications, and fulfills other requirements prescribed by law, other legislation, or Regulation on internal organization and systematization of job positions may be employed as a civil servant if his or her employment relationship was not earlier terminated due to grave breach of obligation from the employment relationship and if he or she was not convicted by a prison sentence of at least six months.

Kosovo*

(General Comment): By clean criminal record is meant the candidate has not been convicted of a criminal offence nor is under criminal investigation(has an indictment)

(2025): •To have a high professional reputation and personal integrity;
•As additional specific criteria, a health certificate is also required to assess psycho-physical abilities;
•Not to have been convicted of a criminal offense, with the exception of offenses committed by negligence.

(2024): To have a high professional reputation and personal integrity;
Additionally, as specific criteria, a medical certificate is required for the assessment of psycho-physical abilities.

Question 94

Albania

(2023): According to Article 30, paragraph 4 of Law No. 96/2016, as amended, the High Judicial Council may provide comments or objections no later than the end of March each year. The School of Magistracy approves the final evaluation report, taking into account the comments and objections made.

Montenegro

(General Comment): According to the Constitution, Judicial Council elects the judges and court presidents. The Law on Judicial Council and Judges and the Rules of Procedure of Judicial Council regulate the procedure for the selection of judges and court presidents. The Judicial Council conducts the procedure for the selection of judges and makes decisions on election of judges after the procedure is completed.

North Macedonia

(General Comment): The entrance exam is taken before the Commission for an entrance exam. The Commission is composed of a chair and nine members and their deputies for a term of two exam sessions.The Managing Board appoints and constitutes the Committee: four members and their deputies on a proposal of the Judicial Council of the Republic of Macedonia from the ranks of judges, two members and their deputies on a proposal of the Council of Public Prosecutors Macedonia from the ranks of public prosecutors and one deputy member of the Association of Judges of the Republic of Macedonia, a member and the deputy of the Association of Public Prosecutors, one member and deputy on the proposal of the Minister of Justice from the managing administrative staff at the Ministry of Justice and a member and the Deputy and professional - psychologist. For the President, members and deputy members of the Commission may be selected judges and prosecutors, as well as senior administrative officers of the Ministry of Justice in previous professional career is distinguished by its professionalism, ethics, proven results and that enjoy high reputation in judiciary. President of the Commission, the Management Board elected from among the judges and public prosecutors.
The members and alternates of the Board, the Programming Council, the Commission for the final examination, the director of the Academy, as well as trainers and mentors at that time engaged in initial training, cannot be members of the Commission. Member of the Commission may not be the chair or the members of the Judicial Council of the Republic of Macedonia or the Council of Public Prosecutors, the Minister and the Deputy Minister of Justice.
The Management Board shall be the managing body of the Academy and shall be composed of nine members. Four members and their deputies in the Management Board shall be proposed by the Judicial Council of the Republic of Macedonia in this manner: one member from the ranks of the judges of the Supreme Court of the Republic of Macedonia, from the courts of appeal, from the basic courts, and one member from the Administrative Court or the Higher Administrative Court. Four members and their deputies in the Management Board shall be proposed by the Council of Public Prosecutors in this manner: one member from the ranks of the public prosecutors in the Public Prosecutor's Office of Republic of Macedonia, from the higher public prosecutor's offices, from the basic public prosecutor's offices, and from the public prosecutor's office for organized crime and corruption. The Minister of Justice shall appoint one member and his deputy from the senior administrative officials in the Ministry of Justice. The director of the Academy (hereinafter referred to as: the Director) without the right to vote, shall participate in the work of the Management Board.

(2025): Competent authority for entrance in the initial training of the Academy for Judges and public Prosecutors is Commission for entrance exam. The Management Board of the Academy appoints the members of the Commission for entrance exam in the following composition: two members and their deputies upon proposal of the Judicial Council from among the judges, two members and their deputies upon proposal of the Council of Public Prosecutors from among the public prosecutors, one member and his/her deputy from the Association of judges, one member and his/her deputy from the Association of public prosecutors, one member and his/her deputy upon proposal of the Minister of Justice from among the managerial administrative servants in the Ministry of Justice.

(2024): Competent authority for entrance in the initial training of the Academy for Judges and public Prosecutors is Commission for entrance exam. The Management Board of the Academy appoints the members of the Commission for entrance exam in the following composition: two members and their deputies upon proposal of the Judicial Council from among the judges, two members and their deputies upon proposal of the Council of Public Prosecutors from among the public prosecutors, one member and his/her deputy from the Association of judges, one member and his/her deputy from the Association of public prosecutors, one member and his/her deputy upon proposal of the Minister of Justice from among the managerial administrative servants in the Ministry of Justice.

(2023): Competent authority for enterance in the initial training of the Academy for Judges and public Prosecutors is Commission for enterance exam. The Management Board of the Academy appoints the members of the Commission for enterance exam in the following composition: two members and their deputies upon proposal of the Judicial Council from among the judges, two members and their deputies upon proposal of the Council of Public Prosecutors from among the public prosecutors, one member and his/her deputy from the Association of judges, one member and his/her deputy from the Association of public prosecutors, one member and his/her deputy upon proposal of the Minister of Justice from among the managerial administrative servants in the Ministry of Justice.

Serbia

(General Comment): According to the new Law on Judges (adopted after Constitutional changes) High Judicial Council is the only institution in charge for appoing and dismissing a judge.

Kosovo*

(2022): KJC through the commission for recruitment of judges, as per the law on the Kosovo Judicial Council is responsible for organizing recruitment of judges and selection of candidates.

Question 95

Montenegro

(General Comment): The public announcement is published on the web site of the Judicial Council, in one daily printed media and in the Official Gazette of Montenegro.

Serbia

(General Comment): Yes. The public competition for the election of a judge is published by the High Council of the Judiciary.
The public competition for the election of a judge is announced no later than six months before the termination of the judicial function due to the completion of the working life, that is, no later than 15 days after the termination of the judicial function if it was terminated for another reason prescribed by law.
The public competition is published in the "Official Gazette of the Republic of Serbia", a means of public information covering the territory of the Republic of Serbia and on the website of the High Council of the Judiciary.

(2024): The High Judicial Council shall announce a public competition for the election of judges. The public competition is published in the “Official Gazette of the Republic of Serbia”, other media with national coverage in the Republic of Serbia, and at the website of the High Judicial Council.

(2023): The High Judicial Council shall announce a public competition for the election of judges. The public competition is published in the “Official Gazette of the Republic of Serbia”, other media with national coverage in the Republic of Serbia, and at the website of the High Judicial Council.

Question 96

Bosnia and Herzegovina

(General Comment): The list of pre-selected candidates is published on the internet. The list is available only to the candidates who participate in the competition.

Montenegro

(General Comment): Link to the Law on Judicial Council and judges- articles 47-51
Criteria for Appointment of Judges Appointed for the First Time
Article 47 -The criteria for appointment of judges appointed for the first time shall be: 1) Grade on the written test referred to in Article 48 of the present Law, or the grade on the bar exam, in accordance with the law governing the bar exam; 2) Evaluation of the interview with the candidate.
Written Testing Article 48- The Judicial Council shall conduct written testing of persons appointed as judges of Basic Court for the first time, who meet the statutory requirements and whose applications are timely and complete, through a commission consisting of three members of the Judicial Council, of which two from among the judges and one from among eminent lawyers. Written testing shall not be conducted for the persons referred to in paragraph 1 of this Article who received grades at the bar examination. The written test shall be prepared by the commission referred to in paragraph 1 of this Article, and shall include drafting of decisions in criminal and civil matters. The written test shall be answered under a code. Assessment of the written test shall be performed by a certain number of points awarded for the decision form, the application of law and the rationale of the decision, in such a manner that the maximum of 80 points may be achieved, of which up to 40 for drafting a decision in the criminal field and up to 40 for drafting a decision in the civil field. The written test shall be examined by the commission referred to in paragraph 1 of this Article, which shall submit it, along with proposed grade, to all members of the Judicial Council. The Judicial Council shall determine the grade at the written test. Implementation of the written testing shall be governed by the Rules of Procedure of the Judicial Council.
Interview Article 49 -The Judicial Council shall conduct an interview with persons who have achieved a score of more than 60 points in the written test or the bar exam. At an interview, the following shall be evaluated: - Motivation for work in court; - Communication skills;
- Ability to make decisions and resolve conflicts; - Comprehension of the role of a judge in society. Evaluation based on criteria referred to in paragraph 2 of this Article shall be exercised in such a manner that each member of the Judicial Council shall determine the number of points awarded to each person, where a person may achieve a maximum of 20 points at an interview. The final grade at an interview
shall be the average number of points, which is determined based on the number of points awarded by each member of the Judicial Council. A person who, based on the interview evaluation, scores less than 15 points at an interview may not be on the ranking list of candidates for judges. While conducting an interview, the Judicial Council may use the expert assistance of psychologists.
Ranking List of Candidates for Judges- Article 50 On the basis of grades in the written test or the bar exam and interview evaluation, the ranking list of candidates for judges shall be made (hereinafter: the ranking list), according to the number of points achieved. If two candidates in the ranking list have the same number of points, the preference shall be given to a candidate who has scored more points on a written test or the bar exam, and if candidates have scored the same number of points on the written test or the bar exam, the preference shall be given to the candidate who is a member of a minority or other minority ethnic community. If preference among candidates may not be determined in the manner referred to in paragraph 2 of this Article, the Judicial Council shall select a candidate through vote by secret ballot.
Appointment and Assignment of Candidates for Judges- Article 51 The Judicial Council shall make a decision on the appointment of as many candidates for judges as advertised

Serbia

(General Comment): The list of candidates shall be published on the Council's website, with an indication of the date and time of publication, on the form which is an integral part of the Rulebook on manner for evaluation of expertise, competence and worthiness of candidates for judges who are being elected for the first time ("Official Gazette of RS", 7/18).

(2025): The ranking list of candidates shall be published on the Council's website, with an indication of the date and time of publication, on the form which is an integral part of the Rulebook on the procedure for the election of a judge and the president of the court (“Official Gazette of RS", No.34/2024).

(2024): The ranking list of candidates shall be published on the Council's website, with an indication of the date and time of publication, on the form which is an integral part of the Rulebook on the procedure for the election of a judge and the president of the court (“Official Gazette of RS", No.34/2024).

(2023): The ranking list of candidates shall be published on the Council's website, with an indication of the date and time of publication, on the form which is an integral part of the Rulebook on criteria and standards for evaluation of expertise, competence and worthines for the election of judges with permanent tenure to another or higher court and on criteria for proposing candidates for the court president ("Official Gazette of RS", No.94/16 and 48/23).

Question 97

Albania

(General Comment): Please see the explanation on question 90. Appointments at the high court, from non judges, have a right to appeal, after their application has been reiewed and assessed by the council.
The law provides that: The High Judicial Council shall establish a written proposal on the appointment of candidates. The proposal shall be reasoned in relation to the fulfilment of legal requirements and shall rank the candidates in accordance with the criteria provided in paragraph 8 of this Article. The decision on proposal for appointment is appealable. The rules contained in Article 41
paragraphs 2 to 4 shall apply mutatis mutandis. The Council shall make public the final decision on proposal for appointment on its official website.
For more information please see article 49 of the law on status of judges and prosecutors: https://euralius.eu/index.php/en/library/albanian-legislation/send/86-status-of-judges-and-prosecutors/198-law-on-the-status-of-judges-and-prosecutors-en

(2025): Article 86 of Law No. 115/2016 "On the governance bodies of the justice system in the Republic of Albania", as amended
More detailed provisions regarding the above procedure can be found in Decision No. 75, dated 23.05.2019, "On the procedure for verifying the legal conditions and criteria for the recruitment of candidates for judges, for the career development of judges, and for the appointment of judges of the Supreme Court", issued by the High Judicial Council.According to Article 12 of the Internal Regulation of the School of Magistracy any candidate who is not included in the list of candidates who meet the eligibility criteria, has the right to use legal remedies provided by Law No. 115/2016, "On the governance bodies of the justice system," and other sublegal acts."

(2022): The Judicial Academy is the defendant in the administrative case. The appeal is done against their decision.

Bosnia and Herzegovina

(General Comment): The decision on appointment made by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina is the final administrative act pursuant to the Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of BiH", No. 63/23), which entered into force in December 2023, and an administrative dispute may be initiated against the decision by the candidate in the appointment procedure. The Court of Bosnia and Herzegovina has jurisdiction to resolve these administrative disputes. In the event of an administrative dispute, the appointment of the newly appointed judge or prosecutor shall be postponed for that position until the court proceedings have been completed.

(2023): The decision on appointment made by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina is the final administrative act pursuant to the Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of BiH", No. 63/23), which entered into force in December 2023, and an administrative dispute may be initiated against the decision by the candidate in the appointment procedure. The Court of Bosnia and Herzegovina has jurisdiction to resolve these administrative disputes. In the event of an administrative dispute, the appointment of the newly appointed judge or prosecutor shall be postponed for that position until the court proceedings have been completed.

North Macedonia

(2025): Following the expiry of the application deadline, the Commission for entrance exam shall, with a decision, reject the untimely and incomplete applications. The applicant shall within two working days as of the receipt of the decision be entitled to lodge a complaint with the Management Board of the Academy. The Management Board shall reach the decision on the complaint within two working days.

(2024): Following the expiry of the application deadline, the Commission for entrance exam shall, with a decision, reject the untimely and incomplete applications. The applicant shall within two working days as of the receipt of the decision be entitled to lodge a complaint with the Management Board of the Academy. The Management Board shall reach the decision on the complaint within two working days.

(2023): Following the expiry of the application deadline, the Commission for enterance exam shall, with a decision, reject the untimely and incomplete applications. The applicant shall within two working days as of the receipt of the decision be entitled to lodge a complaint with the Management Board of the Academy. The Management Board shall reach the decision on the complaint within two working days.

Serbia

(General Comment): Yes.

(2025): The High Judicial Council adopts a decision on the election to the judicial function, which must be explained. The decision with the rationale is published in the “Official Gazette of the Republic of Serbia”, and at the website of the High Judicial Council.
Against the decision on the election to the judicial function, the candidate may file an appeal to the Constitutional Court within 15 days from the day of the publication of the decision in the "Official Gazette of the Republic of Serbia", which excludes the right to submit a constitutional appeal.

(2024): The High Judicial Council adopts a decision on the election to the judicial function, which must be explained. The decision with the rationale is published in the “Official Gazette of the Republic of Serbia”, and at the website of the High Judicial Council. Against the decision on the election to the judicial function, the candidate may file an appeal to the Constitutional Court within 15 days from the day of the publication of the decision in the "Official Gazette of the Republic of Serbia", which excludes the right to submit a constitutional appeal.

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Against the decision on the election to the judicial function, the candidate may file an appeal to the Constitutional Court within 15 days from the day of the publication of the decision in the "Official Gazette of the Republic of Serbia", which excludes the right to submit a constitutional appeal.

Kosovo*
(General Comment): Unsatisfied candidates that were not selected, have the right to appeal. In the event that the Review Committee of the KJC, after evaluating the complaint, finds that there have been violations of the rules regarding the organization of the qualifying test, the written test, the essay and the oral interview, as defined in this regulation, it may decide to repeat the part opposed to the exam to which the candidates from the list who have met the conditions to be submitted to the relevant part of the exam will be submitted. If the Review Committee of the KJC decides to repeat the relevant part of the exam, the exam will be organized within five (5) days from the decision of the Review Committee. In the event that the Review Committee finds that technical errors have been made in the calculation of the points of the qualifying test, the written test, the essay and the oral interview, while in the case of reviewing the complaint it is verified that the candidate is ranked in the group of candidates who have not passed the relevant part of the exam, that candidate will be included in the list of candidates who have passed that part of the exam. After reviewing the complaints for the qualifying test, the written test, and the oral interview, the Council compiles the final list of the exam, as determined by this regulation, which is published on the Council's official website.

Question 98

Albania
(General Comment): According to Article 12 of the Internal Regulation of the School of Magistracy any candidate who is not included in the list of candidates who meet the eligibility criteria, has the right to use legal remedies provided by Law No. 115/2016, "On the governance bodies of the justice system," and other sublegal acts."

(2025): According to Article 12 of the Internal Regulation of the School of Magistracy any candidate who is not included in the list of candidates who meet the eligibility criteria, has the right to use legal remedies provided by Law No. 115/2016, "On the governance bodies of the justice system," and other sublegal acts."

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(2023): According to Article 12 of the Internal Regulation of the School of Magistracy any candidate who is not included in the list of candidates who meet the eligibility criteria, has the right to use legal remedies provided by Law No. 115/2016, "On the governance bodies of the justice system," and other sublegal acts."

(2022): 1. The Judicial Academy is the defendant in the administrative case. The appeal is done against their decision. 2. Administrative Court of Appeal

Bosnia and Herzegovina

(General Comment): The decision on appointment made by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina is the final administrative act pursuant to the Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of BiH", No. 63/23), which entered into force in December 2023, and an administrative dispute may be initiated against the decision by the candidate in the appointment procedure. The Court of Bosnia and Herzegovina has jurisdiction to resolve these administrative disputes. In the event of an administrative dispute, the appointment of the newly appointed judge or prosecutor shall be postponed for that position until the court proceedings have been completed.

(2025): The decision on appointment made by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina is the final administrative act pursuant to the Law on Amendments to the Law on the
High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of BiH", No. 63/23), which entered into force in December 2023, and an administrative dispute may be initiated against the decision by the candidate in the appointment procedure. The Court of Bosnia and Herzegovina has jurisdiction to resolve these administrative disputes. In the event of an administrative dispute, the appointment of the newly appointed judge or prosecutor shall be postponed for that position until the court proceedings have been completed.

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Montenegro

(General Comment): Administrative Court of Montenegro - Law on Administrative dispute proscribes entire procedure.

(2025): A candidate can challenge the Judicial Council’s decision on judge appointments by filing a case with the Administrative Court of Montenegro

North Macedonia

(General Comment): Right of appeal

Article 88

(1) Candidate dissatisfied with the resulting grade is entitled to appeal to the Commission for an entrance exam within 3 days from the date of announcement of the results on the official website and on the notice board of the Academy.

(2) Commission for entrance examination is obliged to decide on the complaint within 2 days from the date of receipt of the appeal at the Academy.

(3) Against the decision of the Commission for the entrance exam, dissatisfied candidate has the right to appeal to the Management Board within 8 days of receipt.

(4) The Management Board's decision on the appeal is taken within three days from the deadline for submission of appeals against the decisions of the Commission under Article 67 of this Law.

(5) At the meeting of the Board that considers the appeal, the chair of Commission or a member appointed by him also takes part without right to vote.

(6) The Board of Directors accepts by the conclusion or rejects the appeal of the candidate, and untimely appeals are rejected and a copy of the brief is submitted to the applicant.

(7) If the Board accepts the appeal of the applicant, it will oblige the Commission to again review also grading of the candidate's qualification test.

(8) Against the decision of the Board under paragraph (7) of this Article, dissatisfied applicant within three days of receipt may initiate an administrative dispute before the Administrative Court.

(9) Upon the lawsuit referred to in paragraph 8 of this Article, the Administrative Court shall decide within 5 days.

(10) Against the decision of the Administrative Court under paragraph 9 of this Article, an appeal may be sent to the Higher Administrative Court within three days of receipt of the decision of the Administrative Court.

(11) The Higher Administrative Court on appeal under paragraph 10 of this Article shall decide within 7 days of receiving the appeal.

(2025): The Management Board of the Academy is competent to decide on complaints of applicants.

(2024): The Management Board of the Academy is competent to decide on complaints of applicants.

(2023): The Management Board of the Academy is competend to decide on complaints of aplicants.

Serbia

(General Comment): Against the decision on the election to the post of judge, the candidate can appeal to the Constitutional Court, which excludes the right to file a constitutional appeal, within 15 days from the date of publication of the decision in the "Official Gazette of the Republic of Serbia".
The Constitutional Court is obliged to make a decision on the appeal referred to in paragraph 1 of this article within 30 days from the expiry of the deadline for filing an appeal.
The Constitutional Court can reject the appeal from paragraph 1 of this article as unfounded and confirm the decision on election to the judicial position or accept the appeal and cancel the decision on election to the judicial position.
The decision from paragraph 2 of this article with an explanation is published in the "Official Gazette of the Republic of Serbia".

(2025): The Constitutional Court is obliged to provide a decision on the appeal within 30 days from the day of the expiration of the deadline for filing the appeal.
The Constitutional Court may reject the appeal as unbased and confirm the decision on the selection to the judicial function or approve the appeal and cancel the decision on the selection to the judicial function.

(2024): Constitutional Court
The Constitutional Court is obliged to provide a decision on the appeal to the Constitutional Court within 30 days from the day of the expiration of the deadline for filing the appeal to the Constitutional Court.
The Constitutional Court may reject the appeal to the Constitutional Court as unbased and confirm the decision on the selection to the judicial function or approve the appeal to the Constitutional Court and cancel the decision on the selection to the judicial function.

(2023): Constitutional Court

(2022): Constitutional Court

Kosovo*

(General Comment): There are three different Commissions working on the recruitment process: first, the recruitment commission which is consisted of five (5) members, three (3) of whom are members of the KJC; second, there is a Review Commission consisting of 3 (three) members, of which at least one (1) member is from among the judges of the Supreme Court, one (1) judge from the Court of Appeal and one (1) a member of the KJC Judges; and third, the Qualification Test Drafting Commission which is composed of nine (9) members whose mandate ends with the preparation of the Qualifying Test with which they have been assigned as the Commission. So, the commission who drafts the exam, the recruitment commission and the review commission are three different bodies.

(2025): The Review Commission refers to the Commission established by the Kosovo Judicial Council, responsible for examining candidates' appeals in the judge recruitment process.

Question 99

Albania

(General Comment): The vetting process takes place before candidates start the School of Magistrates. It is conducted after they have been selected as winners in the entrance exam. If a candidate fails the vetting, they are dismissed and cannot enrol in the School of Magistrates.

(2025): The vetting process.

(2024): The vetting process

(2023): The vetting process.

Bosnia and Herzegovina

(General Comment): Other: The candidates who do not hold judicial office and who have applied for a judge position on any level of court system must take entrance exam and written tests.

(2025): The candidates who do not hold judicial office and who have applied for a judge position on any level of court system must take entrance exam and written tests.

(2024): The candidates who do not hold judicial office and who have applied for a judge position on any level of court system must take entrance exam and written tests.

Montenegro

(General Comment): The Program Committee for Initial Training of the Center for Training in Courts and State Prosecution Office, after completing the theoretical part of the Initial training that lasts 6 months and of the practical part of training that lasts 12 months, establishes the Final proposal of the grade for theoretical and practical part of training, and on the basis of Article 44 paragraph 5 of the Law on Center for Training in Courts and State Prosecution Office submits this Final proposal of grades of the selected candidates for judges to the Judicial Council. The Judicial Council, on the basis of the Report of the legal entity authorized for training judges and mentors in the conducted training, on the basis of the Law on Judicial Council and Judges and the Final proposal of the grades, brings a decision determining the grade of the proposed candidate.

(2025): The criteria for appointment of judges appointed for the first time shall be: 1) Grade on the written test referred to in Article 48 of the present Law, or the grade on the bar exam, in accordance with the law governing the bar exam; 2) Evaluation of the interview with the candidate.

North Macedonia

(General Comment): Judicial Council adopted the Rulebook on the method of ranking candidates for judges from the Academy for Judges and Public Prosecutors, available at http://www.sud.mk/wps/portal/ssrm/sud/legislativa/podzakonski-akti/!ut/p/z1/hZHNTsMwEISfpYcc8W5-6hpukRAJBalwME33gtLIJJHquHKd5vVbtyckcPa20nyzox0gqICG-ty3tevNUB-u-474Ny-yDMUbvhfxRmAuN5I_li_Jc7GCbUggZQoU5r-AgJrRWjU42Dk7qrClZ7wl_jM5hvn152ykOx84MMvTXEQKedwihgT-rWugfq_Z1GiGTMTpMk0EX2ZJJlY89rXlwz4VLZBVP8oqy0Z7bbNz7nh6ijDCaZpYa0x7UKwxOsK_kM6cHFS_lVCivx0Od9RSP0hZYf-ht8KJ13yxuAAllS7M/p0/IZ7_6G4408K0LG1O80AUOU69HF2DO7=CZ6_6G4408K0LG1O80AUOU69HF2DG7=MECTX!QCPsovet_mkQCPSudQCPLegislativaQCPPodzakonskiQCAaktiQCPPodzakonskiQCAakti=ns_Z7_6G4408K0LG1O80AUOU69HF2DO7_WCM_Page.7e4d7b72-297c-4395-bbd7-4f25f1b2c8cf!2=WCM_PI!1==/#Z7_6G4408K0LG1O80AUOU69HF2DO7

(2025): To pass the final exam on the initial training within the Academy for Judges and Public Prosecutors.

(2024): To pass the final exam on the initial training within the Academy for Judges and Public Prosecutors.

(2023): To pass the final exam on the initial training within the Academy for Judges and Public Prosecutors.

Serbia

(General Comment): THE LAW
ABOUT JUDGES
("Official Gazette of RS", No. 10/2023)
1. Conditions for selection
General conditions for selection
Article 48
A citizen of the Republic of Serbia who meets the general requirements for working in a state body, who has graduated from law school, passed the bar exam and who is professional, capable and worthy of performing the function of a judge can be elected as a judge.
Work experience required
Article 49
After passing the bar exam, work experience in the legal profession is required:
1) two years for the judge of the misdemeanor court;
2) three years for a basic court judge;
3) six years for a judge of the higher court, the commercial court and the Misdemeanor Court of Appeal;
4) ten years for a judge of the Court of Appeal, the Commercial Court of Appeal and the Administrative Court;
5) twelve years for a judge of the Supreme Court.
Other conditions for selection
Article 50
Other conditions for the selection of a judge are expertise, competence and worthiness.
Expertise implies having the theoretical and practical knowledge necessary to perform the function of a judge.
Competency means skills that enable effective application of specific legal knowledge in solving court cases.
Dignity implies moral qualities that a judge should possess and conduct in accordance with those qualities.
The moral qualities that a judge should possess are: honesty, conscientiousness, fairness, dignity, perseverance and exemplary behavior, and behavior in accordance with these qualities means preserving the reputation of the judge and the court in and outside the service, awareness of social responsibility, maintaining independence and impartiality, reliability and dignity in and outside the service and assuming responsibility for the internal organization and positive image of the judiciary in the public.
Indicators for the assessment of expertise, competence and worthiness are prescribed by the High Council of the Judiciary, in accordance with the law.
Determining the expertise and competence of a candidate for a judge who is elected to the position of judge for the first time

Kosovo*

(General Comment): According to the Law on Kosovo Judicial Council, article 20 (recruitment of judges), there are seven main requirements when it comes to the recruiting criteria: 1. professional knowledge, work experience and performance, including knowledge
and respect for human rights;
2. capacity for legal justifications as evidenced by professional activities in the field
of justice, including in the capacity of a judge, prosecutor or Lawyer, academic work or
other professional activity;
3. the professional ability based on the result of the previous career results, including
participation in organized training forms where performance is assessed;
4. ability and capacity to analyze legal problems;
5. the ability to perform tasks impartially, honestly, with care and responsibility;
6. communication skills; and
7. personal integrity.
The procedure for assessing the eligibility of a candidate to become part of the judiciary is carried out through verification of the data submitted by the candidate, data from relevant public records for evaluation, including the standard verification of records for the criminal past.

(2025): Evaluation of the essay

(2024): See general comment

Question 100

North Macedonia
(2025): Final exam consists written part, moot court and oral part

Serbia
(General Comment): Minutes of the interviews are taken
Audio or video recording of the interviews are taken
A standardised questionnaire is used for all candidate

Question 101

Albania

(2024): The High Judicial Council decides on the qualification of the candidate graduated from the School of Magistracy and the continuation of further procedure related to his appointment as a judge, in accordance with articles 35 and 39 of Law No. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended.

(2023): The High Judicial Council decides on the qualification of the candidate graduated from the School of Magistracy and the continuation of further procedure related to his appointment as a judge, in accordance with articles 35 and 39 of Law No. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended.

Bosnia and Herzegovina

(General Comment): The procedure of recruitment and selection of judges is conducted by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina in accordance with the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, the Rules of Procedure of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina and the Book of Rules on Entrance Exams and Written Tests for Candidates for Judicial Office in the Judiciary of Bosnia and Herzegovina. A public announcement of vacant positions in any court (regardless of the level) precedes the appointment of judges, including court presidents. The Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina in general does not distinguish the recruitment of new judges from the promotion or transfer of judges to a different position in judiciary. Thus a public vacancy is applicable to both internal candidates (candidates who hold judicial office) and external candidates, who compete each other for the vacant position. However, certain aspects of selection procedure are different for internal or external candidates. Selection procedure may include entrance exams and written tests, depending on the status of the candidate. Entrance exams and written tests shall be carried out mainly for candidates who do not hold judicial office and who have applied for positions of judges on any level. Results of the aforementioned tests are relevant for the establishing the competences of the external candidates. Competences of the candidates who are already judges or prosecutors are established based on the performance evaluation. All candidates have to be interviewed by the interview panel, which assesses the criteria regulated in the aforementioned Rules of Procedure. Candidates are ranked based on their success in the selection procedure. The points received according to the competence criterion (results of entrance exam/written test or performance evaluation) are added to the points received at the interview and candidates are ranked according to the total points scored. The High Judicial and Prosecutorial Council of Bosnia and Herzegovina appoints judges from the list of successful candidates upon proposal of relevant nomination subcouncil (internal body within the High Judicial and Prosecutorial Council of Bosnia and Herzegovina). The decision on the appointment has to be reasoned.

North Macedonia

(2025): Commission for final exam within Academy.

(2024): Commission for final exam within Academy.

(2023): Commission for final exam within Academy.

Serbia

(General Comment): High Judicial Council is the only institution in charge to select judges.

Question 102

Bosnia and Herzegovina

(General Comment): The procedure of recruitment and selection of judges is conducted by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina in accordance with the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, the Rules of Procedure of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina and the Book of Rules on Entrance Exams and Written Tests for Candidates for Judicial Office in the Judiciary of Bosnia and Herzegovina. A public announcement of vacant positions in any court (regardless of the level) precedes the appointment of judges, including court presidents. The Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina in general does not distinguish the recruitment of new judges from the promotion or transfer of judges to a different position in judiciary. Thus a public vacancy is applicable to both internal candidates (candidates who hold judicial office) and external candidates, who compete each other for the vacant position. However, certain aspects of selection procedure are different for internal or external candidates. Selection procedure may include entrance exams and written tests, depending on the status of the candidate. Entrance exams and written tests shall be carried out mainly for candidates who do not hold judicial office and who have applied for positions of judges on any level. Results of the aforementioned tests are relevant for the establishing the competences of the external candidates. Competences of the candidates who are already judges or prosecutors are established based on the performance evaluation. All candidates have to be interviewed by the interview panel, which assesses the criteria regulated in the aforementioned Rules of Procedure. Candidates are ranked based on their success in the selection procedure. The points received according to the competence criterion (results of entrance exam/written test or performance evaluation) are added to the points received at the interview and candidates are ranked according to the total points scored. The High Judicial and Prosecutorial Council of Bosnia and Herzegovina appoints judges from the list of successful candidates upon proposal of relevant nomination subcouncil (internal body within the High Judicial and Prosecutorial Council of Bosnia and Herzegovina). The decision on the appointment has to be reasoned.

Serbia

(General Comment): The High Judicial Council is the only institution in charge of the appointment of a judge after the Constitutional changes. Article 150 of Serbian Constitution
The High Council of the Judiciary is an independent state body that ensures and guarantees the independence of courts, judges, presidents of courts, and lay judges.
The High Council of the Judiciary elects judges and lay judges and decides on the termination of their office, elects the president of the Supreme Court and the presidents of other courts and decides on the termination of their office, decides on the transfer and assignment of judges, determines the required number of judges and lay judges, decides on other matters of position judges, presidents of courts and lay judges and exercises other competencies determined by the Constitution and the law.According to the Law on Judges, the High Judiciary Council publishes the public competition for the selection of a judge.
The public competition for the election of a judge is published no later than six months before the termination of the judicial office due to the completion of the working life, that is, no later than 15 days after the termination of the judicial office if it was terminated for another reason prescribed by law.
The public competition is published in the "Official Gazette of the Republic of Serbia", a means of public information covering the territory of the Republic of Serbia, and on the High Judiciary Council website.
The High Judiciary Council decides on the election of a judge, which must be explained.
The decision from paragraph 1 of this article with an explanation is published in the "Official Gazette of the Republic of Serbia" and on the website of the High Judiciary Council.
The right to appeal to the Constitutional Court against the decision on election to judicial office
Article 59
Against the decision on the election of a judge, the candidate can appeal to the Constitutional Court, which excludes the right to file a constitutional appeal, within 15 days from the date of publication of the decision in the "Official Gazette of the Republic of Serbia".
The Constitutional Court is obliged to decide on the appeal referred to in paragraph 1 of this article within 30 days from the expiry of the deadline for filing an appeal.
The Constitutional Court can reject the appeal from paragraph 1 of this article as unfounded and confirm the decision on election to the judicial position or accept the appeal and cancel the decision on election to the judicial position.
The decision from paragraph 2 of this article with an explanation is published in the "Official Gazette of the Republic of Serbia".

(2024): Article 150 of Serbian Constitution

The High Council of the Judiciary is an independent state body that ensures and guarantees the independence of courts, judges, presidents of courts, and lay judges.

The High Council of the Judiciary elects judges and lay judges and decides on the termination of their office, elects the president of the Supreme Court and the presidents of other courts and decides on the termination of their office, decides on the transfer and assignment of judges, determines the required number of judges and lay judges, decides on other matters of position judges, presidents of courts and lay judges and exercises other competencies determined by the Constitution and the law.

According to the Law on Judges, the High Judiciary Council publishes the public competition for the selection of a judge.

The public competition for the election of a judge is published no later than six months before the termination of the judicial office due to the completion of the working life, that is, no later than 15 days after the termination of the judicial office if it was terminated for another reason prescribed by law.

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The High Judiciary Council decides on the election of a judge, which must be explained.

The decision from paragraph 1 of this article with an explanation is published in the "Official Gazette of the Republic of Serbia" and on the website of the High Judiciary Council.

The right to appeal to the Constitutional Court against the decision on election to judicial office

Article 59

Against the decision on the election of a judge, the candidate can appeal to the Constitutional Court, which excludes the right to file a constitutional appeal, within 15 days from the date of publication of the decision in the "Official Gazette of the Republic of Serbia". The Constitutional Court is obliged to decide on the appeal referred to in paragraph 1 of this article within 30 days from the expiry of the deadline for filing an appeal.

The Constitutional Court can reject the appeal from paragraph 1 of this article as unfounded and confirm the decision on election to the judicial position or accept the appeal and cancel the decision on election to the judicial position.

The decision from paragraph 2 of this article with an explanation is published in the "Official Gazette of the Republic of Serbia".

(2023): Article 150 of Serbian Constitution
The High Council of the Judiciary is an independent state body that ensures and guarantees the independence of courts, judges, presidents of courts, and lay judges.
The High Council of the Judiciary elects judges and lay judges and decides on the termination of their office, elects the president of the Supreme Court and the presidents of other courts and decides on the termination of their office, decides on the transfer and assignment of judges, determines the required number of judges and lay judges, decides on other matters of position judges, presidents of courts and lay judges and exercises other competencies determined by the Constitution and the law.
According to the Law on Judges, the High Judiciary Council publishes the public competition for the selection of a judge.
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The Constitutional Court is obliged to decide on the appeal referred to in paragraph 1 of this article within 30 days from the expiry of the deadline for filing an appeal.
The Constitutional Court can reject the appeal from paragraph 1 of this article as unfounded and confirm the decision on election to the judicial position or accept the appeal and cancel the decision on election to the judicial position.
The decision from paragraph 2 of this article with an explanation is published in the "Official Gazette of the Republic of Serbia".

Kosovo*
(General Comment): At the end of these procedures, in accordance with the proposal of the KJC, the President of Kosovo decrees the new judges

(2025): The President of the State in Kosovo is not part of the executive power.

(2024): At the end of these procedures, in accordance with the proposal of the KJC, the President of Kosovo decrees the new judges.

Question 103

Albania

(General Comment): According to Article 35 of law 96/2016 on the status of judges and prosecutors in the Republic of Albania:
1. The graduate shall be appointed magistrate, if she/he meets concurrently the following criteria:
a) Having graduated from the School of Magistrates in the initial training with a score of at least 70% of the maximum reachable scores;
b) Having achieved evaluation scores of at least ”good” in each of the assignments during the professional internship in the third year of the initial training;
c) Having passed the asset declaration and background check, carried out by the Councils in accordance with the provisions in paragraphs 2 to 6 of Article 32 of this Law.
2. A graduate may apply for appointment as magistrate following an invitation in accordance with Article 39 paragraph 1 of this Law,
within the period of two weeks beginning with the date of the publication of the graduates' list. For justified reasons a graduate may apply to be appointed also in the following year.
3. A candidate for judge may, by notice in writing to the Council, apply for appointment as a judge. The request shall contain, in a
preferential list, three courts where the graduate seeks to be appointed. A candidate for prosecutor may, by notice in writing to the
Council, apply for appointment as a prosecutor. The request shall contain, in a preferential list, three prosecution offices where the
graduate seeks to be appointed. 4. Within the period of one month as of the date of the publication of the graduates' list the Councils shall:
a) Appoint as magistrate, each person who appears in the graduates' list, who satisfies the criteria for appointment, as well as has applied under the provisions of paragraph 2 and 3 of this Article,
b) Reject the appointment as magistrate to any person who appears in the graduates' list and having submitted the request under points 2 and 3 of this Articles, however, not satisfying the criteria for appointment.
5. The Council shall approve more detailed rules regarding the reasons justifying putting up the candidacy in the upcoming year, under the provisions of paragraph 2 of this Article.

Bosnia and Herzegovina

(General Comment): The relevant provisions of the Book of Rules, adopted by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, read as follows:
Article 61 (Decision on the Appointment of Judges and Prosecutors) (1) The Council shall decide on each appointment separately on the basis on the proposal from the relevant sub-council. (2) In the event that the Council does not adopt the proposal of a sub-council and the sub-council does not propose another candidate, the Council may, based on an elaborated proposal by any member of the Council, appoint one of the candidates who achieved the appropriate results required for appointment. (3) When proposing a candidate pursuant to paragraph (2) of the Article, consideration shall be given to circumstances from Article 59b, paragraph (2) of the Rules of Procedure. (4) During an appointment the Council shall also decide on the date of taking up office of an appointee. Article 59b
(Activities of the Sub-Council) (1) The relevant sub-council shall carry out the final candidate ranking and submit a proposal to the Council for action. (2) When nominating a candidate for appointment, apart from points scored and the ranking of the candidates who have achieved the required results, the relevant sub-council shall also cumulatively take into account the following: -circumstances that are relevant to the assessment of candidate suitability; -the need to ensure the appropriate ethnic and gender representation in the court or prosecutors office in accordance with Article 43, paragraph (2) of the Law; -the work-related experience of a candidate for a certain field of law, if the court for which appointment is being carried out, apart from municipal and basic court levels, has a need for a judge of a certain specialisation. (3) If the list of candidates who have achieved the minimum results required for appointment has no candidates of the appropriate ethnicity or with the specific work-related experience, the competition shall be repeated only once. (4) Apart from reasons pursuant to paragraph (3) of the Article, a competition may be repeated also in the event that none of the proposed candidates i.e. candidates who have achieved the minimum results required for appointment, receive a majority vote as required for appointment or in the event that none of the candidates achieved the required results within the competition procedure. Article 61b (Nomination and Appointment to Managerial Positions) (11) If, after the presentation of the work programs, no candidate has received a majority vote required to render a decision on appointment, any member of the Council may propose any candidate who has the achieved the appropriate result required for appointment to present their work program at the subsequent session

Serbia

(General Comment): The High Judicial Council is the only institution in charge of the appointment of a judge.
Article 150
The High Judiciary Council is an independent state body that ensures and guarantees the independence of courts, judges, presidents of courts, and lay judges.
The High Council of the Judiciary elects judges and lay judges and decides on the termination of their office, elects the president of the Supreme Court and the presidents of other courts and decides on the termination of their office, decides on the transfer and assignment of judges, determines the required number of judges and lay judges, decides on other matters of position judges, presidents of courts and lay judges and exercises other competences determined by the Constitution and the law.
According to the Law on Judges, the High Judiciary Council publishes the public competition for the selection of a judge.
The public competition for the election of a judge is published no later than six months before the termination of the judicial office due to the completion of the working life, that is, no later than 15 days after the termination of the judicial office if it was terminated for another reason prescribed by law.
The public competition is published in the "Official Gazette of the Republic of Serbia", a means of public information covering the territory of the Republic of Serbia, and on the High Judiciary Council website.
The High Judiciary Council decides on the election of a judge, which must be explained.
The decision from paragraph 1 of this article with an explanation is published in the "Official Gazette of the Republic of Serbia" and on the website of the High Judiciary Council.
The right to appeal to the Constitutional Court against the decision on election to judicial office
Article 59
Against the decision on the election of a judge, the candidate can appeal to the Constitutional Court, which excludes the right to file a constitutional appeal, within 15 days from the date of publication of the decision in the "Official Gazette of the Republic of Serbia".
The Constitutional Court is obliged to decide on the appeal referred to in paragraph 1 of this article within 30 days from the expiry of the deadline for filing an appeal.
The Constitutional Court can reject the appeal from paragraph 1 of this article as unfounded and confirm the decision on election to the judicial position or accept the appeal and cancel the decision on election to the judicial position.
The decision from paragraph 2 of this article with an explanation is published in the "Official Gazette of the Republic of Serbia".

(2024): Article 150

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The High Judiciary Council decides on the election of a judge, which must be explained.

The decision from paragraph 1 of this article with an explanation is published in the "Official Gazette of the Republic of Serbia" and on the website of the High Judiciary Council.

The right to appeal to the Constitutional Court against the decision on election to judicial office

Article 59

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The Constitutional Court can reject the appeal from paragraph 1 of this article as unfounded and confirm the decision on election to the judicial position or accept the appeal and cancel the decision on election to the judicial position. The decision from paragraph 2 of this article with an explanation is published in the "Official Gazette of the Republic of Serbia".

(2023): Article 150
The High Judiciary Council is an independent state body that ensures and guarantees the independence of courts, judges, presidents of courts, and lay judges.
The High Council of the Judiciary elects judges and lay judges and decides on the termination of their office, elects the president of the Supreme Court and the presidents of other courts and decides on the termination of their office, decides on the transfer and assignment of judges, determines the required number of judges and lay judges, decides on other matters of position judges, presidents of courts and lay judges and exercises other competences determined by the Constitution and the law.
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The Constitutional Court is obliged to decide on the appeal referred to in paragraph 1 of this article within 30 days from the expiry of the deadline for filing an appeal.
The Constitutional Court can reject the appeal from paragraph 1 of this article as unfounded and confirm the decision on election to the judicial position or accept the appeal and cancel the decision on election to the judicial position.
The decision from paragraph 2 of this article with an explanation is published in the "Official Gazette of the Republic of Serbia".

Kosovo*
(General Comment): According to the Article 22 of Law on KJC, The President appoints judges in the judicial system with a three (3) year initial mandate
based on the Council's proposals. Within sixty (60) days after the receipt of the proposal, the President shall issue a decree on the appointment as judge of the candidate proposed by the Council. If within this deadline the President does not appoint the judge, the Council may re-submit the proposed candidate together with the supplementary reasoning in writing. Thereafter the President appoints the judge upon the proposal of the Council. As per the article 84, the President of the Republic of Kosovo appoints and dismisses judges of the Republic of Kosovo upon the proposal of the Kosovo Judicial Council. Therefore, candidates that are proposed by the Kosovo Judicial Council, will be verified again by the office of the President, hence it is upon President's discretion to appoint a judge or to return back the proposal regarding that judge to the KJC.

Question 104

Bosnia and Herzegovina

(General Comment): The decision on appointment made by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina is the final administrative act pursuant to the Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of BiH", No. 63/23), which entered into force in December 2023, and an administrative dispute may be initiated against the decision by the candidate in the appointment procedure.

Montenegro

(General Comment): Candidates who are not elected have the possibility to file lawsuit to the Administrative court of Montenegro. Such procedure is defined by the Law on Administrative Dispute.
Article 52 of the Law on Judicial Council and Judges : ”A person who applied for the public announcement for the appointment of judges in the Basic Court shall have the right to inspect the documents, written test and the grades of persons who have applied for this public announcement, within 15 days from the date of the decision on the assignment of candidates for judges. The persons referred to in paragraph 1 of this Article may initiate an administrative dispute against the decision of the Judicial Council referred to in Article 51, paragraph 1 of the present Law.”

North Macedonia

(General Comment): Law on Judicial Council, article 49, paragraph 5
The candidate who is not selected as a judge shall have the right to appeal in front the Appeal Council at the Supreme Court of the Republic of North Macedonia within a period of eight days as of the day of receipt of the information in a way and procedure prescribed by this law.
The Appeal Council in the Supreme court against a decision for election and promotion on judges is composed from five members and their deputies from the rank of the judges in the Supreme court. The members on this council are elected by the President of the Supreme court with the yearly working plan.
This Council is responsible to decide only about submitted appeals by the judge against decisions on the Judicial council for election on a judge in a Basic court, promotion on a judge and election on a president of the court.

Serbia

(General Comment): Article 59 Law on Judges Against the decision on the election of a judge, the candidate can appeal to the Constitutional Court, which excludes the right to file a constitutional appeal, within 15 days from the date of publication of the decision in the "Official Gazette of the Republic of Serbia".
The Constitutional Court is obliged to decide on the appeal referred to in paragraph 1 of this article within 30 days from the expiry of the deadline for filing an appeal.
The Constitutional Court can reject the appeal from paragraph 1 of this article as unfounded and confirm the decision on election to the judicial position or accept the appeal and cancel the decision on election to the judicial position.
The decision from paragraph 2 of this article with an explanation is published in the "Official Gazette of the Republic of Serbia".

Question 105

Albania

(2022): Administrative Court of Appeal

Bosnia and Herzegovina

(General Comment): The Court of Bosnia and Herzegovina has jurisdiction to resolve these administrative disputes. In the event of an administrative dispute, the appointment of the newly appointed judge or prosecutor shall be postponed for that position until the court proceedings have been completed.

(2023): The decision on appointment made by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina is the final administrative act pursuant to the Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of BiH", No. 63/23), which entered into force in December 2023, and an administrative dispute may be initiated against the decision by the candidate in the appointment procedure. The Court of Bosnia and Herzegovina has jurisdiction to resolve these administrative disputes. In the event of an administrative dispute, the appointment of the newly appointed judge or prosecutor shall be postponed for that position until the court proceedings have been completed.

North Macedonia

(2025): Appeal Council within the Supreme Court is competent to decide on the appeal of candidate who is not appointed by the Judicial Council.

(2024): Appeal Council within the Supreme Court is competent to decide on the appeal of candidate who is not appointed by the Judicial Council.

(2023): Appeal Council within the Supreme Court is competent to decide on the appeal of candidate who is not appointed by the Judicial Council.

Serbia

(General Comment): Constitutional Court

(2025): Against the decision on the election to the judicial function, the candidate may file an appeal to the Constitutional Court within 15 days from the day of the publication of the decision in the "Official Gazette of the Republic of Serbia", which excludes the right to submit a constitutional appeal.

(2024): Article 59 Law on Judges Against the decision on the election of a judge, the candidate can appeal to the Constitutional Court, which excludes the right to file a constitutional appeal, within 15 days from the date of publication of the decision in the "Official Gazette of the Republic of Serbia".
The Constitutional Court is obliged to decide on the appeal referred to in paragraph 1 of this article within 30 days from the expiry of the deadline for filing an appeal.
The Constitutional Court can reject the appeal from paragraph 1 of this article as unfounded and confirm the decision on election to the judicial position or accept the appeal and cancel the decision on election to the judicial position. The decision from paragraph 2 of this article with an explanation is published in the "Official Gazette of the Republic of Serbia"

(2023): Article 59 Law on Judges Against the decision on the election of a judge, the candidate can appeal to the Constitutional Court, which excludes the right to file a constitutional appeal, within 15 days from the date of publication of the decision in the "Official Gazette of the Republic of Serbia".
The Constitutional Court is obliged to decide on the appeal referred to in paragraph 1 of this article within 30 days from the expiry of the deadline for filing an appeal.
The Constitutional Court can reject the appeal from paragraph 1 of this article as unfounded and confirm the decision on election to the judicial position or accept the appeal and cancel the decision on election to the judicial position.
The decision from paragraph 2 of this article with an explanation is published in the "Official Gazette of the Republic of Serbia".

(2022): Constitutional Court

Kosovo*
(General Comment): There are three different Commissions working on the recruitment process: first, the recruitment commission which is consisted of five (5) members, three (3) of whom are members of the KJC; second, there is a Review Commission consisting of 3 (three) members, of which at least one (1) member is from among the judges of the Supreme Court, one (1) judge from the Court of Appeal and one (1) a member of the KJC Judges; and third, the Qualification Test Drafting Commission which is composed of nine (9) members whose mandate ends with the preparation of the Qualifying Test with which they have been assigned as the Commission. So, the commission who drafts the exam, the recruitment commission and the review commission are three different bodies.

Question 106

Albania

(General Comment): Integrity is part of the selection process in three moments. The first control, made by the School of Magistrates, is if the candidate fulfil the criteria for admission to initial training, two of which consist in integrity: they must have never been criminally convicted by a final decision and they must have never been dismissed from office for disciplinary reasons and are not subject to a current disciplinary sanction.
The second control is made with the psychological and mental health assessment, which is part of the recruitment exam. This assessment is also focused in the approach of the candidates to corruption, ethics, etc. And the third control is made by the Councils, after the applicants have successfully passed the two phases and the psychological and mental health assessment. The Councils shall request for each applicant, information from competent institutions for the verification of assets and background check regarding any other disqualifying grounds from the High Inspectorate for the Declaration and Audit of Assets and Conflict of Interest, prosecution office, financial, tax and customs authorities, National Bureau of Investigation, state intelligence institutions and any disciplinary authorities having supervised the discipline in the labour relations of the candidate.

Bosnia and Herzegovina

(General Comment): Through the check of disciplinary proceedings and sanctions:
In the competition procedure for the post of a judge or a prosecutor information is checked whether disciplinary proceedings are being conducted against the candidate, whether a final disciplinary measure has been imposed to the candidate, meaning whether the candidate has been convicted. The said information impact the decision whether the candidate will be invited to an interview, meaning whether or not they will further participate in the competition procedure. If a disciplinary measure is imposed to the candidate in a certain time period, depending on the measure, they cannot participate in the competition procedure. Through an integrity assessment test:
The candidate’s ability to responsibly, independently and impartially hold the office they applied for, professional impartiality and reputation and conduct outside the job is one of the criteria examined in the interview with the candidate by asking suitable questions.
During the appointment procedure consideration shall also be given to circumstances relevant for the evaluation of candidate suitability, such as information concerning any previous disciplinary offences, previous criminal convictions and other circumstances that may deem a candidate unsuitable to hold judicial office.
The candidate in the application form must reply to the following question: Have you been convicted of a felony or been found responsible for a misdemeanor offense or been found responsible for disciplinary offense?
Also, the candidate is required to submit as an attachment to the application form an official court document confirming that there is no pending criminal proceedings against him or her. Candidate's criminal record does not constitute an eliminatory criterion in the process of appointment of candidates. But in this regard, the Interview panel and the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, through the appointment procedure determine the ability of the candidate with criminal record to perform the judicial function.

(2022): The integrity of candidate judges is checked at the interview conducted with candidates and through the information which candidates submit in the application form.

North Macedonia

(General Comment): The integrity of candidate judge is checked with a conducting on a psychological and integrity test by the Judicial Council according to the article 45-a from the Law on courts.
Article 45-a
(1) The psychological test, conducted by the Judicial Council of the Republic of Macedonia, shall aim at affirming the candidates for exercising the judicial office by checking their social skills.
(2) The integrity test that is conducted by the Judicial Council of the Republic of Macedonia shall be founded on the existing ethical and professional codes for exercising the judicial office and shall aim at checking the ethical and moral values of the candidate for exercising the judicial office, and shall consist of:
- test that is conducted in a written form and anonymously, based on the standardized list of questions, and - abolished
(3) The Judicial Council of the Republic of Macedonia, when conducting the psychological test and the integrity test, shall be obliged to take into account the protection of the personal data, reputation and dignity of the candidate in accordance with the law.
(4) The Judicial Council of the Republic of Macedonia shall engage experts from an independent and fully accredited professional institution for conducting the psychological test and the first part of the integrity test.
(5) The psychological test shall be conducted on the basis of internationally recognized psychological tests for exercising the judicial office that are applied in at least one of the member states of the European Union and the OECD.

Serbia
(General Comment): Obtaining data and opinions
Article 55
The High Council of the Judiciary obtains data and opinions on the expertise, competence and worthiness of candidates.
Data and opinions are obtained from authorities and organizations where the candidate worked in the legal profession.
For a candidate who has worked in court, data is obtained from the candidate's personal file, and the opinion of the session of all judges of the court where the candidate worked must be obtained.
For a candidate from the ranks of judges, in addition to the data and opinion from paragraph 3 of this article, the opinion of the session of all judges of the immediately higher court is obtained.
When making a decision on the selection of a judge, the High Council of the Judiciary takes into account the grade obtained in the process of evaluating the work of candidates from the ranks of judges.
During the selection of candidates from the ranks of judges, other activities of importance for the performance of the judicial function may also be taken into account.
For a candidate who works as a judge's assistant, a performance evaluation must be obtained.
For a candidate who has not worked as a judge before, the High Council of the Judiciary especially appreciates the type of work he performed after passing the bar exam.
Before the election, the candidate has the right to inspect the entire documentation and opinions that are the basis for the decision on the election of the candidate.

(2025): Law on Judges stipulates conditions for selection to judicial function. Apart from conditions for a candidate to be a citizen of the Republic of Serbia who meets the general requirements for employment in state bodies, who is a law school graduate, who has passed the bar exam and has relevant work experience, a judge has to be qualified, competent and worthy of a judicial function. Worthiness in this case means ethical characteristics that a judge should possess, and their conduct in accordance with such characteristics. A judge must possess the following moral characteristics: honesty, thoroughness, diligence, fairness, dignity, perseverance, and esteem, and conduct in compliance with these characteristics involves upholding of dignity of a judge and a court on and off duty; awareness of social responsibility; preserving of independence and impartiality; reliability and dignity on duty and off; as well as taking the responsibility for the internal organisation and a positive public image of the judiciary.
Upon selection for a judge, worthiness is assumed. For the purpose of assessing worthiness for performance of a judicial function, an opinion of a candidate's work collective is obtained for their selection.
Criteria and measures for assessing qualification and competence, as well as worthiness for judges' selection are provided by the Council. The Law on judges ("Official Gazette of the Republic of Serbia" no. 10/2023, February 9th, 2023), stipulates with article 50 that integrity is one of criteria for the selection and promotion of judges and also refers to the adoption of acts by the Council that will stipulate indicators for the worthiness of a judge.
In April 2024, the High Judicial Council adopted Rulebook on the procedure for the election of a judge and the president of the court which stipulates that a citizen of the Republic of Serbia who meets the general requirements for work in a state body, who graduated from the Faculty of Law, passed the bar exam and who is professional, capable and worthy to perform the function of a judge may be elected as a judge.

(2024): Article 48. Law on Judges ("Official Gazette of RS", No. 10/2023) A citizen of the Republic of Serbia who meets the general requirements for working in a state body, who has graduated from law school, passed the bar exam and who is professional, capable and worthy of performing the function of a judge can be elected as a judge.
General requirements for working in the state body are prescribed in Article 45. Law on civil servants. An adult citizen of the Republic of Serbia who has the prescribed professional qualification and meets the other conditions determined by the law, other regulations, and the rulebook on the internal organization and systematization of workplaces in the state body can be employed as a civil servant, if his employment in the state body has not been terminated before due to breach of duty from the employment relationship and has not been sentenced to a prison sentence of at least six months.
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During the selection of candidates from the ranks of judges, other activities of importance for the performance of the judicial function may also be taken into account.
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For a candidate who has not worked as a judge before, the High Council of the Judiciary especially appreciates the type of work he performed after passing the bar exam.
Before the election, the candidate has the right to inspect the entire documentation and opinions that are the basis for the decision on the election of the candidate.

(2022): Opinions on candidates and judges are required and criminal records are checked.

Kosovo*
(General Comment): Based on Article 27 point 1.8 of Law no. 06/L-055 Law on the Judicial Council, personal integrity is required, which is in accordance with the Constitution and the criteria defined by the Law.

Question 107

Albania

(General Comment): Article 64 of Law No. 96/2016 foresees as quoted below:
2. Judges of the High Court shall retire at the age of 70. The mandate of a High Court judge shall end upon reaching the age of 70, regardless of the years of assuming the function in the position.
5. The magistrate retires at the age of 67. The magistrate, at his request, can remain in office until the age of 70. The request for staying in office is presented no later than 6 months before reaching retirement age. The status of the magistrate ends when he reaches the age of 67 or the age of 70, in cases where he has requested to remain in office until this age. The council declares with the decision ending the status of the magistrate, not later than two weeks before the end of the respective month.
6. The end of the mandate of the judge of the High Court is declared by the decision of the High Court no later than two weeks before the end of the relevant month
According to Law no 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended, Article 64 provides that the status of a magistrate terminates with:
a) resignation;
b) presence of conditions of ineligibility and incompatibility in the exercise of the function are verified;
c) reaching the retirement age;
d) dismissal from office for disciplinary liability issues, according to the provisions of this law;
e) verified inability to perform the duty.
The status of a magistrate shall end upon:
a) His or her resignation;
b) Establishment of circumstances of his/her inelectability and incompatibility in exercising the function;
c) Reaching the retirement age 67 years old;
ç) Dismissal as a result of a disciplinary liability, in accordance with this Law;
d) Establishment of circumstances of inability to exercise the function.
2. Judges of the High Court shall retire at the age of 70. The mandate of a High Court judge shall end upon reaching the age of 70,
regardless of the years of assuming the function in this position. The judges of the High Court are appointed for a 9 year term, without the right to re-appointment.

(2025): The age of retirement is 67 for all magistrates, with the possibility of extension as foreseen bylaw. The age of retirement is 70, for judges of the High Court of Albania.
According to Law no 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended, Article 64 provides that the status of a magistrate terminates with:
a) resignation;
b) presence of conditions of ineligibility and incompatibility in the exercise of the function are verified;
c) reaching the retirement age;
d) dismissal from office for disciplinary liability issues, according to the provisions of this law;
e) verified inability to perform the duty.

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a) resignation;
b) presence of conditions of ineligibility and incompatibility in the exercise of the function are verified;
c) reaching the retirement age;
d) dismissal from office for disciplinary liability issues, according to the provisions of this law;
e) verified inability to perform the duty.

(2022): Judges of the High Court shall retire at the age of 70.

Bosnia and Herzegovina

(General Comment): According to the Law on High Judicial and Prosecutorial Council of Bosnia and Herzegovina the mandatory retirement age for judges is age seventy (70). A judge can be removed from office as a disciplinary sanction. The disciplinary measure of dismissal shall only be used in cases where a serious disciplinary offence is found and the severity of the offence makes it clear that the offender is unfit or unworthy to continue to hold his or her office. A judge can resign from office. A judge can be removed from the office because it has been proven by the medical documentation that she or he has permanently lost the working capacity to perform his/her judicial function.
Reserve judges may be appointed on a temporary basis (up to 2 years).
Their role is to assist courts in reducing case backlogs, or to replace temporarily judges who are absent for a prolonged period of time. They are appointed in the publicly announced procedure by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina upon application by the president of a court; the High Judicial and Prosecutorial Council of Bosnia and Herzegovina may renew the mandate of reserve judges following the request of the president of a court.

Montenegro

(General Comment): The judge ceases to be in office if he or she so requests, when he or she fulfills the conditions for entitlement to the retirement and is sentenced to a unconditional sentence.
A judge shall be dismissed if he has been convicted of an offense which makes him unworthy of performing his judicial office;
unprofessional or negligent performance of judicial office or if permanently incapacitated for the performance of judicial office.

(2025): The termination of a judge's office occurs by law (age limit, personal request) or by a decision of the Judicial Council due to dismissal for the most serious disciplinary offenses. A judge's most serious disciplinary offense is when they are convicted of an act that makes them unfit to perform judicial duties, or when they perform their judicial functions incompetently or negligently.

North Macedonia

(General Comment): The official age of 64 years is new compulsory age for retirement in North Macedonia.
With the amendments to the Labor Law from February 2025, there is a possibility for judges to prolong their retirement until 67.

(2025): With the amendments to the Labor Law from February 2025, there is a possibility for judges to prolong their retirement until 67.

(2024): With the amendments to the Labor Law from February 2025, there is a possibility for judges to prolong their retirement until 67.

(2022): In 2022, the official compulsory age of retirement is 64 years (please, see the general comment). As a right to gender equality, women can choose the age between 62-64 for retirement.

Serbia

(General Comment): By the Law on Judges ("Official Gazette of RS", No. 10/2023), continuity of the judge position is guaranteed. A term
Article 13
The judicial office lasts continuously from the election as a judge until the completion of the working life.

(2025): In accordance with the Law on Judges ("Official Gazette of RS", No. 10/2023) the judicial function shall last continuously from the election to the judge's function until the end of career. The function of the judge ends when the judge reaches the end of working career by force of law. The working career of a judge ends at the age of 65 years, except a judge of the Supreme court who may perform judicial function until the age of 67 years.
A judge's function ends at the request of the judge, at the end of his/her career, due to a permanent loss of working ability for judicial function, if his/her citizenship of the Republic of Serbia is cancelled, or if he/she is dismissed.
A judge is dismissed if convicted for an offence carrying imprisonment sentence of at least six months or if a disciplinary proceeding shows that the judge has committed a severe disciplinary violation which, in the opinion of the High Judicial Council, seriously damages the reputation of the judicial function or the public's trust in courts.

(2024): The Law on the Judges ("Official Gazette of RS", No. 10/2023)
Article 13
The judicial office lasts continuously from the election as a judge until the completion of the working life. Completion of working life Article 66
A judge's function ends when he reaches the end of his working life, by force of law.
The working life of a judge ends when the judge reaches 65 years of age, except a judge of the Supreme Court who can perform the function of a judge until reaching 67 years of age.

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Article 13
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Article 66
A judge's function ends when he reaches the end of his working life, by force of law.
The working life of a judge ends when the judge reaches 65 years of age, except a judge of the Supreme Court who can perform the function of a judge until reaching 67 years of age.

Kosovo*

(2025): Based on Article 25, paragraph 1, of Law No 06/L-055, it is stipulated that judges may be dismissed from office due to a conviction for a criminal offense or for a serious failure to perform their duties.

(2023): Based on Article 25 of Law No. 06/L-055 Dismissal of Judges, Judges may be dismissed from office due to conviction for a criminal offense or serious non-compliance with duties.

(2022): Based on Article 25 of Law No. 06/L-055 Dismissal of Judges, Judges may be dismissed from office due to conviction for a criminal offense or serious non-compliance with duties.

Question 109

Serbia

(General Comment): The High Judicial Council elects judges to be appointed to permanent office.
A first-time elected judge whose work during the first three-year term of office is
assessed with performs the judicial duty with exceptional success . Rating shall be elected to
permanent office as mandatory. A first-time elected judge whose work during the first three-year term of office is
assessed as not satisfactory; may not be appointed to permanent office. Every decision on the election must be reasoned and published in the ''Official Gazette
of the Republic of Serbia''.

Kosovo*

(2024): Initial mandate of judges is 3 years.

Question 110

Serbia

(General Comment): Article 67
Against the legally binding decision of the High Council of the Judiciary on termination of office, the judge has the right to appeal to the Constitutional Court, within 30 days from the date of delivery of the decision.
By its decision, the Constitutional Court can reject the appeal or accept the appeal and cancel the decision on termination of office.
The decision of the Constitutional Court is final.

Kosovo*

(2024): There is a possibility to submit a claim to the competent court.

Question 112

Albania

(General Comment): In addition to the above criteria, in the Law “On the status of judges and prosecutors”, as amended, it is stipulated that candidates must meet other criteria such as:
- the lack of disciplinary measures in force;
- should not be members of political parties in the at the time of candidacy;
- they must not be a member or associate of State Security prior to 1990 and;
- have not been an associate, informant, or intelligence agent.

(2025): The criteria related to “Clean criminal record” means that, candidates should have not been convicted by a final criminal decision for a criminal offense that, due to the nature of the offense committed, discredits the position and image of the judge or prosecutor or seriously damages the public's trust in the judicial system, regardless of whether he has been rehabilitated according to the provisions of the Criminal Code. Also “Other” legal criteria are: The candidate should have not been removed from office or his license, authorization or permission to practice a profession has not been revoked for disciplinary reasons, regardless of whether the disciplinary measure is considered extinguished, and there is no disciplinary measure in force; is not a member of political parties at the time of candidacy; was not a member, associate or beneficiary of State Security prior to 1990; and, was not a collaborator, informant, or secret service agent (According to Article 28, of the Law “On the status of judges and prosecutors in the Republic of Albania”, as amended).

(2024): The criteria related to “Clean criminal record” means that, candidates should have not been convicted by a final criminal decision for a criminal offense that, due to the nature of the offense committed, discredits the position and image of the judge or prosecutor or seriously damages the public's trust in the judicial system, regardless of whether he has been rehabilitated according to the provisions of the Criminal Code. Also “Other” legal criteria are: The candidate should have not been removed from office or his license, authorization or permission to practice a profession has not been revoked for disciplinary reasons, regardless of whether the disciplinary measure is considered extinguished, and there is no disciplinary measure in force; is not a member of political parties at the time of candidacy; was not a member, associate or beneficiary of State Security prior to 1990; and, was not a collaborator, informant, or secret service agent (According to Article 28, of the Law “On the status of judges and prosecutors in the Republic of Albania”, as amended).

(2022): Related to the “age” criteria to become a prosecutor, in the Law “On the status of judges and prosecutors in the Republic of Albania”, as amended, there is no any criteria related to the age of the candidates to enter the exam and then, accepted in the Initial Forming program of the Judicial Academy. Each person, who fulfill the legal criteria, despite of his age, may enter the exam and be graduated in the Judicial Academy, to become a prosecutor.
The criteria related to “Clean criminal record” means that, candidates should have not been convicted by a final criminal decision for a criminal offense that, due to the nature of the offense committed, discredits the position and image of the judge or prosecutor or seriously damages the public's trust in the judicial system, regardless of whether he has been rehabilitated according to the provisions of the Criminal Code. Also “Other” legal criteria are: The candidate should have not been removed from office or his license, authorization or permission to practice a profession has not been revoked for disciplinary reasons, regardless of whether the disciplinary measure is considered extinguished, and there is no disciplinary measure in force; is not a member of political parties at the time of candidacy; was not a member, associate or beneficiary of State Security prior to 1990; and, was not a collaborator, informant, or secret service agent (Article 28, of the Law “On the status of judges and prosecutors in the Republic of Albania”, as amended).

Bosnia and Herzegovina

(General Comment): Clean criminal record: During the appointment procedure consideration shall also be given to circumstances relevant for the evaluation of candidate suitability, such as information concerning any previous disciplinary offences, previous criminal convictions and other circumstances that may deem a candidate unsuitable to hold judicial office. The candidate in the application form must reply to the following question: Have you been convicted of a felony or been found responsible for a misdemeanor offense or been found responsible for disciplinary offense? Also, the candidate is required to submit as an attachment to the application form an official court document confirming that there is no pending criminal proceedings against him or her.
Candidate's criminal record does not constitute an eliminatory criterion in the process of appointment of candidates. But in this regard, the Interview panel and the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, through the appointment procedure determine the ability of the candidate with criminal record to perform the prosecutorial function.

(2025): During the appointment procedure consideration shall also be given to circumstances relevant for the evaluation of candidate suitability, such as information concerning any previous disciplinary offences, previous criminal convictions and other circumstances that may deem a candidate unsuitable to hold judicial office.
The candidate in the application form must reply to the following question: Have you been convicted of a felony or been found responsible for a misdemeanor offense or been found responsible for disciplinary offense?
Also, the candidate is required to submit as an attachment to the application form an official court document confirming that there is no pending criminal proceedings against him or her. Candidate's criminal record does not constitute an eliminatory criterion in the process of appointment of candidates. But in this regard, the Interview panel and the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, through the appointment procedure determine the ability of the candidate with criminal record to perform the judicial function.

Montenegro

(General Comment): That no criminal proceedings are conducted; a medical certificate of fitness.
"Clean criminal record"- Certificate that criminal proceeding is not active against the person filing application. "Other" - Certificate of Citizenship of Montenegro; Certificate on Health Capability.

(2025): Law on the State Prosecutor's Office ("Official Gazette of Montenegro," Nos. 11/2015, 42/2015, 80/2017, 10/2018, 76/2020, 59/2021, 54/2024 and 92/2025), Article 39.

(2024): The criteria for applying for the procedure to become a prosecutor are defined in accordance with the Law on State Prosecution "Official Gazette of Montenegro", no. 11/2015, 42/2015, 80/2017, 10/2018, 76/2020, 59/2021 and 54/2024, articles 49 and 50

(2023): The competent authority issue relevant documents confirming that no criminal record of convictions or no criminal proceedings are being conducted against the candidate.

(2022): The competent authorities issue relevant documents confirming that no criminal record of convictions or no criminal proceedings are being conducted against the candidate.

North Macedonia

(General Comment): Law on Academy for judges and public prosecutors
Article 57, p.1
(1) Conditions for admission of a person to initial training shall be:
- be a law graduate with a four-year higher education VII / I degree in law studies or a law graduate that has acquired 300 credits under the European credit - transfer system (ECTS)
- to have passed the bar exam,
- to have work experience of at least two years in legal affairs after passing the bar exam,
- prohibition on practicing profession, performing an activity or duty not to be pronounced,
- to be a citizen of the Republic of Macedonia,
- to be fluent in Macedonian language,
- to be proficient in one of the three most commonly used languages of the European Union (English, French or German), which is determined with the entrance exam on the Academy.
- Practical work with computers and
- Be able to work and have general health capability.
Criminal code
Prohibition on practicing profession, performing an activity or duty
Article 38-b
(1) The court may prohibit the offender, sentenced to imprisonment or probation stipulating imprisonment, from performing a certain profession or activity, duties or works related to acquiring, disposal, use, management and handling of property or related to keeping of that property, if the offender has abused his profession, activity or duty in order to commit a crime and if, based on the nature of the committed crime and the circumstances for the crime, one may expect that such activity will be abused by the offender for further commission of a crime.
(2) The sentence referred to in paragraph (1) of this Article shall as well refer to a prohibition to perform duty of an official person, responsible person in a legal entity or person performing activities of public interest.
(3) In the cases determined by law it can be prescribed mandatory imposing of the prohibition together with the imprisonment sentence, in duration of at least six months.
(4) The court shall determine the duration of the prohibition referred in paragraph (1), which may not be shorter than one or longer than ten years, as of the day of the legal validity of the decision, whereas the time spent in imprisonment shall not be calculation in the duration of the prohibition.
(5) When sentencing on probation, the court may determine that such probation shall be revoked should the offender violate the prohibition from performing profession, activity or duty.

(2025): The Law on the Academy for judges and prosecutors
Initial Training Admission Requirements Article 31 (1)The initial training admission requirements shall be as follows: – bachelor of law with completed four-year higher education VII/I degree of studies of law or bachelor of law with acquired 300 credits according to the European Credit Transfer System (ECTS),
- passed bar exam, - at least two years of service in legal matters following the passing of the bar exam, - without pronounced measure prohibiting the execution of a profession, activity or duty, - to be a citizen of the Republic of North Macedonia, - active knowledge of the Macedonian language, - knowledge of one of the three most commonly used languages of the European Union, level B1 (English, French or German), which can be determined within the entry exam in the Academy, - practical work with computers and - capable to work and with general medical fitness.

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Serbia

(General Comment): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023) Article 81
A citizen of the Republic of Serbia who meets the general requirements for work in a state body, who has graduated from law school, passed the bar exam, and who is professional and worthy of performing the public prosecutor's office can be elected as the holder of the public prosecutor's office.
Law on Public Prosecutors Article 82 A person who, in addition to the general requirements, has work experience in the legal profession after passing the bar exam can be elected as the holder of the public prosecutor's office, namely:
1) four years for the basic chief public prosecutor and three years for the public prosecutor of the basic public prosecution;
2) seven years for the senior chief public prosecutor and six years for the public prosecutor of the higher public prosecution;
3) ten years for the appellate chief public prosecutor and the chief public prosecutor of special jurisdiction and nine years for the public prosecutor of the appellate public prosecution and the public prosecutor of the public prosecution of special jurisdiction;
4) twelve years for the Supreme Public Prosecutor and eleven years for the public prosecutor of the Supreme Public Prosecutor's Office.
Law on Public Prosecutors Article 83
Other conditions for selection to the position of public prosecutor are expertise, competence, and worthiness.
Expertise implies the possession of theoretical and practical knowledge necessary for the performance of the public prosecutor's function.
Competency means skills that enable the effective application of specific legal knowledge in the resolution of a public prosecutor's case.
Dignity implies the moral qualities that the holder of the office of public prosecutor should possess and conduct in accordance with those qualities. Moral qualities are: honesty, conscientiousness, fairness, dignity, perseverance and exemplary behavior, and behavior in accordance with these qualities means preserving the reputation of the public prosecutor's office inside and outside the service, awareness of social responsibility, maintaining independence and impartiality, reliability and dignity in the service and outside of it and assuming responsibility for the internal organization and a positive image of the Public Prosecutor's Office in the public.
The criteria and standards for assessing the expertise, competence and worthiness of the candidates and the selection procedure are regulated in more detail by an act of the High Council of the Prosecutor's Office.
Determining the expertise and competence of a candidate for the position of public prosecutor who is elected to the position of public prosecutor for the first time
Article 84
In the process of selecting the holder of the position of public prosecutor, a candidate who is elected for the first time to the position of public prosecutor in the public prosecutor's office is specially checked for expertise and competence.
The expertise and competence of the candidate is checked in an exam organized by the High Council of the Prosecutor's Office.

(2024): THE LAW ON THE PUBLIC PROSECUTOR'S OFFICE ("Official Gazette of RS", No. 10/2023) Article 81
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The expertise and competence of the candidate is checked in an exam organized by the High Council of the Prosecutor's Office.
Success in the exam is expressed in grades from 1 to 5.
A candidate for public prosecutor who is elected as a public prosecutor in the basic public prosecutor's office, and who has completed initial training at the Judicial Academy, is not

(2023): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023) Article 81
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1) four years for the basic chief public prosecutor and three years for the public prosecutor of the basic public prosecution;
2) seven years for the senior chief public prosecutor and six years for the public prosecutor of the higher public prosecution;
3) ten years for the appellate chief public prosecutor and the chief public prosecutor of special jurisdiction and nine years for the public prosecutor of the appellate public prosecution and the public prosecutor of the public prosecution of special jurisdiction;
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Dignity implies the moral qualities that the holder of the office of public prosecutor should possess and conduct in accordance with those qualities. Moral qualities are: honesty, conscientiousness, fairness, dignity, perseverance and exemplary behavior, and behavior in accordance with these qualities means preserving the reputation of the public prosecutor's office inside and outside the service, awareness of social responsibility, maintaining independence and impartiality, reliability and dignity in the service and outside of it and assuming responsibility for the internal organization and a positive image of the Public Prosecutor's Office in the public.
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Determining the expertise and competence of a candidate for the position of public prosecutor who is elected to the position of public prosecutor for the first time
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In the process of selecting the holder of the position of public prosecutor, a candidate who is elected for the first time to the position of public prosecutor in the public prosecutor's office is specially checked for expertise and competence.
The expertise and competence of the candidate is checked in an exam organized by the High Council of the Prosecutor's Office.

Kosovo*

(General Comment): The clean criminal record is defined as follows: “have not been convicted of a criminal offence;”
Other criteria include: be a citizen and resident of Kosovo; and have high professional reputation and personal integrity
As I have explained in the previous section, Kosovo Prosecutorial Council and Kosovo Judicial Council are two independent institutions of the Rule of Law Sector. Therefore, they have both internal specific regulations which define the criteria for becoming a judge or prosecutors. So, KPC and KJC are fully competent to define the criteria independently.

(2025): Regarding clean criminal record, the criteria specified by law is: •not have been convicted of a criminal offense, except for criminal offenses committed through negligence; •there is not any indictment filed against him, except those filed for criminal offences committed by negligence.
Regarding “Other”:
•be a citizen of the Republic of Kosovo;
•have high professional reputation and personal integrity;
Article 24 of Law on State Prosecutor: https://gzk.rks-gov.net/ActDetail.aspx?ActID=74943

(2024): Regarding clean criminal record, the criteria specified by law is: •not have been convicted of a criminal offense, except for criminal offenses committed through negligence; •there is not any indictment filed against him, except those filed for criminal offences committed by negligence.
Regarding “Other”:
•be a citizen of the Republic of Kosovo;
•have high professional reputation and personal integrity;
Article 24 of Law on State Prosecutor: https://gzk.rks-gov.net/ActDetail.aspx?ActID=74943

(2023): Regarding clean criminal record, the criteria specified by the law is "not have been convicted of a criminal offence," Regarding "Other":
- be a citizen of the Republic of Kosovo,
- have high professional reputation and personal integrity

(2022): Regarding clean criminal record, the criteria specified by law is “not have been convicted of a criminal offence;”
Regarding “Other”:
•be a citizen of the Republic of Kosovo;
•have high professional reputation and personal integrity;

Question 113

Bosnia and Herzegovina

(General Comment): The procedure of recruitment and selection of prosecutors is conducted by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina in accordance with the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, the Rules of Procedure of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina and the Book of Rules on Entrance Exams and Written Tests for Candidates for Judicial Office in the Judiciary of Bosnia and Herzegovina. A public announcement of vacant positions in any prosecutor's office (regardless of the level) precedes the appointment of prosecutors, including chief prosecutors. The Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina in general does not distinguish the recruitment of new prosecutors from the promotion or transfer of prosecutors to different positions within the judiciary. Thus a public vacancy is applicable to both internal candidates (candidates who hold judicial office) and external candidates, who compete each other for the vacant position. However, certain aspects of selection procedure are different for internal or external candidates. Selection procedure may include entrance exams and written tests, depending on the status of the candidate. Entrance exams and written tests shall be carried out mainly for candidates who do not hold judicial office and who have applied for positions of prosecutors on any level. Written tests shall be carried out mainly for candidates who do not hold judicial office and who have applied for positions in highest prosecutors' offices, and who have previously passed the entrance exam. Results of the aforementioned tests are relevant for the establishing the competences of the external candidates. Competences of the candidates who are already prosecutors are established based on the performance evaluation.

All candidates have to be interviewed by the interview panel, which assesses the criteria regulated in the aforementioned Rules of Procedure. Candidates are ranked based on their success in the selection procedure. The points received according to the competence criterion (results of entrance exam/written test or performance evaluation) are added to the points received at the interview and candidates are ranked according to the total points scored. The High Judicial and Prosecutorial Council of Bosnia and Herzegovina appoints prosecutors from the list of successful candidates upon proposal of the relevant nomination sub-council (an internal committee within the High Judicial and Prosecutorial Council of Bosnia and Herzegovina). The decision on the appointment has to be reasoned.

Montenegro

(General Comment): The jurisdiction for selection of prosecutors and heads of prosecution offices is under the Prosecutorial Council. The Prosecutorial Council establishes the plan of vacated positions, announces the public call, receiving applications conducts the written testing procedure, performs the interview with the candidates, making decision on selection etc.

(2025): Prosecutorial Council is competent body for selection procedure.

North Macedonia

(General Comment): The entrance exam is taken before the Commission for an entrance exam. The Commission is composed of a chair and nine members and their deputies for a term of two exam sessions.The Managing Board appoints and constitutes the Committee: four members and their deputies on a proposal of the Judicial Council of the Republic of Macedonia from the ranks of judges, two members and their deputies on a proposal of the Council of Public Prosecutors Macedonia from the ranks of public prosecutors and one deputy member of the Association of Judges of the Republic of Macedonia, a member and the deputy of the Association of Public Prosecutors, one member and deputy on the proposal of the Minister of Justice from the managing administrative staff at the Ministry of Justice and a member and the Deputy and professional - psychologist. For the President, members and deputy members of the Commission may be selected judges and prosecutors, as well as senior administrative officers of the Ministry of Justice in previous professional career is distinguished by its professionalism, ethics, proven results and that enjoy high reputation in judiciary. President of the Commission, the Management Board elected from among the judges and public prosecutors.
The members and alternates of the Board, the Programming Council, the Commission for the final examination, the director of the Academy, as well as trainers and mentors at that time engaged in initial training, cannot be members of the Commission. Member of the Commission may not be the chair or the members of the Judicial Council of the Republic of Macedonia or the Council of Public Prosecutors, the Minister and the Deputy Minister of Justice.
The Management Board shall be the managing body of the Academy and shall be composed of nine members. Four members and their deputies in the Management Board shall be proposed by the Judicial Council of the Republic of Macedonia in this manner: one member from the ranks of the judges of the Supreme Court of the Republic of Macedonia, from the courts of appeal, from the basic courts, and one member from the Administrative Court or the Higher Administrative Court. Four members and their deputies in the Management Board shall be proposed by the Council of Public Prosecutors in this manner: one member from the ranks of the public prosecutors in the Public Prosecutor's Office of Republic of Macedonia, from the higher public prosecutor's offices, from the basic public prosecutor's offices, and from the public prosecutor's office for organized crime and corruption. The Minister of Justice shall appoint one member and his deputy from the senior administrative officials in the Ministry of Justice. The director of the Academy (hereinafter referred to as: the Director) without the right to vote, shall participate in the work of the Management Board.

(2025): Competent authority for entrance in the initial training of the Academy for Judges and public Prosecutors is Commission for entrance exam. The Management Board of the Academy appoints the members of the Commission for entrance exam in the following composition: two members and their deputies upon proposal of the Judicial Council from among the judges, two members and their deputies upon proposal of the Council of Public Prosecutors from among the public prosecutors, one member and his/her deputy from the Association of judges, one member and his/her deputy from the Association of public prosecutors, one member and his/her deputy upon proposal of the Minister of Justice from among the managerial administrative servants in the Ministry of Justice.

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Serbia

(General Comment): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)1. Jurisdiction and conditions for the election of the holder of the office of public prosecutor
Jurisdiction to choose
Article 80
The Supreme Public Prosecutor is elected by the National Assembly, on the proposal of the High Council of Prosecutors, for a term of six years.
The Chief Public Prosecutor is elected by the High Council of Prosecutors for a six-year term.
The public prosecutor is elected by the High Council of Prosecutions to a permanent position of public prosecutor in the public prosecutor's office.
The number of public prosecutors for each public prosecution is determined by the High Council of Prosecutors.

Kosovo*

(General Comment): The competent authority is Kosovo Prosecutorial Council

(2025): The recruitment committee established by the Council.

(2024): The recruitment committee established by the Council

(2023): The recruitment committee established by the Council.

(2022): The recruitment committee established by the Council.

Question 114

Montenegro

(General Comment): In accordance with art. 57 par. 3 of the Law on State Prosecution Service, vacancies of the state prosecutors in the basic state prosecution offices on the level of Montenegro shall be advertised by the Prosecutorial Council in the Official Gazette of Montenegro and in one of the printed media with the headquarters in Montenegro

(2025): Law on the State Prosecutor's Office ("Official Gazette of Montenegro," Nos. 11/2015, 42/2015, 80/2017, 10/2018, 76/2020, 59/2021, 54/2024 and 92/2025), Article 39 and Article 57, paragraph 3.
Prosecutorial Council is authorize for public call for candidates.

Serbia

(General Comment): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
Article 86
The public competition for the election of the chief public prosecutor and the public prosecutor is published by the High Prosecutorial Council. The public competition for the election of the chief public prosecutor is published no later than six months before the end of the chief public prosecutor's office, i.e. no later than 15 days from the date of the decision on the termination of the office of the chief public prosecutor due to the termination of the public prosecutor's function, due to the election for the holder of the public prosecutor's function in another public prosecutor's office, termination of office at personal request, termination of office due to the abolition of the public prosecutor's office or due to dismissal from the office of the chief public prosecutor.
The public competition for the election of a public prosecutor is published no later than six months before the termination of the public prosecutor's office due to the completion of his working life, i.e. no later than 15 days after the termination of the public prosecutor's office if the public prosecutor's office was terminated for another reason prescribed by law.
The public competition for the election of the chief public prosecutor and the public prosecutor is published in the "Official Gazette of the Republic of Serbia", a means of public information that covers the territory of the Republic of Serbia and the website of the Supreme Council of Prosecutors.

(2024): THE LAW ON THE PUBLIC PROSECUTOR'S OFFICE ("Official Gazette of RS", No. 10/2023)
Article 86
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The public competition for the election of the chief public prosecutor and the public prosecutor is published in the "Official Gazette of the Republic of Serbia", a means of public information that covers the territory of the Republic of Serbia and the website of the Supreme Council of Prosecutors.

Question 115

Albania

(General Comment): According to Article 30/4, of the Law “On the status of judges and prosecutors”, as amended, the School of Magistrates, within March of each year publish on its website, the pre-selected list of candidates for prosecutors who fulfil the legal criteria provided in Article 28, of this law.

Bosnia and Herzegovina

(General Comment): The list of pre-selected candidates is published on the internet. The list is available only to the candidates who participate in the competition.

Serbia

(General Comment): Yes

Kosovo*

(General Comment): Article 14 of Regulation on recruitment of prosecutors (https://prokuroria-rks.org/assets/cms/uploads/files/Regulation%20on%20the%20Recruitment%20of%20State%20Prosecutors%2Cno.02.2022.pdf)
Preliminary selection
1. The Recruitment Commission in support of support staff reviews all applications received. 2. In case of rejection of the application, the candidate is notified individually of the reasons for rejection, to which he has the right to appeal, within three (3) days from the date of notification. 3. The complaint of the candidate is reviewed by the Commission for Review, within five (5) days from the day of expiration of the deadline for appeal. 4. After reviewing the complaint by the Review Committee, the Council, through its official website and e-mail address, notifies the candidate who meets the conditions to undergo the first part of the exam. 5. The announcement contains the list with the name and surname of the candidate, as well as information about the time, date, place, and other data about the organization of the exam.

(2025): Article 14 of Regulation on recruitment of prosecutors (https://prokuroria-rks.org/assets/cms/uploads/files/Regulation%20on%20the%20Recruitment%20of%20State%20Prosecutors%2Cno.02.2022.pdf) Preliminary selection
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(2023): Article 14 of Regulation on recruitment of prosecutors (https://prokuroria-rks.org/assets/cms/uploads/files/Regulation%20on%20the%20Recruitment%20of%20State%20Prosecutors%2Cno.02.2022.pdf)
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4. After reviewing the complaint by the Review Committee, the Council, through its official website and e-mail address, notifies the candidate who meets the conditions to undergo the first part of the exam.
5. The announcement contains the list with the name and surname of the candidate, as well as information about the time, date, place, and other data about the organization of the exam.

Question 116

Albania

(General Comment): According to Article 30/5, of the Law "On the status of judges and prosecutors", as amended, each candidate which is not included in the pre-selected candidates list, has the right to appeal in accordance with the provisions of the Law "On the governance institutions of the justice system", as amended. The process of preliminary assessments is conducted as follows: By 15 March each year, the School of Magistrates carries out a preliminary assessment as to whether the applicant satisfies the application criteria as provided in the law. The School of Magistrates shall submit to the Councils the report of preliminary assessment outcome, together with the files of the application documents for each applicant. The School of Magistrates shall adopt the final assessment report by taking into account the comments and objections received and shall publish the final assessment report on its official website, including the list of applicants who fulfill the criteria. As for the appeal, the law provides that any applicant, who is not included in the list of applicants meeting the criteria, shall have the right to exercise the legal remedies of appeal foreseen by the Law "On Governance Institutions of the Justice System" and in the respective bylaw acts. Law on governance institutions does not provide as specific rule on the appeal of the applicant. Therefore, general rule of appeal are applicable. Hence, the appeal is submitted at the first instance administrative court.

Bosnia and Herzegovina

(General Comment): The decision on appointment made by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina is the final administrative act pursuant to the Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of BiH", No. 63/23), which entered into force in December 2023, and an administrative dispute may be initiated against the decision by the candidate in the appointment procedure.

(2023): The decision on appointment made by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina is the final administrative act pursuant to the Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of BiH", No. 63/23), which entered into force in December 2023, and an administrative dispute may be initiated against the decision by the candidate in the appointment procedure. The Court of Bosnia and Herzegovina has jurisdiction to resolve these administrative disputes. In the event of an administrative dispute, the appointment of the newly appointed judge or prosecutor shall be postponed for that position until the court proceedings have been completed.

Montenegro

(General Comment): Art. 64 of the Law on State Prosecution Service: "Rights of Applicants
Article 64
In the period of 15 days from the day on which the decision on assignment of candidates to the offices of the state prosecutors was rendered, every person who applied to the advertisement for election of the state prosecutor in the basic state prosecution offices shall be entitled to make an insight into the documents, written tests and grades of persons who applied for the advertised vacancy.
Persons referred to in paragraph 1 of this Article can initiate an administrative dispute against the decision of the Prosecutorial Council referred to in Article 63 paragraph 1 of this Law."

(2025): Law on the State Prosecutor's Office ("Official Gazette of Montenegro," Nos. 11/2015, 42/2015, 80/2017, 10/2018, 76/2020, 59/2021, 54/2024 and 92/2025), Article 30, paragraph 3.
Non-pre-selected candidates may appeal to the Administrative court.

North Macedonia

(2025): Following the expiry of the application deadline, the Commission for entrance exam shall, with a decision, reject the untimely and incomplete applications. The applicant shall within two working days as of the receipt of the decision be entitled to lodge a complaint with the Management Board of the Academy. The Management Board shall reach the decision on the complaint within two working days.

(2024): Following the expiry of the application deadline, the Commission for entrance exam shall, with a decision, reject the untimely and incomplete applications. The applicant shall within two working days as of the receipt of the decision be entitled to lodge a complaint with the Management Board of the Academy. The Management Board shall reach the decision on the complaint within two working days.

(2023): Following the expiry of the application deadline, the Commission for enterance exam shall, with a decision, reject the untimely and incomplete applications. The applicant shall within two working days as of the receipt of the decision be entitled to lodge a complaint with the Management Board of the Academy. The Management Board shall reach the decision on the complaint within two working days.

Serbia

(General Comment): NO

(2024): THE LAW ON THE PUBLIC PROSECUTOR'S OFFICE ("Official Gazette of RS", No. 10/2023)
The right to appeal to the Constitutional Court against the decision on the election of the chief public prosecutor and public prosecutor to the position of public prosecutor
Article 93
Against the decision on the election of the chief public prosecutor and the public prosecutor, the candidate can appeal to the Constitutional Court, which excludes the right to file a constitutional appeal, within 15 days from the date of publication of the decision in the "Official Gazette of the Republic of Serbia".
The Constitutional Court is obliged to make a decision on the appeal referred to in paragraph 1 of this article within 30 days from the expiry of the deadline for filing an appeal.
The Constitutional Court may reject the appeal from paragraph 1 of this article as unfounded and confirm the decision on the election of the chief public prosecutor and the public prosecutor or accept the appeal and annul the decision on the election of the chief public prosecutor and the public prosecutor. The decision from paragraph 2 of this article with an explanation is published in the "Official Gazette of the Republic of Serbia".

(2023): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
The right to appeal to the Constitutional Court against the decision on the election of the chief public prosecutor and public prosecutor to the position of public prosecutor
Article 93
Against the decision on the election of the chief public prosecutor and the public prosecutor, the candidate can appeal to the Constitutional Court, which excludes the right to file a constitutional appeal, within 15 days from the date of publication of the decision in the "Official Gazette of the Republic of Serbia".
The Constitutional Court is obliged to make a decision on the appeal referred to in paragraph 1 of this article within 30 days from the expiry of the deadline for filing an appeal.
The Constitutional Court may reject the appeal from paragraph 1 of this article as unfounded and confirm the decision on the election of the chief public prosecutor and the public prosecutor or accept the appeal and annul the decision on the election of the chief public prosecutor and the public prosecutor.
The decision from paragraph 2 of this article with an explanation is published in the "Official Gazette of the Republic of Serbia".

Question 117

Albania

(2024): According to Article 30/5, of the Law no. 96/2016 “On the status of judges and prosecutors”, as amended, each candidate which is not included in the pre-selected candidates list, has the right to appeal in accordance with the provisions of the Law “On the governance institutions of the justice system”, as amended.

(2022): We have checked “judicial academy” in the last version of the answers because the candidates who have taken the entry exam have the right to see/check their exam papers after making a request/complaint, when they do not agree with the result, at the Judicial Academy, in this case the School of Magistrates of Albania. The court option is checked because they can appeal against their results/score of the entry exam in court, if they choose to do so.
According to Article 30/5, of the Law “On the status of judges and prosecutors”, as amended, each candidate which is not included in the pre-selected candidates list, has the right to appeal in accordance with the provisions of the Law “On the governance institutions of the justice system”, as amended.

Bosnia and Herzegovina

(General Comment): The Court of Bosnia and Herzegovina has jurisdiction to resolve these administrative disputes. In the event of an administrative dispute, the appointment of the newly appointed judge or prosecutor shall be postponed for that position until the court proceedings have been completed.

(2025): The decision on appointment made by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina is the final administrative act pursuant to the Law on Amendments to the Law on the
High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of BiH", No. 63/23), which entered into force in December 2023, and an administrative dispute may be initiated against the decision by the candidate in the appointment procedure. The Court of Bosnia and Herzegovina has jurisdiction to resolve these administrative disputes. In the event of an administrative dispute, the appointment of the newly appointed judge or prosecutor shall be postponed for that position until the court proceedings have been completed.

(2024): The decision on appointment made by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina is the final administrative act pursuant to the Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of BiH", No. 63/23), which entered into force in December 2023, and an administrative dispute may be initiated against the decision by the candidate in the appointment procedure. The Court of Bosnia and Herzegovina has jurisdiction to resolve these administrative disputes. In the event of an administrative dispute, the appointment of the newly appointed judge or prosecutor shall be postponed for that position until the court proceedings have been completed.

(2023): The decision on appointment made by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina is the final administrative act pursuant to the Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of BiH", No. 63/23), which entered into force in December 2023, and an administrative dispute may be initiated against the decision by the candidate in the appointment procedure. The Court of Bosnia and Herzegovina has jurisdiction to resolve these administrative disputes. In the event of an administrative dispute, the appointment of the newly appointed judge or prosecutor shall be postponed for that position until the court proceedings have been completed.

Montenegro

(General Comment): In accordance with art. 40 par. 1 of the Law on State Prosecution Service, decisions of the Prosecutorial Council shall be final and administrative dispute may be initiated against them, unless this Law requires otherwise.

(2025): Administrative Court of Montenegro.

(2024): Administrative court

(2023): Administrative court

(2022): Administrative court

North Macedonia

(General Comment): Right of appeal
Article 88
(1) A candidate dissatisfied with the resulting grade is entitled to appeal to the Commission for an entrance exam within 3 days from the date of announcement of the results on the official website and on the notice board of the Academy.
(2) The Commission for entrance examination is obliged to decide on the complaint within 2 days from the date of receipt of the appeal at the Academy.
(3) Against the decision of the Commission for the entrance exam, dissatisfied candidate has the right to appeal to the Management Board within 8 days of receipt.
(4) The Management Board's decision on the appeal is taken within three days from the deadline for submission of appeals against the decisions of the Commission under Article 67 of this Law.
(5) At the meeting of the Board that considers the appeal, the chair of Commission or a member appointed by him also takes part without right to vote.
(6) The Board of Directors accepts by the conclusion or rejects the appeal of the candidate, and untimely appeals are rejected and a copy of the brief is submitted to the applicant.
(7) If the Board accepts the appeal of the applicant, it will oblige the Commission to again review also grading of the candidate's qualification test.
(8) Against the decision of the Board under paragraph (7) of this Article, dissatisfied applicant within three days of receipt may initiate an administrative dispute before the Administrative Court.
(9) Upon the lawsuit referred to in paragraph 8 of this Article, the Administrative Court shall decide within 5 days.
(10) Against the decision of the Administrative Court under paragraph 9 of this Article, an appeal may be sent to the Higher Administrative Court within three days of receipt of the decision of the Administrative Court.
(11) The Higher Administrative Court on appeal under paragraph 10 of this Article shall decide within 7 days of receiving the appeal.
Law on Academy for Judges and Public Prosecutors
II. BODIES OF THE ACADEMY
Article 10
Bodies of the Academy are the Management Board, the director, the deputy director and the Program Council.
Management board
Article 11
(1) The Management Board is the management body of the Academy and consists of 9 members.
(2) Four members and their deputies in the Management Board are proposed by the Judicial Council of Republic of Macedonia and one member each from the ranks of judges from the Supreme Court of The Republic of Macedonia, from the appellate courts, from the basic courts, as well as one member from the Administrative Court or from the Higher Administrative Court.

(2025): The Management Board of the Academy is competent to decide on complaints of applicants.

(2024): The Management Board of the Academy is competent to decide on complaints of applicants.

(2023): The Management Board of the Academy is competend to decide on complaints of aplicants.

Serbia

(General Comment): Law on the Public Prosecutor's Office "Official Gazette of the Republic of Serbia", No. 10 of 9 February 2023
Ranking list of candidates
Article 91 For the election of the Chief Public Prosecutor and the Public Prosecutor, the High Prosecutorial Council shall compile a ranking list of candidates based on the expertise, qualifications and worthiness of the candidates.
The ranking list referred to in paragraph 1 of this Article shall be published on the website of the High Prosecutorial Council.

(2024): Constitutional Court

(2023): Constitutional Court

(2022): Constitutional Court

Kosovo*

(General Comment): Article 14 of Regulation on recruitment of prosecutors (https://prokuroria-rks.org/assets/cms/uploads/files/Regulation%20on%20the%20Recruitment%20of%20State%20Prosecutors%2Cno.02.2022.pdf)
Preliminary selection
1. The Recruitment Commission in support of support staff reviews all applications received. 2. In case of rejection of the application, the candidate is notified individually of the reasons for rejection, to which he has the right to appeal, within three (3) days from the date of notification. 3. The complaint of the candidate is reviewed by the Commission for Review, within five (5) days from the day of expiration of the deadline for appeal. 4. After reviewing the complaint by the Review Committee, the Council, through its official website and e-mail address, notifies the candidate who meets the conditions to undergo the first part of the exam. 5. The announcement contains the list with the name and surname of the candidate, as well as information about the time, date, place, and other data about the organization of the exam.
Article 29 of Regulation no.02/2022 on the recruitment, examination, appointment and reappointment of prosecutors Right to appeal
The candidate, as a dissatisfied party, has the right to appeal, to oppose the process, regarding the violation of the rules, about the organization of the exam and the results of the qualifying test, written test, and oral interview, within three (3) days, from the day of the announcement of the results, on the basis of the notification made according to this Regulation. The complaint of the candidate according to paragraph 1 of this article, is reviewed by the Commission for Review of the Council, within five (5) days, from the day of the end of the complaint. In the event that the Review Committee, after evaluating the complaint, finds that violations of the rules regarding the organization of the qualifying test, written test, and oral interview, as defined by this Regulation, may take a decision to repeat the contested part of the exam. If the Review Committee decides to repeat the relevant part of the exam, the exam is organized within five (5) days, from the decision of the Review Committee. In this case, the Recruitment Commission will draft the new test, the results of which will be taken into consideration when compiling the final exam list. In case the Review Commission finds that technical errors have been made, in the case of calculating the points of the qualifying test, written test, essay and oral interview, while in the case of reviewing the complaint it is confirmed that the candidate is ranked in the group of candidates who have not passed the relevant part of the exam, that candidate will be included in the list of candidates who have passed that part of the exam. After reviewing the complaints for the qualifying test, the written test, and the oral interview, the Council shall compile the final list of the exam, as determined by this Regulation, which shall be published on the official website of the Council. A candidate who files a complaint has the right to access his test before filing a complaint.
Article 25 of Regulation 07/2015 on State Prosecutors` Recruitment, Exam, Appointment and Reappointment
The right on appeal
1. Candidates enjoy the right on appealing against the qualification test, written test and interview, in a deadline from three (3) days following the publishing of the results, as per announcement basis set by Articles 15.2, 20.2 and 23.3 of this Regulation.
2. Candidates` appeals as per paragraph 1 of this Article shall be reviewed by the KPC Review Committee in a deadline from five (5) days from the closure date of the appealing deadline. The appeal bench is the Kosovo Prosecutorial Council(KPC). All appeals are directed to the KPC and then, the KPC takes decisions on each case by voting. The KPC member

(2025): Article 14 of Regulation on recruitment of prosecutors (https://prokuroria-rks.org/assets/cms/uploads/files/Regulation%20on%20the%20Recruitment%20of%20State%20Prosecutors%2Cno.02.2022.pdf)
Preliminary selection
1. The Recruitment Commission in support of support staff reviews all applications received. 2. In case of rejection of the application, the candidate is notified individually of the reasons for rejection, to which he has the right to appeal, within three (3) days from the date of notification. 3. The complaint of the candidate is reviewed by the Commission for Review, within five (5) days from the day of expiration of the deadline for appeal. 4. After reviewing the complaint by the Review Committee, the Council, through its official website and e-mail address, notifies the candidate who meets the conditions to undergo the first part of the exam. 5. The announcement contains the list with the name and surname of the candidate, as well as information about the time, date, place, and other data about the organization of the exam.

(2024): Article 14 of Regulation on recruitment of prosecutors (https://prokuroria-rks.org/assets/cms/uploads/files/Regulation%20on%20the%20Recruitment%20of%20State%20Prosecutors%2Cno.02.2022.pdf)
Preliminary selection
1. The Recruitment Commission in support of support staff reviews all applications received. 2. In case of rejection of the application, the candidate is notified individually of the reasons for rejection, to which he has the right to appeal, within three (3) days from the date of notification. 3. The complaint of the candidate is reviewed by the Commission for Review, within five (5) days from the day of expiration of the deadline for appeal. 4. After reviewing the complaint by the Review Committee, the Council, through its official website and e-mail address, notifies the candidate who meets the conditions to undergo the first part of the exam. 5. The announcement contains the list with the name and surname of the candidate, as well as information about the time, date, place, and other data about the organization of the exam.
Article 29 of Regulation no.02/2022 on the recruitment, examination, appointment and
reappointment of prosecutors Right to appeal
The candidate, as a dissatisfied party, has the right to appeal, to oppose the process, regarding the violation of the rules, about the organization of the exam and the results of the qualifying test, written test, and oral interview, within three (3) days, from the day of the announcement of the results, on the basis of the notification made according to this Regulation. The complaint of the candidate according to paragraph 1 of this article, is reviewed by the Commission for Review of the Council, within five (5) days, from the day of the end of the complaint. In the event that the Review Committee, after evaluating the complaint, finds that violations of the rules regarding the organization of the qualifying test, written test, and oral interview, as defined by this Regulation, may take a decision to repeat the contested part of the exam. If the Review Committee decides to repeat the relevant part of the exam, the exam is organized within five (5) days, from the decision of the Review Committee. In this case, the Recruitment Commission will draft the new test, the results of which will be taken into consideration when compiling the final exam list. In case the Review Commission finds that technical errors have been made, in the case of calculating the points of the qualifying test, written test, essay and oral interview, while in the case of reviewing the complaint it is confirmed that the candidate is ranked in the group of candidates who have not passed the relevant part of the exam, that candidate will be included in the list of candidates who have passed that part of the exam. After reviewing the complaints for the qualifying test, the written test, and the oral interview, the Council shall compile the final list of the exam, as determined by this Regulation, which shall be published on the official website of the Council. A candidate who files a complaint has the right to access his test before filing a complaint.

(2023): Article 14 of Regulation on recruitment of prosecutors (https://prokuroria-rks.org/assets/cms/uploads/files/Regulation%20on%20the%20Recruitment%20of%20State%20Prosecutors%2Cno.02.2022.pdf)

Preliminary selection

1. The Recruitment Commission in support of support staff reviews all applications received.
2. In case of rejection of the application, the candidate is notified individually of the reasons for rejection, to which he has the right to appeal, within three (3) days from the date of notification.
3. The complaint of the candidate is reviewed by the Commission for Review, within five (5) days from the day of expiration of the deadline for appeal.
4. After reviewing the complaint by the Review Committee, the Council, through its official website and e-mail address, notifies the candidate who meets the conditions to undergo the first part of the exam.
5. The announcement contains the list with the name and surname of the candidate, as well as information about the time, date, place, and other data about the organization of the exam.

Article 29 of Regulation no.02/2022 on the recruitment, examination, appointment and reappointment of prosecutors

Right to appeal

The candidate, as a dissatisfied party, has the right to appeal, to oppose the process, regarding the violation of the rules, about the organization of the exam and the results of the qualifying test, written test, and oral interview, within three (3) days, from the day of the announcement of the results, on the basis of the notification made according to this Regulation.

The complaint of the candidate according to paragraph 1 of this article, is reviewed by the Commission for Review of the Council, within five (5) days, from the day of the end of the complaint. In the event that the Review Committee, after evaluating the complaint, finds that violations of the rules regarding the organization of the qualifying test, written test, and oral interview, as defined by this Regulation, may take a decision to repeat the contested part of the exam.

If the Review Committee decides to repeat the relevant part of the exam, the exam is organized within five (5) days, from the decision of the Review Committee.

In this case, the Recruitment Commission will draft the new test, the results of which will be taken into consideration when compiling the final exam list.

In case the Review Commission finds that technical errors have been made, in the case of calculating the points of the qualifying test, written test, essay and oral interview, while in the case of reviewing the complaint it is confirmed that the candidate is ranked in the group of candidates who have not passed the relevant part of the exam, that candidate will be included in the list of candidates who have passed that part of the exam.

After reviewing the complaints for the qualifying test, the written test, and the oral interview, the Council shall compile the final list of the exam, as determined by this Regulation,

(2022): Article 29 of Regulation no.02/2022 on the recruitment, examination, appointment and reappointment of prosecutors Right to appeal

The candidate, as a dissatisfied party, has the right to appeal, to oppose the process, regarding the violation of the rules, about the organization of the exam and the results of the qualifying test, written test, and oral interview, within three (3) days, from the day of the announcement of the results, on the basis of the notification made according to this Regulation. The complaint of the candidate according to paragraph 1 of this article, is reviewed by the Commission for Review of the Council, within five (5) days, from the day of the end of the complaint. In the event that the Review Committee, after evaluating the complaint, finds that violations of the rules regarding the organization of the qualifying test, written test, and oral interview, as defined by this Regulation, may take a decision to repeat the contested part of the exam. If the Review Committee decides to repeat the relevant part of the exam, the exam is organized within five (5) days, from the decision of the Review Committee. In this case, the Recruitment Commission will draft the new test, the results of which will be taken into consideration when compiling the final exam list. In case the Review Commission finds that technical errors have been made, in the case of calculating the points of the qualifying test, written test, essay and oral interview, while in the case of reviewing the complaint it is confirmed that the candidate is ranked in the group of candidates who have not passed the relevant part of the exam, that candidate will be included in the list of candidates who have passed that part of the exam. After reviewing the complaints for the qualifying test, the written test, and the oral interview, the Council shall compile the final list of the exam, as determined by this Regulation, which shall be published on the official website of the Council. A candidate who files a complaint has the right to access his test before filing a complaint.

Question 118

Albania

(General Comment): Article 28, of the Law on the status of judges and prosecutors provides for the following selection criteria applicable to both judges and prosecutors:
All persons are entitled to apply to the School of Magistrates for admission to the initial training as a magistrate, as long as they fulfil simultaneously the following criteria:
a) Have full capacity to act;
b) Be an Albanian citizen;
c) Have graduated with the minimum scoring as determined by the School of Magistrates the second cycle of university studies in law, with a diploma of "Master of Science" and have passed the state exam for jurists in Albania, or have graduated in law with the minimum points set out by the School of Magistrates in a European Union Member State and have been awarded an equivalent diploma, recognised under the rules for recognition of diplomas provided by law;
ç) Have at least three years of full time active professional experience in the judiciary or the prosecution office, public administration, free legal professions or teaching in law faculties, or in any other equivalent position in the private sector or international organizations;
d) Have never been criminally convicted by a final decision;
dh) Have never been dismissed from office for disciplinary reasons and are not subject to a current disciplinary sanction;
e) Not to be a member of political parties at the time of application;
ë) Have not been a member, collaborator or favoured by the State Security before 1990;
f) Have not been a collaborator, informant, or agent of any secret service.
Except the fulfilment of the legal criteria provided in Article 28, of the Law "On the status of judges and prosecutors", as amended, the candidates for prosecutors who pass successfully the entry exam of the School of Magistrates, should pass positively the process of verifying the integrity and assets before they are accepted in the initial forming programme of the School of Magistrates (Article 32, of the Law "On the status of judges and prosecutors", as amended).
Lastly, as provided in article 32 of the status law, a student at the School of Magistrates can be appointed as a judge or a prosecutor if it fulfills the following criteria:
a) Having graduated from the School of Magistrates in the initial training with a score of at least 70% of the maximum reachable scores;
b) Having achieved evaluation scores of at least "good" in each of the assignments during the professional internship in the third year of the initial training;
c) Having passed the asset declaration and background check, carried out by the Councils in accordance with the provisions in paragraphs 2 to 6 of Article 32 of this Law.

(2025): According to Article 28, of the Law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended, the candidates for prosecutors who successfully pass the entry exam of the School of Magistrates, undergo a process for verification of the integrity and assets as an additional criterion before they are accepted at the School of Magistrates. Negative results from this verification result in rejection of the candidate. The verification process is carried out from High Judicial /Prosecutorial Council (Article 32, of the Law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended).

(2024): According to Article 28, of the Law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended, (above mentioned in Q.112), the candidates for prosecutors who successfully pass the entry exam of the School of Magistrates, undergo a process for verification of the integrity and assets as an additional criterion before they are accepted at the School of Magistrates. Negative results from this verification result in rejection of the candidate. The verification process is carried out from High Judicial /Prosecutorial Council (Article 32, of the Law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended).

(2022): The focus of the question, regarding the selection criteria of judges/prosecutors, is after the entry exam. After the entry exam, the selection is made only on the basis of the results/score they received in the exam. The criteria of work performance and experience are applied in the pre-selection phase of the candidates who apply to be registered to take the entry exam. Except the fulfilment of the legal criteria provided in Article 28, of the Law “On the status of judges and prosecutors in the Republic of Albania”, as amended, the candidates for prosecutors who pass successfully the entry exam of the School of Magistrates, should pass positively the process of verifying the integrity and assets before they are accepted in the initial forming programme of the School of Magistrates. The verification process is carried out from High Judicial /Prosecutorial Council (Article 32, of the Law “On the status of judges and prosecutors in the Republic of Albania”, as amended).

Bosnia and Herzegovina

(General Comment): Other criteria: The candidates who do not hold judicial office and who have applied for a public prosecutor position must take entrance exam and written test.

(2025): Other criteria: The candidates who do not hold judicial office and who have applied for a public prosecutor position must take entrance exam and written test.

(2024): The candidates who do not hold judicial office and who have applied for a public prosecutor position must take entrance exam and written test.

Montenegro

(General Comment): That the candidate for the state prosecutor receives grade “satisfactory” at initial training (the practical part of the training is conducted at the Basic State Prosecutor's Office in Podgorica and the theoretical part is at the Center for Training in Judiciary and State Prosecution).

North Macedonia

(General Comment): Law on the Public Prosecutors Council
Election of a public prosecutor in the basic public prosecution offices
Article 37
(1) The Council shall elect a public prosecutor in a Basic Public Prosecution Office according to the rating and successfulness from the list of candidates delivered by the Academy for Training of Judges and Public Prosecutors who have responded to the job advertisement, after a year of completion of the training.
(2) If a candidate does not respond to three consecutive advertisements for election of public prosecutors, the candidate shall lose the established priority from the list of candidates of the Academy for Training of Judges and Public Prosecutors.

(2025): To pass the final exam on the initial training within the Academy for judges and public prosecutors.

(2024): To pass the final exam on the initial training within the Academy for judges and public prosecutors.

(2023): To pass te final exam on the initial training within the Academy for judges and public prosecutors.

Serbia

(General Comment): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
General conditions for selection
Article 81
A citizen of the Republic of Serbia who meets the general requirements for work in a state body, who has graduated from law school, passed the bar exam, and who is professional and worthy of performing the public prosecutor's office can be elected as the holder of the public prosecutor's office.
Work experience required
Article 82
A person who, in addition to the general requirements, has work experience in the legal profession after passing the bar exam can be elected as the holder of the public prosecutor's office, namely:
1) four years for the basic chief public prosecutor and three years for the public prosecutor of the basic public prosecution;
2) seven years for the senior chief public prosecutor and six years for the public prosecutor of the higher public prosecution;
3) ten years for the appellate chief public prosecutor and the chief public prosecutor of special jurisdiction and nine years for the public prosecutor of the appellate public prosecution and the public prosecutor of the public prosecution of special jurisdiction;
4) twelve years for the Supreme Public Prosecutor and eleven years for the public prosecutor of the Supreme Public Prosecutor's Office.
Other conditions for selection
Article 83
Other conditions for selection to the position of public prosecutor are expertise, competence and worthiness.
Expertise implies the possession of theoretical and practical knowledge necessary for the performance of the public prosecutor's function.
Competency means skills that enable the effective application of specific legal knowledge in the resolution of a public prosecutor's case.
Dignity implies the moral qualities that the holder of the office of public prosecutor should possess and conduct in accordance with those qualities. Moral qualities are: honesty, conscientiousness, fairness, dignity, perseverance and exemplary behavior, and behavior in accordance with these qualities means preserving the reputation of the public prosecutor's office inside and outside the service, awareness of social responsibility, maintaining independence and impartiality, reliability and dignity in the service and outside of it and assuming responsibility for the internal organization and a positive image of the Public Prosecutor's Office in the public.
The criteria and standards for assessing the expertise, competence and worthiness of the candidates and the selection procedure are regulated in more detail by an act of the High Council of the Prosecutor's Office.

(2024): THE LAW ON THE PUBLIC PROSECUTOR'S OFFICE ("Official Gazette of RS", No. 10/2023)
Obtaining data and opinions Article 88
The High Prosecutorial Council obtains data and opinions on the expertise, competence, and worthiness of candidates.
Data and opinions are obtained from authorities and organizations where the candidate worked in the legal profession.
For a candidate who worked in the public prosecutor's office, data is obtained from the candidate's file, and the opinion of the collegium of the public prosecutor's office where the candidate worked must be obtained.
For candidates from the ranks of chief public prosecutors and public prosecutors, the grade obtained in the work evaluation procedure is taken into account.
During the selection of candidates from the ranks of the chief public prosecutor and the public prosecutor, other activities of importance for the performance of the public prosecutor's office may be taken into account.
For a candidate who works as a public prosecutor's assistant, a performance evaluation must be obtained.
For a candidate who has not previously worked as a public prosecutor, the High Prosecutorial Council will especially value the type of work he/she performed after passing the bar exam.
Before the election, the candidate has the right to inspect the entire documentation and opinions that are the basis for the decision on his election.

(2023): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
Obtaining data and opinions
Article 88
The High Prosecutorial Council obtains data and opinions on the expertise, competence, and worthiness of candidates.
Data and opinions are obtained from authorities and organizations where the candidate worked in the legal profession.
For a candidate who worked in the public prosecutor's office, data is obtained from the candidate's file, and the opinion of the collegium of the public prosecutor's office where the candidate worked must be obtained.
For candidates from the ranks of chief public prosecutors and public prosecutors, the grade obtained in the work evaluation procedure is taken into account.
During the selection of candidates from the ranks of the chief public prosecutor and the public prosecutor, other activities of importance for the performance of the public prosecutor's office may be taken into account.
For a candidate who works as a public prosecutor's assistant, a performance evaluation must be obtained.
For a candidate who has not previously worked as a public prosecutor, the High Prosecutorial Council will especially value the type of work he/she performed after passing the bar exam.
Before the election, the candidate has the right to inspect the entire documentation and opinions that are the basis for the decision on his election.

Kosovo*

(General Comment): Article 28 of Regulation no.02/2022 on the recruitment, examination, appointment and reappointment of prosecutors Preliminary results of the exam 1.The final result for the success of a candidate is calculated on the basis of the accumulation of points achieved in the qualifying test, written test, and oral interview. 2. After the completion of the evaluation process, the points are collected, the results are verified and the final list is prepared in order to announce the exam results. 3. The final results of the candidates who have successfully passed the exam are published on the official website of the Council. The notice for this will contain the name, surname and number of points achieved by the candidate, in the qualifying test, written test, essay, oral interview and total points. 4. A candidate is considered to have not successfully passed the prosecutor's exam, if he fails to obtain at least (55) points, from the final score of one hundred (100) points, as many as are possible, in the entire recruitment process. 5. The Recruitment Commission compiles the list of candidates, according to the points obtained in the exam. Candidates are ranked The law on state prosecutor, article 19 specifies: Candidates for appointment as a prosecutor must meet the following minimum qualifications and criteria, and shall:

1.1. be a citizen and resident of Kosovo;
1.2. possess a valid university degree in law recognized by the laws of Kosovo;
1.3. have passed the bar examination;
1.4. have passed the preparatory examination for prosecutors and judges;
1.5. have positive high professional reputation and moral integrity;
1.6. have no final convictions for criminal offenses, with the exception of minor offenses as defined by the law;
1.7. have passed the legal education exam, except the persons, that have at least seven (7) years of legal experience and lawyers that have exercised the lawyer’s profession at least five (5) years.
1.8. candidates who have exercised the judge’s or prosecutor’s job at least three (3) years, as well as candidates who have at least seven (7) years of legal experience and have passed the preparation exam during the process of appointment and re-appointment for judges and prosecutors, shall not enter the preparation exam.

For certain state Prosecutors, there are special criteria in addition to the minimum qualifications, as follows: 1. to exercise prosecutor’s function for the Serious Crimes Department of a Basic Prosecution
Office, the candidate must have at least three years of legal experience as a prosecutor or a judge.
2. to exercise the function of a prosecutor at the Appellate Prosecution Office, the candidate

(2025): Based on Regulation No. 02/2022 on the Recruitment, Examination, Appointment and Re-appointment of State Prosecutors, the testing and interview process for prosecutor candidates consists of these main stages:

1. Qualifying exam

The qualifying test (also sometimes called a qualification test) is the first stage in the recruitment process, after the preselection of candidates who fulfil the legal criteria. It is designed to assess the basic eligibility and general knowledge of candidates before they move on to more advanced evaluation stages. Only candidates who pass this qualifying test are allowed to continue to the next phase, which is the written exam. A list of candidates who passed the qualifying test is published, and candidates have the right to file appeals against the results within a specified deadline.

2. Written exam

The written test is the next stage after the qualifying test. It evaluates candidates on substantive legal knowledge and practical legal skills, typically focusing on specific areas of law (e.g., criminal law) and practical problem-solving relevant to prosecutorial duties. Passing the written test is necessary before candidates can advance to the integrity evaluation and interview. A list of candidates who passed the written test is published, and candidates have the right to file appeals against the results within a specified deadline.

3. Integrity and Eligibility Verification

Candidates who pass the written exam undergo verification of submitted documentation and integrity, including compliance with legal and ethical requirements.

4. Interview

Eligible candidates are invited to an interview before the Recruitment Commission. The interview assesses professional competence, ethical standards, communication skills, reasoning ability, and overall suitability for the position of State Prosecutor.

5. Final Scoring and Ranking

Final scores are calculated based on the results of the written exams and the interview. Candidates are ranked, and those with the highest scores are proposed for appointment, in line with the number of available positions.

(2024): Article 28 of Regulation no.02/2022 on the recruitment, examination, appointment and reappointment of prosecutors Preliminary results of the exam 1.The final result for the success of a candidate is calculated on the basis of the accumulation of points achieved in the qualifying test, written test, and oral interview. 2. After the completion of the evaluation process, the points are collected, the results are verified and the final list is prepared in order to announce the exam results. 3. The final results of the candidates who have successfully passed the exam are published on the official website of the Council. The notice for this will contain the name, surname and number of points achieved by the candidate, in the qualifying test, written test, essay, oral interview and total points. 4. A candidate is considered to have not successfully passed the prosecutor's exam, if he fails to obtain at least (55) points, from the final score of one hundred (100) points, as many as are possible, in the entire recruitment process. 5. The Recruitment Commission compiles the list of candidates, according to the points obtained in the exam. Candidates are ranked according to the highest score obtained in the qualifying test, written test, essay and oral interview. The ranking of successful candidates in the list ends with the number of candidates determined by announcement (competition) by the Council. The Chairman of the Recruitment Commission sends the list of successful candidates to the Council, after reviewing any complaints by the Review Commission.

Question 119

Bosnia and Herzegovina

(2025): The candidates who do not hold judicial office and who have applied for a public prosecutor position must take entrance exam and written test

Montenegro

(2025): Recording is carried out exclusively for the purposes of the sessions of the Prosecutorial Council.

North Macedonia

(2025): Final exam consists written part, moot court and oral part

Serbia

(General Comment): Minutes of the interviews are taken
A standardised point system is used to evaluate the candidates

Kosovo*

(General Comment): Articles 20, 23 and 27 of Regulation no.02/2022 on the recruitment, examination, appointment and reappointment of prosecutors

(2025): Articles 20, 22, 23 and 27 of Regulation no.02/2022 on the recruitment, examination, appointment and reappointment of prosecutors

Question 120

Albania

(General Comment): According to Article 32/2, of the "On the status of judges and prosecutors", as amended, the process of verifying the integrity and assets of the candidates for prosecutors who pass successfully the entry exam, is realised from the High Prosecutorial Council who requests reporting from the competent institutions for the verification of integrity and assets and any other exceptional cause, from the High Inspectorate of Declaration and Control of Assets and Conflict of Interest, the prosecution offices, tax and customs administration bodies, the National Bureau of Investigation, state intelligence services, as well as any disciplinary body that has supervised the discipline in the previous employment relations of the candidates.

(2023): According to Article 32/2, of the Law no. 96/2016 “On the status of judges and prosecutors in the Republic of Albania”, as amended, the process of verifying the integrity and assets of the candidates for prosecutors who pass successfully the entry exam, is realized and finalised from the High Prosecutorial Council. Before the decision, High Prosecutorial Council requests reports from the other national competent institutions for the verification of integrity and assets and any other exceptional cause, such as the High Inspectorate of Declaration and Control of Assets and Conflict of Interest, the prosecution offices, tax and customs bodies, the National Bureau of Investigation, state intelligence services, as well as any disciplinary body.

Bosnia and Herzegovina

(General Comment): The procedure of recruitment and selection of prosecutors is conducted by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina in accordance with the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, the Rules of Procedure of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina and the Book of Rules on Entrance Exams and Written Tests for Candidates for Judicial Office in the Judiciary of Bosnia and Herzegovina. A public announcement of vacant positions in any prosecutor’s office (regardless of the level) precedes the appointment of prosecutors, including chief prosecutors. The Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina in general does not distinguish the recruitment of new prosecutors from the promotion or transfer of prosecutors to different positions within the judiciary. Thus a public vacancy is applicable to both internal candidates (candidates who hold judicial office) and external candidates, who compete each other for the vacant position. However, certain aspects of selection procedure are different for internal or external candidates. Selection procedure may include entrance exams and written tests, depending on the status of the candidate. Entrance exams and written tests shall be carried out mainly for candidates who do not hold judicial office and who have applied for positions of prosecutors on any level. Written tests shall be carried out mainly for candidates who do not hold judicial office and who have applied for positions in highest prosecutors’ offices, and who have previously passed the entrance exam. Results of the aforementioned tests are relevant for the establishing the competences of the external candidates. Competences of the candidates who are already prosecutors are established based on the performance evaluation.

All candidates have to be interviewed by the interview panel, which assesses the criteria regulated in the aforementioned Rules of Procedure. Candidates are ranked based on their success in the selection procedure. The points received according to the competence criterion (results of entrance exam/written test or performance evaluation) are added to the points received at the interview and candidates are ranked according to the total points scored. The High Judicial and Prosecutorial Council of Bosnia and Herzegovina appoints prosecutors from the list of successful candidates upon proposal of the relevant nomination sub-council (an internal committee within the High Judicial and Prosecutorial Council of Bosnia and Herzegovina). The decision on the appointment has to be reasoned.

North Macedonia

(2025): Commission for final exam within Academy.

(2024): Commission for final exam within Academy.

(2023): Commission for final exam within Academy.

Serbia

(General Comment): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)IV SELECTION
1. Jurisdiction and conditions for the election of the holder of the office of public prosecutor
Jurisdiction to choose
Article 80
The Supreme Public Prosecutor is elected by the National Assembly, on the proposal of the High Council of Prosecutors, for a term of six years.
The Chief Public Prosecutor is elected by the High Council of Prosecutors for a six-year term.
The public prosecutor is elected by the High Council of Prosecutions to a permanent position of public prosecutor in the public prosecutor's office.
The number of public prosecutors for each public prosecution is determined by the High Council of Prosecutors.

(2024): THE LAW ON THE PUBLIC PROSECUTOR'S OFFICE ("Official Gazette of RS", No. 10/2023)
IV SELECTION
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Jurisdiction to choose
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The number of public prosecutors for each public prosecution is determined by the High Council of Prosecutors.

Kosovo*

(General Comment): The competent authority is the Kosovo Prosecutorial Council

(2025): Kosovo Prosecutorial Council establishes the recruitment committee which is responsible for all the procedures of the recruitment process of prosecutors. KPC establishes the review committee which is responsible for the review of appeals of candidates. Based on the reports of these 2 committees, KPC decides on the final list of the most successful candidates which list is then sent to the Office of the President of the Republic of Kosovo for decree, where the final official appointment for the position of state prosecutor is done.

Article 34 of the Regulation Selection of the most successful candidate

1. The appointment and systematization of the candidate for prosecutors in the basic prosecution offices is done by the Council, upon the proposal of the Recruitment Commission.
2. Only 1/5 of the candidates, who are ranked as the best, in the final list of the exam, have the right to choose the prosecution office where they will be appointed.
3. Regardless the right of the candidate determined according to paragraph 2 of this article, the right of the Council to appoint a prosecutor in a prosecution office, taking into account the needs of the prosecution.
4. The Chairman of the Recruitment Commission sends to the Council, the final list of candidates including the information from paragraph 2 of this article.

(2024): The recruitment committee established by the Council.

Question 121

Bosnia and Herzegovina

(General Comment): The High Judicial and Prosecutorial Council of Bosnia and Herzegovina has a right to appoint some and reject some among the selected candidates. The High Judicial and Prosecutorial Council of Bosnia and Herzegovina also has a right to appoint candidates that were not selected (proposed) by its competent sub-council .
The procedure of recruitment and selection of prosecutors is conducted by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina in accordance with the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, the
Rules of Procedure of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina and the Book of Rules on Entrance Exams and Written Tests for Candidates for Judicial Office in the Judiciary of Bosnia and Herzegovina. A public announcement of vacant positions in any prosecutor's office (regardless of the level) precedes the appointment of prosecutors, including chief prosecutors. The Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina in general does not distinguish the recruitment of new prosecutors from the promotion or transfer of prosecutors to different positions within the judiciary. Thus a public vacancy is applicable to both internal candidates (candidates who hold judicial office) and external candidates, who compete each other for the vacant position. However, certain aspects of selection procedure are different for internal or external candidates. Selection procedure may include entrance exams and written tests, depending on the status of the candidate. Entrance exams and written tests shall be carried out mainly for candidates who do not hold judicial office and who have applied for positions of prosecutors on any level. Written tests shall be carried out mainly for candidates who do not hold judicial office and who have applied for positions in highest prosecutors' offices, and who have previously passed the entrance exam. Results of the aforementioned tests are relevant for the establishing the competences of the external candidates. Competences of the candidates who are already prosecutors are established based on the performance evaluation.
All candidates have to be interviewed by the interview panel, which assesses the criteria regulated in the aforementioned Rules of Procedure. Candidates are ranked based on their success in the selection procedure. The points received according to the competence criterion (results of entrance exam/written test or performance evaluation) are added to the points received at the interview and candidates are ranked according to the total points scored. The High Judicial and Prosecutorial Council of Bosnia and Herzegovina appoints prosecutors from the list of successful candidates upon proposal of the relevant nomination sub-council (an internal committee within the High Judicial and Prosecutorial Council of Bosnia and Herzegovina). The decision on the appointment has to be reasoned.

Serbia

(General Comment): THE LAW ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
IV SELECTION
1. Jurisdiction and conditions for the election of the holder of the office of public prosecutor
Jurisdiction to choose
Article 80
The Supreme Public Prosecutor is elected by the National Assembly, on the proposal of the High Council of Prosecutors, for a term of six years.
The Chief Public Prosecutor is elected by the High Council of Prosecutors for a six-year term.
The public prosecutor is elected by the High Council of Prosecutions to a permanent position of public prosecutor in the public prosecutor's office.
The number of public prosecutors for each public prosecution is determined by the High Council of Prosecutors.

(2024): THE LAW ON THE PUBLIC PROSECUTOR'S OFFICE ("Official Gazette of RS", No. 10/2023)
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The public prosecutor is elected by the High Council of Prosecutions to a permanent position of public prosecutor in the public prosecutor's office.
The number of public prosecutors for each public prosecution is determined by the High Council of Prosecutors.

Kosovo*

(General Comment): Kosovo Prosecutorial Council forms a recruitment committee which deals with all the procedures of the selection of prosecutors. KPC also establishes a reconsideration committee which deals with the appeals of the candidates who did not pass the exams or who were not selected. Based on the reports of these 2 committees, KPC decides on the final list of the successful candidates, which list is then sent to the President who decrees the new prosecutors

(2025): Article 35 of the Regulation
Proposal for decree of the prosecutor
1. The Council, by a simple majority of votes, decides on the proposal of a candidate for appointment as prosecutors to the President of the Republic of Kosovo.
2. In the event that the Council does not propose a candidate for appointment as a prosecutor to the President of the Republic of Kosovo, issue a reasoned decision in writing regarding the reasons for his rejection.
Please note that in Kosovo, the President is not part of the executive power.

(2024): Kosovo Prosecutorial Council establishes the recruitment committee which is responsible for all the procedures of the recruitment process of prosecutors. KPC establishes the review committee which is responsible for the review of appeals of candidates. Based on the reports of these 2 committees, KPC decides on the final list of the most successful candidates which list is then sent to the Office of the President of the Republic of Kosovo for decree, where the final official appointment for the position of state prosecutor is done.
Article 34 of the Regulation Selection of the most successful candidate
1. The appointment and systematization of the candidate for prosecutors in the basic prosecution offices is done by the Council, upon the proposal of the Recruitment Commission.
2. Only 1/5 of the candidates, who are ranked as the best, in the final list of the exam, have the right to choose the prosecution office where they will be appointed.
3. Regardless the right of the candidate determined according to paragraph 2 of this article, the right of the Council to appoint a prosecutor in a prosecution office, taking into account the needs of the prosecution.
4. The Chairman of the Recruitment Commission sends to the Council, the final list of candidates including the information from paragraph 2 of this article.

(2023): Kosovo Prosecutorial Council establishes the recruitment committee which is responsible for all the procedures of the recruitment process of prosecutors. KPC establishes the review committee which is responsible for the review of appeals of candidates. Based on the reports of these 2 committees, KPC decides on the final list of the most successful candidates which list is then sent to the Office of the President of the Republic of Kosovo for decree, where the final official appointment for the position of state prosecutor is done.
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3. Regardless the right of the candidate determined according to paragraph 2 of this article, the right of the Council to appoint a prosecutor in a prosecution office, taking into account the needs of the prosecution.
4. The Chairman of the Recruitment Commission sends to the Council, the final list of candidates including the information from paragraph 2 of this article.

(2022): Kosovo Prosecutorial Council establishes the recruitment committee which is responsible for all the procedures of the recruitment process of prosecutors. KPC establishes the review committee which is responsible for the review of appeals of candidates. Based on the reports of these 2 committees, KPC decides on the final list of the most successful candidates which list is then sent to the Office of the President of the Republic of Kosovo for decree, where the final official appointment for the position of state prosecutor is done.

Question 122

Albania

(General Comment): As answered in the Questionnaire, in principle, the High Prosecutorial Council on the final appointment procedure has a right to appoint some and reject some among the selected (proposed) candidates. According the article 35, of the Law "On the status of judges and prosecutors in the Republic of Albania", as amended, a graduate in the Judicial Academy, to be appointed as magistrate should fulfill these three criteria:
a) be graduated in the Initial Forming Program of Judicial Academy with at least 70 % of the total possible points;
b) is evaluated at least "good" on all the duties assigned during dhe professional experience in the third year of Initial Forming;
c) pass again the verification of integrity and assets realized from the Council, in accordance with this law. Also, a graduate in the Judicial Academy, may ask for justified reasons, to be appointed in the following year.
Within a month after the publication of the list of graduates, the Council may:
a) appoint as magistrate each person in the graduated list who fulfil the appointment criteria or refuse to appoint each person who is in the graduated list but doesn't fulfil the appointment criteria b) allow the candidate who fulfill the appointment criteria to be appointed the following year.

Bosnia and Herzegovina

(General Comment): The relevant provisions of the Book of Rules, adopted by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, read as follows:
Article 61 (Decision on the Appointment of Judges and Prosecutors) (1) The Council shall decide on each appointment separately on the basis on the proposal from the relevant sub-council. (2) In the event that the Council does not adopt the proposal of a sub-council and the sub-council does not propose another candidate, the Council may, based on an elaborated proposal by any member of the Council, appoint one of the candidates who achieved the appropriate results required for appointment. (3) When proposing a candidate pursuant to paragraph (2) of the Article, consideration shall be given to circumstances from Article 59b, paragraph (2) of the Rules of Procedure. (4) During an appointment the Council shall also decide on the date of taking up office of an appointee. Article 59b
(Activities of the Sub-Council) (1) The relevant sub-council shall carry out the final candidate ranking and submit a proposal to the Council for action. (2) When nominating a candidate for appointment, apart from points scored and the ranking of the candidates who have achieved the required results, the relevant sub-council shall also cumulatively take into account the following: -circumstances that are relevant to the assessment of candidate suitability; -the need to ensure the appropriate ethnic and gender representation in the court or prosecutors office in accordance with Article 43, paragraph (2) of the Law; -the work-related experience of a candidate for a certain field of law, if the court for which appointment is being carried out, apart from municipal and basic court levels, has a need for a judge of a certain specialisation. (3) If the list of candidates who have achieved the minimum results required for appointment has no candidates of the appropriate ethnicity or with the specific work-related experience, the competition shall be repeated only once. (4) Apart from reasons pursuant to paragraph (3) of the Article, a competition may be repeated also in the event that none of the proposed candidates i.e. candidates who have achieved the minimum results required for appointment, receive a majority vote as required for appointment or in the event that none of the candidates achieved the required results within the competition procedure. Article 61b (Nomination and Appointment to Managerial Positions) (11) If, after the presentation of the work programs, no candidate has received a majority vote required to render a decision on appointment, any member of the Council may propose any candidate who has the achieved the appropriate result required for appointment to present their work program at the subsequent session

Montenegro

(General Comment): State prosecutor candidates shall complete initial training that consists of theoretical and practical part and takes at least 18 months.
The Prosecutorial Council shall elect the state prosecutor candidate who was given the grade satisfactory in the initial training to the office of the state prosecutor in the basic state prosecution office he/she was assigned to. The right to a selection of the basic state prosecution office in which he/she will be assigned, candidate for state prosecutor exercises in order from the Ranking list from art. 62 of this Law.
The Prosecutorial Council shall make a decision on deployment to the basic prosecution office of elected state prosecutors based on the right to of candidate the election referred to in para. 2 above. (Law on State Prosecution Service)

(2024): The Prosecutor's Council selects and appoints candidates for state prosecutors

Kosovo*

(General Comment): Article 23 of Law on KPC
Appointment and re-appointment of prosecutors
1.The President appoints and reappoints prosecutors based on the Council's proposals.
2.Within 60 days after the receipt of the proposal, the President shall issue a decree on the appointment as prosecutor of the candidate proposed by the Council. If within this deadline the President does not appoint the prosecutor, the Council may re-submit the proposed candidate together with the supplementary reasoning in writing. Thereafter the President appoints the prosecutor upon the proposal of the Council.
The Law on Amending and Supplementing the Law No. 06/L-056 on Kosovo Prosecutorial Council now provides that: The aggrieved party shall have the right to appeal against the Council's decision on the appointment and reappointment to the Supreme Court within fifteen (15) days from the decision.

(2024): Article 23 of Law on KPC
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2.Within 60 days after the receipt of the proposal, the President shall issue a decree on the appointment as prosecutor of the candidate proposed by the Council. If within this deadline the President does not appoint the prosecutor, the Council may re-submit the proposed candidate together with the supplementary reasoning in writing. Thereafter the President appoints the prosecutor upon the proposal of the Council.
Article 35 of the Regulation
Proposal for decree of the prosecutor
1. The Council, by a simple majority of votes, decides on the proposal of a candidate for appointment as prosecutors to the President of the Republic of Kosovo.
2. In the event that the Council does not propose a candidate for appointment as a prosecutor to the President of the Republic of Kosovo, issue a reasoned decision in writing regarding the reasons for his rejection.

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1.The President appoints and reappoints prosecutors based on the Council's proposals.
2.Within 60 days after the receipt of the proposal, the President shall issue a decree on the appointment as prosecutor of the candidate proposed by the Council. If within this deadline the President does not appoint the prosecutor, the Council may re-submit the proposed candidate together with the supplementary reasoning in writing. Thereafter the President appoints the prosecutor upon the proposal of the Council.
Article 35 of the Regulation
Proposal for decree of the prosecutor
1. The Council, by a simple majority of votes, decides on the proposal of a candidate for appointment as prosecutors to the President of the Republic of Kosovo.
2. In the event that the Council does not propose a candidate for appointment as a prosecutor to the President of the Republic of Kosovo, issue a reasoned decision in writing regarding the reasons for his rejection.

Question 123

Serbia
(General Comment): Yes.

Kosovo*
(General Comment): Candidates can appeal during all phases of the selection and recruitment process, however they can not appeal the decree of the President.

Question 124

Albania
(General Comment): According to article 192/1, of the Law "On the governance institutions of justice system", as amended, for the individual administrative acts of the Council such as a refusal to appoint a graduate as a prosecutor an appeal may be submitted in the Administrative Court of Appeal within 15 days from the notice.

(2025): According to the Law no. 96/2016, “On the status of judges and prosecutors in the Republic of Albania”, as amended, Article 41 (…) 2. The appointee has the right to appeal the decision on the appointment to the position. The appeal does not suspend the implementation of the decision within 5 days from the notification of the decision of the Council. The competent court shall take a decision within two weeks of the date of the appeal. The decision of the competent court shall be final. 3. The decision of the Council on the appointment of the appointee to the position, in accordance with this Article, shall become final when:
a) no appeal has been filed within the appeal deadlines;
b) an appeal has been filed within the deadlines and the court has decided to dismiss the case or dismiss the appeal;
c) an appeal has been filed within the deadlines and a final court decision has been issued on its basis.
4. In cases where the court accepts the appeal and annuls the decision of the Council, the latter, within two weeks from the notification of the court decision, reviews the decision to appoint the appointee to the position, to the extent necessary for the implementation of the court's decision.

Bosnia and Herzegovina

(2023): The decision on appointment made by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina is the final administrative act pursuant to the Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of BiH", No. 63/23), which entered into force in December 2023, and an administrative dispute may be initiated against the decision by the candidate in the appointment procedure. The Court of Bosnia and Herzegovina has jurisdiction to resolve these administrative disputes. In the event of an administrative dispute, the appointment of the newly appointed judge or prosecutor shall be postponed for that position until the court proceedings have been completed.

Montenegro

(General Comment): The candidate has the right to file an action with the Administrative Court.

(2025): Law on the State Prosecutor’s Office (“Official Gazette of Montenegro,” Nos. 11/2015, 42/2015, 80/2017, 10/2018, 76/2020, 59/2021, 54/2024 and 92/2025), Article 40, paragraph 3.

(2023): Administrative court

(2022): Administrative court

Serbia

(General Comment): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
The right to appeal to the Constitutional Court against the decision on the election of the chief public prosecutor and public prosecutor to the position of public prosecutor
Article 93
Against the decision on the election of the chief public prosecutor and the public prosecutor, the candidate can appeal to the Constitutional Court, which excludes the right to file a constitutional appeal, within 15 days from the date of publication of the decision in the "Official Gazette of the Republic of Serbia".
The Constitutional Court is obliged to make a decision on the appeal referred to in paragraph 1 of this article within 30 days from the expiry of the deadline for filing an appeal.
The Constitutional Court may reject the appeal from paragraph 1 of this article as unfounded and confirm the decision on the election of the chief public prosecutor and the public prosecutor or accept the appeal and annul the decision on the election of the chief public prosecutor and the public prosecutor.
The decision from paragraph 2 of this article with an explanation is published in the "Official Gazette of the Republic of Serbia".

(2024): THE LAW ON THE PUBLIC PROSECUTOR'S OFFICE ("Official Gazette of RS", No. 10/2023)
The right to appeal to the Constitutional Court against the decision on the election of the chief public prosecutor and the public prosecutor to the position of public prosecutor
Article 93.
Against the decision on the election of the chief public prosecutor and the public prosecutor to the position of the public prosecutor, the candidate can appeal to the Constitutional Court, which excludes the right to file a constitutional appeal, within 15 days from the date of publication of the decision in the "Official Gazette of the Republic of Serbia".
The Constitutional Court is obliged to decide on the appeal referred to in paragraph 1 of this article within 30 days from the expiry of the deadline for filing an appeal.

(2023): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
The right to appeal to the Constitutional Court against the decision on the election of the chief public prosecutor and the public prosecutor to the position of public prosecutor
Article 93.
Against the decision on the election of the chief public prosecutor and the public prosecutor to the position of the public prosecutor, the candidate can appeal to the Constitutional Court, which excludes the right to file a constitutional appeal, within 15 days from the date of publication of the decision in the "Official Gazette of the Republic of Serbia".
The Constitutional Court is obliged to decide on the appeal referred to in paragraph 1 of this article within 30 days from the expiry of the deadline for filing an appeal.

(2022): Non-selected candidates may file Constitutional Appeal to the Constitutional Court.
The decision of the Constitutional Court is final.

Kosovo*
(General Comment): Non selected candidates have the right to appeal to the Basic Court.

Question 125

Albania
(2025): Considering the question related to the integrity check of candidates for prosecutors, in the answer we have referred to the phase after the completion of the Magistrates' School and the appointment of prosecutors by the High Prosecutorial Council. A psychological assessment is carried out by the Magistrates' School for the admission of aspirants for prosecutors to that school.

Bosnia and Herzegovina
(General Comment): Through the check of disciplinary proceedings and sanctions:
In the competition procedure for the post of a judge or a prosecutor information is checked whether disciplinary proceedings are being conducted against the candidate, whether a final disciplinary measure has been imposed to the candidate, meaning whether the candidate has been convicted. The said information impact the decision whether the candidate will be invited to an interview, meaning whether or not they will further participate in the competition procedure. If a disciplinary measure is imposed to the candidate in a certain time period, depending on the measure, they cannot participate in the competition procedure. Through an integrity assessment test:
The candidate’s ability to responsibly, independently and impartially hold the office they applied for, professional impartiality and reputation and conduct outside the job is one of the criteria examined in the interview with the candidate by asking suitable questions.
During the appointment procedure consideration shall also be given to circumstances relevant for the evaluation of candidate suitability, such as information concerning any previous disciplinary offences, previous criminal convictions and other circumstances that may deem a candidate unsuitable to hold judicial office.
The candidate in the application form must reply to the following question: Have you been convicted of a felony or been found responsible for a misdemeanor offense or been found responsible for disciplinary offense?
Also, the candidate is required to submit as an attachment to the application form an official court document confirming that there is no pending criminal proceedings against him or her. Candidate's criminal record does not constitute an eliminatory criterion in the process of appointment of candidates. But in this regard, the Interview panel and the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, through the appointment procedure determine the ability of the candidate with criminal record to perform the judicial function.

(2022): The integrity of candidate prosecutors is checked at the interview conducted with candidates and through the information which candidates submit in the application form.

Montenegro

(2025): Also, Ethic and and complaints about the work of the prosecutor.

North Macedonia

(2022): Integrity test is part of the entering exam on the Academy for judges and Public Prosecutors.

Serbia

(General Comment): Article 83 THE LAW ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
Other conditions for selection to the position of public prosecutor are expertise, competence, and worthiness.
Expertise implies the possession of theoretical and practical knowledge necessary for the performance of the public prosecutor's function.
Competency means skills that enable the effective application of specific legal knowledge in the resolution of a public prosecutor's case.
Dignity implies moral qualities that the holder of the office of public prosecutor should possess and represent by those qualities. Moral qualities are: respect, correctness, correctness, durability and exemplary behavior, and behavior by these qualities implies preserving the appearance of the public prosecutor in and outside the service, awareness of independence, belonging to the state, and the responsibility of the staff in and outside the service and taking responsibility for internal organization and a positive image of the public prosecutor's office in the public.
THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
General conditions for selection
Article 81.
A citizen of the Republic of Serbia who meets the general requirements for work in a state body, who has graduated from law school, passed the bar exam, and who is professional and worthy of performing the public prosecutor's office can be elected as the holder of the public prosecutor's office.
Law on civil servants
Article 45.
An adult citizen of the Republic of Serbia who has the prescribed professional qualification and meets the other conditions determined by the law, other regulations, and the rulebook on the internal organization and systematization of workplaces in the state body can be employed as a civil servant, if his employment in the state body has not been terminated before due to breach of duty from the employment relationship and has not been sentenced to a prison sentence of at least six months.
Obtaining data and opinions
Article 88
The High Council of the Prosecutor's Office obtains data and opinions on the expertise, competence and worthiness of candidates.
Data and opinions are obtained from authorities and organizations where the candidate worked in the legal profession.
For a candidate who worked in the public prosecutor's office, data is obtained from the candidate's personal file, and the opinion of the collegium of the public prosecutor's office where the candidate worked must be obtained.

(2024): Article 83 THE LAW ON THE PUBLIC PROSECUTOR'S OFFICE ("Official Gazette of RS", No. 10/2023)
Other conditions for selection to the position of public prosecutor are expertise, competence, and worthiness.
Expertise implies the possession of theoretical and practical knowledge necessary for the performance of the public prosecutor's function.
Competency means skills that enable the effective application of specific legal knowledge in the resolution of a public prosecutor's case. Dignity implies moral qualities that the holder of the office of public prosecutor should possess and represent by those qualities. Moral qualities are: respect, correctness, correctness, durability and exemplary behavior, and behavior by these qualities implies preserving the appearance of the public prosecutor in and outside the service, awareness of independence, belonging to the state, and the responsibility of the staff in and outside the service and taking responsibility for internal organization and a positive image of the public prosecutor's office in the public.
THE LAW ON THE PUBLIC PROSECUTOR'S OFFICE ("Official Gazette of RS", No. 10/2023)
General conditions for selection Article 81.
A citizen of the Republic of Serbia who meets the general requirements for work in a state body, who has graduated from law school, passed the bar exam, and who is professional and worthy of performing the public prosecutor's office can be elected as the holder of the public prosecutor's office.
Law on civil servants
Article 45.
An adult citizen of the Republic of Serbia who has the prescribed professional qualification and meets the other conditions determined by the law, other regulations, and the rulebook on the internal organization and systematization of workplaces in the state body can be employed as a civil servant, if his employment in the state body has not been terminated before due to breach of duty from the employment relationship and has not been sentenced to a prison sentence of at least six months. Obtaining data and opinions
Article 88
The High Council of the Prosecutor's Office obtains data and opinions on the expertise, competence and worthiness of candidates.
Data and opinions are obtained from authorities and organizations where the candidate worked in the legal profession.
For a candidate who worked in the public prosecutor's office, data is obtained from the candidate's personal file, and the opinion of the collegium of the public prosecutor's office where the candidate worked must be obtained.
For candidates from the ranks of chief public prosecutors and public prosecutors, the grade obtained in the work evaluation procedure is taken into account.
During the selection of candidates from the ranks of the chief public prosecutor and the public prosecutor, other activities of importance for the performance of the public prosecutor's office may be taken into account.
For a candidate who works as a public prosecutor's assistant, a performance evaluation must be obtained.
For a candidate who has not previously worked as a public prosecutor, the High Council of Prosecutions will especially value the type of work he/she performed after passing the bar exam.

(2023): Article 83 THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
Other conditions for selection to the position of public prosecutor are expertise, competence, and worthiness.
Expertise implies the possession of theoretical and practical knowledge necessary for the performance of the public prosecutor's function.
Competency means skills that enable the effective application of specific legal knowledge in the resolution of a public prosecutor's case.
Dignity implies moral qualities that the holder of the office of public prosecutor should possess and represent by those qualities. Moral qualities are: respect, correctness, correctness, durability and exemplary behavior, and behavior by these qualities implies preserving the appearance of the public prosecutor in and outside the service, awareness of independence, belonging to the state, and the responsibility of the staff in and outside the service and taking responsibility for internal organization and a positive image of the public prosecutor's office in the public.
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For a candidate who worked in the public prosecutor's office, data is obtained from the candidate's personal file, and the opinion of the collegium of the public prosecutor's office

Kosovo*

(General Comment): Verification of integrity of prosecutors is done based on article 20 paragraph 5 of Law on Kosovo Prosecutorial Council and article 25 of Regulation no.02/2022 on the recruitment, examination, appointment and reappointment of prosecutors
The procedure for assessment of the compatibility of the candidate in order to become part of the prosecution office shall be done through the verification of the data submitted by the candidate, data from the relevant public registries for assessment, including the standard verification of registries for the criminal past.
1. All candidates who have met the conditions to undergo the interview are subject to the procedure of personal and professional integrity verification.
2. Under the authority of the Council and the supervision of the Recruitment Committee, the support staff is responsible for the collection and collection of the necessary data, which will serve the committee to verify and evaluate the personal and professional integrity of the candidate, respecting the international standards and applicable laws in force.
3. Candidates are notified that they have the right to see the documents collected in their file, no earlier than five (5) days and no later than ten (10) days, before the oral interview, except when such a thing is not allowed by the laws in force.
4. The procedure for assessing personal integrity and professional skills is included as part of the oral interview, in which candidates can be asked about issues related to their personal and professional integrity, being given the opportunity to confirm, complete or contradict evaluation based on the verification of documents and information requested and collected.

(2025): Verification of integrity of prosecutors is done based on article 20 paragraph 5 of Law on Kosovo Prosecutorial Council and article 25 of Regulation no.02/2022 on the recruitment, examination, appointment and reappointment of prosecutors
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1. All candidates who have met the conditions to undergo the interview are subject to the procedure of personal and professional integrity verification.
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3. Candidates are notified that they have the right to see the documents collected in their file, no earlier than five (5) days and no later than ten (10) days, before the oral interview, except when such a thing is not allowed by the laws in force.
4. The procedure for assessing personal integrity and professional skills is included as part of the oral interview, in which candidates can be asked about issues related to their personal and
professional integrity, being given the opportunity to confirm, complete or contradict evaluation based on the verification of documents and information requested and collected.

(2022): The Kosovo Prosecutorial Council, based on the Constitution and applicable law, develops and implements procedures for the recruitment and nomination of state prosecutors.
All candidates for prosecutors who have passed the relevant tests are part of the process of assessment of personal integrity and professional skills that includes verification of information provided by candidates and any other relevant information such as: work experience and performance, professional and academic documents, information regarding disciplinary measures, extrajudicial behaviour and criminal past.
This process is conducted in accordance with legal provisions that protect human rights and freedoms as well as in order to provide information relevant to the disclosure of personality, professionalism and personal experience of candidates.
Candidates have the right to be informed and to view all documentation collected prior to the interview.
Article 25 of Regulation no.02/2022 on the recruitment, examination, appointment and
reappointment of prosecutors
“The process of verifying the personal and professional integrity of the candidate”

Question 126

Albania
(General Comment): According to Article 64/1, the Law no. 96/2016 “On the status of judges and prosecutors in the Republic of Albania”, as amended, the prosecutor’s mandate may terminate also in cases when: the prosecutor has resigned; when are established conditions of ineligibility and incompatibility in the exercise of function; reaches the age of old-age pension; is dismissed from the function for disciplinary responsibility; when is established the fact of inability to perform the duty. Based on paragraph 5 of the same Article The magistrate retires on old age at the age of 67. The magistrate, at his request, may remain in office until the age of 70. The request to remain in office shall be submitted no later than 6 months before reaching retirement age. The status of the magistrate shall end when he reaches the age of 67 or the age of 70, in cases where he has requested to remain in office until this age. The Council shall declare by decision the end of the status of the magistrate, no later than two weeks before the end of the relevant month.

(2025): According to Article 64/1, the Law no. 96/2016 “On the status of judges and prosecutors in the Republic of Albania”, as amended, the prosecutor’s mandate may terminate also in cases when: the prosecutor has resigned; when are established conditions of ineligibility and incompatibility in the exercise of function; reaches the age of old-age pension; is dismissed from the function for disciplinary responsibility; when is established the fact of inability to perform the duty. Based on paragraph 5 of the same Article The magistrate retires on old age at the age of 67. The magistrate, at his request, may remain in office until the age of 70. The request to remain in office shall be submitted no later than 6 months before reaching retirement age. The status of the magistrate shall end when he reaches the age of 67 or the age of 70, in cases where he has requested to remain in office until this age. The Council shall declare by decision the end of the status of the magistrate, no later than two weeks before the end of the relevant month.

(2023): According to Article 64/1, the Law no. 96/2016 “On the status of judges and prosecutors in the Republic of Albania”, as amended, the prosecutors mandate may terminate also in cases when: the prosecutor is resigned; when are established conditions of ineligibility and incompatibility in the exercise of function; reaches the age of old-age pension, according to the provisions of this law; is dismissed from the function for disciplinary responsibility; when is established the fact of inability to perform the duty.

(2022): According to Article 64/1, the Law “On the status of judges and prosecutors in the Republic of Albania”, as amended, the prosecutors mandate may terminate also in cases when: the prosecutor is resigned; when are established conditions of ineligibility and incompatibility in the exercise of function; reaches the age of old-age pension, according to the provisions of this law; is dismissed from the function for disciplinary responsibility; when is established the fact of inability to perform the duty.

Bosnia and Herzegovina

(General Comment): Pursuant to the Law on High Judicial and Prosecutorial Council of Bosnia and Herzegovina, the mandatory retirement
age for prosecutors is age seventy (70). According to the Law, the disciplinary measure of dismissal shall only be used in cases where a serious disciplinary offence is found and the severity of the offence makes it clear that the offender is unfit or unworthy to continue to hold his or her office. A prosecutor is entitled to resign from office. He/she can be removed from office if it has been proven by the
medical documentation that he/she has permanently lost the working capacity to perform his/her judicial or prosecutorial function.

Montenegro

(General Comment): The function of the state prosecutor is permanent. Exceptionally, a person elected for the first time as a state prosecutor is elected for a term of 4 years.
The Supreme State Prosecutor and the heads of state prosecutor's offices are elected for a term of five years.
The head of the state prosecutor's office and the state prosecutor shall be relieved of his / her duties if he / she is sentenced to unconditional imprisonment by a final judgment.
Dismissal shall be pronounced for the most serious disciplinary offenses: 1) if he / she is convicted of 2) if he performs the prosecutorial function unprofessionally and unscrupulously.
The function of the State Prosecutor shall cease: 1) upon the expiration of the mandate; 2) resignation; 3) fulfilling the conditions for old-age pension; 4) termination of citizenship.
The position of the head of the State Prosecutor's Office shall cease when: 1) the term for which he was elected expires; 2) his prosecutorial function ceases; 3) request it himself or in the case of abolition or merger of state prosecutor's offices. ,

(2025): Individuals appointed as State Prosecutors for the first time are elected for a four-year term, after which they may be appointed to a permanent position.

North Macedonia

(General Comment): The official age of 64 years is new compulsory age for retirement in North Macedonia.
With the amendments to the Labor Law from February 2025, there is a possibility for judges to prolong their retirement until 67.

(2025): With the amendments to the Labor Law from February 2025, there is a possibility for public prosecutors to prolong their retirement until 67.

(2024): With the amendments to the Labor Law from February 2025, there is a possibility for public prosecutors to prolong their retirement until 67.

(2022): The official compulsory age of retirement is 64 years (see general comment). As a right to gender equality, women can choose the age between 62-64 for retirement.

Serbia

(General Comment): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
Article 101.
The working life of a public prosecutor ends when the public prosecutor reaches the age of 65, except the public prosecutor of the Supreme Public Prosecutor's Office, who can perform the function of a public prosecutor until the age of 67.
Duration of the public prosecutor's office
Article 61
The public prosecutor function of the public prosecutor is permanent and ends for the reasons prescribed by the Constitution and this law.

(2025): 67 years of age for the Supreme Public Prosecutor’s Office

(2024): THE LAW ON THE PUBLIC PROSECUTOR'S OFFICE ("Official Gazette of RS", No. 10/2023) Article 101.
The working life of a public prosecutor ends when the public prosecutor reaches the age of 65, except the public prosecutor of the Supreme Public Prosecutor's Office, who can perform the function of a public prosecutor until the age of 67.
Duration of the public prosecutor's office
Article 61 The public prosecutor function of the public prosecutor is permanent and ends for the reasons prescribed by the Constitution and this law.

(2023): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
Article 101.
The working life of a public prosecutor ends when the public prosecutor reaches the age of 65, except the public prosecutor of the Supreme Public Prosecutor's Office, who can perform the function of a public prosecutor until the age of 67.
Duration of the public prosecutor's office
Article 61
The public prosecutor function of the public prosecutor is permanent and ends for the reasons prescribed by the Constitution and this law.

Kosovo*

(2025): Yes there may be dismissal as a result of disciplinary sanctions and there have been such cases.
Article 27 of Law on State Prosecutor
Termination of mandate
1. The mandate of the prosecutor ends in the following ways:
1.1. with resignation;
1.2. dismissal;
1.3. death;
1.4. upon reaching retirement age;
1.5. not reappointed for a permanent term after the probation period or initial mandate

(2024): Yes there may be dismissal as a result of disciplinary sanctions and there have been such cases.
Also according to Article 27 of Law on state prosecutor, the mandate of the prosecutor ends in the following ways:
1.1. with resignation;
1.2. Dismissal;
1.3. death;
1.4. upon reaching retirement age;
1.5. not reappointed for a permanent term after the probation period or initial mandate

(2023): Yes there may be dismissal as a result of disciplinary sanctions and there have been such cases.
Also according to Article 27 of Law on state prosecutor, the mandate of the prosecutor ends in the following ways:
1.1. with resignation;
1.2. Dismissal;
1.3. death;
1.4. upon reaching retirement age;
1.5. not reappointed for a permanent term after the probation period or initial mandate.

(2022): Yes there may be dismissal as a result of disciplinary sanctions and there have been such cases.
The prosecutor's mandate ends upon:
1.1. resignation;
1.2. dismissal;
1.3. death;
1.4. retirement;
1.5. the loss of working ability due to proved medical reasons, and
1.6. if not re-appointment with a permanent mandate

Question 127

Montenegro
(2022): The mandate of the prosecutors that are selected for the first time lasts for 4 years, after which they have the right to apply for a permanent position if they satisfied criteria during the initial 4 year term period.

Serbia
(General Comment): No.

Question 128

Montenegro
(General Comment): Prosecutorial Council

(2025): The mandate of the prosecutors that are selected for the first time lasts for 4 years, after which they have the right to apply for a permanent position if they satisfied criteria during the initial 4 year term period.

(2024): The mandate of the prosecutors that are selected for the first time lasts for 4 years, after which they have the right to apply for a permanent position if they satisfied criteria during the initial 4 year term period.

(2023): The mandate of the prosecutors that are selected for the first time lasts for 4 years, after which they have the right to apply for a permanent position if they satisfied criteria during the initial 4 year term period.

(2022): The mandate of the prosecutors that are selected for the first time lasts for 4 years, after which they have the right to apply for a permanent position if they satisfied criteria during the initial 4 year term period.

Kosovo*

(General Comment): Article 36 of Regulation 07/2015 on State Prosecutors` Recruitment, Exam, Appointment and Reappointment

Reappointment of State Prosecutors

1.The Performance Assessment Committee shall submit to KPC justified recommendation for reappointment or non-reappointment of a Prosecutor.

2.The Decision of KPC regarding the reappointment or non-reappointment of a Prosecutor shall be in place within forty-five (45) days following the receipt of the recommendation by the Performance Assessment Committee; and the respective shall be done in accordance with the criteria and procedures stipulated by the legislation in force.

3.KPC shall inform the Prosecutor regarding the reappointment process through a justified Decision in written.

4.Before submitting reappointment recommendations, KPC shall request the opinion of the respective Prosecution at which was recommended the candidate to be assigned.

5.KPC shall submit the reappointment recommendation of the respective Prosecutor to the President of the Republic.

(2025): Article 37 of Regulation no.02/2022 on the recruitment, examination, appointment and reappointment of prosecutors

Reappointment of State Prosecutors

1. The Commission for Performance Evaluation submits to the KPK the recommendation for the evaluation of the performance of the prosecutors for the initial mandate, the reasoned recommendation for the reappointment or not of a prosecutor. 2. KPC decides on the reappointment or not of the prosecutor within forty five (45) days after receiving the proposal from the Commission for Performance Evaluation, in accordance with the criteria and procedures set by applicable law. 3. The Council sends the name of the prosecutor proposed for reappointment with a permanent mandate to the President of the Republic of Kosovo, fifteen (15) days at the latest, before the expiration of the initial mandate. 4. The KPC notifies the prosecutor about the reappointment process through a reasoned written decision 5. Before submitting the proposals for reappointment, the KPC requests the opinion of the relevant prosecution in which the candidate has been proposed for reappointment. 6. KPC submits the proposal for reappointment of the respective prosecutor to the President of the Republic.

(2024): Article 37 of Regulation no.02/2022 on the recruitment, examination, appointment and reappointment of prosecutors

Reappointment of State Prosecutors

1. The Commission for Performance Evaluation submits to the KPK the recommendation for the evaluation of the performance of the prosecutors for the initial mandate, the reasoned recommendation for the reappointment or not of a prosecutor. 2. KPC decides on the reappointment or not of the prosecutor within forty five (45) days after receiving the proposal from the Commission for Performance Evaluation, in accordance with the criteria and procedures set by applicable law. 3. The Council sends the name of the prosecutor proposed for reappointment with a permanent mandate to the President of the Republic of Kosovo, fifteen (15) days at the latest, before the expiration of the initial mandate. 4. The KPC notifies the prosecutor about the reappointment process through a reasoned written decision 5. Before submitting the proposals for reappointment, the KPC requests the opinion of the relevant prosecution in which the candidate has been proposed for reappointment. 6. KPC submits the proposal for reappointment of the respective prosecutor to the President of the Republic.

(2023): Article 37 of Regulation no.02/2022 on the recruitment, examination, appointment and reappointment of prosecutors
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3. The Council sends the name of the prosecutor proposed for reappointment with a permanent mandate to the President of the Republic of Kosovo, fifteen (15) days at the latest, before the expiration of the initial mandate.
4. The KPC notifies the prosecutor about the reappointment process through a reasoned written decision
5. Before submitting the proposals for reappointment, the KPC requests the opinion of the relevant prosecution in which the candidate has been proposed for reappointment.
6. KPC submits the proposal for reappointment of the respective prosecutor to the President of the Republic.

(2022): Article 37 of Regulation no.02/2022 on the recruitment, examination, appointment and reappointment of prosecutors
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Question 129

Montenegro

(General Comment): In accordance with art. 40 par. 1 of the Law on State Prosecution Service, decisions of the Prosecutorial Council shall be final and administrative dispute may be initiated against them, unless this Law requires otherwise.

Serbia

(General Comment): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
Appeal to the Constitutional Court, which excludes the right to file a constitutional appeal
Article 108.
Against the decision of the National Assembly, i.e. the High Prosecutorial Council on the termination of the public prosecutor's office, the Supreme Public Prosecutor, the Chief Public Prosecutor, or the Public Prosecutor may appeal to the Constitutional Court, which excludes the right to file a constitutional appeal, within 30 days from the date of delivery of the decision.
By its decision, the Constitutional Court can reject the appeal to the Constitutional Court or accept the appeal to the Constitutional Court and annul the decision on the termination of the public prosecutor's office.
The decision of the Constitutional Court is final and is published in the "Official Gazette of the Republic of Serbia".

(2024): THE LAW ON THE PUBLIC PROSECUTOR'S OFFICE ("Official Gazette of RS", No. 10/2023)
Appeal to the Constitutional Court, which excludes the right to file a constitutional appeal Article 108.
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By its decision, the Constitutional Court can reject the appeal to the Constitutional Court or accept the appeal to the Constitutional Court and annul the decision on the termination of the public prosecutor's office. The decision of the Constitutional Court is final and is published in the "Official Gazette of the Republic of Serbia".

(2023): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
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By its decision, the Constitutional Court can reject the appeal to the Constitutional Court or accept the appeal to the Constitutional Court and annul the decision on the termination of the public prosecutor's office.
The decision of the Constitutional Court is final and is published in the "Official Gazette of the Republic of Serbia".

(2022): The Appeal to the Constitutional Court may be filed.

6.Promotion - List of tables

Table 6.1.1 Authority competent for the promotion of judges in 2025 (Q130)

Table 6.1.2 Procedure and criteria for the promotion of judges in 2025 (Q131 and Q132)

Table 6.1.3 Possibility to appeal the decision on the promotion of judges and body competent for the appeal in 2025 (Q133 and Q134)

Table 6.1.4 Authority competent for the promotion of prosecutors in 2025 (Q135)

Table 6.1.5 Procedure and criteria for the promotion of prosecutors in 2025 (Q136 and Q137)

Table 6.1.6 Possibility to appeal the decision on the promotion of prosecutors and body competent for the appeal in 2025 (Q138 and Q139)

Table 6.1.1 Authority competent for the promotion of judges in 2025 (Q130)

Beneficiaries	Authority competent for the promotion of judges				
	Parliament	Executive power	Judicial Council	Judicial Academy	Other body
Albania					
Bosnia and Herzegovina					
Montenegro					
North Macedonia					
Serbia					
Kosovo*					

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 6.1.2 Procedure and criteria for the promotion of judges in 2025 (Q131 and Q132)

Beneficiaries	Procedure for the promotion of judges				Criteria used for the promotion of a judge					
	Competitive test / Exam	Previous individual evaluations	Other procedure(s) (interview or other)	No special procedure	Years of experience	Professional skills (and/or qualitative performance)	Performance (quantitative)	Subjective criteria (e.g. integrity, reputation)	Other	No criteria
Albania		Yes			Yes	Yes	Yes	Yes		
Bosnia and Herzegovina		Yes	Yes		Yes	Yes	Yes	Yes		
Montenegro		Yes	Yes		Yes	Yes	Yes	Yes	Yes	
North Macedonia			Yes		Yes	Yes	Yes	Yes		
Serbia			Yes		Yes	Yes	Yes	Yes		
Kosovo*		Yes	Yes		Yes	Yes	Yes	Yes		

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 6.1.3 Possibility to appeal the decision on the promotion of judges and body competent for the appeal in 2025 (Q133 and Q134)

Beneficiaries	Judges			
	Possibility to appeal the decision on the promotion of judges	Body competent to decide on appeal		
		Judicial Council	Court	Other body
Albania				
Bosnia and Herzegovina				
Montenegro				
North Macedonia				
Serbia				
Kosovo*				

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 6.1.4 Authority competent for the promotion of prosecutors in 2025 (Q135)

Beneficiaries	Authority competent for the promotion of prosecutors	
	Judicial / Prosecutorial Council	Other body
Albania		
Bosnia and Herzegovina		
Montenegro		
North Macedonia		
Serbia		
Kosovo*		

Yes	
No	
NA	
NAP	

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 6.1.5 Procedure and criteria for the promotion of prosecutors in 2025 (Q136 and Q137)

Beneficiaries	Procedure for the promotion of prosecutors				Criteria used for the promotion of a prosecutor					
	Competitive test / Exam	Previous individual evaluations	Other procedure(s) (interview or other)	No special procedure	Years of experience	Professional skills (and/or qualitative performance)	Performance (quantitative)	Subjective criteria (e.g. integrity, reputation)	Other	No criteria
Albania										
Bosnia and Herzegovina										
Montenegro										
North Macedonia										
Serbia										
Kosovo*										

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 6.1.6 Possibility to appeal the decision on the promotion of prosecutors and body competent for the appeal in 2025 (Q138 and Q139)

Beneficiaries	Prosecutors			
	Possibility to appeal the decision on the promotion of prosecutors	Body competent to decide on appeal		
		Judicial / Prosecutorial Council	Court / Prosecution office	Other body
Albania				
Bosnia and Herzegovina				
Montenegro				
North Macedonia				
Serbia				
Kosovo*				

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Indicator 6- Promotion

by country

130. Which authority is competent for the promotion of judges?
131. What is the procedure for the promotion of judges? (multiple replies possible)
132. Please indicate the criteria used for the promotion of a judge? (multiple replies possible)
133. Can a decision on the promotion of judges be appealed?
134. If yes, what is the body competent to decide on appeal?
135. Which authority is competent for the promotion of prosecutors?
136. What is the procedure for the promotion of prosecutors? (multiple replies possible)
137. Please indicate the criteria used for the promotion of a prosecutors (multiple replies possible):
138. Can a decision on the promotion of prosecutors be appealed?
139. If yes, what is the body competent to decide on appeal?

Albania

Q131 (General Comment): As per provisions of Law No 96/2016 “on the status of judges and prosecutors in the republic of Albania”, Art. 48, “Promotion to Higher or Specialized Levels” - the Council opens the promotion procedure by calling for applications - the call for applications is published on the website of the Council and it contains the necessary information for the vacancy - following a call for applications for a promotion, the candidate may apply for up to three vacant positions or positions expected to become vacant. - only applicants who have passed the asset declaration and background check and have no disciplinary sanction in force are allowed to participate further in the promotion procedure.

- the Councils reviews the applications and ranks eligible candidates by reference to the following indicators:

a) Firstly, two previous evaluations, taking into consideration that:

i) The experience in seconded positions, as magistrate in a mobility scheme or as member of the Council, whose mandate has ended three years before the application, will be an advantage;

ii) In cases of more candidates with the same grades, the magistrates within the group of candidates with the highest evaluation grades shall be ranked according to a scoring scheme established by the Councils;

b) Secondly, if after the evaluation made under letter “a” paragraph 9 of this Article, there is more than one candidate with the highest scores, the Council shall rank these candidates referring to their specific professional experience required for the vacant position;

c) Thirdly, if after the evaluation made under letter “b” paragraph 9 of this Article, there is more than one candidate with the highest scores, the Council shall rank these candidates referring to their seniority as magistrate or jurist.

The Councils shall decide to promote the candidates ranking highest with the grades attained by a procedure and rules contained in paragraph 9 and 14 of this Article.

Q131 (2025): The promotion criteria and procedures are regulated by article 48 of law 96/2016. Candidates must undergo 2 consecutive evaluations to be eligible in a promotion procedure. The evaluation process assesses the professional and organizational skills of candidates, as well as their ethics and professional commitment, based on a new scheme adopted by the Council. Only applicants who have no disciplinary sanction in force, shall be allowed to participate further in a promotion procedure. Also all judges promoted to higher courts have successfully passed the vetting process with a final decision.
For judicial promotions, the Council initiates the process by announcing a call for applications for vacant positions, inviting eligible judges who meet the established criteria. After the application period closes, the Council publishes the list of qualified candidates on its official website, maintaining a clear and transparent procedure.

Q131 (2024): only applicants who have passed the asset declaration and background check and have no disciplinary sanction in force are allowed to participate further in the promotion procedure.
Q132 (General Comment): The Councils review the applications and rank eligible candidates by reference to the following indicators:
a) Firstly, two previous performance evaluations, taking into consideration that:
i) The experience in seconded positions, as magistrate in a mobility scheme or as member of the Council, whose mandate has ended three years before the application, will be an advantage;
ii) In cases of more candidates with the same grades, the magistrates within the group of candidates with the highest evaluation grades shall be ranked according to a scoring scheme established by the Councils;
b) Secondly, if after the evaluation made under the first paragraph, there is more than one candidate with the highest scores, the Council shall rank these candidates referring to their specific professional experience required for the vacant position;
c) Thirdly, if after the evaluation made under the second paragraph there is more than one candidate with the highest scores, the Council shall rank these candidates referring to their seniority as magistrate or jurist.
The law on the status of judges and prosecutors provides for the following evaluation levels of a magistrate:
a) 'Excellent': in case of an ethical and professional performance of very high qualities; b) Very good': in case of an above average
ethical and professional performance c) 'Good': in case of an average ethical and professional performance; ç) 'Acceptable': in case of a below average ethical and professional performance; d) 'Incapable': in case of a poor ethical and/or professional performance. Hence, during promotion, a judge that has two evaluations as excellent will be promoted vis-à-vis someone who has an evaluation as excellent and very good.
Q132 (2025): Since the very beginning, in addition to the legal provisions foreseen in the Law Status for the promotion procedure, the HJC has fully implemented the recommendation of the Venice Commission. All judges promoted to higher courts have successfully passed the vetting process with a final decision. This precondition is mandatory for all candidates to be firstly considered for promotions. Additionally, candidates must undergo 2 consecutive evaluations to be eligible in a promotion procedure. The evaluation process assesses the professional and organizational skills of candidates, as well as their ethics and professional commitment, based on a new scheme adopted by the Council. Only applicants who have no disciplinary sanction in force, shall be allowed to participate further in a promotion procedure.
Q132 (2024): Since the very beginning, in addition to the legal provisions foreseen in the Law Status for the promotion procedure, the HJC has fully implemented the recommendation of the Venice Commission. All judges promoted to higher courts have successfully passed the vetting process with a final decision. This precondition is mandatory for all candidates to be firstly considered for promotions. Additionally, candidates must undergo 2 consecutive evaluations to be eligible in a promotion procedure. The evaluation process assesses the professional and organizational skills of candidates, as well as their ethics and professional commitment, based on a new scheme adopted by the Council. Only applicants who have no disciplinary sanction in force, shall be allowed to participate further in a promotion procedure.

Q134 (General Comment): A judge has a right of appeal against a decision on promotion within 5 days from the notification of the decision of the Council. The appeal does not suspend the implementation of the decision. The competent court shall decide within two weeks as of the appeal day. The decision of the competent court shall be final. A Council's decisions, on an judge's promotion to a position in accordance, becomes final if: a) No appeal is lodged within the appeal period; b) An appeal is lodged on time and the court has decided to dismiss the case or reject the appeal; c) An appeal is lodged on time and, on its basis, a final court decision has been rendered. In cases where the court allows the appeal and repeals the Councils' decision, the latter shall, within two weeks of the notification of the court decision, revise the decision on the promotion, to the necessary extent for implementing the decision of the court. The competent court is Tirana Administrative First Instance Court

Q136 (General Comment): High Prosecutorial Council publishes the promotion announcement for prosecutors which includes the application deadline, the information and documentation attached, the candidacy procedure and the place of submission of documentation. The following candidates may be promoted:
a) the prosecutor who fulfils the criteria for promotion in accordance with the requirements of the vacancy;
b) the prosecutor in command or the one in the delegation scheme who meets the criteria for promotion in accordance with the requirements of the vacant position;
After the announcement of the promotion procedure, the candidate may run for no more than three vacancies or positions expected to become vacant. If the prosecutor is running for more than one position, he shall rank them by preference.
The High Prosecutorial Council verifies candidates regarding the integrity and assets and only candidates who successfully complete this process and who do not have disciplinary measures in place are admitted to further promotion procedures.
Detailed rules on the promotion of prosecutors are provided in Article 47 and subsequent of the Law “On the status of judges and prosecutors”, as amended.
With Decision no. 222, dated 27.07.2022, High Prosecutorial Council approved the Regulation “For the promotion to the highest levels in Prosecution Offices of the general jurisdiction”. According to this Regulation, the promotion procedure at the highest levels takes place in three stages, as follows: a) In the first stage is carried out the verification of the candidates for meeting the legal conditions of candidacy; b) In the second stage is taken the decision on the ranking of qualified candidates, and; c) In the third stage, is taken the decision to promote the candidate listed above others.
Also, with Decision no. 200, dated 23.09.2020, the Council has approved the Regulation “On the criteria and procedures for the promotion of heads of Prosecution Offices of the general jurisdiction”. High Prosecutorial Council publishes the promotion announcement for prosecutors which includes the application deadline, the information and documentation attached, the candidacy procedure and the place of submission of documentation. The following candidates may be promoted: a) the prosecutor who fulfils the criteria for promotion in accordance with the requirements of the vacancy; b) the prosecutor in command or the one in the delegation scheme who meets the criteria for promotion in accordance with the requirements of the vacant position. After the announcement of the promotion procedure, the candidate may run for no more than three vacancies or positions expected to become vacant. If the prosecutor is running for more than one position, he shall rank them by preference. High Prosecutorial Council verifies candidates regarding the integrity and assets and only candidates who successfully complete this process and who do not have disciplinary measures in place are admitted to further promotion procedures.
With the Decision no. 303, dated 19.09.2023, High Prosecutorial Council approved the "Regulation on the criteria and procedure for the promotion of prosecutors at the Special Prosecutor's Office against Corruption and Organized Crime". According to this Regulation, the promotion in this prosecution follows this procedure:
1. The Special Commission conducts an initial evaluation of all candidates to determine whether they meet the legal requirements for promotion to office as a Prosecutor in the Special Prosecutor's Office or as head of this prosecutor's office.
2. The Special Commission proposes to the Council the qualification of candidates who meet the legal requirements.
3. The High Prosecutorial Council qualifies candidates who meet the legal requirements and announces the official list of candidates.

Q136 (2025): Promotion in higher levels in General Jurisdiction

With Decision no. 222, dated 27.07.2022, High Prosecutorial Council approved the Regulation “For the promotion to the highest levels in Prosecution Offices of the general jurisdiction”. According to this Regulation, the promotion procedure at the highest levels takes place in three stages, as follows: a) In the first stage is carried out the verification of the candidates for meeting the legal conditions of candidacy; b) In the second stage is taken the decision on the ranking of qualified candidates, and; c) In the third stage, is taken the decision to promote the candidate listed above others.

The Council shall rank the candidates who meet the criteria, according to the following results:

a) first, taking into account the two previous professional assessments;

i) the experience in commanded positions, as magistrate in the delegation scheme, or as a member of the Council whose term of office has ended three years before the candidacy shall have priority;

ii) in the case of more than one candidate with the same results, the magistrates within the group of candidates with the highest evaluation results shall be ranked according to the points scheme determined by the Council;

b) second, in the event that after the evaluation carried out according to letter “a”, above, there is more than one candidate with the highest points, the Council shall rank these candidates according to the specific professional experience required for the vacant position;

c) third, in the event that after the evaluation carried out according to letter “b”, above, there is more than one candidate with the highest points, the Council shall rank these candidates according to seniority as magistrates or lawyers.

Promotion of the Heads of Offices in General Jurisdiction

Also, with Decision no. 200, dated 23.09.2020, the Council has approved the Regulation “On the criteria and procedures for the promotion of heads of Prosecution Offices of the general jurisdiction”. High Prosecutorial Council publishes the promotion announcement for prosecutors which includes the application deadline, the information and documentation attached, the candidacy procedure and the place of submission of documentation. The following candidates may be promoted: a) the prosecutor who fulfils the criteria for promotion in accordance with the requirements of the vacancy; b) the prosecutor in command or the one in the delegation scheme who meets the criteria for promotion in accordance with the requirements of the vacant position. After the announcement of the promotion procedure, the candidate may run for no more than three vacancies or positions expected to become vacant. If the prosecutor is running for more than one position, he shall rank them by preference. High Prosecutorial Council verifies candidates regarding the integrity and assets and only candidates who successfully complete this process and who do not have disciplinary measures in place are admitted to further promotion procedures.

Promotion of the prosecutors in the Special Prosecution Office

With the Decision no. 303, dated 19.09.2023, High Prosecutorial Council approved the "Regulation on the criteria and procedure for the promotion of prosecutors at the Special Prosecutor's Office against Corruption and Organized Crime". According to this Regulation, the promotion in this prosecution follows this procedure:

Q136 (2022): The specific comment made in this cycle for Q138, is different from the general comment, anyway The GENERAL comment is still valid. Also, in the end of the comment may be added: The promotion procedure at the highest levels of prosecution takes place in three stages, as follows: a) In the first stage is carried out the verification of the candidates for meeting the legal conditions of candidacy; b) In the second stage is taken the decision on the ranking of qualified candidates, and; c) In the third stage, is taken the decision to promote the candidate listed above others.
With Decision no. 222, dated 27.07.2022, High Prosecutorial Council approved the Regulation “For the promotion to the highest levels in Prosecution Offices of the general jurisdiction”. According to this Regulation, the promotion procedure at the highest levels takes place in three stages, as follows: a) In the first stage is carried out the verification of the candidates for meeting the legal conditions of candidacy; b) In the second stage is taken the decision on the ranking of qualified candidates, and; c) In the third stage, is taken the decision to promote the candidate listed above others.
Also, with Decision no. 200, dated 23.09.2020, the Council has approved the Regulation “On the criteria and procedures for the promotion of heads of Prosecution Offices of the general jurisdiction”. High Prosecutorial Council publishes the promotion announcement for prosecutors which includes the application deadline, the information and documentation attached, the candidacy procedure and the place of submission of documentation. The following candidates may be promoted: a) the prosecutor who fulfils the criteria for promotion in accordance with the requirements of the vacancy; b) the prosecutor in command or the one in the delegation scheme who meets the criteria for promotion in accordance with the requirements of the vacant position. After the announcement of the promotion procedure, the candidate may run for no more than three vacancies or positions expected to become vacant. If the prosecutor is running for more than one position, he shall rank them by preference. High Prosecutorial Council verifies candidates regarding the integrity and assets and only candidates who successfully complete this process and who do not have disciplinary measures in place are admitted to further promotion procedures.
With the Decision no. 51, dated 19.03.2019, High Prosecutorial Council approved the "Regulation on the criteria and procedure for the promotion of prosecutors at the Special Prosecutor's Office against Corruption and Organized Crime". According to this Regulation, the promotion in this prosecution follows this procedure:
a) First, Ad-Hoc Commission perform an initial assessment of all candidates to determine if they meet the legal requirements for promotion to office as a special prosecutor.
b) Then, the Commission proposes to the Council the disqualification of candidates who do not meet the legal requirements.
c) The High Prosecutorial Council disqualifies any candidate who does not meet the legal requirements and announces the official list of candidates who continue the evaluation process.
d) The Commission continues with the evaluation and conducts the interviews with the candidates. The Commission requests from public institutions any type of document important for the evaluation.
e) The Commission uses documents and letters of motivation to make relevant proposals for the evaluation of candidates, based on:
i. previous professional evaluations; and
ii. special ethical and professional criteria. The Council also takes into account the candidate's personal and professional commitment as an expert.

Q137 (General Comment): Regarding the promotion to the highest levels in Prosecution Offices of the general jurisdiction and the promotion of heads of Prosecution Offices of the general jurisdiction, other promotion criteria are the lack of disciplinary measures and the successful review of the verification of assets and image of candidates. And, for the promotion of prosecutors at the Special Prosecutor's Office against Corruption and Organized Crime, other criteria is the fulfilling of the security conditions, provided for in Article 6 of Law no. 95/2016 "For the organization and functioning of institutions to fight corruption and crime e organized", as amended, including the condition that candidates must have submitted valid expression forms of consent for the periodic control of bank accounts and personal telecommunications, signed by the candidate and close family members.

Q137 (2025): Regarding the promotion to the highest levels in Prosecution Offices of the general jurisdiction and the promotion of heads of Prosecution Offices of the general jurisdiction, other promotion criteria are the lack of disciplinary measures and the successful review of the verification of assets and image of candidates. And, for the promotion of prosecutors at the Special Prosecutor's Office against Corruption and Organized Crime, other criteria is the fulfilling of the security conditions, provided for in Article 6 of Law no. 95/2016 "For the organization and functioning of institutions to fight corruption and crime e organized", as amended, including the condition that candidates must have submitted valid expression forms of consent for the periodic control of bank accounts and personal telecommunications, signed by the candidate and close family members.

Bosnia and Herzegovina

Q131 (General Comment): Promotion can be achieved only through public competition procedure which is conducted by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina.

Public competition for the vacant position of the judge, prosecutor, president of the court, chief prosecutor and deputy chief prosecutor is published in a daily newspaper and on website of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina.

The procedure includes:

a) Publishing competition procedure;

b) Conducting interview with candidates;

b) Ranking candidates in accordance with the criteria and making appointment proposal (Sub-council);

c) Deciding on appointment (HJPC).

More details on the procedure are available under Q89.

Q131 (2025): Promotion can be achieved only through public competition procedure which is conducted by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina.

Public competition for the vacant position of the judge, prosecutor, president of the court, chief prosecutor and deputy chief prosecutor is published in a daily newspaper and on website of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina.

The procedure includes:

a) Publishing competition procedure;

b) Conducting interview with candidates;

b) Ranking candidates in accordance with the criteria and making appointment proposal (Sub-council);

c) Deciding on appointment (HJPC)

Q132 (General Comment): Candidate ranking for position of the judge or the prosecutor within the public competition procedure is based on the following criteria: a) Expertise; b) Ability to perform legal analysis; c) Ability to responsibly, independently and impartial conduct the position in question, professional reputation, impartiality, and conduct outside of work; d) Previous working experience; e) Professional development, additional training, publishing of scientific papers, and other activities relevant for the judicial profession; f)Communication skills.
Additional criteria are used for candidate ranking for managerial positions. For candidates who already perform the function of a judge or a prosecutor, the expertise and the ability to perform legal analysis are determined based on the assessment of the work for the last three years.
The assessment procedure is carried out every year by the head of institution (i.e. court president or chief prosecutor) pursuant to the performance criteria of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina.
The rest of the above mentioned criteria for candidate ranking are checked in an interview.
Q133 (General Comment): The decision on appointment made by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina is the final administrative act pursuant to the Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of BiH", No. 63/23), which entered into force in December 2023, and an administrative dispute may be initiated against the decision by the candidate in the appointment procedure.
Q134 (General Comment): The Court of Bosnia and Herzegovina has jurisdiction to resolve these administrative disputes. In the event of an administrative dispute, the appointment of the newly appointed judge or prosecutor shall be postponed for that position until the court proceedings have been completed.
Q134 (2023): The decision on appointment made by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina is the final administrative act pursuant to the Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of BiH", No. 63/23), which entered into force in December 2023, and an administrative dispute may be initiated against the decision by the candidate in the appointment procedure. The Court of Bosnia and Herzegovina has jurisdiction to resolve these administrative disputes. In the event of an administrative dispute, the appointment of the newly appointed judge or prosecutor shall be postponed for that position until the court proceedings have been completed.
Q136 (General Comment): Promotion can be achieved only through public competition procedure which is conducted by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina.
Public competition for the vacant position of the judge, prosecutor, president of the court, chief prosecutor and deputy chief prosecutor is published in a daily newspaper and on website of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina.
The procedure includes:
a) Publishing competition procedure;
b) Conducting interview with candidates;
b) Ranking candidates in accordance with the criteria and making appointment proposal (Sub-council);
c) Deciding on appointment (HJPC).
More details on the procedure are available under Q111.

Q136 (2025): Promotion can be achieved only through public competition procedure which is conducted by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. Public competition for the vacant position of the judge, prosecutor, president of the court, chief prosecutor and deputy chief prosecutor is published in a daily newspaper and on website of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina.
The procedure includes:
a) Publishing competition procedure.
b) Conducting interview with candidates.
b) Ranking candidates in accordance with the criteria and making appointment proposal (Sub-council).
c) Deciding on appointment (HJPC)

Q136 (2024): Promotion can be achieved only through public competition procedure which is conducted by the High Judicial and
Prosecutorial Council of Bosnia and Herzegovina. Public competition for the vacant position of the judge, prosecutor, president of the court, chief prosecutor and deputy chief prosecutor is published in a daily newspaper and on website of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina.
The procedure includes:
a) Publishing competition procedure;
b) Conducting interview with candidates;
b) Ranking candidates in accordance with the criteria and making appointment proposal (Sub-council);
c) Deciding on appointment (HJPC)

Q137 (General Comment): Candidate ranking for position of the judge or the prosecutor within the public competition procedure is based on the following criteria: a) Expertise; b) Ability to perform legal analysis; c) Ability to responsibly, independently and impartial conduct the position in question, professional reputation, impartiality, and conduct outside of work; d) Previous working experience; e) Professional development, additional training, publishing of scientific papers, and other activities relevant for the judicial profession; f)Communication skills. Additional criteria are used for candidate ranking for managerial positions. For candidates who already perform the function of a judge or a prosecutor, the expertise and the ability to perform legal analysis are determined based on the assessment of the work for the last three years.
The assessment procedure is carried out every year by the head of institution (i.e. court president or chief prosecutor) pursuant to the performance criteria of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina.
The rest of the above mentioned criteria for candidate ranking are checked in an interview.

Q138 (General Comment): The decision on appointment made by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina is the final administrative act pursuant to the Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of BiH", No. 63/23), which entered into force in December 2023, and an administrative dispute may be initiated against the decision by the candidate in the appointment procedure.
Q139 (General Comment): The Court of Bosnia and Herzegovina has jurisdiction to resolve these administrative disputes. In the event of an administrative dispute, the appointment of the newly appointed judge or prosecutor shall be postponed for that position until the court proceedings have been completed.

Q139 (2023): The decision on appointment made by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina is the final administrative act pursuant to the Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of BiH", No. 63/23), which entered into force in December 2023, and an administrative dispute may be initiated against the decision by the candidate in the appointment procedure. The Court of Bosnia and Herzegovina has jurisdiction to resolve these administrative disputes. In the event of an administrative dispute, the appointment of the newly appointed judge or prosecutor shall be postponed for that position until the court proceedings have been completed.

Montenegro

Q131 (General Comment): On the basis of article 72-75 of the Law on Judicial Council and judges
Promotion of Judges Conditions for Promotion Article 72
The judges shall be entitled to be promoted through the appointment to a higher court, and the public prosecutor shall be entitled to be promoted through the appointment to a court, if their work is rated as excellent or good in accordance with the law and if they meet the specific requirements laid down for the appointment to that court.
A judge or public prosecutor may be promoted to the Supreme Court if he / she received the excellent grade and if he / she meets the special requirement for appointment to the Supreme Court referred to in Article 38, paragraph 8 of the present Law.
Public Announcement
Article 73
In the process of promotion, vacant positions for judges shall be announced in the High Court, High Misdemeanour Court, Appellate
Court and the Supreme Court, in accordance with the Plan of Vacancies.
The procedure of public announcement, submitting applications and acting upon applications, as well as the rights of applicants, shall be appropriately governed by provisions of Articles 45, 46 and 52 of the present Law.
Criteria for the Judge Who Is Promoted
Article 74
The criteria for the appointment of the judge who is promoted shall be:
1) Work appraisal of the judge or public prosecutor;
2) Evaluation of the interview with the candidate.
Under the criterion referred to in paragraph 1, item 1 of this Article, a candidate shall be awarded 60 points for the grade of good and 80 points for the grade of excellent, whereas up to 20 points shall be awarded on the basis of an interview. Decision on Appointment
Article 75
The Judicial Council shall conduct an interview with the applicants.
A ranking list shall be prepared on the basis of the work appraisal and interview evaluation referred to in Article 74 of the present Law. If two candidates in the ranking list have the same number of points, the preference shall be given to a candidate who has scored more points on the basis of work appraisal, and if candidates have scored the same number of points on these grounds, preference shall be given to the candidate who is a member of a minority or other minority ethnic community.
If the advantage of a candidate may not be established in the manner referred to in paragraph 3 of this Article, the Judicial Council shall perform a draw.
The Judicial Council shall decide on the appointment of a judge to a higher court according to the order in the ranking list, as determined in accordance with paragraphs 3 and 4 of this Article.

Q131 (2025): On the basis of article 72-75 of the Law on Judicial Council and judges
Promotion of Judges Conditions for Promotion Article 72
The judges shall be entitled to be promoted through the appointment to a higher court, and the public prosecutor shall be entitled to be promoted through the appointment to a court, if their work is rated as excellent or good in accordance with the law and if they meet the specific requirements laid down for the appointment to that court.
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If the advantage of a candidate may not be established in the manner referred to in paragraph 3 of this Article, the Judicial Council shall perform a draw.
The Judicial Council shall decide on the appointment of a judge to a higher court according to the order in the ranking list, as determined in accordance with paragraphs 3 and 4 of this Article.
The procedure of conducting the interview shall be governed by Article 49 of the present Law.

Q131 (2024): On the basis of article 72-75 of the Law on Judicial Council and judges
Promotion of Judges Conditions for Promotion Article 72
The judges shall be entitled to be promoted through the appointment to a higher court, and the public prosecutor shall be entitled to be promoted through the appointment to a court, if their work is rated as excellent or good in accordance with the law and if they meet the specific requirements laid down for the appointment to that court.
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If the advantage of a candidate may not be established in the manner referred to in paragraph 3 of this Article, the Judicial Council shall perform a draw.
The Judicial Council shall decide on the appointment of a judge to a higher court according to the order in the ranking list, as determined in accordance with paragraphs 3 and 4 of this Article.
The procedure of conducting the interview shall be governed by Article 49 of the present Law.

Q132 (General Comment): State prosecutor, i.e. judge shall be entitled to promotion to the state prosecution or court of a higher rank if given the grade excellent or good in the performance evaluation and if he/she meets the specific requirements stipulated for the election to that court.
State prosecutor, i.e. judge shall be entitled to promotion to the Supreme Court if given the grade excellent and if he/she meets the specific requirements for the election to the Supreme Court.
Criteria for the selection of judges who are advancing are:
1) the performance of the judge or the state prosecutor;
2) ratings of the interview with the candidate.
Q132 (2023): Excerpt from the Law:
State prosecutor, i.e. judge shall be entitled to promotion to the state prosecution or court of a higher rank if given the grade excellent or good in the performance evaluation and if he/she meets the specific requirements stipulated for the election to that court.
State prosecutor, i.e. judge shall be entitled to promotion to the Supreme Court if given the grade excellent and if he/she meets the specific requirements for the election to the Supreme Court.
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1) the performance of the judge or the state prosecutor;
2) ratings of the interview with the candidate

Q132 (2022): Excerpt from the Law:
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State prosecutor, i.e. judge shall be entitled to promotion to the Supreme Court if given the grade excellent and if he/she meets the specific requirements for the election to the Supreme Court.
Criteria for the selection of judges who are advancing are:
1) the performance of the judge or the state prosecutor;
2) ratings of the interview with the candidate

Q134 (General Comment): Administrative Court
Q135 (General Comment): Prosecutorial Council
Q135 (2025): Law on the State Prosecutor's Office ("Official Gazette of Montenegro," Nos. 11/2015, 42/2015, 80/2017, 10/2018, 76/2020, 59/2021, 54/2024 and 92/2025), Articles 75–77.
Q136 (General Comment): According to the Plan of Vacant Prosecutorial Posts, a public advertisement for state prosecutors' posts for high and Supreme State Prosecutors Office is conducted through the promotion system.
Criteria for the election of state prosecutors:
- performance grade and
- grade in the interview.

Q136 (2025): Law on the State Prosecutor's Office ("Official Gazette of Montenegro," Nos. 11/2015, 42/2015, 80/2017, 10/2018, 76/2020, 59/2021, 54/2024, and 92/2025), Articles 75–77.
Article 76 of the Law on State Prosecution Office applies to the promotion of prosecutors.
In the procedure of promotion vacant positions of the state prosecutors in High and Supreme state prosecutor's office shall be advertised according to the plan of vacant posts of the state prosecutors.
Provisions of Articles 57, 58 and 64 of this Law shall apply accordingly to the procedure of public advertisement, application and proceeding upon applications, as well as to the rights of the applicants.

Q136 (2024): rticle 76 of the Law on State Prosecution Office applies to the promotion of prosecutors.
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Q136 (2023): Article 76 of the Law on State Prosecution Office applies to the promotion of prosecutors.
In the procedure of promotion vacant positions of the state prosecutors in High and Supreme state prosecutor's office shall be advertised according to the plan of vacant posts of the state prosecutors.
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Q136 (2022): Article 76 of the Law on State Prosecution Office applies to the promotion of prosecutors.
In the procedure of promotion vacant positions of the state prosecutors in High and Supreme state prosecutor's office shall be advertised according to the plan of vacant posts of the state prosecutors.
Provisions of Articles 57, 58 and 64 of this Law shall apply accordingly to the procedure of public advertisement, application and proceeding upon applications, as well as to the rights of the applicants.

Q137 (General Comment): Criteria for the election of state prosecutor to the state prosecutor's office of a higher rank are performance evaluation of the state prosecutor, i.e. judge who applied to the ad and the grade in the interview.
Criteria for performance evaluation of state prosecutors are professional knowledge and general competences for performing the duties of the prosecutorial office.
Professional knowledge is evaluated based on the following sub-criterion:
1) quantity and quality of work; 2) ability to plan and effectively conduct procedural actions; 3) the skill of preparing and keeping case files; 4) skills of using prosecutorial knowledge; 5) the skill of proceeding/acting; and 6) professional advancement.
General competences for discharging the duties of the prosecutorial office are evaluated on the basis of the following sub-criteria:
1) communication skills; 2) ability to adjust to changed circumstances; 3) ability to organize and coordinate prosecutorial staff and 4) participating in various professional activities.

Q137 (2025): State prosecutor, i.e. judge shall be entitled to promotion to the state prosecutor’s office of a higher rank if given the grade excellent or good in the performance evaluation and if he/she meets the specific requirements stipulated for the election to that state prosecutor’s office.
State prosecutor, i.e. judge shall be entitled to be promoted to the Supreme State Prosecutor’s Office if given the grade excellent and if he/she meets the specific requirements for the election to the Supreme State Prosecutor’s Office referred to in Article 50 paragraph 3 of this Law.
Years of experience is a requirement different for each Prosecutor s Office
Q137 (2024): Law on State Prosecutor’s Office Article 75
State prosecutor, i.e. judge shall be entitled to promotion to the state prosecutor’s office of a higher rank if given the grade excellent or good in the performance evaluation and if he/she meets the specific requirements stipulated for the election to that state prosecutor’s office.
State prosecutor, i.e. judge shall be entitled to be promoted to the Supreme State Prosecutor’s Office if given the grade excellent and if he/she meets the specific requirements for the election to the Supreme State Prosecutor’s Office referred to in Article 50 paragraph 3 of this Law.
Years of experience is a requirement different for each Prosecutor s Office
Q137 (2023): Law on State Prosecutor’s Office Article 75
State prosecutor, i.e. judge shall be entitled to promotion to the state prosecutor’s office of a higher rank if given the grade excellent or good in the performance evaluation and if he/she meets the specific requirements stipulated for the election to that state prosecutor’s office.
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Q137 (2022): Law on State Prosecutor’s Office Article 75
State prosecutor, i.e. judge shall be entitled to promotion to the state prosecutor’s office of a higher rank if given the grade excellent or good in the performance evaluation and if he/she meets the specific requirements stipulated for the election to that state prosecutor’s office.
State prosecutor, i.e. judge shall be entitled to be promoted to the Supreme State Prosecutor’s Office if given the grade excellent and if he/she meets the specific requirements for the election to the Supreme State Prosecutor’s Office referred to in Article 50 paragraph 3 of this Law.

Q139 (General Comment): On the decision of the Prosecutorial Council, lawsuit may be filed to the Administrative court, art. 40 par 1. of the Law on State Prosecution Service.
Q139 (2023): Administrative court
Q139 (2022): Administrative court. In accordance with the Law on State Prosecutor's Office, Article 40, decisions of the Prosecutorial Council shall be final and administrative dispute may be initiated against them, unless this Law requires otherwise.

North Macedonia
Q131 (General Comment): Law on Judicial council
Criteria for the election of a judge of a higher court Article 48
(1)The Council shall select a judge in an Appellate Court, the Administrative Court, the Higher Administrative Court and the Supreme Court of the Republic of North Macedonia from among the candidates who have applied to the announcement and who meet the requirements and criteria anticipated by the Law on Courts and this Law in a manner that it shall rank the candidates that have applied according to the necessary specialization for filling a judge's position.
(…)
(3) If the candidate is from among the judges, the Council shall obtain an opinion from the court.
(4) The president of court on the base of the held session of judges shall deliver the opinion to the Council. (5) The manner of the candidates' ranking is regulated by the Council with a by-law. (6) The ranking will be done by the commission consisted of three members of Council selected by lot.
Decision on the selection of a judge Article 49
(1) The Council shall discuss and decide on the selection of a judge at a session, attended by at least eight members of the total number of members of the Council having voting rights. (2) The candidate that has won at least eight votes by the Council members having voting rights shall be selected a judge. (3) Each member of the Council having a voting right shall be obliged, at a session of the Council, to orally elaborate his decision regarding the selection of a judge. (4) The Council shall be obliged to inform every candidate about the decision on selection of a judge in writing. (5) The candidate who is not selected as a judge shall have the right to appeal in front the Appeal Council at the Supreme Court of the Republic of North Macedonia within a period of eight days as of the day of receipt of the information in a way and procedure prescribed by this law.

Q132 (General Comment): The Law on the courts
Article 46
(1) Special requirements for election of a judge to a Court of First Instance, Court of Appeal and the Supreme Court shall be as follows: 1. A person who has completed the training at the Academy for Judges and Public Prosecutors, determined by the law, may be elected as a judge of a basic court;
2. A judge of a basic court may be elected a person who has a working experience of at least four years of uninterrupted judicial service as a judge in another basic court up to the moment of the application for election, who has been assessed by a competent authority with a positive assessment, in accordance with the Law on the Judicial Council ;
3. A person with a working experience of at least six years of continuous service as a judge in a basic court, Administrative or Higher Administrative Court up to the moment of the application for election may be elected as a judge of the court of appeal, who is assessed by the competent authority with a positive assessment, in accordance with the law the Law on the Judicial Council ;
4. A person with a working experience of at least four years of continuous service as a judge in another appellate court up to the moment of the application for election may be elected as a judge of an appellate court, who is assessed by a competent authority with a positive assessment, in accordance with the law the Law on the Judicial Council ;
5. A person with a working experience of at least six years of service as a judge in an appellate court up to the moment of the application for election may be elected as a judge of the Supreme Court and who is assessed by a competent authority with a positive assessment in accordance with the Law on the Judicial Council .
(2) Special conditions for election of a judge in the Administrative Court and the Higher Administrative Court are:
1. A person with a working experience of at least four years of uninterrupted judicial service as a judge in a basic court up to the moment of the application for election may be elected as a judge of the Administrative Court, who is evaluated by a competent authority with a positive assessment, in accordance with the Law on the Judicial Council ;
2. As a judge of the Higher Administrative Court may be elected a person who has working experience of at least six years uninterrupted judicial service as a judge in the appellate court or the Administrative Court up to the moment of the application for election, who is assessed by a competent authority with a positive assessment , in accordance with the Law on the Judicial Council .
(3) A person who has completed at least one mandate as a judge of an international court and who meets the requirements of Article 45 of this Law, may be elected a judge at all levels of the judiciary.
Law on Judicial council Criteria for the election of a judge of a higher court Article 48
(2) The Council shall select as a judge the person of highest expert and professional qualities, with good reputation in exercising his judicial office, on the base of the following criteria: 1) expert knowledge and specialization in the field and participation in continuous training; 2)positive evaluation of his work 3)capability in verbal and written expression, which can be seen through prepared decisions and judiciary expert actions 4)undertaking additional work when performing judicial office by participating in procedures to resolve backlog of cases; 5)undertaking additional work when performing judicial office by means of mentorship, education, and alike; 6)length of judicial service.

Q134 (General Comment): Appeal Council in the Supreme court.
The candidate who is not selected as a judge shall have the right to appeal in front the Appeal Council at the Supreme Court of the Republic of North Macedonia within a period of eight days as of the day of receipt of the information in a way and procedure prescribed by this law.
The Appeal Council in the Supreme court against a decision for election and promotion on judges is composed from five members and their deputies from the rank of the judges in the Supreme court. The members on this council are elected by the President of the Supreme court with the yearly working plan. This Council is responsible to decide only about submitted appeals by the judge against decisions on the Judicial council for election on a judge in a Basic court, promotion on a judge and election on a president of the court.

Q134 (2025): Appeal Council in the Supreme Court
Q136 (General Comment): The Council shall elect public prosecutors in the Public Prosecution Office of the Republic of Macedonia, in the Higher Public Prosecution Offices and the Basic Public Prosecution Office for Prosecution of Organized Crime and Corruption from the list of candidates who responded to the advertisement and meet the conditions and criteria as provided by the Law on the Public Prosecution Office.
The Council shall discuss and decide on the election of public prosecutors on a session attended by at least two-thirds of the members of the Council. The candidate who wins the majority of votes from the total number of members of the Council shall be elected for a public prosecutor.
With the amendments on the Law on PPO from 2020, Chief Basic Public Prosecutor on the Basic Public Prosecution office for prosecution of organized crime and corruption is elected by all public prosecutors in the Republic of North Macedonia with voting on elections. After the elections, the Council of Public Prosecutors shall appoint that candidate from the list of candidates who won the majority of votes and who meets the requirements under the Law as a Basic Public Prosecutor of the Basic Public Prosecution Office for prosecution of organised crime and corruption.

Q137 (General Comment): A candidate for the position of a Public Prosecutor in the Public Prosecutor's Office of the Republic of North Macedonia, in the Higher Public Prosecutor's Offices and in the Basic Public Prosecution Office for Prosecution of Organized Crime and Corruption, selected by the Council, except fulfillment on basic and special conditions, also shall have recognized performance results, capacity to deal with complex cases, organizational skills, and vocational and professional qualities with great reputation in exercising of the office, on the basis of the following criteria: professional knowledge, bearing in mind the specializations, postgraduate studies and participation in continuous professional development; work attitude or promptness in performing the tasks as a public prosecutor; capability for professional resolution of legal issues; assuming additional duties while working as a public prosecutor, through participation in preparation of regulations, mentorship, education etc.; enjoyment and protection of the reputation of the public prosecutor and Public Prosecutor's Office, determined through the manner of communication with the parties and other institutions, independence, impartiality and confidentiality in the performance of the public prosecution functions and aside. Depending on which position the candidates apply, they should fulfil and the following special conditions: Chief Public Prosecutor of the Republic of North Macedonia may be a person with continuous years of service of at least ten years as a public prosecutor or as a judge in the field of criminal law; Public prosecutor in the Public Prosecutor's Office of the Republic of North Macedonia may be a person with at least eight years of continuous years of service in a higher public prosecutor's office or the Basic Public Prosecutor's Office for Prosecution of Organized Crime and Corruption and who has received a positive evaluation score in the last four years; Higher public prosecutor of a higher public prosecutor's office may be a person with continuous years of service as a public prosecutor of at least eight years until the date of application for appointment and who has received a positive evaluation score in the last four years; Public prosecutor in a higher public prosecutor's office may be a person with continuous years of service as a public prosecutor of at least six years until the date of application for appointment and who has received a positive evaluation score in the last four years; Basic Public Prosecutor of the Basic Public Prosecutor's Office for Prosecution of Organized Crime and Corruption may be a person with continuous years of service of at least six years as a public prosecutor until the date of application for appointment and who has received a positive evaluation score in the last three years; Basic public prosecutor in the Basic Public Prosecutor's Office for Prosecution of Organized Crime and Corruption may be a person with continuous years of service of at least four years as a public prosecutor until the date of application for appointment and who has received a positive evaluation score in the last two years; Basic public prosecutor of a basic public prosecutor's office may be a person with continuous years of service as a public prosecutor of at least six years until the date of application for appointment and who has received a positive evaluation score in the last two years.

Serbia

Q130 (General Comment): High Judicial Concil.

Q130 (2025): The High Judicial Council is an independent state body that is responsible for the promotion election and appointment of judges.

Q131 (General Comment): Rulebook on criteria and standards for evaluation of expertise, competence and worthines for the election of judges with permanent tenure to another or higher court and on criteria for proposing candidates for the court president ("Official Gazette of RS", No.94/16 and 48/23), provides that the High Judicial Council shall announce the election for judges in the "Official Gazette of the Republic of Serbia" and the daily magazine "Politika", in order to fill vacant judicial positions in courts in the Republic of Serbia. The Council shall then decide on the establishment of one or more committees consisting of three elected members of the Council. Committee of the High Judicial Council shall provide performance evaluation grade from the Commission for the implementation of the evaluation procedure and determination of the performance evaluation grade of judges and court presidents.
Committee of the High Judicial Council shall make a list of preliminary candidates, in alphabetical order of the surnames of candidates, which shall be published on the website of the Council.
The Council, in the process of the election of judges with permanent tenure to another or higher court shall obtain the opinion of the Session of all judges of the court from which the judge has come from, as well as the opinion of the Session of all judges of immediately higher court. The Council shall especially appreciate: participation in the trainings for judges and court personnel; participation in training programs organized by the institution responsible for judicial training; scientific and professional papers in the field of legal doctrine, which the candidate has published as author or co-author; presentationsin national and international scientific and professional conferences.
Decisions of the HJC regarding the selection of judges to permanent judicial positions at the another or higher courts must be reasoned and published in the Official Gazette. “Official Gazette of the Republic of Serbia”, and at the website of the High Judicial Council.

Q131 (2025): Rulebook on the procedure for the election of a judge and the president of the court regulates appointments of judges to a higher court, i.e. promotion of judges. A call for judges’ appointment on a permanent function to a higher of different court is published in the “Official Gazette”, daily “Politika” and on the Council’s website and is available to all interested candidates under equal conditions. on the procedure for the election of a judge and the president of the court which stipulates that a citizen of the Republic of Serbia who meets the general requirements for work in a state body, who graduated from the Faculty of Law, passed the bar exam and who is professional, capable and worthy to perform the function of a judge may be elected as a judge.
The Council gathers assessment of candidates’ work opinion of sessions of all judges from courts in which the candidate works and from the court which is directly superior. When electing a judge to another court or a court of higher level, the Council especially assess published scientific and professional works in the field of legal sciences, presentation at domestic and international scientific and professional gatherings, election as a member of the High Judicial Council, participation of candidates in the training of judges and judicial staff, participation of candidates in professional development programs organized by the institution competent for judicial training, other circumstances of importance for the performance of the judicial function.

Q131 (2024): Rulebook on criteria and standards for evaluation of expertise, competence and worthines for the election of judges with permanent tenure to another or higher court and on criteria for proposing candidates for the court president ("Official Gazette of RS", No.94/16 and 48/23), provides that the High Judicial Council shall announce the election for judges in the "Official Gazette of the Republic of Serbia" and the daily magazine "Politika", in order to fill vacant judicial positions in courts in the Republic of Serbia. The Council shall then decide on the establishment of one or more committees consisting of three elected members of the Council. Committee of the High Judicial Council shall provide performance evaluation grade from the Commission for the implementation of the evaluation procedure and determination of the performance evaluation grade of judges and court presidents. Committee of the High Judicial Council shall make a list of preliminary candidates, in alphabetical order of the surnames of candidates, which shall be published on the website of the Council.
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Decisions of the HJC regarding the selection of judges to permanent judicial positions at the another or higher courts must be reasoned and published in the Official Gazette. “Official Gazette of the Republic of Serbia”, and at the website of the High Judicial Council.

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Committee of the High Judicial Council shall make a list of preliminary candidates, in alphabetical order of the surnames of candidates, which shall be published on the website of the Council.
The Council, in the process of the election of judges with permanent tenure to another or higher court, shall obtain the opinion of the Session of all judges of the court from which the judge has come, as well as the opinion of the Session of all judges of immediately higher court. The Council shall especially appreciate participation in the training for judges and court personnel; participation in training programs organized by the institution responsible for judicial training; scientific and professional papers in the field of legal doctrine, which the candidate has published as author or co-author; presentations in national and international scientific and professional conferences.
Decisions of the HJC regarding the selection of judges to permanent judicial positions at the other or higher courts must be reasoned and published in the Official Gazette. “Official Gazette of the Republic of Serbia”, and at the website of the High Judicial Council.

Q132 (2025): The Law on Judges ("Official Gazette of the Republic of Serbia” no. 10/2023), stipulates with article 50 that integrity is one of criteria for the selection and promotion of judges. A judge has to be qualified, competent and worthy of a judicial function. Worthiness in this case means ethical characteristics that a judge should possess, and their conduct in accordance with such characteristics. A judge must possess the following moral characteristics: honesty, thoroughness, diligence, fairness, dignity, perseverance, and esteem, and conduct in compliance with these characteristics involves upholding of dignity of a judge and a court on and off duty; awareness of social responsibility; preserving of independence and impartiality; reliability and dignity on duty and off; as well as taking the responsibility for the internal organisation and a positive public image of the judiciary. Upon selection for a judge, worthiness is assumed. For the purpose of assessing worthiness for performance of a judicial function, an opinion of a candidate’s work collective is obtained for their selection.
Criteria and measures for assessing qualification and competence, as well as worthiness for judges’ selection are provided by the Council.

Q132 (2024): The criteria and standards in the process of election of judges to another or higher court are prescribed by the Rulebook on criteria and standards for evaluation of expertise, competence and worthiness for the election of judges with permanent tenure to another or higher court and on criteria for proposing candidates for the court president ("Official Gazette of RS", No.94/16 and 48/23). Art. 4: expertise shall include possession of theoretical and practical knowledge required to perform the judicial function; competence shall imply skills that enable effective implementation of specific juridical knowledge in solving cases. The standard for assessing the expertise and the competence for the election of judges with permanent tenure to another or higher court shall be performance evaluation grade (results of work), in the last three years. Worthiness shall mean ethical qualities a judge should possess and behave by those qualities. The worthiness of candidates shall be assumed.

Q132 (2023): The criteria and standards in the process of election of judges to another or higher court are prescribed by the Rulebook on criteria and standards for evaluation of expertise, competence and worthiness for the election of judges with permanent tenure to another or higher court and on criteria for proposing candidates for the court president ("Official Gazette of RS", No.94/16 and 48/23). Art. 4: expertise shall include possession of theoretical and practical knowledge required to perform the judicial function; competence shall imply skills that enable effective implementation of specific juridical knowledge in solving cases. The standard for assessing the expertise and the competence for the election of judges with permanent tenure to another or higher court shall be performance evaluation grade (results of work), in the last three years. Worthiness shall mean ethical qualities a judge should possess and behave by those qualities. The worthiness of candidates shall be assumed.

Q133 (General Comment): Yes.
Q134 (General Comment): Against the decision on the promotion to the judicial function, the candidate may file an appeal to the Constitutional Court within 15 days from the day of the publication of the decision in the "Official Gazette of the Republic of Serbia", which excludes the right to submit a constitutional appeal.

Q134 (2025): Against the decision on the promotion to the judicial function, the candidate may file an appeal to the Constitutional Court within 15 days from the day of the publication of the decision in the "Official Gazette of the Republic of Serbia", which excludes the right to submit a constitutional appeal.
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Q134 (2022): The judge can file the Constitutional Appeal to the Constitutional Court (it differs from the Appeal to the Constitutional Court.
Q135 (General Comment): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICEIV SELECTION
1. Jurisdiction and conditions for the election of the holder of the office of public prosecutor
Jurisdiction to choose
Article 80
The Supreme Public Prosecutor is elected by the National Assembly, on the proposal of the High Council of Prosecutors, for a term of six years.
The Chief Public Prosecutor is elected by the High Council of Prosecutors for a six-year term.
The public prosecutor is elected by the High Council of Prosecutions to a permanent position of public prosecutor in the public prosecutor's office.
The number of public prosecutors for each public prosecution is determined by the High Council of Prosecutors.

Q135 (2024): THE LAW ON THE PUBLIC PROSECUTOR'S OFFICE("Official Gazette of RS", No. 10/2023)
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The public prosecutor is elected by the High Council of Prosecutions to a permanent position of public prosecutor in the public prosecutor's office.
The number of public prosecutors for each public prosecution is determined by the High Council of Prosecutors.

Q136 (General Comment): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)General conditions for selection
Article 81
A citizen of the Republic of Serbia who meets the general requirements for work in a state body, who has graduated from law school, passed the bar exam, and who is professional and worthy of performing the public prosecutor's office can be elected as the holder of the public prosecutor's office.
Work experience required
Article 82
A person who, in addition to the general requirements, has work experience in the legal profession after passing the bar exam can be elected as the holder of the public prosecutor's office, namely:
1) four years for the basic chief public prosecutor and three years for the public prosecutor of the basic public prosecution;
2) seven years for the senior chief public prosecutor and six years for the public prosecutor of the higher public prosecution;
3) ten years for the appellate chief public prosecutor and the chief public prosecutor of special jurisdiction and nine years for the public prosecutor of the appellate public prosecution and the public prosecutor of the public prosecution of special jurisdiction;
4) twelve years for the Supreme Public Prosecutor and eleven years for the public prosecutor of the Supreme Public Prosecutor's Office.
Other conditions for selection
Article 83
Other conditions for selection to the position of public prosecutor are expertise, competence and worthiness.
Expertise implies the possession of theoretical and practical knowledge necessary for the performance of the public prosecutor's function.
Competency means skills that enable the effective application of specific legal knowledge in the resolution of a public prosecutor's case.
Dignity implies the moral qualities that the holder of the office of public prosecutor should possess and conduct in accordance with those qualities. Moral qualities are: honesty, conscientiousness, fairness, dignity, perseverance and exemplary behavior, and behavior in accordance with these qualities means preserving the reputation of the public prosecutor's office inside and outside the service, awareness of social responsibility, maintaining independence and impartiality, reliability and dignity in the service and outside of it and assuming responsibility for the internal organization and a positive image of the Public Prosecutor's Office in the public.
The criteria and standards for assessing the expertise, competence and worthiness of the candidates and the selection procedure are regulated in more detail by an act of the High Council of the Prosecutor's Office.
Determining the expertise and competence of a candidate for the position of public prosecutor who is elected to the position of public prosecutor for the first time

Q136 (2024): THE LAW ON THE PUBLIC PROSECUTOR'S OFFICE ("Official Gazette of RS", No. 10/2023)

General conditions for selection

Article 81

A citizen of the Republic of Serbia who meets the general requirements for work in a state body, who has graduated from law school, passed the bar exam, and who is professional and worthy of performing the public prosecutor's office can be elected as the holder of the public prosecutor's office.

Work experience required

Article 82

A person who, in addition to the general requirements, has work experience in the legal profession after passing the bar exam can be elected as the holder of the public prosecutor's office, namely:

1) four years for the basic chief public prosecutor and three years for the public prosecutor of the basic public prosecution;
2) seven years for the senior chief public prosecutor and six years for the public prosecutor of the higher public prosecution;
3) ten years for the appellate chief public prosecutor and the chief public prosecutor of special jurisdiction and nine years for the publicprosecutor of the appellate public prosecution and the public prosecutor of the public prosecution of special jurisdiction;
4) twelve years for the Supreme Public Prosecutor and eleven years for the public prosecutor of the Supreme Public Prosecutor's Office.

Other conditions for selection Article 83

Other conditions for selection to the position of public prosecutor are expertise, competence and worthiness.

Expertise implies the possession of theoretical and practical knowledge necessary for the performance of the public prosecutor's function.

Competency means skills that enable the effective application of specific legal knowledge in the resolution of a public prosecutor's case. Dignity implies the moral qualities that the holder of the office of public prosecutor should possess and conduct in accordance with those qualities. Moral qualities are: honesty, conscientiousness, fairness, dignity, perseverance and exemplary behavior, and behavior in accordance with these qualities means preserving the reputation of the public prosecutor's office inside and outside the service, awareness of social responsibility, maintaining independence and impartiality, reliability and dignity in the service and outside of it and assuming responsibility for the internal organization and a positive image of the Public Prosecutor's Office in the public.

The criteria and standards for assessing the expertise, competence and worthiness of the candidates and the selection procedure are regulated in more detail by an act of the High Council of the Prosecutor's Office.

Determining the expertise and competence of a candidate for the position of public prosecutor who is elected to the position of public prosecutor for the first time

Article 84

In the process of selecting the holder of the position of public prosecutor, a candidate who is elected for the first time to the position of public prosecutor in the public prosecutor's

Q136 (2023): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)General conditions for selection
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Work experience required
Article 82
A person who, in addition to the general requirements, has work experience in the legal profession after passing the bar exam can be elected as the holder of the public prosecutor's office, namely:
1) four years for the basic chief public prosecutor and three years for the public prosecutor of the basic public prosecution;
2) seven years for the senior chief public prosecutor and six years for the public prosecutor of the higher public prosecution;
3) ten years for the appellate chief public prosecutor and the chief public prosecutor of special jurisdiction and nine years for the public prosecutor of the appellate public prosecution and the public prosecutor of the public prosecution of special jurisdiction;
4) twelve years for the Supreme Public Prosecutor and eleven years for the public prosecutor of the Supreme Public Prosecutor's Office.
Other conditions for selection
Article 83
Other conditions for selection to the position of public prosecutor are expertise, competence and worthiness.
Expertise implies the possession of theoretical and practical knowledge necessary for the performance of the public prosecutor's function.
Competency means skills that enable the effective application of specific legal knowledge in the resolution of a public prosecutor's case.
Dignity implies the moral qualities that the holder of the office of public prosecutor should possess and conduct in accordance with those qualities. Moral qualities are: honesty, conscientiousness, fairness, dignity, perseverance and exemplary behavior, and behavior in accordance with these qualities means preserving the reputation of the public prosecutor's office inside and outside the service, awareness of social responsibility, maintaining independence and impartiality, reliability and dignity in the service and outside of it and assuming responsibility for the internal organization and a positive image of the Public Prosecutor's Office in the public.
The criteria and standards for assessing the expertise, competence and worthiness of the candidates and the selection procedure are regulated in more detail by an act of the High Council of the Prosecutor's Office.
Determining the expertise and competence of a candidate for the position of public prosecutor who is elected to the position of public prosecutor for the first time

Q137 (General Comment): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)General conditions for selection
Article 81
A citizen of the Republic of Serbia who meets the general requirements for work in a state body, who has graduated from law school, passed the bar exam, and who is professional and worthy of performing the public prosecutor's office can be elected as the holder of the public prosecutor's office.
Work experience required
Article 82
A person who, in addition to the general requirements, has work experience in the legal profession after passing the bar exam can be elected as the holder of the public prosecutor's office, namely:
1) four years for the basic chief public prosecutor and three years for the public prosecutor of the basic public prosecution;
2) seven years for the senior chief public prosecutor and six years for the public prosecutor of the higher public prosecution;
3) ten years for the appellate chief public prosecutor and the chief public prosecutor of special jurisdiction and nine years for the public prosecutor of the appellate public prosecution and the public prosecutor of the public prosecution of special jurisdiction;
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Determining the expertise and competence of a candidate for the position of public prosecutor who is elected to the position of public prosecutor for the first time

Q137 (2025): Article 6 of the Rules on criteria and indicators for evaluating the work of the Chief Public Prosecutor and Public Prosecutor states the following criteria:
1. professional knowledge and the ability to apply it,
2. the ability to form an analytical opinion and resolve legal issues,
3. the ability to make decisions within reasonable deadlines,
4. the skill of debating and listening,
5. the ability to express and argue orally and in writing,
6. the ability to organize and manage public prosecutorial work,
7. taking on additional tasks and responsibilities.

Q137 (2024): THE LAW ON THE PUBLIC PROSECUTOR'S OFFICE ("Official Gazette of RS", No. 10/2023)

General conditions for selection

Article 81

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4) twelve years for the Supreme Public Prosecutor and eleven years for the public prosecutor of the Supreme Public Prosecutor's Office.

Other conditions for selection Article 83

Other conditions for selection to the position of public prosecutor are expertise, competence and worthiness.

Expertise implies the possession of theoretical and practical knowledge necessary for the performance of the public prosecutor's function.

Competency means skills that enable the effective application of specific legal knowledge in the resolution of a public prosecutor's case. Dignity implies the moral qualities that the holder of the office of public prosecutor should possess and conduct in accordance with those qualities. Moral qualities are: honesty, conscientiousness, fairness, dignity, perseverance and exemplary behavior, and behavior in accordance with these qualities means preserving the reputation of the public prosecutor's office inside and outside the service, awareness of social responsibility, maintaining independence and impartiality, reliability and dignity in the service and outside of it and assuming responsibility for the internal organization and a positive image of the Public Prosecutor's Office in the public.

The criteria and standards for assessing the expertise, competence and worthiness of the candidates and the selection procedure are regulated in more detail by an act of the High Council of the Prosecutor's Office.

Determining the expertise and competence of a candidate for the position of public prosecutor who is elected to the position of public prosecutor for the first time

Article 84

In the process of selecting the holder of the position of public prosecutor, a candidate who is elected for the first time to the position of public prosecutor in the public prosecutor's

Q137 (2023): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)General conditions for selection
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Determining the expertise and competence of a candidate for the position of public prosecutor who is elected to the position of public prosecutor for the first time

Q138 (General Comment): Yes.
Q139 (General Comment): Constitutional court.

Q139 (2025): Constitutional court
Article 93 of the Law on Public Prosecutors Office states that a candidate has the right to lodge an appeal with the Constitutional court against the decision on election of a chief public prosecutor or public prosecutor within 15 days from its publication in the Official Gazette of the Republic of Serbia. This appeal excludes the possibility of filing a separate constitutional complaint afterwards. The Constitutional Court must decide within 30 days after the expiry of the appeal deadline and may either reject the appeal as unfounded and confirm the appointment decision or uphold the appeal and annul the decision. The Court's ruling is published in the Official Gazette of the Republic of Serbia.

Q139 (2022): The deputy public prosecutor can file the Constitutional Appeal to the Constitutional Court (it differs from the Appeal to the Constitutional Court.

Kosovo*
Q130 (General Comment): First, the Vacancy announcement is published by a KJC decision and posted on the KJC website and is displayed in notification board of each court. Announcement of vacancies contains relevant information for each position, including: number of vacancies for each level,job description for each position, criteria on qualification for each position, guideline for using the application, and deadline for submission of application. Then, application review panel is established, from the Appointment Committee (five judges, two of them are KJC members). The panel reviews all received applications and publishes on the official website the list of all candidates who meet the criteria for each position, while the candidates who are not shortlisted are be informed personally in a reasoned writing notice and they are given an opportunity to submit a request for reconsideration of his/her application within a deadline of five days. This is followed by the collection of information and interview. After the interview, the panel drafts and signs the final ranking table of candidates and notifies all candidates in writing regarding their results. Unsatisfied candidates have the right to submit a request for reconsideration within five working days after receiving the notice.

Q131 (2025): Upon the announcement of the competition by the Judicial Council (KGJK), a Panel – an ad hoc commission – is established by the Council, which is responsible for reviewing applications, conducting interviews, evaluating, and recommending judicial candidates for promotion to the Council.
Q131 (2024): Upon the announcement of the call by the KJC, an ad hoc panel is established by the Council, responsible for reviewing applications, conducting interviews, evaluating candidates, and recommending judges for promotion to the Council.
Q132 (General Comment): These criteria are specified in the Law on courts
Q134 (2025): Appeals may be submitted to the Review Commission – the ad hoc Commission established by the Kosovo Judicial Council, responsible for examining requests submitted by candidates against the decisions of the Panel.

Q134 (2024): The ad hoc commission, established by the Council, is responsible for reviewing candidates' appeals against the Panel's decisions.
Q135 (2025): The process is carried out by the Committee that is established by the Council and the final decisions is made by the Council upon the proposal of the Committee.

Q135 (2024): The process is carried out by the Committee that is established by the Council and the final decisions is made by the Council upon the proposal of the Committee.

Q135 (2023): The process is carried out by the Committee that is established by the Council and the final decisions is made by the Council upon the proposal of the Committee.

Q135 (2022): The process is carried out by the Committee that is established by the Council and the final decisions is made by the Council upon the proposal of the Committee.

Q136 (General Comment): Upon need, the KPC makes a decision to open an internal announcement of prosecutors' promotion which is published on the official websites of the KPC and State Prosecutor. The KPC establishes the Commission for promotion and transfer of prosecutors which reviews all applications and documents submitted in accordance with the internal competition for transfer and promotion of prosecutors as well as the data provided by Prosecutors' performance review unit. After reviewing the data of all candidates, the Commission shall draft a list of all candidates who meet the criteria for transfer and promotion. The Commission shall carry out the assessment and interview all candidates who meet the promotion criteria. The Commission shall draft the final report on the proposed list of candidates for transfer or promotion based on their ranking, which is then sent for approval to KPC within 7 days.
Q136 (2025): This process is regulated with an internal Regulation. If necessary, the KPC decides on the announcement of an internal competition for the promotion of prosecutors, which is published on the web portal of the prosecutorial system. KPC establishes the commission for promotion and transfer of prosecutors which has the task to review applications and documents submitted based on the internal competition for transfer and promotion of prosecutors and based on the data provided by the Prosecution Performance Review Unit. After reviewing the data of all candidates, the Commission compiles the list with the names of all candidates who meet the criteria. The commission continues with the evaluation by interviewing all the candidates who have met the criteria. Then, the Commission drafts the final report with the list of candidates proposed to the Council for transfer or promotion based on their ranking according to the points earned. Prosecutors have the right to appeal against the final report of the commission within 7 days. KPC decides on the appeal in the first meeting or no later than 30 days from the day the appeal was received. If KPC approves the appeal, it obliges the Commission to re-evaluate the report and prepare a final report for the KPC. KPC decides with a majority of votes regarding the promotion or transfer of prosecutors. The decisions are published in the official web-portal of the prosecutorial system.
Q136 (2024): This process is regulated with an internal Regulation. If necessary, the KPC decides on the announcement of an internal competition for the promotion of prosecutors, which is published on the web portal of the prosecutorial system. KPC establishes the commission for promotion and transfer of prosecutors which has the task to review applications and documents submitted based on the internal competition for transfer and promotion of prosecutors and based on the data provided by the Prosecution Performance Review Unit. After reviewing the data of all candidates, the Commission compiles the list with the names of all candidates who meet the criteria. The commission continues with the evaluation by interviewing all the candidates who have met the criteria. Then, the Commission drafts the final report with the list of candidates proposed to the Council for transfer or promotion based on their ranking according to the points earned. Prosecutors have the right to appeal against the final report of the commission within 7 days.
Articles 14 and 15 of Regulation 02/2021 on Transfer and Promotion of Prosecutors
https://prokuroria-rks.org/wp-content/uploads/2024/08/Rregullore-Nr.02.2021-per-Transferimin-dhe-Avancimin-e-Prokuroreve-te-Shtetit-nr.1664.2021.pdf

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https://www.prokuroria-rks.org/assets/cms/uploads/files/Dokumente%20Publikime/KPK/Legjislacioni/rregullore/RREGULLORE%20NR.02.2021-P%C3%ABr%20transferimin%20dhe%20avancimin%20e%20prokuror%C3%ABve%20t%C3%AB%20Shtetit.pdf
Q137 (General Comment): In addition to the minimum qualifications, all candidates for appointment as state prosecutor, or for appointment or promotion in particular prosecution office should have the following qualifications:
4.1. to exercise the function of the prosecutor in the Serious Crimes Department or in the Juvenile Department of the Basic Prosecution Office, the prosecutor must have a permanent mandate as a prosecutor and a positive performance assessment;
4.2. to serve as a prosecutor in the Appellate Prosecution Office, the prosecutor should have at least five (5) years of experience as prosecutor, of which at least there (3) years of experience as prosecutor in the Specialized Department of the Basic Prosecution Office or in the Special Prosecution Office of the Republic of Kosovo, as well as based on performance assessment;
4.3. to exercise the function of the prosecutor in the Special Prosecution Office of the Republic of Kosovo, the prosecutor must fulfill the criteria to work as prosecutor in the Serious Crimes Department, as well as have a positive performance assessment. The period of exercising the function of prosecutor in the Special Prosecution Office, assigned according to the provisions of this Law, is counted as an experience of the prosecutor in the Serious Crimes Department of the Basic Prosecution Office.
4.4. to serve as a prosecutor in the Chief State Prosecutor Office, the prosecutor should have at least seven (7) years of experience as a prosecutor, as well as based on performance assessment;
4.5. to serve as Chief State Prosecutor, the prosecutor should have at least eight (8) years of experience as a prosecutor, as well as based on performance assessment.

Q137 (2025): A state prosecutor must fulfil the following general criteria for promotion:
1. Have a permanent mandate
2. Have a positive performance evaluation
3. No disciplinary measures in the last 5 years, with the exception of non-public reprimand;
4. No criminal investigation is started against him;
5. High professional reputation;
6. Participation in trainings, academic preparations, etc.
Specific criteria: based on article 13 of the regulation there are specific criteria regarding the years of experience depending on the prosecution level that the prosecutor is applying.

Q137 (2024): The general and specific criteria are foreseen in Articles 12 and 13 of Regulation 02/2021 on Transfer and Promotion of Prosecutors
Articles 14 and 15 of Regulation 02/2021 on Transfer and Promotion of Prosecutors
https://prokuroria-rks.org/wp-content/uploads/2024/08/Rregullore-Nr.02.2021-per-Transferimin-dhe-Avancimin-e-Prokuroreve-te-Shtetit-nr.1664.2021.pdf
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Q138 (General Comment): The appeal bench is the KPC. All appeals are directed to the KPC and then, the KPC takes decisions on each case by voting. The KPC member who is also a member of the Commission on Transfer and Promotion does not vote.
Q139 (General Comment): Prosecutors have the right of objection in writing against the final report of the Commission on Transfer and Promotion, within 7 days of receipt of the decision. The KPC shall decide on the objection within 10 days of its receipt or in the first upcoming meeting of the KPC. If the decision of the KPC results in the amendment of the Committee's report regarding promotion or transfer of a prosecutor who has filed an objection, the KPC shall publish the final decision along with the amended report. KPC shall decide with a simple majority of votes regarding the promotion or transfer of prosecutors. KPC's decision shall be published on the official website of the KPC and State Prosecutor.

Q139 (2025): The Commission drafts the final report with the list of candidates proposed to the Council for transfer or promotion based on their ranking according to the points earned. Prosecutors have the right to appeal against the final report of the commission within 7 days. KPC decides on the appeal in the first meeting or no later than 30 days from the day the appeal was received. If KPC approves the appeal, it obliges the Commission to re-evaluate the report and prepare a final report for the KPC. KPC decides with a majority of votes regarding the promotion or transfer of prosecutors. The decision of the KPC is final.

Indicator 6- Promotion

by question No.

130. Which authority is competent for the promotion of judges?
131. What is the procedure for the promotion of judges? (multiple replies possible)
132. Please indicate the criteria used for the promotion of a judge? (multiple replies possible)
133. Can a decision on the promotion of judges be appealed?
134. If yes, what is the body competent to decide on appeal?
135. Which authority is competent for the promotion of prosecutors?
136. What is the procedure for the promotion of prosecutors? (multiple replies possible)
137. Please indicate the criteria used for the promotion of a prosecutors (multiple replies possible):
138. Can a decision on the promotion of prosecutors be appealed?
139. If yes, what is the body competent to decide on appeal?

Question 130

Serbia

(General Comment): High Judicial Concil.

(2025): The High Judicial Council is an independent state body that is responsible for the promotion election and appointment of judges.

Kosovo*

(General Comment): First, the Vacancy announcement is published by a KJC decision and posted on the KJC website and is displayed in notification board of each court. Announcement of vacancies contains relevant information for each position, including: number of vacancies for each level,job description for each position, criteria on qualification for each position, guideline for using the application, and deadline for submission of application. Then, application review panel is established, from the Appointment Committee (five judges, two of them are KJC members). The panel reviews all received applications and publishes on the official website the list of all candidates who meet the criteria for each position, while the candidates who are not shortlisted are be informed personally in a reasoned writing notice and they are given an opportunity to submit a request for reconsideration of his/her application within a deadline of five days. This is followed by the collection of information and interview. After the interview, the panel drafts and signs the final ranking table of candidates and notifies all candidates in writing regarding their results. Unsatisfied candidates have the right to submit a request for reconsideration within five working days after receiving the notice.

Question 131

Albania

(General Comment): As per provisions of Law No 96/2016 “on the status of judges and prosecutors in the republic of Albania”, Art. 48, “Promotion to Higher or Specialized Levels” - the Council opens the promotion procedure by calling for applications - the call for applications is published on the website of the Council and it contains the necessary information for the vacancy - following a call for applications for a promotion, the candidate may apply for up to three vacant positions or positions expected to become vacant. - only applicants who have passed the asset declaration and background check and have no disciplinary sanction in force are allowed to participate further in the promotion procedure.
- the Councils reviews the applications and ranks eligible candidates by reference to the following indicators:
a) Firstly, two previous evaluations, taking into consideration that:
i) The experience in seconded positions, as magistrate in a mobility scheme or as member of the Council, whose mandate has ended three years before the application, will be an advantage;
ii) In cases of more candidates with the same grades, the magistrates within the group of candidates with the highest evaluation grades shall be ranked according to a scoring scheme established by the Councils;
b) Secondly, if after the evaluation made under letter “a” paragraph 9 of this Article, there is more than one candidate with the highest scores, the Council shall rank these candidates referring to their specific professional experience required for the vacant position;
c) Thirdly, if after the evaluation made under letter “b” paragraph 9 of this Article, there is more than one candidate with the highest scores, the Council shall rank these candidates referring to their seniority as magistrate or jurist.
The Councils shall decide to promote the candidates ranking highest with the grades attained by a procedure and rules contained in paragraph 9 and 14 of this Article.

(2025): The promotion criteria and procedures are regulated by article 48 of law 96/2016. Candidates must undergo 2 consecutive evaluations to be eligible in a promotion procedure. The evaluation process assesses the professional and organizational skills of candidates, as well as their ethics and professional commitment, based on a new scheme adopted by the Council. Only applicants who have no disciplinary sanction in force, shall be allowed to participate further in a promotion procedure. Also all judges promoted to higher courts have successfully passed the vetting process with a final decision.
For judicial promotions, the Council initiates the process by announcing a call for applications for vacant positions, inviting eligible judges who meet the established criteria. After the application period closes, the Council publishes the list of qualified candidates on its official website, maintaining a clear and transparent procedure.

(2024): only applicants who have passed the asset declaration and background check and have no disciplinary sanction in force are allowed to participate further in the promotion procedure.

Bosnia and Herzegovina

(General Comment): Promotion can be achieved only through public competition procedure which is conducted by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina.
Public competition for the vacant position of the judge, prosecutor, president of the court, chief prosecutor and deputy chief prosecutor is published in a daily newspaper and on website of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina.
The procedure includes:
a) Publishing competition procedure;
b) Conducting interview with candidates;
b) Ranking candidates in accordance with the criteria and making appointment proposal (Sub-council);
c) Deciding on appointment (HJPC).
More details on the procedure are available under Q89.

(2025): Promotion can be achieved only through public competition procedure which is conducted by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. Public competition for the vacant position of the judge, prosecutor, president of the court, chief prosecutor and deputy chief prosecutor is published in a daily newspaper and on website of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina.
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b) Ranking candidates in accordance with the criteria and making appointment proposal (Sub-council);
c) Deciding on appointment (HJPC)

Montenegro

(General Comment): On the basis of article 72-75 of the Law on Judicial Council and judges

Promotion of Judges Conditions for Promotion Article 72

The judges shall be entitled to be promoted through the appointment to a higher court, and the public prosecutor shall be entitled to be promoted through the appointment to a court, if their work is rated as excellent or good in accordance with the law and if they meet the specific requirements laid down for the appointment to that court.

A judge or public prosecutor may be promoted to the Supreme Court if he / she received the excellent grade and if he / she meets the special requirement for appointment to the Supreme Court referred to in Article 38, paragraph 8 of the present Law.

Public Announcement

Article 73

In the process of promotion, vacant positions for judges shall be announced in the High Court, High Misdemeanour Court, Appellate

Court and the Supreme Court, in accordance with the Plan of Vacancies.

The procedure of public announcement, submitting applications and acting upon applications, as well as the rights of applicants, shall be appropriately governed by provisions of Articles 45, 46 and 52 of the present Law.

Criteria for the Judge Who Is Promoted

Article 74

The criteria for the appointment of the judge who is promoted shall be:

1) Work appraisal of the judge or public prosecutor;

2) Evaluation of the interview with the candidate.

Under the criterion referred to in paragraph 1, item 1 of this Article, a candidate shall be awarded 60 points for the grade of good and 80 points for the grade of excellent, whereas up to 20 points shall be awarded on the basis of an interview. Decision on Appointment

Article 75

The Judicial Council shall conduct an interview with the applicants.

A ranking list shall be prepared on the basis of the work appraisal and interview evaluation referred to in Article 74 of the present Law. If two candidates in the ranking list have the same number of points, the preference shall be given to a candidate who has scored more points on the basis of work appraisal, and if candidates have scored the same number of points on these grounds, preference shall be given to the candidate who is a member of a minority or other minority ethnic community.

If the advantage of a candidate may not be established in the manner referred to in paragraph 3 of this Article, the Judicial Council shall perform a draw.

The Judicial Council shall decide on the appointment of a judge to a higher court according to the order in the ranking list, as determined in accordance with paragraphs 3 and 4 of this Article.

(2025): On the basis of article 72-75 of the Law on Judicial Council and judges
Promotion of Judges Conditions for Promotion Article 72
The judges shall be entitled to be promoted through the appointment to a higher court, and the public prosecutor shall be entitled to be promoted through the appointment to a court, if their work is rated as excellent or good in accordance with the law and if they meet the specific requirements laid down for the appointment to that court.
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Article 74
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1) Work appraisal of the judge or public prosecutor;
2) Evaluation of the interview with the candidate.
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Article 75
The Judicial Council shall conduct an interview with the applicants.
A ranking list shall be prepared on the basis of the work appraisal and interview evaluation referred to in Article 74 of the present Law. If two candidates in the ranking list have the same number of points, the preference shall be given to a candidate who has scored more points on the basis of work appraisal, and if candidates have scored the same number of points on these grounds, preference shall be given to the candidate who is a member of a minority or other minority ethnic community.
If the advantage of a candidate may not be established in the manner referred to in paragraph 3 of this Article, the Judicial Council shall perform a draw.
The Judicial Council shall decide on the appointment of a judge to a higher court according to the order in the ranking list, as determined in accordance with paragraphs 3 and 4 of this Article.
The procedure of conducting the interview shall be governed by Article 49 of the present Law.

(2024): On the basis of article 72-75 of the Law on Judicial Council and judges
Promotion of Judges Conditions for Promotion Article 72
The judges shall be entitled to be promoted through the appointment to a higher court, and the public prosecutor shall be entitled to be promoted through the appointment to a court, if their work is rated as excellent or good in accordance with the law and if they meet the specific requirements laid down for the appointment to that court.
A judge or public prosecutor may be promoted to the Supreme Court if he / she received the excellent grade and if he / she meets the special requirement for appointment to the Supreme Court referred to in Article 38, paragraph 8 of the present Law.Public Announcement
Article 73
In the process of promotion, vacant positions for judges shall be announced in the High Court, High Misdemeanour Court, Appellate
Court and the Supreme Court, in accordance with the Plan of Vacancies.
The procedure of public announcement, submitting applications and acting upon applications, as well as the rights of applicants, shall be appropriately governed by provisions of Articles 45, 46 and 52 of the present Law.
Criteria for the Judge Who Is Promoted
Article 74
The criteria for the appointment of the judge who is promoted shall be:
1) Work appraisal of the judge or public prosecutor;
2) Evaluation of the interview with the candidate.
Under the criterion referred to in paragraph 1, item 1 of this Article, a candidate shall be awarded 60 points for the grade of good and 80 points for the grade of excellent, whereas up to 20 points shall be awarded on the basis of an interview. Decision on Appointment
Article 75
The Judicial Council shall conduct an interview with the applicants.
A ranking list shall be prepared on the basis of the work appraisal and interview evaluation referred to in Article 74 of the present Law. If two candidates in the ranking list have the same number of points, the preference shall be given to a candidate who has scored more points on the basis of work appraisal, and if candidates have scored the same number of points on these grounds, preference shall be given to the candidate who is a member of a minority or other minority ethnic community.
If the advantage of a candidate may not be established in the manner referred to in paragraph 3 of this Article, the Judicial Council shall perform a draw.
The Judicial Council shall decide on the appointment of a judge to a higher court according to the order in the ranking list, as determined in accordance with paragraphs 3 and 4 of this Article.
The procedure of conducting the interview shall be governed by Article 49 of the present Law.

North Macedonia

(General Comment): Law on Judicial council
Criteria for the election of a judge of a higher court Article 48
(1)The Council shall select a judge in an Appellate Court, the Administrative Court, the Higher Administrative Court and the Supreme Court of the Republic of North Macedonia from among the candidates who have applied to the announcement and who meet the requirements and criteria anticipated by the Law on Courts and this Law in a manner that it shall rank the candidates that have applied according to the necessary specialization for filling a judge's position.
(…)
(3) If the candidate is from among the judges, the Council shall obtain an opinion from the court.
(4) The president of court on the base of the held session of judges shall deliver the opinion to the Council. (5) The manner of the candidates' ranking is regulated by the Council with a by-law. (6) The ranking will be done by the commission consisted of three members of Council selected by lot.
Decision on the selection of a judge Article 49
(1) The Council shall discuss and decide on the selection of a judge at a session, attended by at least eight members of the total number of members of the Council having voting rights. (2) The candidate that has won at least eight votes by the Council members having voting rights shall be selected a judge. (3) Each member of the Council having a voting right shall be obliged, at a session of the Council, to orally elaborate his decision regarding the selection of a judge. (4) The Council shall be obliged to inform every candidate about the decision on selection of a judge in writing. (5) The candidate who is not selected as a judge shall have the right to appeal in front the Appeal Council at the Supreme Court of the Republic of North Macedonia within a period of eight days as of the day of receipt of the information in a way and procedure prescribed by this law.

Serbia

(General Comment): Rulebook on criteria and standards for evaluation of expertise, competence and worthines for the election of judges with permanent tenure to another or higher court and on criteria for proposing candidates for the court president ("Official Gazette of RS", No.94/16 and 48/23), provides that the High Judicial Council shall announce the election for judges in the "Official Gazette of the Republic of Serbia" and the daily magazine "Politika", in order to fill vacant judicial positions in courts in the Republic of Serbia. The Council shall then decide on the establishment of one or more committees consisting of three elected members of the Council. Committee of the High Judicial Council shall provide performance evaluation grade from the Commission for the implementation of the evaluation procedure and determination of the performance evaluation grade of judges and court presidents.
Committee of the High Judicial Council shall make a list of preliminary candidates, in alphabetical order of the surnames of candidates, which shall be published on the website of the Council.
The Council, in the process of the election of judges with permanent tenure to another or higher court shall obtain the opinion of the Session of all judges of the court from which the judge has come from, as well as the opinion of the Session of all judges of immediately higher court. The Council shall especially appreciate: participation in the trainings for judges and court personnel; participation in training programs organized by the institution responsible for judicial training; scientific and professional papers in the field of legal doctrine, which the candidate has published as author or co-author; presentationsin national and international scientific and professional conferences.
Decisions of the HJC regarding the selection of judges to permanent judicial positions at the another or higher courts must be reasoned and published in the Official Gazette. “Official Gazette of the Republic of Serbia”, and at the website of the High Judicial Council.

(2025): Rulebook on the procedure for the election of a judge and the president of the court regulates appointments of judges to a higher court, i.e. promotion of judges. A call for judges’ appointment on a permanent function to a higher of different court is published in the “Official Gazette”, daily “Politika” and on the Council’s website and is available to all interested candidates under equal conditions. on the procedure for the election of a judge and the president of the court which stipulates that a citizen of the Republic of Serbia who meets the general requirements for work in a state body, who graduated from the Faculty of Law, passed the bar exam and who is professional, capable and worthy to perform the function of a judge may be elected as a judge.
The Council gathers assessment of candidates’ work opinion of sessions of all judges from courts in which the candidate works and from the court which is directly superior. When electing a judge to another court or a court of higher level, the Council especially assess published scientific and professional works in the field of legal sciences, presentation at domestic and international scientific and professional gatherings, election as a member of the High Judicial Council, participation of candidates in the training of judges and judicial staff, participation of candidates in professional development programs organized by the institution competent for judicial training, other circumstances of importance for the performance of the judicial function.

(2024): Rulebook on criteria and standards for evaluation of expertise, competence and worthines for the election of judges with permanent tenure to another or higher court and on criteria for proposing candidates for the court president ("Official Gazette of RS", No.94/16 and 48/23), provides that the High Judicial Council shall announce the election for judges in the "Official Gazette of the Republic of Serbia" and the daily magazine "Politika", in order to fill vacant judicial positions in courts in the Republic of Serbia. The Council shall then decide on the establishment of one or more committees consisting of three elected members of the Council. Committee of the High Judicial Council shall provide performance evaluation grade from the Commission for the implementation of the evaluation procedure and determination of the performance evaluation grade of judges and court presidents. Committee of the High Judicial Council shall make a list of preliminary candidates, in alphabetical order of the surnames of candidates, which shall be published on the website of the Council.
The Council, in the process of the election of judges with permanent tenure to another or higher court shall obtain the opinion of the Session of all judges of the court from which the judge has come from, as well as the opinion of the Session of all judges of immediately higher court. The Council shall especially appreciate: participation in the trainings for judges and court personnel; participation in training programs organized by the institution responsible for judicial training; scientific and professional papers in the field of legal doctrine, which the candidate has published as author or co-author; presentationsin national and international scientific and professional conferences.
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Committee of the High Judicial Council shall make a list of preliminary candidates, in alphabetical order of the surnames of candidates, which shall be published on the website of the Council.
The Council, in the process of the election of judges with permanent tenure to another or higher court shall obtain the opinion of the Session of all judges of the court from which the judge has come from, as well as the opinion of the Session of all judges of immediately higher court. The Council shall especially appreciate: participation in the trainings for judges and court personnel; participation in training programs organized by the institution responsible for judicial training; scientific and professional papers in the field of legal doctrine, which the candidate has published as author or co-author; presentationsin national and international scientific and professional conferences.
Decisions of the HJC regarding the selection of judges to permanent judicial positions at the another or higher courts must be reasoned and published in the Official Gazette. “Official Gazette of the Republic of Serbia”, and at the website of the High Judicial Council.

Kosovo*

(2025): Upon the announcement of the competition by the Judicial Council (KGJK), a Panel – an ad hoc commission – is established by the Council, which is responsible for reviewing applications, conducting interviews, evaluating, and recommending judicial candidates for promotion to the Council.

(2024): Upon the announcement of the call by the KJC, an ad hoc panel is established by the Council, responsible for reviewing applications, conducting interviews, evaluating candidates, and recommending judges for promotion to the Council.

Question 132

Albania

(General Comment): The Councils review the applications and rank eligible candidates by reference to the following indicators:
a) Firstly, two previous performance evaluations, taking into consideration that:
i) The experience in seconded positions, as magistrate in a mobility scheme or as member of the Council, whose mandate has ended three years before the application, will be an advantage;
ii) In cases of more candidates with the same grades, the magistrates within the group of candidates with the highest evaluation grades shall be ranked according to a scoring scheme established by the Councils;
b) Secondly, if after the evaluation made under the first paragraph, there is more than one candidate with the highest scores, the Council shall rank these candidates referring to their specific professional experience required for the vacant position;
c) Thirdly, if after the evaluation made under the second paragraph there is more than one candidate with the highest scores, the Council shall rank these candidates referring to their seniority as magistrate or jurist.
The law on the status of judges and prosecutors provides for the following evaluation levels of a magistrate:
a) 'Excellent': in case of an ethical and professional performance of very high qualities; b) Very good': in case of an above average
ethical and professional performance c) 'Good': in case of an average ethical and professional performance; ç) 'Acceptable': in case of a below average ethical and professional performance; d) 'Incapable': in case of a poor ethical and/or professional performance. Hence, during promotion, a judge that has two evaluations as excellent will be promoted vis-à-vis someone who has an evaluation as excellent and very good.

(2025): Since the very beginning, in addition to the legal provisions foreseen in the Law Status for the promotion procedure, the HJC has fully implemented the recommendation of the Venice Commission. All judges promoted to higher courts have successfully passed the vetting process with a final decision. This precondition is mandatory for all candidates to be firstly considered for promotions. Additionally, candidates must undergo 2 consecutive evaluations to be eligible in a promotion procedure. The evaluation process assesses the professional and organizational skills of candidates, as well as their ethics and professional commitment, based on a new scheme adopted by the Council. Only applicants who have no disciplinary sanction in force, shall be allowed to participate further in a promotion procedure.

(2024): Since the very beginning, in addition to the legal provisions foreseen in the Law Status for the promotion procedure, the HJC has fully implemented the recommendation of the Venice Commission. All judges promoted to higher courts have successfully passed the vetting process with a final decision. This precondition is mandatory for all candidates to be firstly considered for promotions. Additionally, candidates must undergo 2 consecutive evaluations to be eligible in a promotion procedure. The evaluation process assesses the professional and organizational skills of candidates, as well as their ethics and professional commitment, based on a new scheme adopted by the Council. Only applicants who have no disciplinary sanction in force, shall be allowed to participate further in a promotion procedure.

Bosnia and Herzegovina

(General Comment): Candidate ranking for position of the judge or the prosecutor within the public competition procedure is based on the following criteria: a) Expertise; b) Ability to perform legal analysis; c) Ability to responsibly, independently and impartial conduct the position in question, professional reputation, impartiality, and conduct outside of work; d) Previous working experience; e) Professional development, additional training, publishing of scientific papers, and other activities relevant for the judicial profession; f)Communication skills.

Additional criteria are used for candidate ranking for managerial positions. For candidates who already perform the function of a judge or a prosecutor, the expertise and the ability to perform legal analysis are determined based on the assessment of the work for the last three years.

The assessment procedure is carried out every year by the head of institution (i.e. court president or chief prosecutor) pursuant to the performance criteria of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina.

The rest of the above mentioned criteria for candidate ranking are checked in an interview.

Montenegro

(General Comment): State prosecutor, i.e. judge shall be entitled to promotion to the state prosecution or court of a higher rank if given the grade excellent or good in the performance evaluation and if he/she meets the specific requirements stipulated for the election to that court.

State prosecutor, i.e. judge shall be entitled to promotion to the Supreme Court if given the grade excellent and if he/she meets the specific requirements for the election to the Supreme Court.

Criteria for the selection of judges who are advancing are:

1) the performance of the judge or the state prosecutor;

2) ratings of the interview with the candidate.

(2023): Excerpt from the Law:
State prosecutor, i.e. judge shall be entitled to promotion to the state prosecution or court of a higher rank if given the grade excellent or good in the performance evaluation and if he/she meets the specific requirements stipulated for the election to that court.
State prosecutor, i.e. judge shall be entitled to promotion to the Supreme Court if given the grade excellent and if he/she meets the specific requirements for the election to the Supreme Court.
Criteria for the selection of judges who are advancing are:
1) the performance of the judge or the state prosecutor;
2) ratings of the interview with the candidate

(2022): Excerpt from the Law:
State prosecutor, i.e. judge shall be entitled to promotion to the state prosecution or court of a higher rank if given the grade excellent or good in the performance evaluation and if he/she meets the specific requirements stipulated for the election to that court.
State prosecutor, i.e. judge shall be entitled to promotion to the Supreme Court if given the grade excellent and if he/she meets the specific requirements for the election to the Supreme Court.
Criteria for the selection of judges who are advancing are:
1) the performance of the judge or the state prosecutor;
2) ratings of the interview with the candidate

North Macedonia

(General Comment): The Law on the courts
Article 46
(1) Special requirements for election of a judge to a Court of First Instance, Court of Appeal and the Supreme Court shall be as follows: 1. A person who has completed the training at the Academy for Judges and Public Prosecutors, determined by the law, may be elected as a judge of a basic court;
2. A judge of a basic court may be elected a person who has a working experience of at least four years of uninterrupted judicial service as a judge in another basic court up to the moment of the application for election, who has been assessed by a competent authority with a positive assessment, in accordance with the Law on the Judicial Council ;
3. A person with a working experience of at least six years of continuous service as a judge in a basic court, Administrative or Higher Administrative Court up to the moment of the application for election may be elected as a judge of the court of appeal, who is assessed by the competent authority with a positive assessment, in accordance with the law the Law on the Judicial Council ;
4. A person with a working experience of at least four years of continuous service as a judge in another appellate court up to the moment of the application for election may be elected as a judge of an appellate court, who is assessed by a competent authority with a positive assessment, in accordance with the law the Law on the Judicial Council ;
5. A person with a working experience of at least six years of service as a judge in an appellate court up to the moment of the application for election may be elected as a judge of the Supreme Court and who is assessed by a competent authority with a positive assessment in accordance with the Law on the Judicial Council .
(2) Special conditions for election of a judge in the Administrative Court and the Higher Administrative Court are:
1. A person with a working experience of at least four years of uninterrupted judicial service as a judge in a basic court up to the moment of the application for election may be elected as a judge of the Administrative Court, who is evaluated by a competent authority with a positive assessment, in accordance with the Law on the Judicial Council ;
2. As a judge of the Higher Administrative Court may be elected a person who has working experience of at least six years uninterrupted judicial service as a judge in the appellate court or the Administrative Court up to the moment of the application for election, who is assessed by a competent authority with a positive assessment , in accordance with the Law on the Judicial Council .
(3) A person who has completed at least one mandate as a judge of an international court and who meets the requirements of Article 45 of this Law, may be elected a judge at all levels of the judiciary.
Law on Judicial council Criteria for the election of a judge of a higher court Article 48
(2) The Council shall select as a judge the person of highest expert and professional qualities, with good reputation in exercising his judicial office, on the base of the following criteria: 1) expert knowledge and specialization in the field and participation in continuous training; 2)positive evaluation of his work 3)capability in verbal and written expression, which can be seen through prepared decisions and judiciary expert actions 4)undertaking additional work when performing judicial office by participating in procedures to resolve backlog of cases; 5)undertaking additional work when performing judicial office by means of mentorship, education, and alike; 6)length of judicial service.

Serbia

(General Comment): Rulebook on criteria and standards for evaluation of expertise, competence and worthines for the election of judges with permanent tenure to another or higher court and on criteria for proposing candidates for the court president ("Official Gazette of RS", No.94/16 and 48/23), provides that the High Judicial Council shall announce the election for judges in the "Official Gazette of the Republic of Serbia" and the daily magazine "Politika", in order to fill vacant judicial positions in courts in the Republic of Serbia. The Council shall then decide on the establishment of one or more committees consisting of three elected members of the Council. Committee of the High Judicial Council shall provide performance evaluation grade from the Commission for the implementation of the evaluation procedure and determination of the performance evaluation grade of judges and court presidents.
Committee of the High Judicial Council shall make a list of preliminary candidates, in alphabetical order of the surnames of candidates, which shall be published on the website of the Council.
The Council, in the process of the election of judges with permanent tenure to another or higher court, shall obtain the opinion of the Session of all judges of the court from which the judge has come, as well as the opinion of the Session of all judges of immediately higher court. The Council shall especially appreciate participation in the training for judges and court personnel; participation in training programs organized by the institution responsible for judicial training; scientific and professional papers in the field of legal doctrine, which the candidate has published as author or co-author; presentations in national and international scientific and professional conferences.
Decisions of the HJC regarding the selection of judges to permanent judicial positions at the other or higher courts must be reasoned and published in the Official Gazette. “Official Gazette of the Republic of Serbia”, and at the website of the High Judicial Council.

(2025): The Law on Judges ("Official Gazette of the Republic of Serbia” no. 10/2023), stipulates with article 50 that integrity is one of criteria for the selection and promotion of judges. A judge has to be qualified, competent and worthy of a judicial function. Worthiness in this case means ethical characteristics that a judge should possess, and their conduct in accordance with such characteristics. A judge must possess the following moral characteristics: honesty, thoroughness, diligence, fairness, dignity, perseverance, and esteem, and conduct in compliance with these characteristics involves upholding of dignity of a judge and a court on and off duty; awareness of social responsibility; preserving of independence and impartiality; reliability and dignity on duty and off; as well as taking the responsibility for the internal organisation and a positive public image of the judiciary.
Upon selection for a judge, worthiness is assumed. For the purpose of assessing worthiness for performance of a judicial function, an opinion of a candidate’s work collective is obtained for their selection.
Criteria and measures for assessing qualification and competence, as well as worthiness for judges’ selection are provided by the Council.

(2024): The criteria and standards in the process of election of judges to another or higher court are prescribed by the Rulebook on criteria and standards for evaluation of expertise, competence and worthiness for the election of judges with permanent tenure to another or higher court and on criteria for proposing candidates for the court president ("Official Gazette of RS", No.94/16 and 48/23). Art. 4: expertise shall include possession of theoretical and practical knowledge required to perform the judicial function; competence shall imply skills that enable effective implementation of specific juridical knowledge in solving cases. The standard for assessing the expertise and the competence for the election of judges with permanent tenure to another or higher court shall be performance evaluation grade (results of work), in the last three years. Worthiness shall mean ethical qualities a judge should possess and behave by those qualities. The worthiness of candidates shall be assumed.

(2023): The criteria and standards in the process of election of judges to another or higher court are prescribed by the Rulebook on criteria and standards for evaluation of expertise, competence and worthiness for the election of judges with permanent tenure to another or higher court and on criteria for proposing candidates for the court president ("Official Gazette of RS", No.94/16 and 48/23). Art. 4: expertise shall include possession of theoretical and practical knowledge required to perform the judicial function; competence shall imply skills that enable effective implementation of specific juridical knowledge in solving cases. The standard for assessing the expertise and the competence for the election of judges with permanent tenure to another or higher court shall be performance evaluation grade (results of work), in the last three years. Worthiness shall mean ethical qualities a judge should possess and behave by those qualities. The worthiness of candidates shall be assumed.

Kosovo*

(General Comment): These criteria are specified in the Law on courts

Question 133

Bosnia and Herzegovina

(General Comment): The decision on appointment made by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina is the final administrative act pursuant to the Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of BiH", No. 63/23), which entered into force in December 2023, and an administrative dispute may be initiated against the decision by the candidate in the appointment procedure.

Serbia

(General Comment): Yes.

Question 134

Albania

(General Comment): A judge has a right of appeal against a decision on promotion within 5 days from the notification of the decision of the Council. The appeal does not suspend the implementation of the decision. The competent court shall decide within two weeks as of the appeal day. The decision of the competent court shall be final. A Council's decisions, on an judge's promotion to a position in accordance, becomes final if: a) No appeal is lodged within the appeal period; b) An appeal is lodged on time and the court has decided to dismiss the case or reject the appeal; c) An appeal is lodged on time and, on its basis, a final court decision has been rendered. In cases where the court allows the appeal and repeals the Councils' decision, the latter shall, within two weeks of the notification of the court decision, revise the decision on the promotion, to the necessary extent for implementing the decision of the court. The competent court is Tirana Administrative First Instance Court

Bosnia and Herzegovina

(General Comment): The Court of Bosnia and Herzegovina has jurisdiction to resolve these administrative disputes. In the event of an administrative dispute, the appointment of the newly appointed judge or prosecutor shall be postponed for that position until the court proceedings have been completed.

(2023): The decision on appointment made by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina is the final administrative act pursuant to the Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of BiH", No. 63/23), which entered into force in December 2023, and an administrative dispute may be initiated against the decision by the candidate in the appointment procedure. The Court of Bosnia and Herzegovina has jurisdiction to resolve these administrative disputes. In the event of an administrative dispute, the appointment of the newly appointed judge or prosecutor shall be postponed for that position until the court proceedings have been completed.

Montenegro

(General Comment): Administrative Court

North Macedonia

(General Comment): Appeal Council in the Supreme court.
The candidate who is not selected as a judge shall have the right to appeal in front the Appeal Council at the Supreme Court of the Republic of North Macedonia within a period of eight days as of the day of receipt of the information in a way and procedure prescribed by this law.
The Appeal Council in the Supreme court against a decision for election and promotion on judges is composed from five members and their deputies from the rank of the judges in the Supreme court. The members on this council are elected by the President of the Supreme court with the yearly working plan. This Council is responsible to decide only about submitted appeals by the judge against decisions on the Judicial council for election on a judge in a Basic court, promotion on a judge and election on a president of the court.

(2025): Appeal Council in the Supreme Court

Serbia

(General Comment): Against the decision on the promotion to the judicial function, the candidate may file an appeal to the Constitutional Court within 15 days from the day of the publication of the decision in the "Official Gazette of the Republic of Serbia", which excludes the right to submit a constitutional appeal.

(2025): Against the decision on the promotion to the judicial function, the candidate may file an appeal to the Constitutional Court within 15 days from the day of the publication of the decision in the "Official Gazette of the Republic of Serbia", which excludes the right to submit a constitutional appeal.

(2024): Against the decision on the promotion to the judicial function, the candidate may file an appeal to the Constitutional Court within 15 days from the day of the publication of the decision in the "Official Gazette of the Republic of Serbia", which excludes the right to submit a constitutional appeal.

(2023): Against the decision on the promotion to the judicial function, the candidate may file an appeal to the Constitutional Court within 15 days from the day of the publication of the decision in the "Official Gazette of the Republic of Serbia", which excludes the right to submit a constitutional appeal.

(2022): The judge can file the Constitutional Appeal to the Constitutional Court (it differs from the Appeal to the Constitutional Court.

Kosovo*

(2025): Appeals may be submitted to the Review Commission – the ad hoc Commission established by the Kosovo Judicial Council, responsible for examining requests submitted by candidates against the decisions of the Panel.

(2024): The ad hoc commission, established by the Council, is responsible for reviewing candidates' appeals against the Panel's decisions.

Question 135

Montenegro

(General Comment): Prosecutorial Council

(2025): Law on the State Prosecutor’s Office (“Official Gazette of Montenegro,” Nos. 11/2015, 42/2015, 80/2017, 10/2018, 76/2020, 59/2021, 54/2024 and 92/2025), Articles 75–77.

Serbia

(General Comment): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICEIV SELECTION
1. Jurisdiction and conditions for the election of the holder of the office of public prosecutor
Jurisdiction to choose
Article 80
The Supreme Public Prosecutor is elected by the National Assembly, on the proposal of the High Council of Prosecutors, for a term of six years.
The Chief Public Prosecutor is elected by the High Council of Prosecutors for a six-year term.
The public prosecutor is elected by the High Council of Prosecutions to a permanent position of public prosecutor in the public prosecutor's office.
The number of public prosecutors for each public prosecution is determined by the High Council of Prosecutors.

(2024): THE LAW ON THE PUBLIC PROSECUTOR'S OFFICE("Official Gazette of RS", No. 10/2023)
IV SELECTION
1. Jurisdiction and conditions for the election of the holder of the office of public prosecutor Jurisdiction to choose
Article 80
The Supreme Public Prosecutor is elected by the National Assembly, on the proposal of the High Council of Prosecutors, for a term of six years.
The Chief Public Prosecutor is elected by the High Council of Prosecutors for a six-year term.
The public prosecutor is elected by the High Council of Prosecutions to a permanent position of public prosecutor in the public prosecutor's office. The number of public prosecutors for each public prosecution is determined by the High Council of Prosecutors.

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The Chief Public Prosecutor is elected by the High Council of Prosecutors for a six-year term.
The public prosecutor is elected by the High Council of Prosecutions to a permanent position of public prosecutor in the public prosecutor's office.
The number of public prosecutors for each public prosecution is determined by the High Council of Prosecutors.

Kosovo*
(2025): The process is carried out by the Committee that is established by the Council and the final decisions is made by the Council upon the proposal of the Committee.

(2024): The process is carried out by the Committee that is established by the Council and the final decisions is made by the Council upon the proposal of the Committee.

(2023): The process is carried out by the Committee that is established by the Council and the final decisions is made by the Council upon the proposal of the Committee.

(2022): The process is carried out by the Committee that is established by the Council and the final decisions is made by the Council upon the proposal of the Committee.

Question 136

Albania

(General Comment): High Prosecutorial Council publishes the promotion announcement for prosecutors which includes the application deadline, the information and documentation attached, the candidacy procedure and the place of submission of documentation. The following candidates may be promoted:
a) the prosecutor who fulfils the criteria for promotion in accordance with the requirements of the vacancy;
b) the prosecutor in command or the one in the delegation scheme who meets the criteria for promotion in accordance with the requirements of the vacant position;
After the announcement of the promotion procedure, the candidate may run for no more than three vacancies or positions expected to become vacant. If the prosecutor is running for more than one position, he shall rank them by preference.
The High Prosecutorial Council verifies candidates regarding the integrity and assets and only candidates who successfully complete this process and who do not have disciplinary measures in place are admitted to further promotion procedures.
Detailed rules on the promotion of prosecutors are provided in Article 47 and subsequent of the Law “On the status of judges and prosecutors”, as amended.
With Decision no. 222, dated 27.07.2022, High Prosecutorial Council approved the Regulation “For the promotion to the highest levels in Prosecution Offices of the general jurisdiction”. According to this Regulation, the promotion procedure at the highest levels takes place in three stages, as follows: a) In the first stage is carried out the verification of the candidates for meeting the legal conditions of candidacy; b) In the second stage is taken the decision on the ranking of qualified candidates, and; c) In the third stage, is taken the decision to promote the candidate listed above others.
Also, with Decision no. 200, dated 23.09.2020, the Council has approved the Regulation “On the criteria and procedures for the promotion of heads of Prosecution Offices of the general jurisdiction”. High Prosecutorial Council publishes the promotion announcement for prosecutors which includes the application deadline, the information and documentation attached, the candidacy procedure and the place of submission of documentation. The following candidates may be promoted: a) the prosecutor who fulfils the criteria for promotion in accordance with the requirements of the vacancy; b) the prosecutor in command or the one in the delegation scheme who meets the criteria for promotion in accordance with the requirements of the vacant position. After the announcement of the promotion procedure, the candidate may run for no more than three vacancies or positions expected to become vacant. If the prosecutor is running for more than one position, he shall rank them by preference. High Prosecutorial Council verifies candidates regarding the integrity and assets and only candidates who successfully complete this process and who do not have disciplinary measures in place are admitted to further promotion procedures.
With the Decision no. 303, dated 19.09.2023, High Prosecutorial Council approved the "Regulation on the criteria and procedure for the promotion of prosecutors at the Special Prosecutor's Office against Corruption and Organized Crime". According to this Regulation, the promotion in this prosecution follows this procedure:
1. The Special Commission conducts an initial evaluation of all candidates to determine whether they meet the legal requirements for promotion to office as a Prosecutor in the Special Prosecutor's Office or as head of this prosecutor's office.
2. The Special Commission proposes to the Council the qualification of candidates who meet the legal requirements.
3. The High Prosecutorial Council qualifies candidates who meet the legal requirements and announces the official list of candidates.

(2025): Promotion in higher levels in General Jurisdiction

With Decision no. 222, dated 27.07.2022, High Prosecutorial Council approved the Regulation “For the promotion to the highest levels in Prosecution Offices of the general jurisdiction”. According to this Regulation, the promotion procedure at the highest levels takes place in three stages, as follows: a) In the first stage is carried out the verification of the candidates for meeting the legal conditions of candidacy; b) In the second stage is taken the decision on the ranking of qualified candidates, and; c) In the third stage, is taken the decision to promote the candidate listed above others.

The Council shall rank the candidates who meet the criteria, according to the following results:

a) first, taking into account the two previous professional assessments;

i) the experience in commanded positions, as magistrate in the delegation scheme, or as a member of the Council whose term of office has ended three years before the candidacy shall have priority;

ii) in the case of more than one candidate with the same results, the magistrates within the group of candidates with the highest evaluation results shall be ranked according to the points scheme determined by the Council;

b) second, in the event that after the evaluation carried out according to letter “a”, above, there is more than one candidate with the highest points, the Council shall rank these candidates according to the specific professional experience required for the vacant position;

c) third, in the event that after the evaluation carried out according to letter “b”, above, there is more than one candidate with the highest points, the Council shall rank these candidates according to seniority as magistrates or lawyers.

Promotion of the Heads of Offices in General Jurisdiction

Also, with Decision no. 200, dated 23.09.2020, the Council has approved the Regulation “On the criteria and procedures for the promotion of heads of Prosecution Offices of the general jurisdiction”. High Prosecutorial Council publishes the promotion announcement for prosecutors which includes the application deadline, the information and documentation attached, the candidacy procedure and the place of submission of documentation. The following candidates may be promoted: a) the prosecutor who fulfils the criteria for promotion in accordance with the requirements of the vacancy; b) the prosecutor in command or the one in the delegation scheme who meets the criteria for promotion in accordance with the requirements of the vacant position. After the announcement of the promotion procedure, the candidate may run for no more than three vacancies or positions expected to become vacant. If the prosecutor is running for more than one position, he shall rank them by preference. High Prosecutorial Council verifies candidates regarding the integrity and assets and only candidates who successfully complete this process and who do not have disciplinary measures in place are admitted to further promotion procedures.

Promotion of the prosecutors in the Special Prosecution Office

With the Decision no. 303, dated 19.09.2023, High Prosecutorial Council approved the "Regulation on the criteria and procedure for the promotion of prosecutors at the Special Prosecutor's Office against Corruption and Organized Crime". According to this Regulation, the promotion in this prosecution follows this procedure:

(2022): The specific comment made in this cycle for Q138, is different from the general comment, anyway The GENERAL comment is still valid. Also, in the end of the comment may be added: The promotion procedure at the highest levels of prosecution takes place in three stages, as follows: a) In the first stage is carried out the verification of the candidates for meeting the legal conditions of candidacy; b) In the second stage is taken the decision on the ranking of qualified candidates, and; c) In the third stage, is taken the decision to promote the candidate listed above others.
With Decision no. 222, dated 27.07.2022, High Prosecutorial Council approved the Regulation “For the promotion to the highest levels in Prosecution Offices of the general jurisdiction”. According to this Regulation, the promotion procedure at the highest levels takes place in three stages, as follows: a) In the first stage is carried out the verification of the candidates for meeting the legal conditions of candidacy; b) In the second stage is taken the decision on the ranking of qualified candidates, and; c) In the third stage, is taken the decision to promote the candidate listed above others.
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With the Decision no. 51, dated 19.03.2019, High Prosecutorial Council approved the "Regulation on the criteria and procedure for the promotion of prosecutors at the Special Prosecutor's Office against Corruption and Organized Crime". According to this Regulation, the promotion in this prosecution follows this procedure:
a) First, Ad-Hoc Commission perform an initial assessment of all candidates to determine if they meet the legal requirements for promotion to office as a special prosecutor.
b) Then, the Commission proposes to the Council the disqualification of candidates who do not meet the legal requirements.
c) The High Prosecutorial Council disqualifies any candidate who does not meet the legal requirements and announces the official list of candidates who continue the evaluation process.
d) The Commission continues with the evaluation and conducts the interviews with the candidates. The Commission requests from public institutions any type of document important for the evaluation.
e) The Commission uses documents and letters of motivation to make relevant proposals for the evaluation of candidates, based on:
i. previous professional evaluations; and
ii. special ethical and professional criteria. The Council also takes into account the candidate's personal and professional commitment as an expert.

Bosnia and Herzegovina

(General Comment): Promotion can be achieved only through public competition procedure which is conducted by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina.
Public competition for the vacant position of the judge, prosecutor, president of the court, chief prosecutor and deputy chief prosecutor is published in a daily newspaper and on website of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina.
The procedure includes:
a) Publishing competition procedure;
b) Conducting interview with candidates;
b) Ranking candidates in accordance with the criteria and making appointment proposal (Sub-council);
c) Deciding on appointment (HJPC).
More details on the procedure are available under Q111.

(2025): Promotion can be achieved only through public competition procedure which is conducted by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. Public competition for the vacant position of the judge, prosecutor, president of the court, chief prosecutor and deputy chief prosecutor is published in a daily newspaper and on website of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina.
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a) Publishing competition procedure.
b) Conducting interview with candidates.
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c) Deciding on appointment (HJPC)

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Prosecutorial Council of Bosnia and Herzegovina. Public competition for the vacant position of the judge, prosecutor, president of the court, chief prosecutor and deputy chief prosecutor is published in a daily newspaper and on website of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina.
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a) Publishing competition procedure;
b) Conducting interview with candidates;
b) Ranking candidates in accordance with the criteria and making appointment proposal (Sub-council);
c) Deciding on appointment (HJPC)

Montenegro

(General Comment): According to the Plan of Vacant Prosecutorial Posts, a public advertisement for state prosecutors' posts for high and Supreme State Prosecutors Office is conducted through the promotion system.
Criteria for the election of state prosecutors:
- performance grade and
- grade in the interview.

(2025): Law on the State Prosecutor's Office ("Official Gazette of Montenegro," Nos. 11/2015, 42/2015, 80/2017, 10/2018, 76/2020, 59/2021, 54/2024, and 92/2025), Articles 75–77.
Article 76 of the Law on State Prosecution Office applies to the promotion of prosecutors.
In the procedure of promotion vacant positions of the state prosecutors in High and Supreme state prosecutor's office shall be advertised according to the plan of vacant posts of the state prosecutors.
Provisions of Articles 57, 58 and 64 of this Law shall apply accordingly to the procedure of public advertisement, application and proceeding upon applications, as well as to the rights of the applicants.

(2024): rticle 76 of the Law on State Prosecution Office applies to the promotion of prosecutors.
In the procedure of promotion vacant positions of the state prosecutors in High and Supreme state prosecutor's office shall be advertised according to the plan of vacant posts of the state prosecutors.
Provisions of Articles 57, 58 and 64 of this Law shall apply accordingly to the procedure of public advertisement, application and proceeding upon applications, as well as to the rights of the applicants.

(2023): Article 76 of the Law on State Prosecution Office applies to the promotion of prosecutors.
In the procedure of promotion vacant positions of the state prosecutors in High and Supreme state prosecutor's office shall be advertised according to the plan of vacant posts of the state prosecutors.
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(2022): Article 76 of the Law on State Prosecution Office applies to the promotion of prosecutors.
In the procedure of promotion vacant positions of the state prosecutors in High and Supreme state prosecutor's office shall be advertised according to the plan of vacant posts of the state prosecutors.
Provisions of Articles 57, 58 and 64 of this Law shall apply accordingly to the procedure of public advertisement, application and proceeding upon applications, as well as to the rights of the applicants.

North Macedonia

(General Comment): The Council shall elect public prosecutors in the Public Prosecution Office of the Republic of Macedonia, in the Higher Public Prosecution Offices and the Basic Public Prosecution Office for Prosecution of Organized Crime and Corruption from the list of candidates who responded to the advertisement and meet the conditions and criteria as provided by the Law on the Public Prosecution Office.
The Council shall discuss and decide on the election of public prosecutors on a session attended by at least two-thirds of the members of the Council. The candidate who wins the majority of votes from the total number of members of the Council shall be elected for a public prosecutor.
With the amendments on the Law on PPO from 2020, Chief Basic Public Prosecutor on the Basic Public Prosecution office for prosecution of organized crime and corruption is elected by all public prosecutors in the Republic of North Macedonia with voting on elections. After the elections, the Council of Public Prosecutors shall appoint that candidate from the list of candidates who won the majority of votes and who meets the requirements under the Law as a Basic Public Prosecutor of the Basic Public Prosecution Office for prosecution of organised crime and corruption.

Serbia

(General Comment): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)General conditions for selection
Article 81
A citizen of the Republic of Serbia who meets the general requirements for work in a state body, who has graduated from law school, passed the bar exam, and who is professional and worthy of performing the public prosecutor's office can be elected as the holder of the public prosecutor's office.
Work experience required
Article 82
A person who, in addition to the general requirements, has work experience in the legal profession after passing the bar exam can be elected as the holder of the public prosecutor's office, namely:
1) four years for the basic chief public prosecutor and three years for the public prosecutor of the basic public prosecution;
2) seven years for the senior chief public prosecutor and six years for the public prosecutor of the higher public prosecution;
3) ten years for the appellate chief public prosecutor and the chief public prosecutor of special jurisdiction and nine years for the public prosecutor of the appellate public prosecution and the public prosecutor of the public prosecution of special jurisdiction;
4) twelve years for the Supreme Public Prosecutor and eleven years for the public prosecutor of the Supreme Public Prosecutor's Office.
Other conditions for selection
Article 83
Other conditions for selection to the position of public prosecutor are expertise, competence and worthiness.
Expertise implies the possession of theoretical and practical knowledge necessary for the performance of the public prosecutor's function.
Competency means skills that enable the effective application of specific legal knowledge in the resolution of a public prosecutor's case.
Dignity implies the moral qualities that the holder of the office of public prosecutor should possess and conduct in accordance with those qualities. Moral qualities are: honesty, conscientiousness, fairness, dignity, perseverance and exemplary behavior, and behavior in accordance with these qualities means preserving the reputation of the public prosecutor's office inside and outside the service, awareness of social responsibility, maintaining independence and impartiality, reliability and dignity in the service and outside of it and assuming responsibility for the internal organization and a positive image of the Public Prosecutor's Office in the public.
The criteria and standards for assessing the expertise, competence and worthiness of the candidates and the selection procedure are regulated in more detail by an act of the High Council of the Prosecutor's Office.
Determining the expertise and competence of a candidate for the position of public prosecutor who is elected to the position of public prosecutor for the first time

(2024): THE LAW ON THE PUBLIC PROSECUTOR'S OFFICE ("Official Gazette of RS", No. 10/2023)

General conditions for selection

Article 81

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Work experience required

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The criteria and standards for assessing the expertise, competence and worthiness of the candidates and the selection procedure are regulated in more detail by an act of the High Council of the Prosecutor's Office.

Determining the expertise and competence of a candidate for the position of public prosecutor who is elected to the position of public prosecutor for the first time

Article 84

In the process of selecting the holder of the position of public prosecutor, a candidate who is elected for the first time to the position of public prosecutor in the public prosecutor's

(2023): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)General conditions for selection
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Dignity implies the moral qualities that the holder of the office of public prosecutor should possess and conduct in accordance with those qualities. Moral qualities are: honesty, conscientiousness, fairness, dignity, perseverance and exemplary behavior, and behavior in accordance with these qualities means preserving the reputation of the public prosecutor's office inside and outside the service, awareness of social responsibility, maintaining independence and impartiality, reliability and dignity in the service and outside of it and assuming responsibility for the internal organization and a positive image of the Public Prosecutor's Office in the public.
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Determining the expertise and competence of a candidate for the position of public prosecutor who is elected to the position of public prosecutor for the first time

Kosovo*

(General Comment): Upon need, the KPC makes a decision to open an internal announcement of prosecutors' promotion which is published on the official websites of the KPC and State Prosecutor. The KPC establishes the Commission for promotion and transfer of prosecutors which reviews all applications and documents submitted in accordance with the internal competition for transfer and promotion of prosecutors as well as the data provided by Prosecutors' performance review unit. After reviewing the data of all candidates, the Commission shall draft a list of all candidates who meet the criteria for transfer and promotion. The Commission shall carry out the assessment and interview all candidates who meet the promotion criteria. The Commission shall draft the final report on the proposed list of candidates for transfer or promotion based on their ranking, which is then sent for approval to KPC within 7 days.

(2025): This process is regulated with an internal Regulation. If necessary, the KPC decides on the announcement of an internal competition for the promotion of prosecutors, which is published on the web portal of the prosecutorial system. KPC establishes the commission for promotion and transfer of prosecutors which has the task to review applications and documents submitted based on the internal competition for transfer and promotion of prosecutors and based on the data provided by the Prosecution Performance Review Unit. After reviewing the data of all candidates, the Commission compiles the list with the names of all candidates who meet the criteria. The commission continues with the evaluation by interviewing all the candidates who have met the criteria. Then, the Commission drafts the final report with the list of candidates proposed to the Council for transfer or promotion based on their ranking according to the points earned. Prosecutors have the right to appeal against the final report of the commission within 7 days. KPC decides on the appeal in the first meeting or no later than 30 days from the day the appeal was received. If KPC approves the appeal, it obliges the Commission to re-evaluate the report and prepare a final report for the KPC. KPC decides with a majority of votes regarding the promotion or transfer of prosecutors. The decisions are published in the official web-portal of the prosecutorial system.

(2024): This process is regulated with an internal Regulation. If necessary, the KPC decides on the announcement of an internal competition for the promotion of prosecutors, which is published on the web portal of the prosecutorial system. KPC establishes the commission for promotion and transfer of prosecutors which has the task to review applications and documents submitted based on the internal competition for transfer and promotion of prosecutors and based on the data provided by the Prosecution Performance Review Unit. After reviewing the data of all candidates, the Commission compiles the list with the names of all candidates who meet the criteria. The commission continues with the evaluation by interviewing all the candidates who have met the criteria. Then, the Commission drafts the final report with the list of candidates proposed to the Council for transfer or promotion based on their ranking according to the points earned. Prosecutors have the right to appeal against the final report of the commission within 7 days.
Articles 14 and 15 of Regulation 02/2021 on Transfer and Promotion of Prosecutors
https://prokuroria-rks.org/wp-content/uploads/2024/08/Rregullore-Nr.02.2021-per-Transferimin-dhe-Avancimin-e-Prokuroreve-te-Shtetit-nr.1664.2021.pdf

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(2022): This process is regulated with an internal Regulation. If necessary, the KPC decides on the announcement of an internal competition for the promotion of prosecutors, which is published on the web portal of the prosecutorial system. KPC establishes the commission for promotion and transfer of prosecutors which has the task to review applications and documents submitted based on the internal competition for transfer and promotion of prosecutors and based on the data provided by the Prosecution Performance Review Unit. After reviewing the data of all candidates, the Commission compiles the list with the names of all candidates who meet the criteria. The commission continues with the evaluation by interviewing all the candidates who have met the criteria. Then, the Commission drafts the final report with the list of candidates proposed to the Council for transfer or promotion based on their ranking according to the points earned. Prosecutors have the right to appeal against the final report of the commission within 7 days.
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https://www.prokuroria-rks.org/assets/cms/uploads/files/Dokumente%20Publikime/KPK/Legjislacioni/rregullore/RREGULLORE%20NR.02.2021-P%C3%ABr%20transferimin%20dhe%20avancimin%20e%20prokuror%C3%ABve%20t%C3%AB%20Shtetit.pdf

Question 137

Albania
(General Comment): Regarding the promotion to the highest levels in Prosecution Offices of the general jurisdiction and the promotion of heads of Prosecution Offices of the general jurisdiction, other promotion criteria are the lack of disciplinary measures and the successful review of the verification of assets and image of candidates. And, for the promotion of prosecutors at the Special Prosecutor's Office against Corruption and Organized Crime, other criteria is the fulfilling of the security conditions, provided for in Article 6 of Law no. 95/2016 "For the organization and functioning of institutions to fight corruption and crime e organized", as amended, including the condition that candidates must have submitted valid expression forms of consent for the periodic control of bank accounts and personal telecommunications, signed by the candidate and close family members.

(2025): Regarding the promotion to the highest levels in Prosecution Offices of the general jurisdiction and the promotion of heads of Prosecution Offices of the general jurisdiction, other promotion criteria are the lack of disciplinary measures and the successful review of the verification of assets and image of candidates. And, for the promotion of prosecutors at the Special Prosecutor's Office against Corruption and Organized Crime, other criteria is the fulfilling of the security conditions, provided for in Article 6 of Law no. 95/2016 "For the organization and functioning of institutions to fight corruption and crime e organized", as amended, including the condition that candidates must have submitted valid expression forms of consent for the periodic control of bank accounts and personal telecommunications, signed by the candidate and close family members.

Bosnia and Herzegovina

(General Comment): Candidate ranking for position of the judge or the prosecutor within the public competition procedure is based on the following criteria: a) Expertise; b) Ability to perform legal analysis; c) Ability to responsibly, independently and impartial conduct the position in question, professional reputation, impartiality, and conduct outside of work; d) Previous working experience; e) Professional development, additional training, publishing of scientific papers, and other activities relevant for the judicial profession; f)Communication skills. Additional criteria are used for candidate ranking for managerial positions. For candidates who already perform the function of a judge or a prosecutor, the expertise and the ability to perform legal analysis are determined based on the assessment of the work for the last three years.
The assessment procedure is carried out every year by the head of institution (i.e. court president or chief prosecutor) pursuant to the performance criteria of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina.
The rest of the above mentioned criteria for candidate ranking are checked in an interview.

Montenegro

(General Comment): Criteria for the election of state prosecutor to the state prosecutor's office of a higher rank are performance evaluation of the state prosecutor, i.e. judge who applied to the ad and the grade in the interview.
Criteria for performance evaluation of state prosecutors are professional knowledge and general competences for performing the duties of the prosecutorial office.
Professional knowledge is evaluated based on the following sub-criterion:
1) quantity and quality of work; 2) ability to plan and effectively conduct procedural actions; 3) the skill of preparing and keeping case files; 4) skills of using prosecutorial knowledge; 5) the skill of proceeding/acting; and 6) professional advancement.
General competences for discharging the duties of the prosecutorial office are evaluated on the basis of the following sub-criteria:
1) communication skills; 2) ability to adjust to changed circumstances; 3) ability to organize and coordinate prosecutorial staff and 4) participating in various professional activities.

(2025): State prosecutor, i.e. judge shall be entitled to promotion to the state prosecutor's office of a higher rank if given the grade excellent or good in the performance evaluation and if he/she meets the specific requirements stipulated for the election to that state prosecutor's office.
State prosecutor, i.e. judge shall be entitled to be promoted to the Supreme State Prosecutor's Office if given the grade excellent and if he/she meets the specific requirements for the election to the Supreme State Prosecutor's Office referred to in Article 50 paragraph 3 of this Law.
Years of experience is a requirement different for each Prosecutor s Office

(2024): Law on State Prosecutor's Office Article 75
State prosecutor, i.e. judge shall be entitled to promotion to the state prosecutor's office of a higher rank if given the grade excellent or good in the performance evaluation and if he/she meets the specific requirements stipulated for the election to that state prosecutor's office.
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Years of experience is a requirement different for each Prosecutor s Office

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State prosecutor, i.e. judge shall be entitled to be promoted to the Supreme State Prosecutor's Office if given the grade excellent and if he/she meets the specific requirements for the election to the Supreme State Prosecutor's Office referred to in Article 50 paragraph 3 of this Law.

North Macedonia

(General Comment): A candidate for the position of a Public Prosecutor in the Public Prosecutor's Office of the Republic of North Macedonia, in the Higher Public Prosecutor's Offices and in the Basic Public Prosecution Office for Prosecution of Organized Crime and Corruption, selected by the Council, except fulfillment on basic and special conditions, also shall have recognized performance results, capacity to deal with complex cases, organizational skills, and vocational and professional qualities with great reputation in exercising of the office, on the basis of the following criteria: professional knowledge, bearing in mind the specializations, postgraduate studies and participation in continuous professional development; work attitude or promptness in performing the tasks as a public prosecutor; capability for professional resolution of legal issues; assuming additional duties while working as a public prosecutor, through participation in preparation of regulations, mentorship, education etc.; enjoyment and protection of the reputation of the public prosecutor and Public Prosecutor's Office, determined through the manner of communication with the parties and other institutions, independence, impartiality and confidentiality in the performance of the public prosecution functions and aside. Depending on which position the candidates apply, they should fulfil and the following special conditions: Chief Public Prosecutor of the Republic of North Macedonia may be a person with continuous years of service of at least ten years as a public prosecutor or as a judge in the field of criminal law; Public prosecutor in the Public Prosecutor's Office of the Republic of North Macedonia may be a person with at least eight years of continuous years of service in a higher public prosecutor's office or the Basic Public Prosecutor's Office for Prosecution of Organized Crime and Corruption and who has received a positive evaluation score in the last four years; Higher public prosecutor of a higher public prosecutor's office may be a person with continuous years of service as a public prosecutor of at least eight years until the date of application for appointment and who has received a positive evaluation score in the last four years; Public prosecutor in a higher public prosecutor's office may be a person with continuous years of service as a public prosecutor of at least six years until the date of application for appointment and who has received a positive evaluation score in the last four years; Basic Public Prosecutor of the Basic Public Prosecutor's Office for Prosecution of Organized Crime and Corruption may be a person with continuous years of service of at least six years as a public prosecutor until the date of application for appointment and who has received a positive evaluation score in the last three years; Basic public prosecutor in the Basic Public Prosecutor's Office for Prosecution of Organized Crime and Corruption may be a person with continuous years of service of at least four years as a public prosecutor until the date of application for appointment and who has received a positive evaluation score in the last two years; Basic public prosecutor of a basic public prosecutor's office may be a person with continuous years of service as a public prosecutor of at least six years until the date of application for appointment and who has received a positive evaluation score in the last two years.

Serbia

(General Comment): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)General conditions for selection
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2) seven years for the senior chief public prosecutor and six years for the public prosecutor of the higher public prosecution;
3) ten years for the appellate chief public prosecutor and the chief public prosecutor of special jurisdiction and nine years for the public prosecutor of the appellate public prosecution and the public prosecutor of the public prosecution of special jurisdiction;
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The criteria and standards for assessing the expertise, competence and worthiness of the candidates and the selection procedure are regulated in more detail by an act of the High Council of the Prosecutor's Office.
Determining the expertise and competence of a candidate for the position of public prosecutor who is elected to the position of public prosecutor for the first time

(2025): Article 6 of the Rules on criteria and indicators for evaluating the work of the Chief Public Prosecutor and Public Prosecutor states the following criteria:

1. professional knowledge and the ability to apply it,
2. the ability to form an analytical opinion and resolve legal issues,
3. the ability to make decisions within reasonable deadlines,
4. the skill of debating and listening,
5. the ability to express and argue orally and in writing,
6. the ability to organize and manage public prosecutorial work,
7. taking on additional tasks and responsibilities.

(2024): THE LAW ON THE PUBLIC PROSECUTOR'S OFFICE ("Official Gazette of RS", No. 10/2023)

General conditions for selection

Article 81

A citizen of the Republic of Serbia who meets the general requirements for work in a state body, who has graduated from law school, passed the bar exam, and who is professional and worthy of performing the public prosecutor's office can be elected as the holder of the public prosecutor's office.

Work experience required

Article 82

A person who, in addition to the general requirements, has work experience in the legal profession after passing the bar exam can be elected as the holder of the public prosecutor's office, namely:

1) four years for the basic chief public prosecutor and three years for the public prosecutor of the basic public prosecution;
2) seven years for the senior chief public prosecutor and six years for the public prosecutor of the higher public prosecution;
3) ten years for the appellate chief public prosecutor and the chief public prosecutor of special jurisdiction and nine years for the publicprosecutor of the appellate public prosecution and the public prosecutor of the public prosecution of special jurisdiction;
4) twelve years for the Supreme Public Prosecutor and eleven years for the public prosecutor of the Supreme Public Prosecutor's Office.

Other conditions for selection Article 83

Other conditions for selection to the position of public prosecutor are expertise, competence and worthiness.

Expertise implies the possession of theoretical and practical knowledge necessary for the performance of the public prosecutor's function.

Competency means skills that enable the effective application of specific legal knowledge in the resolution of a public prosecutor's case. Dignity implies the moral qualities that the holder of the office of public prosecutor should possess and conduct in accordance with those qualities. Moral qualities are: honesty, conscientiousness, fairness, dignity, perseverance and exemplary behavior, and behavior in accordance with these qualities means preserving the reputation of the public prosecutor's office inside and outside the service, awareness of social responsibility, maintaining independence and impartiality, reliability and dignity in the service and outside of it and assuming responsibility for the internal organization and a positive image of the Public Prosecutor's Office in the public.

The criteria and standards for assessing the expertise, competence and worthiness of the candidates and the selection procedure are regulated in more detail by an act of the High Council of the Prosecutor's Office.

Determining the expertise and competence of a candidate for the position of public prosecutor who is elected to the position of public prosecutor for the first time

Article 84

In the process of selecting the holder of the position of public prosecutor, a candidate who is elected for the first time to the position of public prosecutor in the public prosecutor's

(2023): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)General conditions for selection
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Determining the expertise and competence of a candidate for the position of public prosecutor who is elected to the position of public prosecutor for the first time

Kosovo*

(General Comment): In addition to the minimum qualifications, all candidates for appointment as state prosecutor, or for appointment or promotion in particular prosecution office should have the following qualifications:
4.1. to exercise the function of the prosecutor in the Serious Crimes Department or in the Juvenile Department of the Basic Prosecution Office, the prosecutor must have a permanent mandate as a prosecutor and a positive performance assessment;
4.2. to serve as a prosecutor in the Appellate Prosecution Office, the prosecutor should have at least five (5) years of experience as prosecutor, of which at least there (3) years of experience as prosecutor in the Specialized Department of the Basic Prosecution Office or in the Special Prosecution Office of the Republic of Kosovo, as well as based on performance assessment;
4.3. to exercise the function of the prosecutor in the Special Prosecution Office of the Republic of Kosovo, the prosecutor must fulfill the criteria to work as prosecutor in the Serious Crimes Department, as well as have a positive performance assessment. The period of exercising the function of prosecutor in the Special Prosecution Office, assigned according to the provisions of this Law, is counted as an experience of the prosecutor in the Serious Crimes Department of the Basic Prosecution Office.
4.4. to serve as a prosecutor in the Chief State Prosecutor Office, the prosecutor should have at least seven (7) years of experience as a prosecutor, as well as based on performance assessment;
4.5. to serve as Chief State Prosecutor, the prosecutor should have at least eight (8) years of experience as a prosecutor, as well as based on performance assessment.

(2025): A state prosecutor must fulfil the following general criteria for promotion:
1. Have a permanent mandate
2. Have a positive performance evaluation
3. No disciplinary measures in the last 5 years, with the exception of non-public reprimand;
4. No criminal investigation is started against him;
5. High professional reputation;
6. Participation in trainings, academic preparations, etc.
Specific criteria: based on article 13 of the regulation there are specific criteria regarding the years of experience depending on the prosecution level that the prosecutor is applying.

(2024): The general and specific criteria are foreseen in Articles 12 and 13 of Regulation 02/2021 on Transfer and Promotion of Prosecutors
Articles 14 and 15 of Regulation 02/2021 on Transfer and Promotion of Prosecutors
https://prokuroria-rks.org/wp-content/uploads/2024/08/Rregullore-Nr.02.2021-per-Transferimin-dhe-Avancimin-e-Prokuroreve-te-Shtetit-nr.1664.2021.pdf

(2023): The general and specific criteria are foreseen in Articles 12 and 13 of Regulation 02/2021 on Transfer and Promotion of Prosecutors https://www.prokuroria-rks.org/assets/cms/uploads/files/Dokumente%20Publikime/KPK/Legjislacioni/rregullore/RREGULLORE%20NR.02.2021-P%C3%ABr%20transferimin%20dhe%20avancimin%20e%20prokuror%C3%ABve%20t%C3%AB%20Shtetit.pdf

(2022): The general and specific criteria are foreseen in Articles 12 and 13 of Regulation 02/2021 on Transfer and Promotion of Prosecutors https://www.prokuroria-rks.org/assets/cms/uploads/files/Dokumente%20Publikime/KPK/Legjislacioni/rregullore/RREGULLORE%20NR.02.2021-P%C3%ABr%20transferimin%20dhe%20avancimin%20e%20prokuror%C3%ABve%20t%C3%AB%20Shtetit.pdf

Question 138

Bosnia and Herzegovina

(General Comment): The decision on appointment made by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina is the final administrative act pursuant to the Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of BiH", No. 63/23), which entered into force in December 2023, and an administrative dispute may be initiated against the decision by the candidate in the appointment procedure.

Serbia

(General Comment): Yes.

Kosovo*

(General Comment): The appeal bench is the KPC. All appeals are directed to the KPC and then, the KPC takes decisions on each case by voting. The KPC member who is also a member of the Commission on Transfer and Promotion does not vote.

Question 139

Bosnia and Herzegovina

(General Comment): The Court of Bosnia and Herzegovina has jurisdiction to resolve these administrative disputes. In the event of an administrative dispute, the appointment of the newly appointed judge or prosecutor shall be postponed for that position until the court proceedings have been completed.

(2023): The decision on appointment made by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina is the final administrative act pursuant to the Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of BiH", No. 63/23), which entered into force in December 2023, and an administrative dispute may be initiated against the decision by the candidate in the appointment procedure. The Court of Bosnia and Herzegovina has jurisdiction to resolve these administrative disputes. In the event of an administrative dispute, the appointment of the newly appointed judge or prosecutor shall be postponed for that position until the court proceedings have been completed.

Montenegro

(General Comment): On the decision of the Prosecutorial Council, lawsuit may be filed to the Administrative court, art. 40 par 1. of the Law on State Prosecution Service.

(2023): Administrative court

(2022): Administrative court. In accordance with the Law on State Prosecutor's Office, Article 40, decisions of the Prosecutorial Council shall be final and administrative dispute may be initiated against them, unless this Law requires otherwise.

Serbia

(General Comment): Constitutional court.

(2025): Constitutional court

Article 93 of the Law on Public Prosecutors Office states that a candidate has the right to lodge an appeal with the Constitutional court against the decision on election of a chief public prosecutor or public prosecutor within 15 days from its publication in the Official Gazette of the Republic of Serbia. This appeal excludes the possibility of filing a separate constitutional complaint afterwards. The Constitutional Court must decide within 30 days after the expiry of the appeal deadline and may either reject the appeal as unfounded and confirm the appointment decision or uphold the appeal and annul the decision. The Court’s ruling is published in the Official Gazette of the Republic of Serbia.

(2022): The deputy public prosecutor can file the Constitutional Appeal to the Constitutional Court (it differs from the Appeal to the Constitutional Court.

Kosovo*

(General Comment): Prosecutors have the right of objection in writing against the final report of the Commission on Transfer and Promotion, within 7 days of receipt of the decision. The KPC shall decide on the objection within 10 days of its receipt or in the first upcoming meeting of the KPC. If the decision of the KPC results in the amendment of the Committee's report regarding promotion or transfer of a prosecutor who has filed an objection, the KPC shall publish the final decision along with the amended report. KPC shall decide with a simple majority of votes regarding the promotion or transfer of prosecutors. KPC's decision shall be published on the official website of the KPC and State Prosecutor.

(2025): The Commission drafts the final report with the list of candidates proposed to the Council for transfer or promotion based on their ranking according to the points earned. Prosecutors have the right to appeal against the final report of the commission within 7 days. KPC decides on the appeal in the first meeting or no later than 30 days from the day the appeal was received. If KPC approves the appeal, it obliges the Commission to re-evaluate the report and prepare a final report for the KPC. KPC decides with a majority of votes regarding the promotion or transfer of prosecutors. The decision of the KPC is final.

7. Training - Overview

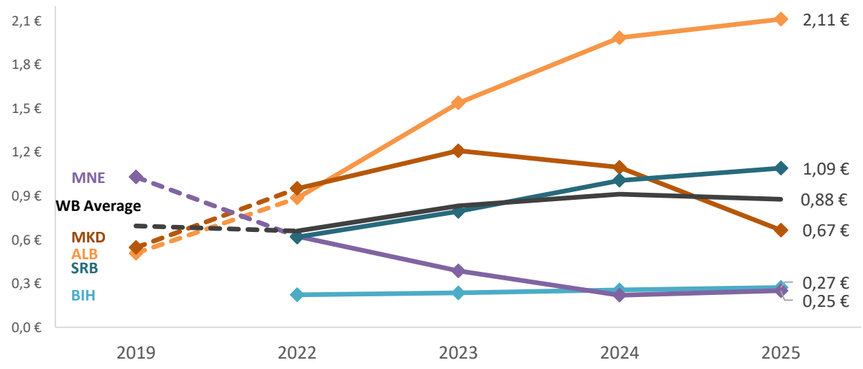
Training budget

Total budget for training per inhabitant covered by training institutions, court and prosecution budget between 2019 and 2025 (Table 7.1.3)

Beneficiaries	Total budget for training per inhabitant covered by training institutions, court and prosecution budget						
	2019	2022	2023	2024	2025	Variation 2019-2025 (%)	Variation 2024-2025 (%)
Albania	0,51 €	0,89 €	1,54 €	1,98 €	2,11 €	315,9%	6,4%
Bosnia and Herzegovina	NA	0,22 €	0,24 €	0,25 €	0,27 €	NA	6,9%
Montenegro	1,03 €	0,62 €	0,39 €	0,22 €	0,25 €	-75,7%	14,2%
North Macedonia	0,55 €	0,95 €	1,21 €	1,09 €	0,67 €	22,0%	-39,2%
Serbia	NA	0,62 €	0,79 €	1,01 €	1,09 €	NA	8,3%
Kosovo*	0,66 €	0,39 €	NA	0,46 €	0,54 €	36,0%	16,7%
WB Average	0,69 €	0,66 €	0,83 €	0,91 €	0,88 €	87,4%	-0,7%

N.B.: In 2022, the total budget for training also includes donors' budget

Figure 7.1 Total budget for training per inhabitant covered by training institutions, court and prosecution budget between 2019 and 2025



Number of trainings

Number of trainings in 2025 (Tables 7.2.5, 7.2.6 and 7.2.7)

Beneficiaries	Number of live (in person, hybrid, video conference) trainings						Number of internet-based trainings	
	Trainings delivered			Days delivered				
	Total	For judges	For prosecutors	Total	For judges	For prosecutors	Provided by the public institution(s)	Completed on other e-learning platforms
Albania	416	163	123	446	173	133	2	3
Bosnia and Herzegovina	279	171	84	369	211	110	0	8
Montenegro	116	116	116	122	NA	NA	2	NAP
North Macedonia	182	135	85	254	177	115	0	6
Serbia	220	191	140	285	248	189	29	NA
Kosovo*	188	83	48	231	123	110	2	2
WB Average	243	155	110	295	202	137	7	6

Figure 7.2 Average number of days per delivered live training in 2025

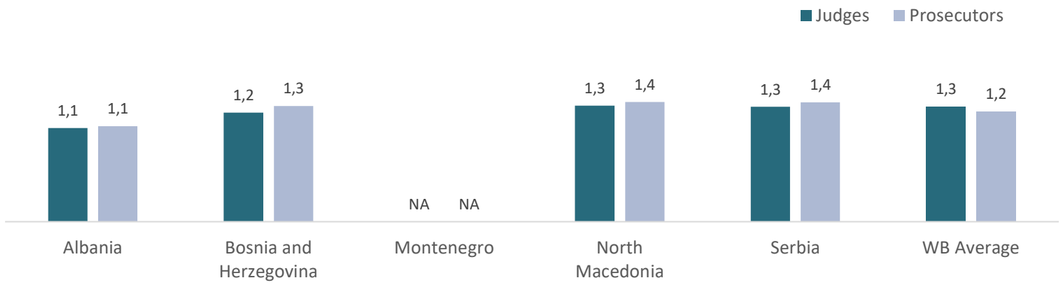
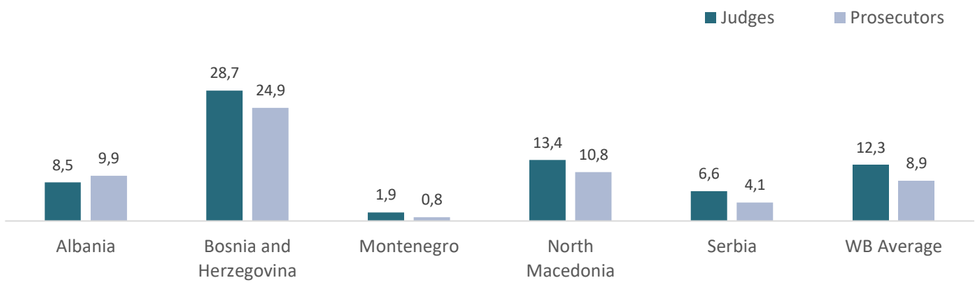


Figure 7.3 Average number of training participants per delivered live training in 2025



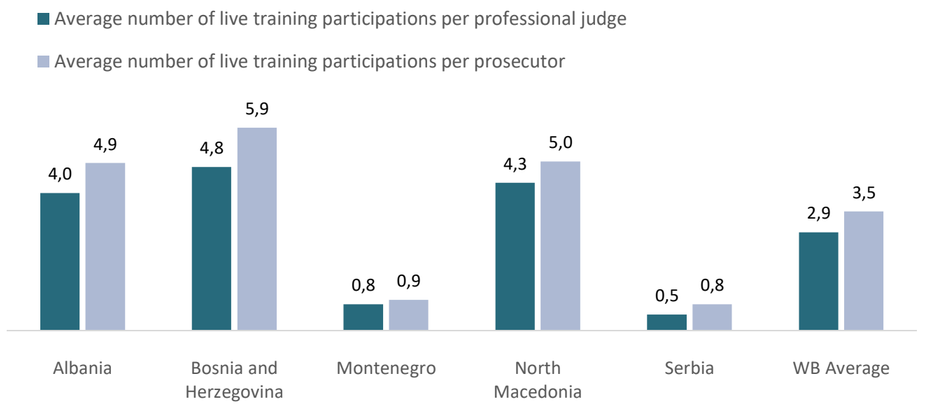
Training participants in live trainings

CEPEJ distinguish these types of trainings:
"A live" training shall be understood as a training conducted in real time. This means that both trainers and participants are physically present in one location or several locations assisted with information technology (digital tools).
"Internet-based" trainings are all trainings that take place over internet, irrespective of the format of the training (such as trainings via specifically designed LMS - Learning Management System platforms, webinars, podcasts and other forms of downloadable lectures and self-learning digital tools). The internet-based training shall be understood as e-training that is implemented according to participant own pace and time of training.

Trainings participants (judges and prosecutors) on live and internet-based trainings, and average number of training participants per professional judge/prosecutor in 2025 (Table 7.2.5)

Beneficiaries	Live trainings					
	Participating judges	Total number of professional judges (all instances)	Average number of live training participations per professional judge	Participating prosecutors	Total number of public prosecutors (all instances)	Average number of live training participations per prosecutor
Albania	1 384	344	4,0	1 221	249	4,9
Bosnia and Herzegovina	4 910	1 025	4,8	2 089	352	5,9
Montenegro	221	287	0,8	94	105	0,9
North Macedonia	1 807	418	4,3	916	185	5,0
Serbia	1 258	2 654	0,5	568	741	0,8
Kosovo*	862	467	1,8	296	161	1,8
WB Average	1 916	946	2,9	978	326	3,5

Figure 7.4 Average number of live training participations per judge/prosecutor in 2025



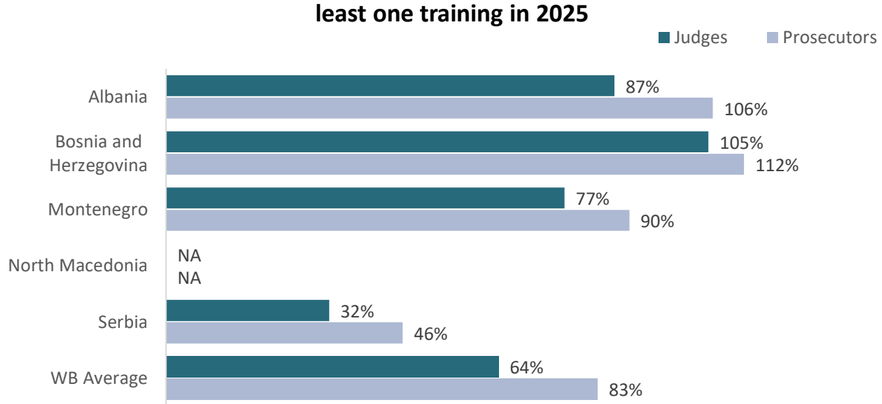
The average number of live training participations per professional is calculated by dividing the number of participants in live trainings by the number of professionals (for each professional category). For example, the WB Average for judges is 2,9. This means that, on average, each judge in the region participated to 2,9 live trainings.

Number of unique participants** on trainings and percentage of judges or prosecutors attending at least one training in 2025 (Table 7.2.8)

Beneficiaries	Number of unique participants in live trainings		Percentage of judges/prosecutors having attended at least one training	
	Judges	Prosecutors	Judges	Prosecutors
Albania	298	263	87%	106%
Bosnia and Herzegovina	1 074	393	105%	112%
Montenegro	221	94	77%	90%
North Macedonia	NA	NA	NA	NA
Serbia	837	339	32%	46%
Kosovo*	248	109	53%	68%
WB Average	608	272	64%	83%

**"Unique participants" shall be understood as number of different persons attending a training. For instance, if a participant attended different trainings in one year, he/she participated as one, should be counted only once. The aim is to count how many individuals were trained during the reference year.

Figure 7.5 Percentage of judges/prosecutors having attended at least one training in 2025



Trainings in EU Law

Number of trainings in EU Law in 2025 (Tables 7.3.1, 7.3.2 and 7.3.3)

Beneficiaries	Number of live (in person, hybrid, video conference) trainings in EU Law				Number of internet-based trainings delivered in EU Law			
	Trainings delivered		Days delivered		Organised by the public institution(s) responsible for training		Provided on the e-learning platform of the training institution	
	For judges	For prosecutors	For judges	For prosecutors	For judges	For prosecutors	For judges	For prosecutors
Albania	6	4	8	6	0	0	0	0
Bosnia and Herzegovina	2	2	3	3	0	0	0	0
Montenegro	5	3	10	6	NAP	NAP	NAP	NAP
North Macedonia	7	7	13	13	0	0	0	0
Serbia	12	5	21	9	3	1	0	0
Kosovo*	6	5	21	21	1	1	0	0
WB Average	6	4	11	7	1	0	0	0

Figure 7.6 Average number of days per delivered live training in EU Law in 2025

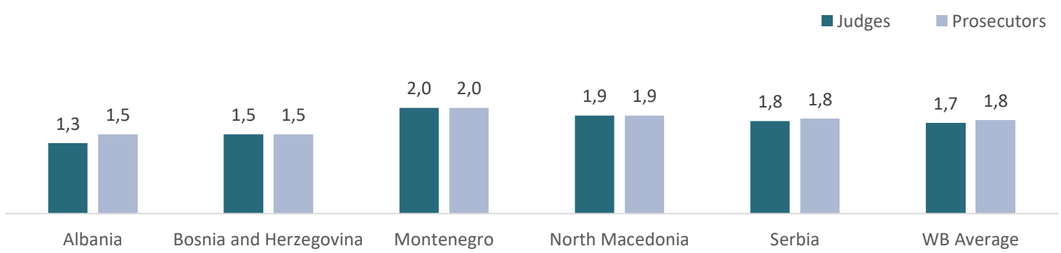
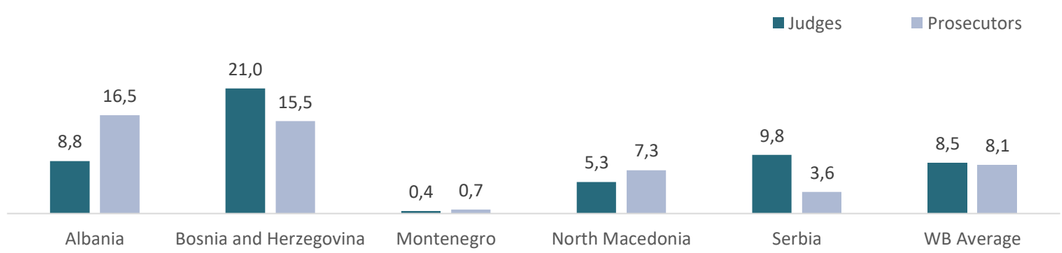


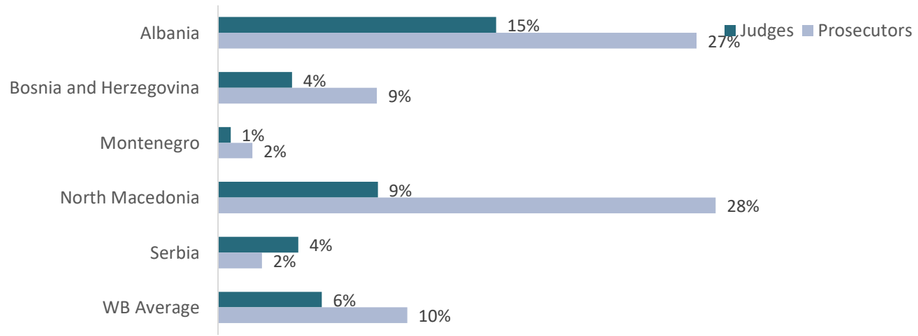
Figure 7.7 Average number of training participants per delivered live training in EU Law in 2025



Number of participants in EU Law in 2025 (Tables 7.3.1 and 7.3.2)

Beneficiaries	Number of participants in live (in person, hybrid, video conference) trainings in EU Law		Number of participants in internet-based trainings	
			Organised by the public institution(s) responsible for training	
	Judges	Prosecutors	Judges	Prosecutors
Albania	53	66	0	0
Bosnia and Herzegovina	42	31	0	0
Montenegro	2	2	2	2
North Macedonia	37	51	0	0
Serbia	118	18	8	2
Kosovo*	10	4	5	0
WB Average	54	34	2	1

Figure 7.8 Percentage of judges/prosecutors who attended a live training in EU Law in 2025



* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Trainings in the EU Charter of Fundamental Rights/European Convention on Human Rights (ECHR)

Number of trainings in the EU Charter of Fundamental Rights/European Convention on Human Rights (ECHR) in 2025 (Tables 7.3.1, 7.3.2 and 7.3.3)

Beneficiaries	Number of live (in person, hybrid, video conference) trainings in ECHR				Number of internet-based trainings delivered in ECHR			
	Trainings delivered		Days delivered		Organised by the public institution(s) responsible for training		Provided on the e-learning platform of the training institution	
	For judges	For prosecutors	For judges	For prosecutors	For judges	For prosecutors	For judges	For prosecutors
Albania	3	2	3	2	0	0	0	0
Bosnia and Herzegovina	12	12	19	19	0	0	0	0
Montenegro	11	11	19	19	NAP	NAP	NAP	NAP
North Macedonia	7	4	7	4	0	0	0	0
Serbia	5	0	5	0	0	0	0	0
Kosovo*	6	6	9	9	2	2	0	0
WB Average	8	6	11	9	0	0	0	0

Figure 7.9 Average number of days per delivered live training in ECHR in 2025

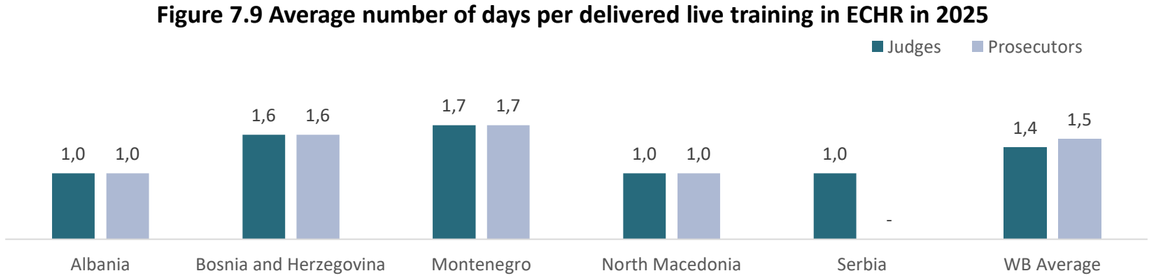
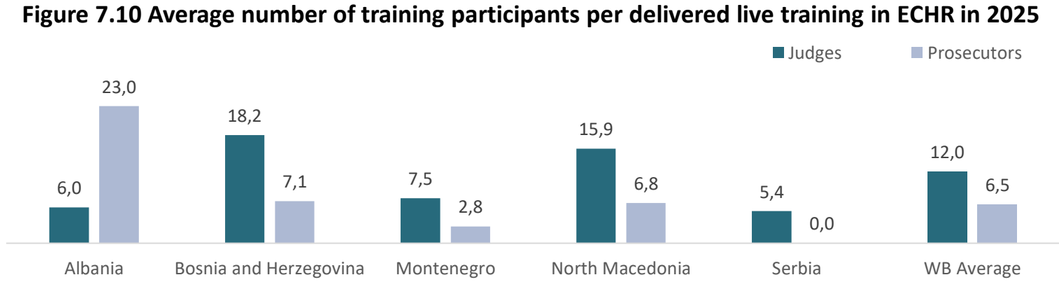


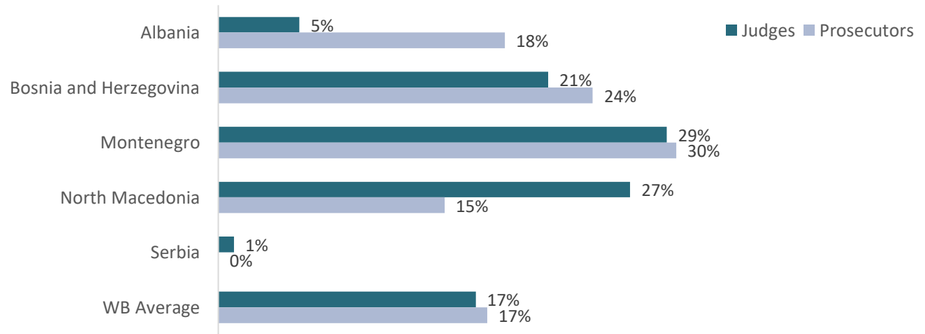
Figure 7.10 Average number of training participants per delivered live training in ECHR in 2025



Number of participants in ECHR in 2025 (Tables 7.3.1 and 7.3.2)

Beneficiaries	Number of participants in live (in person, hybrid, video conference) trainings in ECHR		Number of participants in internet-based trainings in ECHR	
			Organised by the public institution(s) responsible for training	
	Judges	Prosecutors	Judges	Prosecutors
Albania	18	46	0	0
Bosnia and Herzegovina	218	85	0	0
Montenegro	83	31	NA	NA
North Macedonia	111	27	0	0
Serbia	27	0	0	0
Kosovo*	74	20	1	3
WB Average	91	38	0	0

Figure 7.11 Percentage of judges/prosecutors who attended a live training in ECHR in 2025



* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

7.Training - List of tables

7.1 Training - Budget

Table 7.1.1 Total implemented budget of training: implemented budget of the training institution(s) and implemented courts and public prosecution services budget allocated to training in 2025 (Q7, Q8, Q10)

Table 7.1.2 Evolution and variations of the total budget for training covered by training institutions, court and prosecution budget between 2019 and 2025 (Q7, Q8, Q10)

Table 7.1.3 Evolution and variations of the total budget for training per inhabitant covered by training institutions, court and prosecution budget between 2019 and 2025 (Q1, Q7, Q8, Q10)

Table 7.1.4 Detailed implemented budget of the training institution(s) in 2025 (Q10)

Table 7.1.5 Detailed implemented budget of the training institution(s) per inhabitant in 2025 (Q10)

Table 7.1.6 Percentage of external donors' funds allocated for training, as compared to the total training institutions' budget in 2025 (Q10 and Q10-1)

7.2 Training - Number of training courses and participants

Table 7.2.1 Types of training courses for judges in 2025 (Q70)

Table 7.2.2 Types of training courses for prosecutors in 2025 (Q71)

Table 7.2.3 Minimum number of compulsory trainings for judges and prosecutors in 2025 (Q72)

Table 7.2.4 Existence of sanctions for not attending compulsory in-service trainings in 2025 (Q77 and Q78)

Table 7.2.5 Number of in-service live trainings delivered by the public institution(s) responsible for training and number of participants in 2025 (Q73 and Q74)

Table 7.2.6 Number of in-service internet-based trainings provided by the public institution(s) responsible for training and number of participants in 2025 (Q73 and Q74)

Table 7.2.7 Number of in-service internet-based trainings completed by justice professionals on other e-learning platforms (HELP, EJTN, UN, etc…) and number of participants in 2025 (Q76)

Table 7.2.8 Number of unique participants in live (in-person, hybrid, video conference) trainings in 2025 (Q75)

Table 7.2.9 Sex-disaggregated statistics of the unique participants in live (in-person, hybrid, video conference) trainings in 2025 (Q75)

Table 7.2.10 Existence of specially trained prosecutors in areas of domestic violence and sexual violence in 2025 (Q79)

7.1 Training - Budget

Table 7.1.1 Total implemented budget of training: implemented budget of the training institution(s) and implemented courts and public prosecution services budget allocated to training in 2025 (Q7, Q8, Q10)

Beneficiaries	Total implemented budget for training covered by training institutions, court and prosecution budget (1 + 2 + 3)	Implemented budget covered by training institutions (1)	Implemented courts budget allocated to training (2)	Implemented public prosecution services budget allocated to training (3)
Albania	4 988 657 €	4 622 180 €	366 477 €	NAP
Bosnia and Herzegovina	929 786 €	775 128 €	133 974 €	20 684 €
Montenegro	156 262 €	155 612 €	650 €	NAP
North Macedonia	1 214 057 €	1 214 057 €	NAP	NAP
Serbia	7 160 046 €	6 635 012 €	521 277 €	3 757 €
Kosovo*	849 387 €	737 099 €	24 360 €	87 928 €
Average	2 889 762 €	2 680 398 €	255 595 €	-
Median	1 214 057 €	1 214 057 €	250 226 €	-
Minimum	156 262 €	155 612 €	650 €	-
Maximum	7 160 046 €	6 635 012 €	521 277 €	-

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 7.1.2 Evolution and variations of the total budget for training covered by training institutions, court and prosecution budget between 2019 and 2025 (Q7, Q8, Q10)

Beneficiaries	Total budget for training covered by training institutions, court and prosecution budget					Variations	
	2019	2022	2023	2024	2025	2019 - 2025 (%)	2024 - 2025 (%)
Albania	1 444 436 €	2 472 869 €	4 244 958 €	4 744 151 €	4 988 657 €	245,4%	5,2%
Bosnia and Herzegovina	NA	767 710 €	808 779 €	871 672 €	929 786 €	NA	6,7%
Montenegro	638 382 €	385 839 €	245 060 €	136 888 €	156 262 €	-75,5%	14,2%
North Macedonia	1 134 195 €	1 744 855 €	2 213 877 €	1 999 678 €	1 214 057 €	7,0%	-39,3%
Serbia	NA	4 200 813 €	5 278 425 €	6 648 763 €	7 160 046 €	NA	7,7%
Kosovo*	€1 178 046	€714 156	NA	€735 599	€849 387	-27,9%	15,5%
Average	1 072 338 €	1 914 417 €	2 558 220 €	2 880 230 €	2 889 762 €	59,0%	-1,1%
Median	1 134 195 €	1 744 855 €	2 213 877 €	1 999 678 €	1 214 057 €	7,0%	6,7%
Minimum	638 382 €	385 839 €	245 060 €	136 888 €	156 262 €	-75,5%	-39,3%
Maximum	1 444 436 €	4 200 813 €	5 278 425 €	6 648 763 €	7 160 046 €	245,4%	14,2%

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 7.1.3 Evolution and variations of the total budget for training per inhabitant covered by training institutions, court and prosecution budget between 2019 and 2025 (Q1, Q7, Q8, Q10)

Beneficiaries	Total budget for training covered by training institutions, court and prosecution budget per inhabitant					Variations	
	2019	2022	2023	2024	2025	2019 - 2025 (%)	2024 - 2025 (%)
Albania	0,51 €	0,89 €	1,54 €	1,98 €	2,11 €	315,9%	6,4%
Bosnia and Herzegovina	NA	0,22 €	0,24 €	0,25 €	0,27 €	NA	6,9%
Montenegro	1,03 €	0,62 €	0,39 €	0,22 €	0,25 €	-75,7%	14,2%
North Macedonia	0,55 €	0,95 €	1,21 €	1,09 €	0,67 €	22,0%	-39,2%
Serbia	NA	0,62 €	0,79 €	1,01 €	1,09 €	NA	8,3%
Kosovo*	0,66 €	0,39 €	NA	0,46 €	0,54 €	36,0%	16,7%
Average	0,69 €	0,66 €	0,83 €	0,91 €	0,88 €	87,4%	-0,7%
Median	0,55 €	0,62 €	0,79 €	1,01 €	0,67 €	22,0%	6,9%
Minimum	0,51 €	0,22 €	0,24 €	0,22 €	0,25 €	-75,7%	-39,2%
Maximum	1,03 €	0,95 €	1,54 €	1,98 €	2,11 €	315,9%	14,2%

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

North Macedonia: Because of the 2021 Census, the number of inhabitants changed dramatically between 2020 and 2021. For this reason, all the variations of values standardised by the number of inhabitants are mainly due to the variation in the population.

Table 7.1.4 Detailed implemented budget of the training institution(s) in 2025 (Q10)

Beneficiaries	Implemented budget covered by training institutions in 2025		
	Total (1+2)	For judges and public prosecutors (1)	For non-judge and non-prosecutor staff (2)
Albania	4 622 180 €	NAP	NAP
Bosnia and Herzegovina	775 128 €	775 128 €	NAP
Montenegro	155 612 €	NAP	NAP
North Macedonia	1 214 057 €	NAP	NAP
Serbia	6 635 012 €	NAP	NAP
Kosovo*	737 099 €	NAP	NAP
Average	2 680 398 €	-	-
Median	1 214 057 €	-	-
Minimum	155 612 €	-	-
Maximum	6 635 012 €	-	-

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 7.1.5 Detailed implemented budget of the training institution(s) per inhabitant in 2025 (Q10)

Beneficiaries	Implemented budget covered by training institutions per inhabitant in 2025		
	Total (1+2)	For judges and public prosecutors (1)	For non-judge and non-prosecutor staff (2)
Albania	1,96 €	NAP	NAP
Bosnia and Herzegovina	0,23 €	0,23 €	NAP
Montenegro	0,25 €	NAP	NAP
North Macedonia	0,67 €	NAP	NAP
Serbia	1,01 €	NAP	NAP
Kosovo*	0,46 €	NAP	NAP
Average	0,82 €	-	-
Median	0,67 €	-	-
Minimum	0,23 €	-	-
Maximum	1,96 €	-	-

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 7.1.6 Percentage of external donors' funds allocated for training, as compared to the total training institutions' budget in 2025 (Q10 and Q10-1)

Beneficiaries	Amount of the external donors' funds allocated for training	Total implemented budget of the training institutions	Percentage of external donors' funds allocated for training, as compared to the total training institutions' budget
Albania	NAP	4 622 180 €	NAP
Bosnia and Herzegovina	17 540 €	775 128 €	2,3%
Montenegro	66 021 €	155 612 €	42,4%
North Macedonia	NA	1 214 057 €	NA
Serbia	119 880 €	6 635 012 €	1,8%
Kosovo*	NA	737 099 €	-
Average	67 814 €	2 680 398 €	15,5%
Median	66 021 €	1 214 057 €	2,3%
Minimum	17 540 €	155 612 €	1,8%
Maximum	119 880 €	6 635 012 €	42,4%

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

7.2 Training - Number of training courses and participants

Table 7.2.1 Types of training courses for judges in 2025 (Q70)

Beneficiaries	Initial training for judges	Types of in-service training for judges									
		General	For specialised judicial functions	For management functions	For the use of computer facilities in courts	On ethics	On child-friendly justice	On gender equality	On prevention of corruption	On conflicts of interest	Other
Albania											
Bosnia and Herzegovina											
Montenegro											
North Macedonia											
Serbia											
Kosovo*											

Compulsory for all training
Compulsory for some training
Optional training
No training
NA

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 7.2.2 Types of training courses for prosecutors in 2025 (Q71)

Beneficiaries	Initial training for prosecutors	Types of in-service training for prosecutors									
		General	For specialised functions	For management functions	For the use of computer facilities in office	On ethics	On child-friendly justice	On gender equality	On prevention of corruption	On conflicts of interest	Other
Albania											
Bosnia and Herzegovina											
Montenegro											
North Macedonia											
Serbia											
Kosovo*											

Compulsory for all training
Compulsory for some training
Optional training
No training
NA

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 7.2.3 Minimum number of compulsory trainings for judges and prosecutors in 2025 (Q72)

Beneficiaries	Minimum number of compulsory trainings in 2025							
	For judges				For prosecutors			
	Initial compulsory training		In-service compulsory trainings		Initial compulsory training		In-service compulsory trainings	
	Minimum number of trainings	Minimum number of days	Minimum number of trainings per year	Minimum number of days per year	Minimum number of trainings	Minimum number of days	Minimum number of trainings per year	Minimum number of days per year
Albania	NAP	NAP	NAP	5	NAP	NAP	NAP	5
Bosnia and Herzegovina	11	NAP	NAP	3	11	NAP	NAP	3
Montenegro	1	63	1	2	1	63	1	2
North Macedonia	NAP	NAP	NAP	2	NAP	NAP	NAP	2
Serbia	4	NAP	NAP	NAP	4	NAP	NAP	NAP
Kosovo*	1	245	3	3	1	245	3	3
Average	5	-	-	3	5	-	-	3
Median	4	-	-	3	4	-	-	3
Minimum	1	-	-	2	1	-	-	2
Maximum	11	-	-	5	11	-	-	5

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 7.2.4 Existence of sanctions for not attending compulsory in-service trainings in 2025 (Q77 and Q78)

Beneficiaries	Existence of sanctions for not attending compulsory in-service trainings in 2025	
	Judges	Prosecutors
Albania		
Bosnia and Herzegovina		
Montenegro		
North Macedonia		
Serbia		
Kosovo*		

Yes	
No	
NA	
NAP	

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 7.2.5 Number of in-service live trainings delivered by the public institution(s) responsible for training and number of participants in 2025 (Q73 and Q74)

Beneficiaries	Number of in-service live trainings delivered by the public institution(s) responsible for training and number of participants in 2025														
	Number of live trainings delivered					Number of days of live trainings delivered					Number of participants in live trainings				
	Total	For judges	For prosecutors	For non-judge staff	For non-prosecutor staff	Total	For judges	For prosecutors	For non-judge staff	For non-prosecutor staff	Total	For judges	For prosecutors	For non-judge staff	For non-prosecutor staff
Albania	416	163	123	56	74	446	173	133	59	81	3 283	1 384	1 221	239	439
Bosnia and Herzegovina	279	171	84	24	0	369	211	110	48	0	7 904	4 910	2 089	905	0
Montenegro	116	116	116	NA	NA	122	NA	NA	NA	NA	315	221	94	NA	NA
North Macedonia	182	135	85	25	15	254	177	115	40	30	3 708	1 807	916	NA	NA
Serbia	220	191	140	161	129	285	248	189	209	174	2 755	1 258	568	603	326
Kosovo*	188	83	48	87	4	231	123	110	87	4	3 460	862	296	2 231	71
Average	243	155	110	67	55	295	202	137	89	71	3 593	1 916	978	582	255
Median	220	163	116	41	45	285	194	124	54	56	3 283	1 384	916	603	326
Minimum	116	116	84	24	0	122	173	110	40	0	315	221	94	239	0
Maximum	416	191	140	161	129	446	248	189	209	174	7 904	4 910	2 089	905	439

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo

Kosovo is not included in the calculation of summary statistics*

Table 7.2.6 Number of in-service internet-based trainings provided by the public institution(s) responsible for training and number of participants in 2025 (Q73 and Q74)

Beneficiaries	Internet-based trainings available on the e-learning platform of the training institution (not live) in 2025									
	Number of internet-based trainings provided					Number of participants				
	Total	For judges	For prosecutors	For non-judge staff	For non-prosecutor staff	Total	For judges	For prosecutors	For non-judge staff	For non-prosecutor staff
Albania	2	1	1	0	0	0	0	0	0	0
Bosnia and Herzegovina	0	0	0	0	0	0	0	0	0	0
Montenegro	2	NA	NA	NA	NA	NAP	NAP	NAP	NAP	NAP
North Macedonia	0	0	0	0	0	0	0	0	0	0
Serbia	29	26	8	25	8	567	249	27	238	53
Kosovo*	2	2	2	2	2	22	1	3	15	3
Average	7	7	2	6	2	142	62	7	60	13
Median	2	1	1	0	0	0	0	0	0	0
Minimum	0	0	0	0	0	0	0	0	0	0
Maximum	29	26	8	25	8	567	249	27	238	53

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 7.2.7 Number of in-service internet-based trainings completed by justice professionals on other e-learning platforms (HELP, EJTN, UN, etc…) and number of participants in 2025 (Q76)

Beneficiaries	Internet-based trainings completed on other e-learning platforms in 2025									
	Number of completed trainings					Number of participants				
	Total	For judges	For prosecutors	For non-judge staff	For non-prosecutor staff	Total	For judges	For prosecutors	For non-judge staff	For non-prosecutor staff
Albania	3	1	1	0	1	48	22	25	0	1
Bosnia and Herzegovina	8	8	8	8	0	145	82	35	28	0
Montenegro	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
North Macedonia	6	6	6	6	6	13	7	6	0	0
Serbia	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Kosovo*	2	2	2	2	2	22	1	3	15	3
Average	6	5	5	5	2	69	37	22	9	0
Median	6	6	6	6	1	48	22	25	0	0
Minimum	3	1	1	0	0	13	7	6	0	0
Maximum	8	8	8	8	6	145	82	35	28	1

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 7.2.8 Number of unique participants in live (in-person, hybrid, video conference) trainings in 2025 (Q75)

Beneficiaries	Number of unique participants** in live (in-person, hybrid, video, video conference) trainings in 2025				
	Total	Judges	Prosecutors	Non-judge staff	Non-prosecutor staff
Albania	772	298	263	77	134
Bosnia and Herzegovina	1 759	1 074	393	292	0
Montenegro	315	221	94	NA	NA
North Macedonia	NA	NA	NA	NA	NA
Serbia	1 777	837	339	414	187
Kosovo*	1 023	248	109	607	59
Average	1 156	608	272	261	107
Median	1 266	568	301	292	134
Minimum	315	221	94	77	0
Maximum	1 777	1 074	393	414	187

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

**"Unique participants" shall be understood as number of different persons attending a training. For instance, if a participant attended different trainings in one year, he/she participated as one, should be counted only once. The aim is to count how many individuals were trained during the reference year.

Table 7.2.9 Sex-disaggregated statistics of the unique participants in live (in-person, hybrid, video conference) trainings in 2025 (Q75)

Beneficiaries	Sex-disaggregated statistics of the unique participants** in live (in-person, hybrid, video, video conference) trainings in 2025									
	Total		Judges		Prosecutors		Non-judge staff		Non-prosecutor staff	
	% Male	% Female	% Male	% Female	% Male	% Female	% Male	% Female	% Male	% Female
Albania	45,9%	54,1%	40,6%	59,4%	45,2%	54,8%	33,8%	66,2%	65,7%	34,3%
Bosnia and Herzegovina	45,0%	55,0%	45,1%	54,9%	45,0%	55,0%	44,9%	55,1%	0,0%	0,0%
Montenegro	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
North Macedonia	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Serbia	29,4%	70,6%	28,2%	71,8%	36,9%	63,1%	25,4%	74,6%	29,9%	70,1%
Kosovo*	43,1%	56,9%	66,5%	33,5%	56,0%	44,0%	30,0%	70,0%	55,9%	44,1%
Average	40,1%	59,9%	38,0%	62,0%	42,4%	57,6%	34,7%	65,3%	31,9%	34,8%
Median	45,0%	55,0%	40,6%	59,4%	45,0%	55,0%	33,8%	66,2%	29,9%	34,3%
Minimum	29,4%	54,1%	28,2%	54,9%	36,9%	54,8%	25,4%	55,1%	0,0%	0,0%
Maximum	45,9%	70,6%	45,1%	71,8%	45,2%	63,1%	44,9%	74,6%	65,7%	70,1%

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of

Kosovo is not included in the calculation of summary statistics*

**"Unique participants" shall be understood as number of different persons attending a training. For instance, if a participant attended different trainings in one year, he/she participated as one, should be counted only once. The aim is to count how many individuals were trained during the reference year.

Table 7.2.10 Existence of specially trained prosecutors in areas of domestic violence and sexual violence in 2025 (Q79)

Beneficiaries	Existence of specially trained prosecutors in areas of domestic violence and sexual violence in 2025			
	Domestic violence training		Sexual violence training	
	Yes	Yes, specifically for minor victims	Yes	Yes, specifically for minor victims
Albania				
Bosnia and Herzegovina				
Montenegro				
North Macedonia				
Serbia				
Kosovo*				

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

7.3 Training - Trainings in EU Law and EU Charter of Fundamental Rights/European Conventic

Table 7.3.1 Number of live trainings in EU Law organised for judges and prosecutors by the public institution(s) responsible for training in 2025 (Q80 and Q81)

Beneficiaries	Live trainings in EU Law organised by the public institution(s) responsible for training in 2025					
	Judges			Prosecutors		
	Number of trainings delivered	Number of days delivered	Number of participants	Number of trainings delivered	Number of days delivered	Number of participants
Albania	6	8	53	4	6	66
Bosnia and Herzegovina	2	3	42	2	3	31
Montenegro	5	10	22	3	6	5
North Macedonia	7	13	37	7	13	51
Serbia	12	21	118	5	9	18
Kosovo*	6	21	10	5	21	4
Average	6	11	54	4	7	34
Median	6	10	42	4	6	31
Minimum	2	3	22	2	3	5
Maximum	12	21	118	7	13	66

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 7.3.2 Number of internet-based trainings in EU Law organised by the training institution(s), provided on the e-learning platform of the training institution in 2025 (Q80 and Q81)

Beneficiaries	Internet-based trainings in EU Law provided on the e-learning platform of the training institution(s) in 2025			
	Judges		Prosecutors	
	Number of available trainings	Number of participants	Number of the available trainings	Number of participants
Albania	0	0	0	0
Bosnia and Herzegovina	0	0	0	0
Montenegro	NAP	NAP	NAP	NAP
North Macedonia	0	0	0	0
Serbia	3	8	1	2
Kosovo*	1	5	1	0
Average	1	2	0	1
Median	0	0	0	0
Minimum	0	0	0	0
Maximum	3	8	1	2

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 7.3.3 Number of trainings in EU law organised/financed by other stakeholders in the framework of co-operation programmes in 2025 (Q82)

Beneficiaries	Trainings in EU law organised/financed by other stakeholders in the framework of co-operation programmes in 2025					
	Judges			Prosecutors		
	Number of live (in-person hybrid, video conference) trainings delivered	Number of days of live (in-person, hybrid, video conference) trainings delivered	Number of internet-based trainings available on the e-learning platform of the training institution	Number of live (in-person hybrid, video conference) trainings delivered	Number of days of live (in-person, hybrid, video conference) trainings delivered	Number of internet-based trainings available on the e-learning platform of the training institution
Albania	1	2	0	0	0	0
Bosnia and Herzegovina	1	2	0	1	2	0
Montenegro	5	10	NAP	3	6	NAP
North Macedonia	7	13	0	7	13	0
Serbia	12	21	0	5	9	0
Kosovo*	4	18	0	3	18	0
Average	5	10	0	3	6	0
Median	5	10	0	3	6	0
Minimum	1	2	0	0	0	0
Maximum	12	21	0	7	13	0

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 7.3.4 Number of live trainings in the EU Charter of Fundamental Rights/European Convention on Human Rights organised for judges and prosecutors by the public institution(s) responsible for training in 2025 (Q83 and Q84)

Beneficiaries	Live trainings in the EU Charter of Fundamental Rights/European Convention on Human Rights organised by the public institution(s) responsible for training in 2025					
	Judges			Prosecutors		
	Number of trainings delivered	Number of days delivered	Number of participants	Number of trainings delivered	Number of days delivered	Number of participants
Albania	3	3	18	2	2	46
Bosnia and Herzegovina	12	19	218	12	19	85
Montenegro	11	19	83	11	19	31
North Macedonia	7	7	111	4	4	27
Serbia	5	5	27	0	0	0
Kosovo*	6	9	74	6	9	20
Average	8	11	91	6	9	38
Median	7	7	83	4	4	31
Minimum	3	3	18	0	0	0
Maximum	12	19	218	12	19	85

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 7.3.5 Number of internet-based trainings in the EU Charter of Fundamental Rights/European Convention on Human Rights organised by the training institution(s), provided on the e-learning platform of the training institution in 2025 (Q83 and Q84)

Beneficiaries	Internet-based trainings in the EU Charter of Fundamental Rights/European Convention on Human Rights provided on the e-learning platform of the training institution(s) in 2025			
	Judges		Prosecutors	
	Number of the available trainings	Number of participants	Number of the available trainings	Number of participants
Albania	0	0	0	0
Bosnia and Herzegovina	0	0	0	0
Montenegro	NAP	NA	NAP	NA
North Macedonia	0	0	0	0
Serbia	0	0	0	0
Kosovo*	2	1	2	3
Average	0	0	0	0
Median	0	0	0	0
Minimum	0	0	0	0
Maximum	0	0	0	0

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 7.3.6 Number of trainings in the EU Charter of Fundamental Rights/European Convention on Human Rights organised/financed by other stakeholders in the framework of co-operation programmes in 2025 (Q85)

Beneficiaries	Trainings in the EU Charter of Fundamental Rights/European Convention on Human Rights organised/financed by other stakeholders in the framework of co-operation programmes in 2025					
	Judges			Prosecutors		
	Number of live (in-person hybrid, video conference) trainings delivered	Number of days of live (in-person, hybrid, video conference) trainings delivered	Number of internet-based trainings available on the e-learning platform of the training institution	Number of live (in-person hybrid, video conference) trainings delivered	Number of days of live (in-person, hybrid, video conference) trainings delivered	Number of internet-based trainings available on the e-learning platform of the training institution
Albania	2	2	0	2	2	0
Bosnia and Herzegovina	11	18	0	11	18	0
Montenegro	1	NA	NAP	1	NA	NAP
North Macedonia	4	4	0	3	3	0
Serbia	4	4	0	0	0	0
Kosovo*	6	9	0	6	9	0
Average	4	7	0	3	6	0
Median	4	4	0	2	3	0
Minimum	1	2	0	0	0	0
Maximum	11	18	0	11	18	0

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

7.4 Training - Special trainings, compulsory trainings and quality of judicial training

Table 7.4.1 Assessment of future training needs and frequency of assessment in 2025 (Q86 and Q87)

Beneficiaries	Assessment of future training needs and frequency of assessment in 2025								
	Source to identify future training needs								Assessment
	Target audience itself	Previous participants in trainings	Trainers	Courts/ prosecutor's offices	Relevant judicial institutions	Ministry of Justice	Other	Comment on other	Frequency
Albania								The assessment of training needs is a process spread over different steps, time and subjects. This process begins with an invitation to propose	Annual
Bosnia and Herzegovina								Proposals from domestic institutions and international donors.	Annual
Montenegro								Based on a comprehensive Training Needs Assessment Methodology developed with CoE support, using questionnaires, focus groups, interviews, legislative reviews, strategic documents, expert input and online analytics.	Annual
North Macedonia									Annual
Serbia									Annual
Kosovo*								Other mechanisms such as the perspective of civil society, the legislative agenda of the assembly and legal novelties, media monitoring of the judiciary, reports on the work of courts and prosecutors' offices, recommendations of the Ombudsman and strategic documents at the country level that have an impact on the work of the judiciary.	Annual

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 7.4.2 Evaluation of the in-service trainings in 2025 (Q88, Q89, Q90 and Q91)

Beneficiaries	Evaluation of the in-service trainings in 2025															
	Existence of an evaluation of the in-service trainings (seminars, workshops, round tables)	Type of training evaluation model				Frequency of training evaluation					Use of the feedback of the training evaluation process					
		Kirkpatrick training evaluation model	A combination Kirkpatrick and other training evaluation models	Other	Comment on other	Immediately after the training is delivered	3-6 months after the training is delivered	A year or more after the training	Other	Comment on other	To prepare a training evaluation report with recommendations	To improve the training course which, according to the report, needed improvements	To replace the trainers that failed to meet expected learning outcomes/were negatively evaluated	To suppress a training course	To introduce a new course	Other
Albania	Yes	No	No	Yes	No	Yes	No	No	No	No	No	Yes	Yes	No	Yes	No
Bosnia and Herzegovina	Yes	No	Yes	No	No	Yes	No	No	No	No	Yes	Yes	Yes	No	No	No
Montenegro	Yes	No	Yes	No	No	Yes	No	No	No	No	No	Yes	No	Yes	Yes	No
North Macedonia	Yes	Yes	No	No	No	Yes	No	No	No	No	No	Yes	Yes	No	Yes	No
Serbia	Yes	No	Yes	No	No	Yes	Yes	No	No	No	Yes	Yes	Yes	No	Yes	No
Kosovo*	Yes	Yes	No	No	No	Yes	No	No	No	NAP	Yes	Yes	Yes	Yes	Yes	No

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Indicator 7- Training

by country

10. If there is one or more institution(s) responsible for training (judges, public prosecutors, non-judge and non-prosecutor staff), please provide their implemented budget(s). These budgets should not be included in Q7 and Q8.
10-1. What is the amount of the training budget coming from external donors?
70. Types of different trainings offered to judges:
71. Types of different trainings offered to public prosecutors:
72. Do you have a minimum number of compulsory trainings:
73. Number of in-service trainings available and delivered (in days) by the public institution(s) responsible for training.
74. Number of participants in the trainings during the reference year
75. Number of unique participants in the trainings during the reference year
76. Number of internet-based trainings on other e-learning platforms and number of participants
77. If in-service training is compulsory for judges, are sanctions foreseen if judges do not attend the training sessions? If yes, please specify.
78. In-service training is compulsory for prosecutors, are sanctions foreseen if prosecutors do not attend the training sessions? If yes, please specify.
79. Do prosecution offices have prosecutors who are specially trained in areas of domestic violence and sexual violence?
80. Please provide the number of delivered live trainings (in-person hybrid, video conference) and internet-based trainings and the number of days of delivered trainings on EU Law for:
81. Number of participants in live trainings and internet-based trainings on EU Law:
82. If any of the trainings on EU Law reported above were organised/financed by other stakeholders in the framework of co-operation programmes (for ex. EU funded projects), please provide their number:
83. Please provide the number of delivered live trainings (in-person hybrid, video conference) and internet-based trainings and the number of days of delivered trainings on ECHR for:
84. Number of participants in live trainings and internet-based trainings on ECHR:
85. If any of the trainings on ECHR reported above were organised/financed by other stakeholders in the framework of co-operation programmes (for ex. EU funded projects), please provide:
86. How do you identify (collect information about) future training needs? (multiple possible answers)
87. What is the frequency of assessing future training needs?
88. Do you evaluate the in-service trainings (seminars, workshops, round tables)?
89. If yes, what type of training evaluation model do you use?
90. If yes: what is the frequency of training evaluation? (multiple possible answers)
91. If yes, what is the result of the training evaluation process used for (multiple possible answers):

Albania

Q10 (2025): One judicial training institution covers the training of the categories of judges, prosecutors, non-judge staff, non-prosecutor staff.

Q10 (2024): Its the same institution for both the training of judges and prosecutors. The institution in charge for the training of magistrate is School of Magistrate

Q10 (2023): The implemented budget in EURO is calculated by the average of exchange rate for the reference year 2023 that is 108.75. The budget in ALL is 461 639 120. The increase in the previous cycle can be explained by the increase of the number of candidates for magistrates attending the Initial Training Program, the increase of number of trainings of the Continuous Training Program, and the increase of salaries for the State Administration.

Q10 (2022): The amount provided by the State Budget to the School of Magistrates is 2 470 872 EURO

The total amount of funds given to the SoM by donors in 2022 is: 1 997 EURO.

Q10-1 (2025): the correct answer is NAP

Q70 (2022): A training topic may be developed regularly or occasionally in different academic years. This is a different variable since the calendar of continuing education training activities itself is variable from one academic year to another. The components that influence the variability of this data are mainly the needs of the justice system for the development of training activities in a specific direction or field, as well as the selection of this topic by the main beneficiaries of continuing education, which are the in-service magistrates.

In other words, after we conduct the needs assessment process and collect the concrete needs of in-service magistrates, we organize the training activities. This is why we have checked the boxes “as needed” intending to say, “according to the needs of the system”. This means that we organize them regularly but according to the needs of the in-service magistrates.

Q72 (General Comment): Initial compulsory training – minimum number of training: The initial training program is a teaching program which operates in teaching hours. We don’t count the teaching hours as training because they start lessons in the morning, usually at 8.30 and finish in the afternoon, usually at around 17.00, like a regular school. Initial compulsory trainings – minimum number of days: There is no minimum number of days. The school year starts on the first Monday of October and end by the end of May of the following year. In-service compulsory trainings – minimum number of trainings per year: The legal obligation for in-service magistrates is 5 training days a month. It does not provide for a minimum number of trainings, but a minimum number of DAYS.

Q72 (2024): Duration of the initial training studies in the Albanian Magistrates School is for 3 academic years. The academic year starts on the first Monday of October and ends by the end of May the following year.

Q72 (2023): 195 - The first and second year of the initial training are divided in two semesters of 15 weeks each of them. A calendar year has 30 weeks, with 5 days of initial training in a week, in total 150 days of initial training in the first year, and 45 days of initial training in the second year.

Q72 (2022): The first and second year of the initial training are divided in two semesters of 15 weeks each of them. A calendar year has 30 weeks, with 5 days of initial training in a week, in total 150 days of initial training in the first year, and 45 days of initial training in the second year.

Q73 (2024): Number of trainings available for non-judge and non-prosecutor staff is equal to the number of training delivered because there are no training activities that are repeated.

Q73 (2022): The total does not match as SoM does not organize trainings only for judges or only for prosecutors. In the table of training activities, trainings are defined which are addressed to a specific target group such as judges, prosecutors, judicial police officers, state lawyers, administrative staff of courts or prosecutions, chancellors, etc. but most of the training activities are open to all subjects whose law recognizes the right to be trained by the School of Magistrates. So, apart from the fact that there are trainings with a certain target group, the same trainings where judges have participated, prosecutors have also participated, especially when it comes to dealing with procedural law, where the confrontation of the prosecutor's perspective with the court is quite important. In this case, in 76 trainings for judges, there were trainings dedicated only to judges, but also trainings where there were judges, prosecutors and other subjects of the justice system.
Q74 (2023): The increase is explained by the increase of available and delivered training activities, as well as the increase of the number of judges and prosecutors in the system after the last two years of graduation from SoM.
Q77 (General Comment): The obligation of magistrates to complete mandatory training comes from Law No. 96/2016 On the Status of Judges and Prosecutors in the Republic of Albania.
Article 5, point 3 defines the mandatory period to be followed by the magistrate in the continuing training as follows:
The period of continuing education should be:
a) not less than five full days per year and not less than 30 full days during five years;
b) not more than 40 days per year and 200 days during five years
Regular follow-up and compliance with the law or not is a component that serves for the professional ethical evaluation of judges and prosecutors by the High Judicial Council and the High Prosecutorial Council, and non-attendance of continuous training can serve to be considered a disciplinary violation.
Article 102, point g
Disciplinary violations related to the exercise of the function:
unjustified non-fulfillment of the obligation to participate at least in the specified number of continuing training activities, according to the conditions and criteria established by law.
Also, the sanction for non-fulfillment of continuing training, which may lead to a disciplinary violation, is defined in articles 112 and 113 of the same law:
Article 112
Complementary disciplinary measures
1. If the magistrate has been convicted by a final decision for criminal offenses in the field of corruption, the Council decides, in addition to the dismissal of the magistrate, also the return of the amount of the gross salary of the last year in office benefited from him.
2. The Council, along with the measures provided for in point 1, letters "b", "c", subsection "i", "ç", "d", of Article 105, of this law, may also decide one of the following additional disciplinary measures:
a) compulsory attendance of specified professional trainings, according to the provision in Article 113 of this law;
b) removal from office of the chairman. Article 113
Complementary measures for training
In support of Article 112, point 2, letter "a", of this law, the Council may impose the additional disciplinary measure of mandatory attendance of specified professional trainings, if the offense committed can be corrected through participation in mandatory training programs. In this case, the decision determines the content and duration of the mandatory training program.

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Q78 (General Comment): In Article 102, point 1, letter “h”, of the Law no.96/2016 “On the status of judges and prosecutors in the Republic of Albania”, as amended, is provided as a disciplinary violation related to the exercise of function, the non-compliance of the prosecutor with unjustified causes of the obligation to attend continuing training programs, according to the conditions and criteria set by law.

Q78 (2025): The obligation of magistrates to complete mandatory training comes from Law No. 96/2016 On the Status of Judges and Prosecutors in the Republic of Albania.
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HPC - In Article 102, point 1, letter “h”, of the Law no. 96/2016 “On the status of judges and prosecutors in the Republic of Albania”, as amended, is provided as a disciplinary violation related to the exercise of function, the non-compliance of the prosecutor with unjustified causes of the legal obligation to attend continuing training programs, according to the conditions and criteria set by law.

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Q79 (2025): : 7 prosecutors trained on domestic violence and 2 prosecutors trained on sexual exploitation of minors during 2025.

Q79 (2024): During 2024, the SoM has trained on these topics: 22 judges, 26 prosecutors and 53 others.
Q79 (2023): The School of Magistrates organizes ongoing training with prosecutors on topics such as domestic violence and gender-based violence; obligations arising from the Istanbul Convention and the Recommendations of the Grevio Committee for the justice system. Introduction to Gender Theory, Gender theories in courtrooms, national and international context and case law, etc.

Q80 (2025): 1.Judicial Cooperation in Criminal Matters (judges and prosecutors)
2.Fight against corruption in EU (judges and prosecutors)
3.International Kidnapping of Children (judges and prosecutors)
4.European Arrest Order and its elements (Judges and Prosecutors)
5.EU Law, its main elements (judges)
6.European law on consumer protection right (judges and prosecutors)

Q83 (2025): 1.Application of ECtHR case law on investigation of corruption (judges and prosecutors) (2 activities)
2.Conflict of interest for magistrates in framework of domestic legislation and ECtHR case law (judges)

Q86 (General Comment): The assessment of training needs is a process spread over different steps, time and subjects. This process begins with an invitation to propose topics, which is sent to all beneficiaries of continuing training, such as magistrates, state lawyers, judicial police officers; the institutions with which the School of Magistrates cooperates; national and international partners; High Judicial Council; High Prosecutorial Council; Ministry of Justice; internal and external teachers of the School. In short, to every beneficiary or valued entity that can make a contribution to the most coherent and beneficial drafting of the activity calendar. During the drafting of the Calendar, the suggestions given in the Evaluation Forms of each training activity that took place in a previous academic year are also taken into consideration. The approved Draft Calendar is then sent to all the beneficiary subjects where they are asked to apply for participation to the training topics they are interested in. Based on the interest shown, the final topics are approved which will be organized during the next academic year.
Regarding the evaluation of the training activities, at the end of each activity, evaluation forms are distributed to the participants and experts. The participants give their evaluation on the activity, the materials available from the experts, the panel of experts and facilitators as well as the continuing training staff. The experts evaluate the interactivity between the participants as well as between each other.

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Q87 (2024): the frequency of assessment: School of Magistrates of Albania, each year organizes the needs assessment process for the continuous training program for in-service magistrates in the country. They are invited to send to the School of Magistrates all their needs/proposals for topics to be included the year’s continuous training program and treated in training seminars.

Q89 (2025): At the end of each activity, evaluation forms are distributed to the participants/experts.
Q89 (2024): Evaluation of the training activities, at the end of each activity, evaluation forms are distributed to the participants
Q90 (2025): : An evaluation questionnaire is distributed and collected at the end of the training seminar, getting information on the training activities delivered.

Bosnia and Herzegovina
Q10 (General Comment): There are two training institutions in Bosnia and Herzegovina which are responsible for training of judges and prosecutors in two different entities within the state. Each of these institutions is responsible for both judges and prosecutors. Many of training courses delivered in the training institutions are prepared by domestic experts who are financed directly by external donors. Only some of the external donor funds used for this purpose are included in the budget of the training institutions.
In Bosnia and Herzegovina, there are no institutions specialized in training employees in prosecutor's offices and courts. The training they receive is provided on an ad hoc basis: in house, by relevant civil servant agencies as well as other public sector employees, or to a lesser extent by judicial training institutions (i.e. legal associates of prosecutors and judges). No special budget is allocated for such training.

Q10 (2025): There are two training institutions in Bosnia and Herzegovina which are responsible for training of judges and prosecutors in two different entities within the state. Each of these institutions is responsible for both judges and prosecutors. Many of training courses delivered in the training institutions are prepared by domestic experts who are financed directly by external donors. Only some of the external donor funds used for this purpose are included in the budget of the training institutions.
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Q10 (2023): There are two training institutions in Bosnia and Herzegovina which are responsible for judicial training in two different entities in the country. Each of these institutions is responsible for both judges and prosecutors. Many of training courses delivered in the training institutions are prepared by domestic experts who are financed by external donors. The external donor funds used for this purpose are not included in the budget of the training institutions.

Q10 (2022): There are two training institutions in Bosnia and Herzegovina which are responsible for judicial training in two different entities in the country. Each of these institutions is responsible for both judges and prosecutors. Their respective adopted budgets for 2022 were: The Judicial and Prosecutorial Training Centre of Republika Srpska - 281 970 EUR. Budget funds for the Center for Education of Judges and Prosecutors in the Republic of Srpska have increased as material costs rose in 2022 due to the growth of inflation. The Judicial and Prosecutorial Training Centre of the Federation of Bosnia and Herzegovina - 333 132 EUR. Many of training courses delivered in the training institutions are prepared by domestic experts who are financed by external donors. The external donor funds used for this purpose are not included in the budget of the training institutions. In addition, the training institutions spent grants worth EUR 38.985,57 provided within the specific projects by the external donors in 2022, (i.e. the external donors which provided the grants were: UNICEF, the Council of Europe - SOUTH-EAST EUROPE Freedom of expression, The AIRE Centre - Advice on Individual Rights in Europe).

Q10-1 (General Comment): There are two training institutions in Bosnia and Herzegovina which are responsible for training of judges and prosecutors in two different entities within the state. Each of these institutions is responsible for both judges and prosecutors. In addition to the budget funds, the training institutions spend grants provided within the specific projects by the external donors. These amounts vary every year depending on the amount of available external funds. Besides, many of training courses delivered in the training institutions are prepared by domestic and/or foreign experts who are financed directly by external donors. External donor funds used for this purpose are not included in the data on the budget of training institutions or in the data on funds directly donated to these institutions, because training institutions do not have this data.

Q10-1 (2025): There are two training institutions in Bosnia and Herzegovina which are responsible for training of judges and prosecutors in two different entities within the state. Each of these institutions is responsible for both judges and prosecutors. In addition to the budget funds, the training institutions spent grants worth EUR 17 540 provided within the specific projects by the external donors in 2025. These amounts vary every year depending on the amount of available external funds, so the amount of these funds in 2025, which are provided by UNICEF and Advice on Individual Rights in Europe (i.e. AIRE Centre), was higher compared to 2024. Besides, many of training courses delivered in the training institutions are prepared by domestic and/or foreign experts who are financed by external donors. External donor funds used for this purpose are not included in the data on the budget of training institutions or in the data on funds directly donated to these institutions, because training institutions do not have this data.
The difference in terms of value between 2025 and 2024 is significant in percentage terms, but that difference is negligible when comparing the absolute amounts of donations in 2025 and 2024.

Q10-1 (2024): There are two training institutions in Bosnia and Herzegovina which are responsible for training of judges and prosecutors in two different entities within the state. Each of these institutions is responsible for both judges and prosecutors. In addition to the budget funds, the training institutions spent grants worth EUR 13 130 provided within the specific projects by the external donors in 2024. These amounts vary every year depending on the amount of available external funds, so the amount of these funds in 2024 was lower compared to 2023. Besides, many of training courses delivered in the training institutions are prepared by domestic and/or foreign experts who are financed by external donors. External donor funds used for this purpose are not included in the data on the budget of training institutions or in the data on funds directly donated to these institutions, because training institutions do not have this data.
Q10-1 (2023): There are two training institutions in Bosnia and Herzegovina, which are responsible for judicial training in two different entities in the country. Each of these institutions is responsible for both judges and prosecutors. In addition to the budget funds (i.e. EUR 680 237), the training institutions spent grants worth EUR 34 485 provided within the specific projects by the external donors in 2023. Besides, many of training courses delivered in the training institutions are prepared by domestic and/or foreign experts who are financed by external donors. External donor funds used for this purpose are not included in the data on the budget of training institutions or in the data on funds directly donated to these institutions, because training institutions do not have this data.

Q70 (General Comment): The relevant legislation on juvenile criminal justice requires that in-service training for specialized functions is obligatory for prosecutors and judges assigned to work on criminal cases involving juveniles; they must take certain training courses in order to be able to work on such cases.
This program lasts 4 days and covers 7 topics.
As for general in-service training, the minimum requirement for prosecutors and judges is to attend trainings at the judicial training center for at least 3 days during one year. There is no minimum requirement for prosecutors and judges to attend a certain number of trainings over the course of one year. The judicial office holders may choose between training topics related to the issues they most frequently work on.
In addition, the High Judicial and Prosecutorial Council of Bosnia and Herzegovina decided that as of 2022 an in-service online training on ethics, prevention of corruption and conflicts of interest is compulsory for all judges and prosecutors. Furthermore, the High Judicial and Prosecutorial Council of Bosnia and Herzegovina has introduced in 2022 a mandatory managerial training for newly appointed court presidents and chief prosecutors. It includes the following topics: 1) Developing leadership and management skills 2) Proactive role of court presidents and 3) Modern public relations. Moreover, all chief prosecutors and court presidents are required to attend the training on the role of chief prosecutors and court presidents in preserving the judicial integrity.

Q70 (2025): Initial training is compulsory for all newly appointed judges and prosecutors. For more details pls. refer to Q72.
As for general in-service training, the minimum requirement for prosecutors and judges is to attend every year at least 3 days of training at the judicial training center(s). The judicial office holders may choose between various training topics, but the topic selected must be related to the cases they work on.
In 2025, The High Judicial and Prosecutorial Council of Bosnia and Herzegovina has declared the following trainings as mandatory for newly appointed presidents of courts and chief prosecutors: 1) The role of chief prosecutors and court presidents in preserving the judicial integrity, and 2) Developing leadership and management skills. In addition, all presidents of courts and chief prosecutors are obliged to attend training in Modern public relations.
In addition, in 2025 the High Judicial and Prosecutorial Council of Bosnia and Herzegovina issued a decision that all judges and prosecutors need to renew their knowledge on ethics and conflict of interest by attending online training on ethics, prevention of corruption and conflicts of interest every third year. The relevant legislation on juvenile criminal justice requires that in-service training for specialized functions is obligatory for prosecutors and judges assigned to work on criminal cases involving juveniles. They must attend in full the specialized training provided by JPTCs in order to receive appropriate certificate and be able to work on such cases. This program was revised in Y2025. It lasts 6 days and covers 3 tematic areas. First thematic area „Criminal proceedings involving children and minors“ has the following key areas of study: The etiology and phenomenology of juvenile delinquency from a criminological perspective, the juvenile justice system and international standards based on relevant international legal instruments in the field of children's rights, criminal procedure concerning juveniles, juvenile material and procedural criminal law, as well as the protection of juveniles and an introduction to children's rights. Second thematic area „The application of the Law on the Protection and Treatment of Children and Juveniles in Criminal Proceedings in practice“ covers the following: the use of alternative measures and diversion in criminal proceedings against juveniles, criminal offenses against children, and the implementation of the Law in practice with a focus on the protection and resocialization of child victims through practical examples. Third thematic area „The study of juvenile psychology and the role of guardianship authorities in criminal proceedings against minors“ encompasses an examination of the psychological dimensions of juvenile participation in criminal justice processes, an analysis of the role and significance of guardianship authorities in supporting judicial bodies responsible for conducting proceedings involving juveniles, and experiential learning through visits to institutional facilities. Before attending this specialized program, judges and prosecutors need to finish online CoE HELP module related to Child friendly justice.

Q71 (General Comment): The relevant legislation on juvenile criminal justice requires that in-service training for specialized functions is obligatory for prosecutors and judges assigned to work on criminal cases involving juveniles; they must take certain training courses in order to be able to work on such cases.
This program lasts 4 days and covers 7 topics.
As for general in-service training, the minimum requirement for prosecutors and judges is to attend trainings at the judicial training center for at least 3 days during one year. There is no minimum requirement for prosecutors and judges to attend a certain number of trainings over the course of one year. The judicial office holders may choose between training topics related to the issues they most frequently work on.
In addition, the High Judicial and Prosecutorial Council of Bosnia and Herzegovina decided that as of 2022 an in-service online training on ethics, prevention of corruption and conflicts of interest is compulsory for all judges and prosecutors. Furthermore, the High Judicial and Prosecutorial Council of Bosnia and Herzegovina has introduced in 2022 a mandatory managerial training for newly appointed court presidents and chief prosecutors. It includes the following topics: 1) Developing leadership and management skills 2) Proactive role of court presidents and 3) Modern public relations. Moreover, all chief prosecutors and court presidents are required to attend the training on the role of chief prosecutors and court presidents in preserving the judicial integrity.
Q71 (2025): Same as for Q70.
Q72 (General Comment): IN-SERVICE TRAINING:
The minimum requirement for prosecutors and judges is to attend trainings at the judicial training center for at least 3 days during one year. There is no minimum requirement for prosecutors and judges to attend a certain number of trainings over the course of one year. The judicial office holders may choose between training topics related to the issues they most frequently work on.
INITIAL COMPULSORY TRAINING
The newly appointed prosecutors and judges must undergo an initial training program that is consisted of 11 different trainings; typically, the program lasts for 15 days. In order to qualify for appointment to judicial or prosecutorial office, one must have passed a bar examination and have a certain number of years of practical experience after having passed the bar examination. The program includes topics focused on development of relevant skills, ethics, human rights protection etc. Besides, newly appointed prosecutors receive on the job support and guidance from more experienced prosecutors (i.e. consultative prosecutors). Mentorship system for newly appointed judges is under the development.

Q72 (2025): IN-SERVICE TRAINING: The minimum requirement for prosecutors and judges is to attend trainings at the judicial training center for at least 3 days during one year. There is no minimum requirement for prosecutors and judges to attend a certain number of trainings over the course of one year. The judicial office holders may choose between training topics related to the cases they work on. INITIAL COMPULSORY TRAINING The newly appointed prosecutors and judges must undergo an initial training program that is consisted of 11 different trainings; typically, the program lasts for 15 days. In order to qualify for appointment to judicial or prosecutorial office, one must have passed a bar examination and have a certain number of years of practical experience after having passed the bar examination. The program includes topics focused on development of relevant skills, ethics, human rights protection etc. Besides, all newly appointed prosecutors receive on the job support and guidance from more experienced prosecutors (i.e. consultative prosecutors). Mentorship system for newly appointed judges is mainly in place.

Q73 (2025): Non-judicial staff are professional associates in courts and prosecutor’s offices who attend the initial training and other seminars provided by the judicial training centres.

Q73 (2024): Non-judicial staff are professional associates in courts and prosecutor's offices who attend the initial training and other seminars provided by the judicial training centers. In comparison to the previous year, there were disparities in number of participants in internet-based trainings provided on the e-learning platform of the judicial training institutions and other e-learning platforms. This was primarily due to developments related to the online module "Ethics and Integrity", which was transitioned in 2024 from the e-platform of the USAID project in Bosnia and Herzegovina "Judiciary against Corruption" to the e-platform managed by the judicial training institutions. During the transition period, it was not possible to conduct trainings on the aforementioned module. It is planned that this module will be available again in 2025. In addition, most judges and prosecutors attended training in this module during 2023, in accordance with the decision of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. In addition, although this module was available during 2024 before the transition, judges and prosecutors did not use it for training during that period. This had to do with the fact that most judges and prosecutors had attended training on this module during 2023, in accordance with the decision of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. Training on this module is expected to continue in 2025.

Q73 (2023): Non-judicial staff are professional associates in courts and prosecutor's offices who attend the initial training and other seminars provided by the judicial training centers.
Q74 (2025): In 2025, the number of participants in the trainings slightly rose compared to the previous reporting year because there were more newly appointed judges, prosecutors and professional associates/advisors who were eligible to attend the initial training courses.

Q74 (2024): In comparison to the previous year, there were disparities in number of participants in internet-based trainings provided on the e-learning platform of the judicial training institutions and other e-learning platforms. This was primarily due to developments related to the online module "Ethics and Integrity", which was transitioned in 2024 from the e-platform of the USAID project in Bosnia and Herzegovina "Judiciary against Corruption" to the e-platform managed by the judicial training institutions. During the transition period, it was not possible to conduct trainings on the aforementioned module. It is planned that this module will be available again in 2025. In addition, most judges and prosecutors attended training in this module during 2023, in accordance with the decision of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. In addition, although this module was available during 2024 before the transition, judges and prosecutors did not use it for training during that period. This had to do with the fact that most judges and prosecutors had attended training on this module during 2023, in accordance with the decision of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. Training on this module is expected to continue in 2025.
Q75 (General Comment): Court presidents and chief prosecutors are counted in the number of judges and prosecutors delivered for: Q31 (Number of professional judges sitting in courts on 31 December 2025., i.e. 1025), Q36 (Number of prosecutors on 31 December 2025, i.e. 352), and Q75 (Number of unique participants of the trainings during the reference year). The number of professional judges sitting in courts on an occasional basis (i.e. 11 reserve judges on 1 January 2025), is not included in the data provided for Q31 and Q75. Data on the number of judges and prosecutors who attended training during the reporting year but left the judiciary before the end of the reporting year due to resignation, retirement, death, etc. were not excluded from Q75. This may lead to inconsistencies between data reported under Q75 with data prepared for Q31 and Q36, as the latter do not include data on judges and prosecutors who left the judiciary during the reporting year.
Non-judicial staff are professional associates in courts and prosecutor's offices who attend the initial training and other seminars provided by the judicial training centers.

Q75 (2025): In 2025, the number of unique participants in live trainings slightly rose compared to the previous reporting year because there were more newly appointed judges, prosecutors and professional associates/advisors who were eligible to attend the initial training courses.

Q75 (2024): Court presidents and chief prosecutors are counted in the number of judges and prosecutors delivered for: Q19 (Number of professional judges sitting in courts on 31 December 2024., i.e. 1044), Q28 (Number of prosecutors on 31 December 2024, i.e. 362), and Q147-2 (Number of unique participants of the trainings during the reference year). The number of professional judges sitting in courts on an occasional basis (i.e. 38 reserve judges on 1 January 2024), that used to be submitted for Q20, is not included in the data provided for Q19 and Q147-2. Data on the number of judges and prosecutors who attended training during the reporting year but left the judiciary before the end of the reporting year due to resignation, retirement, death, etc. were not excluded from Q147-2. This may lead to inconsistencies between data reported under Q147-2 with data prepared for Q19 and Q28, as the latter do not include data on judges and prosecutors who left the judiciary during the reporting year.
Non-judicial staff are professional associates in courts and prosecutor's offices who attend the initial training and other seminars provided by the judicial training centers.

Q75 (2023): Court presidents and chief prosecutors are counted in the number of judges and prosecutors delivered for: Q19 (Number of professional judges sitting in courts on 31 December 2023), Q28 (Number of prosecutors on 31 December 2023), and Q147-2 (Number of unique participants of the trainings during the reference year). The number of professional judges sitting in courts on an occasional basis (i.e. 38 reserve judges on 31 December 2023), that used to be submitted for Q20, is not included in the data provided for Q19 and Q147-2.
Q75 (2022): Court presidents and chief prosecutors are counted in the number of judges and prosecutors delivered for: Q19 (Number of professional judges sitting in courts on 31 December 2022), Q28 (Number of prosecutors on 31 December 2022), and Q147-2 (Number of unique participants of the trainings during the reference year). The number of professional judges sitting in courts on an occasional basis on 31 December 2022 submitted for Q20 is not included in the data provided for Q147-2. The number of professional judges sitting in courts on 31 December 2022 (i.e. 1000) was higher than the number of unique participants of the trainings registered during 2022 (i.e. 1008), as some judges, who attended the trainings, left the judiciary before the end of the reporting year due to resignation, retirement, death etc.
Q76 (2025): Comments:
In comparison to the previous reporting year, there were more courses available on the HELP platform in 2025. In addition, in 2025 newly appointed judges and prosecutors were required, as part of their mandatory initial training course, to complete 4 HELP courses, which was a prerequisite for them to be eligible to attend the further sessions within the mandatory initial training course. Consequently, there was an increase in the number of available online training courses as well as in the number of participants in those courses.

Q76 (2024): In comparison to the previous year, there were disparities in number of participants in internet-based trainings provided on the e-learning platform of the judicial training institutions and other e-learning platforms. This was primarily due to developments related to the online module "Ethics and Integrity", which was transitioned in 2024 from the e-platform of the USAID project in Bosnia and Herzegovina "Judiciary against Corruption" to the e-platform managed by the judicial training institutions. During the transition period, it was not possible to conduct trainings on the aforementioned module. It is planned that this module will be available again in 2025. In addition, most judges and prosecutors attended training in this module during 2023, in accordance with the decision of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. In addition, although this module was available during 2024 before the transition, judges and prosecutors did not use it for training during that period. This had to do with the fact that most judges and prosecutors had attended training on this module during 2023, in accordance with the decision of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. Training on this module is expected to continue in 2025.

Q77 (General Comment): The Law on High Judicial and Prosecutorial Council of Bosnia and Herzegovina (Article 56) defines the list of disciplinary offences for judges which includes the following "failure to fulfill the obligation to participate in forms of compulsory professional training“.
Historically, none of the judges has been found liable for this offence.
Q78 (General Comment): The Law on High Judicial and Prosecutorial Council of Bosnia and Herzegovina (Article 57) defines the list of disciplinary offences for prosecutors which includes the following "failure to fulfill the obligation to participate in forms of compulsory professional training“. Historically, none of the prosecutors has been found liable for this offence.
Q79 (General Comment): The majority of prosecution offices have specialized departments with prosecutors who are experienced in investigating and prosecuting sexual violence cases. Specialized trainings for prosecution of domestic violence cases are held regularly for prosecutors who are responsible for domestic violence cases
Q80 (2025): The list of delivered EU Law trainings for in 2025 according to the information provided by the judicial training institutions in Bosnia and Herzegovina:
"The relationship between European Law and the Domestic Law of Bosnia and Herzegovina”.
“Recognition and Enforcement of Foreign Court Judgments – Domestic Case Law and International Trends”.
Both of the above-mentioned trainings were attended by judges and prosecutors.
Q81 (2025): The list of delivered EU Law trainings for in 2025 according to the information provided by the judicial training institutions in Bosnia and Herzegovina:
"The relationship between European Law and the Domestic Law of Bosnia and Herzegovina”.
“Recognition and Enforcement of Foreign Court Judgments – Domestic Case Law and International Trends”.
Both of the above-mentioned trainings were attended by judges and prosecutors.
Q82 (2025): The training on the topic “The relationship between European Law and the Domestic Law of Bosnia and Herzegovina” was organized with the support of the IRZ Project in Bosnia and Herzegovina (i.e. IRZ: The German Foundation for International Legal Cooperation).
Q83 (2025): The list of delivered trainings on ECHR in 2025 according to the information provided by the judicial training institutions in Bosnia and Herzegovina:
“Case Law of the European Court of Human Rights”. “Prohibition of Discrimination”. “The Judiciary and Freedom of Expression in the Courtroom”. “Safety of Journalists and Protection of Whistleblowers”. “Freedom of Expression in the Digital World”. “Introduction to the European Convention on Human Rights”. “Procedural Rights - European Convention on Human Rights”. “Human Rights of LGBTI Persons – Experience from BiH and the Region”. Several trainings on Gender Based Violence. All of the above-mentioned trainings were attended by judges and prosecutors.
Q84 (2025): The list of delivered trainings on ECHR in 2025 according to the information provided by the judicial training institutions in Bosnia and Herzegovina:
“Case Law of the European Court of Human Rights”. “Prohibition of Discrimination”. “The Judiciary and Freedom of Expression in the Courtroom”. “Safety of Journalists and Protection of Whistleblowers”. “Freedom of Expression in the Digital World”. “Introduction to the European Convention on Human Rights”. “Procedural Rights - European Convention on Human Rights”. “Human Rights of LGBTI Persons – Experience from BiH and the Region”. Several trainings on Gender Based Violence. All of the above-mentioned trainings were attended by judges and prosecutors.
Q85 (2025): According to the information provided by the judicial training institutions in Bosnia and Herzegovina, the majority of trainings on ECHR in 2025, that are listed in relation to Q83 and Q84, were delivered with the financial support of different domestic and international stakeholders.
Q86 (2024): The Centers for Training of Judges and Prosecutors in Bosnia and Herzegovina have partially amended the responses for 2024 compared to 2023. These institutions have indicated that the responses are different due to technical mistakes for the previous reporting year. These errors have been amended in the current questionnaire.

Q87 (General Comment): The analysis and creation of training programs is done by the judicial training institutions once a year.
There are two types of evaluation questionnaires that the judicial training institutions use to gather the relevant information:
1. Heads of courts and prosecutor's offices – there is a questionnaire aimed at collecting their proposals with regards to topics they find relevant for their respective institutions.
2. All judges and prosecutors – there is a questionnaire which has a purpose to obtain their proposals with regards to topics they think should be included in the annual training programs.
In addition, the judicial training institutions cooperate with the Standing Committee for Training of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina trough the analysis of relevant case - law.

Q88 (General Comment): The Centers for Training of Judges and Prosecutors in Bosnia and Herzegovina are using the Kirkpatrick training evaluation model except that the trainings are not evaluated after 6 months or after a year from the date of realization.
Q89 (General Comment): For all judicial office holders and non-judicial staff (all topics except the ethics) only post-training satisfaction questionnaires are used.
The questionnaires are anonymous and contain three parts:
1. The first part: satisfaction with technical realization, satisfaction with the trainer and topic, 2. The second part is evaluation of the trainer - methodology, communication, knowledge sharing,
3. The third part are comments related to improvement of training, personal impressions and proposals of new topics.
The training grades range from 1 to 5 (5 being the highest grade).

Q89 (2024): The Centers for Training of Judges and Prosecutors in Bosnia and Herzegovina are using the Kirkpatrick training evaluation model except that the trainings are not evaluated after 6 months or after a year from the date of realization.
Q91 (2025): In 2025, the Centers for Training of Judges and Prosecutors in Bosnia and Herzegovina did not introduce new training courses as the result of their analysis of training evaluation in the reporting year.

Montenegro
Q10 (2025): The Centre is an independent legal entity. (Article 2 paragraph 1 of the Law on the Centre for Training in Judiciary and State Prosecution ("Official Gazette of Montenegro" no. 58/2015)) and the only institution in charge of providing training activites to representatives of Montenegrin judiciary. The Centre organizes and implement trainings for judges and state prosecutors. Centre can also organize and implement trainings for attorneys-at-law, notaries, bailiffs, advisers, clerks and trainees in courts and state prosecution offices (hereinafter referred to as: special trainings), according to this law. (Article 3 of the Law on the Centre for Training in Judiciary and State Prosecution ("Official Gazette of Montenegro" no. 58/2015)).
The total amount presented reflects the funds allocated within the Centre's budget for the previous year for the organization of training activities, including in-service training, initial training and specialized training. The amount shown in Table 2 specifically represents the funds spent on the in-service training of judges and state prosecutors. It should be noted that, within the overall budget, a portion of the total amount presented was also allocated to non-judge and non-prosecutor participants, as well as to candidates for judicial and prosecutorial positions; however, these amounts are not presented separately in numerical terms.

Q10 (2024): Out of the total amount of the implemented budget of the Centre for Training in Judiciary and State Prosecution (CTJSP) stated in the table above, the funds in amount of 4.838,23 € come from the donation - THE GRANT AGREEMENT BETWEEN THE COUNCIL OF EUROPE AND THE CENTRE FOR TRAINING IN JUDICIARY AND STATE PROSECUTION OF MONTENEGRO.
The Centre is an independent legal entity. (Article 2 paragraph 1 of the Law on the Centre for Training in Judiciary and State Prosecution ("Official Gazette of Montenegro" no. 58/2015)) and the only institution in charge of providing training activites to representatives of Montenegrin judiciary. The Centre organizes and implement trainings for judges and state prosecutors. Centre can also organize and implement trainings for attorneys-at-law, notaries, bailiffs, advisers, clerks and trainees in courts and state prosecution offices (hereinafter referred to as: special trainings), according to this law. (Article 3 of the Law on the Centre for Training in Judiciary and State Prosecution ("Official Gazette of Montenegro" no. 58/2015)).

Q10 (2023): Out of the total amount of the implemented budget of the Centre for Training in Judiciary and State Prosecution (CTJSP) stated in the table above, the funds in amount of 4.838,23 € come from the donation - THE GRANT AGREEMENT BETWEEN THE COUNCIL OF EUROPE AND THE CENTRE FOR TRAINING IN JUDICIARY AND STATE PROSECUTION OF MONTENEGRO.
The Centre is an independent legal entity. (Article 2 paragraph 1 of the Law on the Centre for Training in Judiciary and State Prosecution ("Official Gazette of Montenegro" no. 58/2015)) and the only institution in charge of providing training activites to representatives of Montenegrin judiciary. The Centre organizes and implement trainings for judges and state prosecutors. Centre can also organize and implement trainings for attorneys-at-law, notaries, bailiffs, advisers, clerks and trainees in courts and state prosecution offices (hereinafter referred to as: special trainings), according to this law. (Article 3 of the Law on the Centre for Training in Judiciary and State Prosecution ("Official Gazette of Montenegro" no. 58/2015)).
Funds for the work of the Centre shall be allocated in the special portion of the Budget of Montenegro in the amount of 2% of the allocated budget for judiciary and state prosecution service. (Article 53 of the Law on the Centre for Training in Judiciary and State Prosecution ("Official Gazette of Montenegro" no. 58/2015)).

Q10 (2022): Out of the total amount of the implemented budget of the Centre for Training in Judiciary and State Prosecution (CTJSP) stated in the table above, the funds in amount of 21,296.00€ come from the donation - THE GRANT AGREEMENT BETWEEN THE COUNCIL OF EUROPE AND THE CENTRE FOR TRAINING IN JUDICIARY AND STATE PROSECUTION OF MONTENEGRO.
Note: The amount of 240.540,51 € represents financial support from international and domestic partners for training activities organized in cooperation with the CTJSP). The total amount includes also donor support as recommended to be included by Cepej.
Q10-1 (2025): The total training budget data is not available (NA). The Centre has information on external donor contributions amounting to €66,021.00 as of the reporting date, but this may not represent the full amount as donors are not obliged to report all contributions.
Q10-1 (2024): The stated amount represents the summation of funds allocated to the Centre, based on the data provided by the Centre's international partners.
Q10-1 (2023): The stated amount represents the summation of funds allocated to the Centre, based on the data provided by the Centre's international partners.

Q70 (2025): Judges and state prosecutors shall have the right and duty to attend the in-service training for at least two working days annually for which they are to apply based on their own interest. (Article 45 paragraph 2 of the Law on the Centre for Training in Judiciary and State Prosecution ("Official Gazette of Montenegro" no. 58/2015)). The training is not compulsory for judges of specialized courts (except for the mentioned two days per year), however, the Centre for Training in Judiciary and State Prosecution in the framework of the In-service Training Program organizes regular training for judges of specialized courts at the annual level (judges of Commercial Court and Administrative Court). The only compulsory specialized training is the training for judges for the juveniles (who are the only ones competent to act in criminal proceedings with juveniles) according to the Law on the Treatment of Juveniles in Criminal Proceedings). All judges in charge of juveniles went through the specialized training. The trainings for management functions in courts are organized in accordance with current needs and, thus, these are not compulsory.

Q70 (2024): Judges and state prosecutors shall have the right and duty to attend the in-service training for at least two working days annually for which they are to apply based on their own interest. (Article 45 paragraph 2 of the Law on the Centre for Training in Judiciary and State Prosecution ("Official Gazette of Montenegro" no. 58/2015)). The training is not compulsory for judges of specialized courts (except for the mentioned two days per year), however, the Centre for Training in Judiciary and State Prosecution in the framework of the In-service Training Program organizes regular training for judges of specialized courts at the annual level (judges of Commercial Court and Administrative Court). The only compulsory specialized training is the training for judges for the juveniles (who are the only ones competent to act in criminal proceedings with juveniles) according to the Law on the Treatment of Juveniles in Criminal Proceedings). All judges in charge of juveniles went through the specialized training. The trainings for management functions in courts are organized in accordance with current needs and, thus, these are not compulsory.
Until the year of 2024, training on IT skills was conducted exclusively by the Judicial Council and Human Resource Management Authority, however, in 2024 Center for training began to organize trainings on IT skills, through the In-service training programme, that is intended for judges and state prosecutors.

Q70 (2023): The mandatory duration of the initial training is defined by the provision from Article 42 of the Law on the Center for Training in the Judiciary and the State Prosecutor's Office.
The initial training for candidates for judges of the basic court, that is, for candidates for state prosecutors in the basic state prosecutor's office lasts 18 months, of which six months are theoretical training and 12 months are practical training.
Converted into days of theoretical training, that is 128 days of six hours of training per training day.
The initial training for candidates for misdemeanor judges lasts nine months, of which three months are theoretical training, and six months practical training, and is conducted at the Center, that is, the Court for Misdemeanors in Podgorica.
Converted into days of theoretical training, that is 60 days of six hours of training per training day.
The initial training for candidates for judges in the Commercial Court of Montenegro lasts six months, of which 40 hours per month of theoretical training are conducted in the Center, i.e. the Commercial Court of Montenegro.
Converted into days of theoretical training, that is 44 days of six hours of training per training day.
The initial training for candidates for judges of the Administrative Court of Montenegro lasts four months, of which 20 hours per month of theoretical training are conducted in the Center, i.e. the Administrative Court of Montenegro.
Converted into days of theoretical training, it is 16 days of training of six hours per training day.
Judges and state prosecutors shall have the right and duty to attend the in-service training for at least two working days annually for which they are to apply based on their own interest. (Article 45 paragraph 2 of the Law on the Centre for Training in Judiciary and State Prosecution ("Official Gazette of Montenegro" no. 58/2015)).

Q70 (2022): Judges and state prosecutors shall have the right and duty to attend the in-service training for at least two working days annually for which they are to apply based on their own interest. (Article 45 paragraph 2 of the Law on the Centre for Training in Judiciary and State Prosecution ("Official Gazette of Montenegro" no. 58/2015)). The training is not compulsory for judges of specialized courts (except for the mentioned two days per year), however, the Centre for Training in Judiciary and State Prosecution in the framework of the In-service Training Program organizes regular training for judges of specialized courts at the annual level (judges of Commercial Court and Administrative Court). The only compulsory specialized training is the training for judges for the juveniles (who are the only ones competent to act in criminal proceedings with juveniles) according to the Law on the Treatment of Juveniles in Criminal Proceedings). All judges in charge of juveniles went through the specialized training. The trainings for management functions in courts are organized in accordance with current needs and, thus, these are not compulsory. When it comes to training activities for the use of computer facilities in office, these training activities are organized and conducted by the other authorities such as the Judicial Council and Human Resource Management Authority.

Q71 (2025): Judges and state prosecutors shall have the right and duty to attend the in-service training for at least two working days annually for which they are to apply based on their own interest. (Article 45 paragraph 2 of the Law on the Centre for Training in Judiciary and State Prosecution ("Official Gazette of Montenegro" no. 58/2015)). The training is not compulsory for judges of specialized courts (except for the mentioned two days per year), however, the Centre for Training in Judiciary and State Prosecution in the framework of the In-service Training Program organizes regular training for judges of specialized courts at the annual level (judges of Commercial Court and Administrative Court). The only compulsory specialized training is the training for state prosecutors for the juveniles (who are the only ones competent to act in criminal proceedings with juveniles) according to the Law on the Treatment of Juveniles in Criminal Proceedings). All state prosecutors in charge of juveniles went through the specialized training. The trainings for management functions in state prosecution offices are organized in accordance with current needs and, thus, these are not compulsory.

Q71 (2023): Judges and state prosecutors shall have the right and duty to attend the in-service training for at least two working days annually for which they are to apply based on their own interest. (Article 45 paragraph 2 of the Law on the Centre for Training in Judiciary and State Prosecution ("Official Gazette of Montenegro" no. 58/2015)).
The only compulsory specialized training is the training for state prosecutors for the juveniles (in charge of juveniles), according to the Law on Treatment of Juveniles in Criminal Proceedings). All state prosecutors in charge of juveniles went through the specialized training. The trainings for management functions in state prosecution offices are organized in accordance with current needs and, thus, these are not compulsory. When it comes to training activities for the use of computers in state prosecution offices, these training activities are organized and conducted by the other authorities such as Prosecutorial Council and Human Resource Management Authority.

Q71 (2022): Judges and state prosecutors shall have the right and duty to attend the in-service training for at least two working days annually for which they are to apply based on their own interest. (Article 45 paragraph 2 of the Law on the Centre for Training in Judiciary and State Prosecution (“Official Gazette of Montenegro” no. 58/2015)).
The only compulsory specialized training is the training for state prosecutors for the juveniles (in charge of juveniles), according to the Law on Treatment of Juveniles in Criminal Proceedings). All state prosecutors in charge of juveniles went through the specialized training. The trainings for management functions in state prosecution offices are organized in accordance with current needs and, thus, these are not compulsory. When it comes to training activities for the use of computers in state prosecution offices, these training activities are organized and conducted by the other authorities such as Prosecutorial Council and Human Resource Management Authority.

Q72 (2025): The mandatory duration of the initial training is defined by the provision from Article 42 of the Law on the Center for Training in the Judiciary and the State Prosecutor's Office.
That Law was amended by the Law amending and supplementing the Law on the Center for Training in the Judiciary and the State Prosecutor's Office ("Official Gazette of Montenegro", no. 054/24 of 11.06.2024).
The initial training for candidates for judges of the basic court, that is, for candidates for state prosecutors in the basic state prosecutor's office lasts 12 months, of which three months are theoretical training and nine months are practical training.
Converted into days of theoretical training, that is 63 days of six hours of training per training day.
The initial training for candidates for misdemeanor judges lasts six months, of which two months are theoretical training, and four months practical training, and is conducted at the Center, that is, the Court for Misdemeanors in Podgorica.
Converted into days of theoretical training, that is 42 days of six hours of training per training day.
The initial training for candidates for judges in the Commercial Court of Montenegro lasts six months, of which 40 hours per month of theoretical training are conducted in the Center, i.e. the Commercial Court of Montenegro.
Converted into days of theoretical training, that is 42 days of six hours of training per training day.
The initial training for candidates for judges of the Administrative Court of Montenegro lasts four months, of which 40 hours per month of theoretical training are conducted in the Center, i.e. the Administrative Court of Montenegro.
Converted into days of theoretical training, it is 42 days of training of six hours per training day.
Judges and state prosecutors shall have the right and duty to attend the in-service training for at least two working days annually for which they are to apply based on their own interest. (Article 45 paragraph 2 of the Law on the Centre for Training in Judiciary and State Prosecution (“Official Gazette of Montenegro” no. 58/2015)).

Q72 (2024): The mandatory duration of the initial training is defined by the provision from Article 42 of the Law on the Center for Training in the Judiciary and the State Prosecutor's Office.
That Law was amended by the Law amending and supplementing the Law on the Center for Training in the Judiciary and the State Prosecutor's Office ("Official Gazette of Montenegro", no. 054/24 of 11.06.2024).
The initial training for candidates for judges of the basic court, that is, for candidates for state prosecutors in the basic state prosecutor's office lasts 12 months, of which three months are theoretical training and nine months are practical training.
Converted into days of theoretical training, that is 63 days of six hours of training per training day.
The initial training for candidates for misdemeanor judges lasts six months, of which two months are theoretical training, and four months practical training, and is conducted at the Center, that is, the Court for Misdemeanors in Podgorica.
Converted into days of theoretical training, that is 42 days of six hours of training per training day.
The initial training for candidates for judges in the Commercial Court of Montenegro lasts six months, of which 40 hours per month of theoretical training are conducted in the Center, i.e. the Commercial Court of Montenegro.
Converted into days of theoretical training, that is 42 days of six hours of training per training day.
The initial training for candidates for judges of the Administrative Court of Montenegro lasts four months, of which 40 hours per month of theoretical training are conducted in the Center, i.e. the Administrative Court of Montenegro.
Converted into days of theoretical training, it is 42 days of training of six hours per training day.
Judges and state prosecutors shall have the right and duty to attend the in-service training for at least two working days annually for which they are to apply based on their own interest. (Article 45 paragraph 2 of the Law on the Centre for Training in Judiciary and State Prosecution (“Official Gazette of Montenegro” no. 58/2015)).

Q72 (2023): The mandatory duration of the initial training is defined by the provision from Article 42 of the Law on the Center for Training in the Judiciary and the State Prosecutor's Office.
The initial training for candidates for judges of the basic court, that is, for candidates for state prosecutors in the basic state prosecutor's office lasts 18 months, of which six months are theoretical training and 12 months are practical training.
Converted into days of theoretical training, that is 128 days of six hours of training per training day.
The initial training for candidates for misdemeanor judges lasts nine months, of which three months are theoretical training, and six months practical training, and is conducted at the Center, that is, the Court for Misdemeanors in Podgorica.
Converted into days of theoretical training, that is 60 days of six hours of training per training day.
The initial training for candidates for judges in the Commercial Court of Montenegro lasts six months, of which 40 hours per month of theoretical training are conducted in the Center, i.e. the Commercial Court of Montenegro.
Converted into days of theoretical training, that is 44 days of six hours of training per training day.
The initial training for candidates for judges of the Administrative Court of Montenegro lasts four months, of which 20 hours per month of theoretical training are conducted in the Center, i.e. the Administrative Court of Montenegro.
Converted into days of theoretical training, it is 16 days of training of six hours per training day.
Judges and state prosecutors shall have the right and duty to attend the in-service training for at least two working days annually for which they are to apply based on their own interest. (Article 45 paragraph 2 of the Law on the Centre for Training in Judiciary and State Prosecution (“Official Gazette of Montenegro” no. 58/2015)).

Q72 (2022): The mandatory duration of the initial training is defined by the provision from Article 42 of the Law on the Center for Training in the Judiciary and the State Prosecutor's Office.
The initial training for candidates for judges of the basic court, that is, for candidates for state prosecutors in the basic state prosecutor's office lasts 18 months, of which six months are theoretical training and 12 months are practical training.
Converted into days of theoretical training, that is 128 days of six hours of training per training day.
The initial training for candidates for misdemeanor judges lasts nine months, of which three months are theoretical training, and six months practical training, and is conducted at the Center, that is, the Court for Misdemeanors in Podgorica.
Converted into days of theoretical training, that is 60 days of six hours of training per training day.
The initial training for candidates for judges in the Commercial Court of Montenegro lasts six months, of which 40 hours per month of theoretical training are conducted in the Center, i.e. the Commercial Court of Montenegro.
Converted into days of theoretical training, that is 44 days of six hours of training per training day.
The initial training for candidates for judges of the Administrative Court of Montenegro lasts four months, of which 20 hours per month of theoretical training are conducted in the Center, i.e. the Administrative Court of Montenegro.
Converted into days of theoretical training, it is 16 days of training of six hours per training day.
Judges and state prosecutors shall have the right and duty to attend the in-service training for at least two working days annually for which they are to apply based on their own interest. (Article 45 paragraph 2 of the Law on the Centre for Training in Judiciary and State Prosecution (“Official Gazette of Montenegro” no. 58/2015)).

Q73 (2025): During 2025, the Centre for Training in the Judiciary and State Prosecution, in accordance with the adopted 2025 In- service Training Programme, implemented 70 activities, amounting to a total of 122 training days. In addition to the aforementioned Programme, and within the framework of the continuous training of judges and state prosecutors, a further 46 activities were carried out. This brings the total number of In-service training activities for judges and state prosecutors to 116, implemented either independently by the Centre or in cooperation with the Centre's partners.
The number of 122 training days refers exclusively to the training activities implemented under the 2025 In-service Training Programme. Therefore, the overall number of training days is not precise and should be considered as NA.
N/A. In-service training activities are organized jointly for judges and state prosecutors; therefore, it is not possible to disaggregate the number of training activities or training days by these categories. In addition, separate data for non-judge and non-prosecutor staff cannot be provided, as training activities are also attended by advisors from courts and state prosecution offices.
The Centre's e-learning platform is operational. So far, two courses have been developed and uploaded to the platform. These courses are intended for all legal professionals and holders of judicial offices and are not designed for specific professional categories

Q73 (2022): - In cooperation with HELP Programme for the Western Balkans and Turkey, Council of Europe (The European Programme for Human Rights Education for Legal Professionals), the Centre organized 2 (two) HELP e-learning courses and participated in 1 (one) regional HELP online course:
- The first HELP online course – e-learning (21 February to 21 April 2022) - The total pf 40 participants successfully completed this course (in effective duration of 12 hours) - 8 judges, 3 state prosecutors, 12 advisors from courts, 3 advisors from state prosecution offices, 3 trainees from courts, 2 candidates for judges, 4 candidates for state prosecutors, 2 lawyers and 3 representatives of the Ministry of Justice and Human and Minority Rights of Montenegro.
- The second HELP online course - e-learning (21 September – 21 November 2022) - The total of 38 participants successfully completed this course (in effective duration of 18 hours) – 7 judges, 1 state prosecutor, 11 advisors from courts, 5 trainees from courts, 1 candidate for a judge, 3 lawyers, 6 representatives of the Ministry of Justice of Montenegro, 3 representatives of LGBTQ organizations and 1 representative of the Institution of the Protector of Human Rights and Freedoms of Montenegro (Ombudsman).
- The regional HELP online course (29 March – 29 May 2022) organized by the Council of Europe HELP Programme and the United Nations High Commissioner for Refugees (UNHCR) – the participants herein attended separate courses in relation to the country they come from, which were translated into all languages of the Western Balkan countries and adapted to respective national legislation. The total of 11 participants successfully completed this course – 2 judges, 3 advisors from courts, 2 trainees from courts, 2 representatives of the Ministry of Justice of Montenegro, 1 representative of the Notary Office in Cetinje and 1 representative of the Ministry of Finance and Social Welfare.
The Centre participates in the activities offered by the European Judicial Training Network (EJTN) despite its status of an observer. During 2022, owing to the Centre's role of an intermediary and the invitation to participate in training activities, 19 representatives of the Montenegrin judiciary (14 judges, 2 state prosecutor, 2 trainees from courts and 1 advisor from a court) participated herein. These training activities encompassed 6 one-hour online seminars, 1 two-and-a-half-hour online seminar, 1 two-day online workshop, 2 two-day virtual study visits to the ECtHR and 1 in-person seminar.
- Finally, in 2022, owing to the role of the Centre as an intermediary and the invitation to participate in online training activities and face-to-face activities organised by foreign partners (at the regional and European level), the total of 108 representatives of Montenegrin judiciary participated in 38 training activities (51 judges, 15 special prosecutors, 18 state prosecutors, 13 candidates for a judge, 4 advisors from Special State Prosecution Office, 4 advisors from state prosecution offices, 1 advisor from a court and 2 trainees in courts). – PLEASE NOTE : This number DOES NOT include unique participants. Note: (comment ref. column 5) In total, 16,5 training days: (3 HELP courses: two 12-hour courses (4 training days) and one 18-hours course (3 training days) + EJTN two-day online workshop (2 training days), 2 EJTN two-day virtual study visits to the ECtHR (4 training days), 1 EJTN two-day in-person seminar (2 training days) + 6 one-hour online seminars and 1 two-and-a-half-hour online seminar (1 and a half training day))

Q74 (2025): Given that In-service training is primarily intended for judges and state prosecutors, the data provided refers to the number of judges and state prosecutors out of the total number of active judges and state prosecutors.
N/A. At this stage, the Centre does not yet have statistical data on the number of holders of judicial offices and legal professionals who have attended the e-learning courses, considering that users have only recently been informed that the platform has been adapted and is fully functional.
N/A. Data on the number of non-judge and non-prosecutor staff is not considered relevant in this context. Although, as previously noted, advisors and other non-judge and non-prosecutor may attend certain training activities within the framework of In-service training, the Centre has recently established a dedicated department responsible for the specialized training of advisors and trainees in courts and state prosecution offices, as well as lawyers, notaries and public enforcement agents. Therefore, participation of these categories is primarily monitored through the activities organized by this department.
During 2025, the Centre organized theoretical training sessions for a total of 72 judicial trainees in courts and state prosecution offices. Out of the total number of trainees, 52 were assigned to courts, while the remaining 20 were assigned to state prosecution offices.
The discrepancy is due to the methodology used for reporting participants in in-service training activities. In-service trainings are often organized jointly for judges and state prosecutors, while certain training modules are intended primarily for judges (particularly in the field of civil law). Training activities within the criminal law module are generally attended by both judges and prosecutors.
As a result, the distribution of participants between judges and prosecutors varies depending on the subject matter and target group of each activity. In addition, only one training activity during the reporting period, dedicated to financial investigations, was attended exclusively by state prosecutors and was therefore reported solely under prosecutors' participation.

Q74 (2023): And 310 other participants not included in this categories
Q74 (2022): In addition, as per the column one 121 other participants (representatives of state institutions, law enforcement officers, lawyers, etc) undergone trough training.
Comment: The participants in the training activities also included other legal professionals, i.e. the representatives of the Ministry of Justice (and Human and Minority Rights), notary public offices, the Ministry of Finance and Social Welfare, LGBTQ organizations and Institution of the Protector of Human Rights and Freedoms of Montenegro (Ombudsman).
Note: (comment ref. column 3 - Total): The total of 108 participants in training activities includes: 31 judges, 6 prosecutors, 42 non-judge staff (3 candidates for judges + 27 advisors from courts + 12 trainees from courts), 7 non-prosecutor staff (4 candidates for state prosecutors + 3 advisors from state prosecution offices), 22 legal professionals from other public institutions (5 lawyers, 11 the Ministry of Justice (and Human and Minority Rights) + 1 notary public offices + 1 the Ministry of Finance and Social Welfare + 3 LGBTQ organizations + 1 Institution of the Protector of Human Rights and Freedoms of Montenegro (Ombudsman).
Note: (comment ref. column 3 - Non-judge staff): 3 candidates for judges + 27 advisors from courts + 12 trainees from courts.
Note: (comment ref. column 3 - Non-prosecutor staff): 4 candidates for state prosecutors + 3 advisors from state prosecution offices.
In non-prosecutor and non-judge staff we did not count trainees/interns in courts and state prosecution offices. The Centre for Training in Judiciary and State Prosecution implements theoretical part of professional training of trainees/interns in courts and state prosecution offices, in accordance with the Law on Trainees in Courts and State Prosecution Offices and Bar Examination ("Official Gazette of Montenegro", no. 55/2016 and 57/2016) and upon the Training Programme for Trainees in Courts and State Prosecution Offices which was adopted in January 2018. In 2022, the CTJSP organized training for 108 interns, of which 88 are interns in courts and 20 in state prosecutor's offices. The trainees were divided into five groups, and a total of 23 trainings were conducted (2 live and 21 online), i.e. 55 days of training.

Q75 (2025): At this stage, the Centre does not maintain disaggregated statistical data on participation by gender. The internal data collection and reporting system is still being further developed and currently does not allow for the extraction of training participation data broken down by women and men. Efforts are ongoing to improve internal monitoring mechanisms in order to enable more detailed statistical reporting in the future.
Q76 (2025): there were no internet based trainings
Q76 (2024): And 18 other participants (representatives of state institutions, law enforcement officers, attorney-at-law, etc).
The participants in the training activities also included other legal professionals, i.e. attorneys-at-law, representatives of the Centre for Training in Judiciary and State Prosecution, Center for Women's Rights and the manager of the court registry.
Note (comment ref. row 1 - Total): The total of 109 participants in training activities includes: 29 judges, 22 prosecutors, 30 non-judge staff (2 candidate for a judge + 16 advisors from courts + 12 trainees from courts), 10 non-prosecutor staff (1 candidates for state prosecutors + 9 advisors from state prosecution offices), 18 legal professionals from other public institutions (15 attorneys-at-law) + 1 representative of the Centre for Training in Judiciary and State Prosecution + 1 representative of the Center for Women's Rights + 1 manager of the court registry.
Note (comment ref. row 4 - Non-judge staff): 2 candidates for judges + 16 advisors from courts + 12 trainees from courts.
Note (comment ref. row 5 - Non-prosecutor staff): 1 candidate for a state prosecutor + 9 advisors from state prosecution offices.
- In cooperation with HELP Programme for the Western Balkans and Turkey, Council of Europe (The European Programme for Human Rights Education for Legal Professionals), the Centre organized 4 (four) HELP e-learning courses:
- The first HELP online course – e-learning (4 March to 21 April 2024) - The total of 18 participants successfully completed this course on the topic Judicial Reasoning and Human Rights (in effective duration of 20 hours) - 4 judges, 4 advisors from courts, 4 trainees from courts, 1 candidate for a judge, 4 attorneys-at-law and 1 manager of the court registry.
- The second HELP online course – e-learning (26 April to 18 July 2024) - The total of 25 participants successfully completed this course on the topic of Access to Justice for Women (in effective duration of 20 hours) - 4 judges, 5 state prosecutors, 3 advisors from courts, 2 advisors from state prosecution, 1 candidate for judges, 1 candidate for state prosecution, 7 attorneys-at-law, 1 representative of the Centre for Training in Judiciary and State Prosecution and 1 representative of the Center for Women's Rights. - The third HELP online course - e-learning (3 June – 31 July 2024) - The total of 1 participant successfully completed this course on the topic of The Importance of Quality of Justice in Mediation (in effective duration of 25 hours) – 1 judge.
- The fourth HELP online course – e-learning (4 October to 1 December 2024) - The total of 41 participant successfully completed this course on the topic of Procedural Safeguards in Criminal Proceedings and Victim's Rights (in effective duration of 26 hours) - 12 judges, 5 state prosecutors, 9 advisors from courts, 2 advisors from state prosecution, 8 trainees from courts, 4 attorneys-at-law and 1 representative of the Centre for Training in Judiciary and State Prosecution. - The Centre participates in the activities offered by the European Judicial Training Network (EJTN) within EJTN - Pilot Action on Judicial Training (Western Balkans II Project) that project was launched in March 2022 for a period of three years. It is implemented within the "IPA II Multi-country Action Programme 2020" and benefits from the financial support of the European Commission's Directorate-General for Neighbourhood and Enlargement Negotiations (DG NEAR). The main goal of the Project is to strengthen the capacities of the judicial training institutions in the Western Balkans for delivery of effective and efficient judicial training to judges and prosecutors on the EU acquis, including on the rule of law, with a view to support the enlargement and stabilisation and association process, as well as the Western Balkan Strategy of the European Union. The Project works across two closely related components. The first component, which identifies the Serbian Judicial Academy (JA) and the Montenegrin Centre for Training in Judiciary and State Prosecution (CTJSP) as the primary beneficiaries of the action, aims to

Q77 (General Comment): The Law on the Centre for Training in Judiciary and State Prosecution does not stipulate penalties for judges who do not participate in training activities. However, when the work of judges is evaluated by the Judicial Council, one of the sub-criteria is participation in training activities. Therefore, if judges do not participate in training activities, it may have a negative effect on the overall evaluation of the work of judges.
Q77 (2025): Judges and state prosecutors shall have the right and duty to attend the in-service training for at least two working days annually for which they are to apply based on their own interest. (Article 45 paragraph 2 of the Law on the Centre for Training in Judiciary and State Prosecution ("Official Gazette of Montenegro" no. 58/2015)). According to the Law on the Judicial Council and Judges "Official Gazette of Montenegro", No. 11/2015, 28/2015, 42/2018, and 60/2024, it is stipulated that the general abilities and professional activities of a judge are assessed based on the following sub-criteria: communication skills; ability to adapt to changing circumstances; participation in various professional activities. Participation in various professional activities is assessed based on the judge's involvement in training and other professional activities. Therefore, it is important to fulfill the required number of training sessions prescribed by the Law on the Center, because the final assessment of the judge depends on their further advancement in service.

Q77 (2024): Judges and state prosecutors shall have the right and duty to attend the in-service training for at least two working days annually for which they are to apply based on their own interest. (Article 45 paragraph 2 of the Law on the Centre for Training in Judiciary and State Prosecution ("Official Gazette of Montenegro" no. 58/2015)). According to the Law on the Judicial Council and Judges "Official Gazette of Montenegro", No. 11/2015, 28/2015, 42/2018, and 60/2024, it is stipulated that the general abilities and professional activities of a judge are assessed based on the following sub-criteria: communication skills; ability to adapt to changing circumstances; participation in various professional activities. Participation in various professional activities is assessed based on the judge's involvement in training and other professional activities. Therefore, it is important to fulfill the required number of training sessions prescribed by the Law on the Center, because the final assessment of the judge depends on their further advancement in service.

Q78 (General Comment): The Law on the Centre for Training in Judiciary and State Prosecution does not stipulate penalties for state prosecutors who do not participate in training activities. However, when the work of state prosecutors is evaluated by the Prosecutorial Council, one of the sub-criteria is participation in training activities. Therefore, if state prosecutors do not participate in training activities, it may have a negative effect on the overall evaluation of the work of state prosecutors
Q78 (2025): Judges and state prosecutors shall have the right and duty to attend the in-service training for at least two working days annually for which they are to apply based on their own interest. (Article 45 paragraph 2 of the Law on the Centre for Training in Judiciary and State Prosecution ("Official Gazette of Montenegro" no. 58/2015)). According to the Law on the Judicial Council and Judges "Official Gazette of Montenegro", No. 11/2015, 28/2015, 42/2018, and 60/2024, it is stipulated that the general abilities and professional activities of a judge are assessed based on the following sub-criteria: communication skills; ability to adapt to changing circumstances; participation in various professional activities. Participation in various professional activities is assessed based on the judge's involvement in training and other professional activities. Therefore, it is important to fulfill the required number of training sessions prescribed by the Law on the Center, because the final assessment of the judge depends on their further advancement in service.

Q78 (2024): Judges and state prosecutors shall have the right and duty to attend the in-service training for at least two working days annually for which they are to apply based on their own interest. (Article 45 paragraph 2 of the Law on the Centre for Training in Judiciary and State Prosecution (“Official Gazette of Montenegro” no. 58/2015)).
According to the Law on the State Prosecutor's Office "Official Gazette of Montenegro", No. 11/2015, 42/2015, 80/2017, 10/2018, 76/2020, 59/2021, and 54/2024, the Secretariat keeps a record of data on state prosecutors and heads of state prosecutor offices, which includes, among other things, data on published scientific and professional papers and other activities in the profession. Professional activities also include participation in training, which is significant when evaluating the work of state prosecutors. Therefore, it is important to fulfill the required number of training sessions prescribed by the Law on the Center, as the final evaluation of the state prosecutor depends on their further advancement in service.

Q79 (General Comment): The Basic State Prosecutor's Office in Kotor and the Basic State Prosecutor's Office in Bijelo Polje have prosecutors who are specially trained in the field of domestic violence and sexual violence, as well as in the particular field of domestic violence and sexual violence against juvenile victims.
The Basic State Prosecutor's Office in Podgorica and the Basic State Prosecutor's Office in Plav have prosecutors who are specially trained in the field of domestic violence and sexual violence.
The High State Prosecutor's Office in Bijelo Polje, the High State Prosecutor's Office in Podgorica and the Basic State Prosecutor's Office in Bar have specialized prosecutors for dealing with juvenile victims, in the criminal offences of domestic violence and sexual violence.
Q79 (2025): The authorized prosecutors for all criminal offenses in proceedings against minors are the state prosecutors for minors, who are specially trained to conduct such proceedings.
Q79 (2024): The authorized prosecutors for all criminal offenses in proceedings against minors are the state prosecutors for minors, who are specially trained to conduct such proceedings.
Q79 (2023): There are prosecutors specialized in the area of domestic violence and sexual violence. They undergone trough trainings for these topics, possess certificates and, among other, they work on cases regarding criminal offences related to these types of violence.
Q79 (2022): There are prosecutors specialized in the area of domestic violence and sexual violence. They undergone trough trainings for these topics, possess certificates and, among other, they work on cases regarding criminal offences related to these types of violence.

Q80 (2025): EJTN – Western Balkans II Project
"Intellectual Property Protection in the EU – Montenegro Context" – 10 participants: 8 judges (Supreme and Commercial Courts) and 2 court advisors.
Train the Trainers on EU Administrative Law (Serbia context) – 2 judges (Administrative Court).
Train the Trainers on the EU Charter of Fundamental Rights (Serbia context) – 6 judges from various Basic and Higher Courts.
Study visit on organized crime prevention – 2 state prosecutors.
Two-day Train the Trainers on Judicial Skills – 2 judges.
CLEUIM Project (Jean Monnet Chair in EU Internal Market Law)
Training on "EU Internal Market and Environmental Protection" – 12 participants: 1 state prosecutor, 2 judicial trainees, 1 trainee prosecutor, 1 court advisor, and 7 trainees from courts and prosecution offices.
Project “How Much Does Corruption Cost?” (in cooperation with CEDEM)
Joint training on "Needs of the Montenegrin Judiciary, Police and Customs for Enhancing Judicial Cooperation in Criminal Matters and Anti-Corruption Measures" – 19 participants: 4 judges, 2 state prosecutors, 4 advisors in prosecution offices, 5 police representatives, and 4 customs representatives.
At present, none of the courses implemented on the Centre’s e-learning platform cover EU law; however, the implementation of a course on EU law is planned in the near future.

Q81 (2025): N/A. See the comment section above.
Q82 (2025): See the comment section above – EJTN and CEDEM trainings.
Q83 (2025): At present, none of the courses implemented on the Centre’s e-learning platform cover the European Convention on Human Rights (ECHR); however, the implementation of an ECHR-focused course is planned in the near future. The Centre is currently in the process of integrating HELP courses into its e-learning platform.
Q84 (2025): At present, none of the courses implemented on the Centre’s e-learning platform cover the European Convention on Human Rights (ECHR); however, the implementation of an ECHR-focused course is planned in the near future. The Centre is currently in the process of integrating HELP courses into its e-learning platform.
Q85 (2025): Comments
One training session was organized within Phase III of the joint European Union–Council of Europe programme, “Horizontal Facility for the Western Balkans and Turkey 2023–2026”, which supports the implementation of reform agendas in the fields of human rights, rule of law, and democracy, and assists in aligning with European standards and EU legal acquis where relevant. The training was conducted under the “Strengthening Justice” theme, specifically within the project “Accountability and Professionalism in the Justice System”.
All other training activities were conducted within the framework of the 2025 In-service Training Programme for Judges and State Prosecutors, organized independently by the Centre.

Q86 (2025): Before adopting an annual training programme, the Centre conducts training needs assessment on the basis of the Training Needs Assessment Methodology developed with the support of the Council of Europe within the project "Accountability and Professionalism of the Judicial System in Montenegro", i.e. the Horizontal Facility for the Western Balkans and Turkey II. This methodology is based on a comprehensive approach which includes various qualitative and quantitative research tools and methods. This includes collecting data by sending electronic questionnaires to judges and state prosecutors who express their interests and needs for training, but also through focus group meetings and interviews with the training programme beneficiaries, which serve as a basis for preparation of the annual training programme. The Centre also takes into account the review of legislation, reports and strategic documents, letters from national institutions and organizations, contributions from professional associations and non-governmental organizations, analysis of other available statistical data, expert assessments and, of course, the Progress Report of Montenegro prepared by the EU Commission, as well as other relevant recommendations. The Centre also uses the Google Analytics platform, i.e. a questionnaire for collecting opinions and suggestions of key target groups, i.e. judges The invitation link is sent to all judges through court presidents. When it comes to focus groups, first of all, the Centre carefully selects the members of these focus groups on an annual basis and then at the meetings the Centre gains a deeper insight into their views, opinions and suggestions. There are three focus groups - for criminal law, civil law and misdemeanor law. When it comes to the judges of the Commercial Court and the Administrative Court, due to the small number of these judges, the Centre usually conducts an interview with them in order to take into account their opinion. The Supreme State Prosecutor’s Office prepares a separate Training Needs Analysis (TNA) for prosecutors and submits it to the Centre.

Q86 (2024): Before adopting an annual training programme, the Centre conducts training needs assessment on the basis of the Training Needs Assessment Methodology developed with the support of the Council of Europe within the project "Accountability and Professionalism of the Judicial System in Montenegro", i.e. the Horizontal Facility for the Western Balkans and Turkey II. This methodology is based on a comprehensive approach which includes various qualitative and quantitative research tools and methods. This includes collecting data by sending electronic questionnaires to judges and state prosecutors who express their interests and needs for training, but also through focus group meetings and interviews with the training programme beneficiaries, which serve as a basis for preparation of the annual training programme. The Centre also takes into account the review of legislation, reports and strategic documents, letters from national institutions and organizations, contributions from professional associations and non-governmental organizations, analysis of other available statistical data, expert assessments and, of course, the Progress Report of Montenegro prepared by the EU Commission, as well as other relevant recommendations. The Centre also uses the Google Analytics platform, i.e. a questionnaire for collecting opinions and suggestions of key target groups, i.e. judges and state prosecutors. The invitation link is sent to all judges and prosecutors through court presidents and heads of state prosecution offices. When it comes to focus groups, first of all, the Centre carefully selects the members of these focus groups on an annual basis and then at the meetings the Centre gains a deeper insight into their views, opinions and suggestions. There are three focus groups - for criminal law, civil law and misdemeanor law. When it comes to the judges of the Commercial Court and the Administrative Court, due to the small number of these judges, the Centre usually conducts an interview with them in order to take into account their opinion.
From 2023 a set of questions about the EU law was included in the questionnaire with the help of the European Judicial Training Network (EJTN). The main expected result hereof was development of a Training Programme on the EU acquis, consisting of 5 (five) face-to-face and 1 (one) online seminar, which has been incorporated into the CTJSP’s Annual Training Programme in 2023 and 2024. Namely, the EJTN appointed two experts who worked on conducting the analysis of the results of the TNA in cooperation with the Centre from November to December 2022. These experts contributed to the TNA with elaboration of survey questions, participation in focus groups meetings, discussions with project beneficiaries and other relevant stakeholders, as well as with drafting a proposal for organization of training courses on the EU law and recommendations for improvement of the TNA process.

Q88 (General Comment): The so-far evaluation carried out by the Centre for Training in Judiciary and State Prosecution was aimed at measuring satisfaction of participants in training activities, immediately after the training activity.
Through evaluation questionnaires, which are filled out at the end of the training, we examined whether and to what extent the participants are satisfied with the training programme, owing to which we obtain average grades by taking into account the following:
- to what extent the participants' expectations are fulfilled;
- satisfaction with the offered material;
- general evaluations of the training activity;
- knowledge self-assessment before and after the training; (i.e. positive differences in self-assessment of participants' knowledge before and after the training);
- proposals for future topics;
- and acceptability of the teaching method or the way in which the lecture was implemented.
In the evaluation questionnaire, special attention is paid to the assessment of the quality of lecturers, where the following is assessed: - Quality of lectures; - Adherence to scheduled duration of lectures; - Communication and interaction with participants in the training activity; - Clarity and interestingness of the presentation; - Mastery of knowledge transfer skills; - Applicability in practice when it comes to the contents of the lecture and the materials shared during the training; - Demonstrated motivation.
Taking into account the above, the Centre interprets the results and opinions presented in the evaluation form, and adapts its training offer to the suggestions provided by the participants (and based on the analysis, the Centre can also change the lecturers).
In addition, the Rulebook on Lecturers prescribes the obligation of lecturers to submit a report after the training (where the lecturer himself expresses his opinion on success of the training, whether the topic was relevant, involvement of the participants, etc.). At the end of 2022, the Centre started to amend its Rulebook on Lecturers. The amendment hereof foresees introduction of a questionnaire that will be distributed to participants both at the beginning and at the end of the training, with the same questions, in order to measure knowledge improvement in terms of specific training activity, i.e. training topic.
Furthermore, the Centre monitors implementation of its Annual Training Programmes through quantitative indicators of success, such as the number of implemented programmes, implemented training activities, and the number and structure of the participants. In this way, the Centre can obtain the number of the most attended training activities (through average attendance and the interest expressed in attending the training).
When it comes to the measurement of real effects of the training activity (in addition to the evaluation questionnaires after completion of the training, sending of questionnaires after a certain period of time), we believe that the best indicator of the effects of the training activities is the analysis of judicial practice, i.e. the way in which judges and state prosecutors apply acquired knowledge in their daily practice. The Centre carries out this type of evaluation exceptionally and in cooperation with international partners, within the projects related to a specific area. For example, such an analysis was carried out in relation to the freedom of expression, when court decisions were analysed, the number of court decisions and the manner in which international standards were applied in connection with Article 10 of the ECHR, in the time period before and during the implementation of the

North Macedonia
Q10 (2025): The Academy is responsible for the training of judges and prosecutors, non-judge and non-prosecutor staff.
External donor are not included in the budget of the Academy.
2025 training budget decreased by approximately 40% compared to the previous year. This decrease is result of the fact that there were no new generation of initial training in 2025.

Q10 (2022): Implemented budget from donors: 52 640 €.
Q10-1 (2023): 11.077 Euro is donation for software for Academy.
Q72 (General Comment): The initial training lasts 24 months and takes place in two phases, namely:
- first phase - theoretical teaching at the Academy lasting nine months and
- second stage - practical teaching in courts and public prosecutor's offices and others
institutions, in accordance with the initial training program lasting 15 months.
The initial training is organized in three modules. Each module contains 7 subjects, or total of 21 subjects. The first and second modules are composed of 414 hours, while the third module is composed of 207 hours. Initial training contains 1035 hours in total. One teaching hour equals 40 minutes.
The Academy conducts compulsory training for judges and public prosecutors, in accordance with Article 5 of the Rules for Continuous Training, which they must attend as soon as they are elected. The number of mandatory days of training on an annual level decreasing gradually, as the judge's /the prosecutor seniority increases. Failure to meet the required number of training days on an annual level may even lead to deducting points, i.e. obtaining a lower annual grade, which, further, may make it more difficult for the concerned judge, i.e. public prosecutor, to be promoted in the future.
According to Article 7 paragraph 4, new elected judges and public prosecutors are obliged, of their choice, to attend intensive continuous training lasting five working days, which is carried out on the basis of a specialized program (divided into two modules: criminal and civil) for mandatory continuous training. Judges/public prosecutors with up to 3 years of experience are obliged to attend a total of 10 days of training.
1-3 years of experience as a judge/prosecutor=10 days of training
3-8 years of experience as a judge/prosecutor=6 days of training
8-15 years of experience as a judge/prosecutor=4 days of training
over 15 years of experience as a judge/prosecutor=2 days of training

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over 15 years of experience as a judge/prosecutor=2 days of training
Q73 (2023): The decrease is due to the different needs defined in the Program for continuous training.
Q74 (2025): 985 participants is total number for non-judges and non-prosecutors for in live trainings. The Academy`s system can`t provide separate number for this category.

Q74 (2024): 1552 participants is total number for non-judges and non-prosecutors for in live trainings. The Academy`s system can`t provide separate number for this category.

Q74 (2023): 1261 participants is total number for non-judges and non-prosecutors for in live trainings. The Academy`s system can`t provide separate number for this category.

Q74 (2022): 2348 participants is total number for non-judges and non-prosecutors for in live trainings, and 91 is total number for non-judge and non-prosecutor staff for e-learning training. The Academy`s system can`t provide separate number for this category.
Q75 (2022): Currently, the Academy's system can process and deliver data on the total number of judges and public prosecutors, that is, the total number of judges and the total number of public prosecutors who participated in the training. It can also provide data on the total number of training sessions by topic, but it is not possible to provide data according to your requirements.
Q76 (2025): All 6 trainings are intended for judges, prosecutors, non judge staff and non prosecutor staff, there is no separate training for each category.

Q76 (2024): 2 participants is total number for non-judges and non-prosecutors. The Academy`s system can`t provide separate number for this category.

Q77 (General Comment): According to the current Law on Courts, (Article 77 paragraph 1 item 5) as a disciplinary violation for which a disciplinary procedure is initiated to determine the disciplinary responsibility of a judge for whom a disciplinary measure will be imposed, is considered lack of mandatory training. the duty of continuing training). According to the Law and bylaws of the Academy, the Academy only organize trainings that are mandatory and at the end of each calendar year they give certificates to the judges for the number of days spent on training. For the training days that the judges have gone through and whether they have completed the number of trainings according to their length of service, the Academy inform the Judicial Council which is acting further.

Q78 (General Comment): See the answer on question 148.
According to the Law on Public Prosecutor's Office (Article 70 paragraph 1 line 8) as a disciplinary violation for initiating a disciplinary procedure of public prosecutor is also and failure to fulfill the duty of professional education.
Q79 (General Comment): In the Academy for judges and prosecutors are organised a lot of training activities in the field of domestic and sexual violence.
The Academy for Judges and Public Prosecutors within the general Program for continuous training of judges and public prosecutors as well as in the Catalog for mandatory continuous training envisages and implements trainings on domestic violence and sexual violence.
The notifications submitted to the courts and prosecutor's offices for each specific training indicate the target group for which the training is intended. The trainings on the indicated topics are intended for judges and public prosecutors who act in cases from the areas mentioned in the question.
Q80 (2025): Data protection and right to privacy
5g technology - quantum computing, blockchain and the internet
Protection of women and victims of violence
Artificial intelligence systems and fundamental rights
Introduction to the protection of human rights in Europe - the interaction between the ECHR and the Chapter of Fundamental rights of the EU HELP course
Digital contracts act
Q83 (2025): Data protection and right to privacy
New judgments based on Article 8 of the ECHR (private and family life
The role of the ECtHR in determining the scope of human rights with examples form case law
Freedom of expression and safety of journalists
Introduction to the protection of human rights in Europe - the interaction between the ECHR and the Chapter of Fundamental rights of EU - HELP course
Enforcement of judgments rendered by the ECtHR in civil and criminal proceedings Free legal aid/ The practice of the ECtHR on access to justice in civil and administrative proceedings In addition to the above mentioned trainings, the practice of the ECHR and the recommendations of the CoE have also been reviewed in other trainings, around 25 trainings

Q86 (General Comment): Trainings on a specific topic may become part of the Academy's training catalog and as a result of a given obligation in accordance with the Conclusions of the Government of the RSM or other institutions, trainings arising as an obligation from adopted national programs, strategies or trainings agreed with international projects and collaborators .
Monitoring and evaluation are of key importance for the quality control of the General Program, as well as of the events held according to the Training Catalog, developed on the basis of the General Program. For that reason, the Academy conducts monitoring and evaluation of the events, through questionnaires that the participants receive at each event, and refer to the evaluation of the success of the program, the lecturers, the materials and the success of the program, with the possibility of giving their own suggestions and comments.

Serbia
Q10 (General Comment): This is the total budget of the Judicial Academy. The average exchange rate is 117,5 on January 27th, 2026 since the budget is in dinars.
Q10 (2022): 4200813 e - total
4071987 e - from the budget of Republic of Serbia
128826 e - funded by donors
Q10-1 (General Comment): This is the total budget coming from external donors for the Judicial Academy. The average exchange rate is 117,5 on January 27th, 2026 since the budget is in dinars.
Q10-1 (2024): the answer is provided from the Judicial academy
Q72 (2025): During initial training the users of the initial training have the obligation to pass 4 HELP courses.
Q72 (2023): During initial training the users of the initial training have the obligation to pass 4 HELP courses.
Q73 (2025): There is a discrepancy due to the specific training provided for a specific target group and each one is counted (calculated) separately
Q73 (2024): Judicial Academy is continuously working to improve its training programs, therefore there might be a discrepancy regarding the number of participants, number of trainings, different offered trainings in regards to topics etc. and it all depends on the yearly demands and expectations of the all public institutions which take active participation in our programs, both in vivo and online. Moreover, at the end of each year Judicial Academy conducts a training needs analysis which is a guiding reference for the future trainings.

Q73 (2023): In 2023 the priority of the Judicial Academy was the development and the promotion of the Academy's new distance learning platform-LMS platform as well as development of the e-learning courses and e-library. That is the reason of the decreased number of live trainings delivered in comparison to 2022.
Q73 (2022): A large number of trainings includes few groups of stakeholders, such as police officers, lawyers, social workers, NGO representatives, tax administration officials and others, depending on the topic discussed of the specific training, and not only judges and prosecutors. Also, where possible and appropriate, Judicial Academy gathers judges, prosecutors, judicial and prosecutorial assistants and the users of the initial training of the Judicial Academy at the same trainings. This is the reason why total number of all participants is higher than the sum of the number of judges, prosecutors, non-judge and non-prosecutor staff who attended the trainings. For example, in 2022 Judicial Academy trained, together with judges and prosecutors, 1105 police officers and 643 lawyers.

Q74 (2025): A large number of trainings includes few groups of stakeholders, such as police officers, lawyers, social workers, NGO representatives, tax administration officials and others, depending on the topic discussed of the specific training, and not only judges and prosecutors. Also, where possible and appropriate, Judicial Academy gathers judges, prosecutors, judicial and prosecutorial assistants and the beneficiaries of the initial training of the Judicial Academy at the same trainings. This is the reason why the total number of all participants is higher than the sum of the number of judges, prosecutors, non-judge and non-prosecutor staff who attended the trainings. The total number of participants in live is 4661 which includes all participant categories.
Q74 (2024): A large number of trainings includes few groups of stakeholders, such as police officers, lawyers, social workers, NGO representatives, tax administration officials and others, depending on the topic discussed of the specific training, and not only judges and prosecutors. Also, where possible and appropriate, Judicial Academy gathers judges, prosecutors, judicial and prosecutorial assistants and the beneficiaries of the initial training of the Judicial Academy at the same trainings. This is the reason why the total number of all participants is higher than the sum of the number of judges, prosecutors, non-judge and non-prosecutor staff who attended the trainings. The total number of participants in live is 4487 which includes all participant categories.
Judicial Academy is continuously working to improve its training programs, therefore there might be a discrepancy regarding the number of participants, number of trainings, different offered trainings in regards to topics etc. and it all depends on the yearly demands and expectations of the all public institutions which take active participation in our programs, both in vivo and online. Moreover, at the end of each year Judicial Academy conducts a training needs analysis which is a guiding reference for the future trainings.
This is the number (4487) for participants who have completed the training.

Q74 (2023): A large number of trainings includes few groups of stakeholders, such as police officers, lawyers, social workers, NGO representatives, tax administration officials and others, depending on the topic discussed of the specific training, and not only judges and prosecutors. Also, where possible and appropriate, Judicial Academy gathers judges, prosecutors, judicial and prosecutorial assistants and the users of the initial training of the Judicial Academy at the same trainings. That is the reason why total number of all participants is higher than the sum of the number of judges, prosecutors, non-judge and non-prosecutor staff who attended the trainings. In 2023 the Academy increased the participation of the future judges and prosecutors (the users of the initial training, the judicial and prosecutorial assistants) in its educational events.
Please consider that the total number of all participants is 4858.

Q75 (2024): From the total number of 3128, 1298 participants are lawyers, police officers, social workers and beneficiaries of the Judicial Academy. The total number of 1830 unique participants include these categories: judges, prosecutors, non-judge staff and non-prosecutor staff.
Q75 (2023): With the new platform and the new internal system for gathering data, the Academy should have this statistics from the next year.
Q76 (2024): The total number of participants is 92, which inludes all participant categories.
Judicial Academy is continuously working to improve its training programs, therefore there might be a discrepancy regarding the number of participants, number of trainings, different offered trainings in regards to topics etc. and it all depends on the yearly demands and expectations of the all public institutions which take active participation in our programs, both in vivo and online. Moreover, at the end of each year Judicial Academy conducts a training needs analysis which is a guiding reference for the future trainings.

Q76 (2023): Total number of participants in internet-based trainings completed by justice professionals on other e-learning platforms (61) includes the staff of the Judicial Academy as well.

Q77 (General Comment): If a specialization course is compulsory, those judges who do not receive certificate on that specialization will not be able to take cases on the relevant subject, e.g. juvenile law cases.
Under Article 97, paragraph 1, item 13 of the Law on Judges (Official Gazette of the Republic of Serbia, No. 10/2023), unjustified absence from mandatory training programmes constitutes a disciplinary offense
Q77 (2025): Under Article 97, paragraph 1, item 13 of the Law on Judges (Official Gazette of the Republic of Serbia, No. 10/2023), unjustified absence from mandatory training programmes constitutes a disciplinary offense
Q77 (2024): There is no sanction, but the judge cannot act in a cases for which according to the law, training is mandatory and the judge did not attend it.
Q77 (2023): There is no sanction, but the judge cannot act in a cases for which according to the law, training is mandatory and the judge did not attend it.
Q78 (General Comment): If a specialization course is compulsory, those prosecutors who do not receive certificate on that specialization will not be able to take cases on the relevant subject, e.g. juvenile law cases.
Under Article 115, paragraph 1, item 16 of the Law on the Public Prosecutor's Office (Official Gazette of the Republic of Serbia, No. 10/2023), unjustified absence from mandatory training programmes constitutes a disciplinary offense
Q78 (2025): Under Article 115, paragraph 1, item 16 of the Law on the Public Prosecutor's Office (Official Gazette of the Republic of Serbia, No. 10/2023), unjustified absence from mandatory training programmes constitutes a disciplinary offense. The public prosecutor cannot act in cases for which according to the law, training is mandatory and the public prosecutor did not attend it.
Q78 (2024): There is no sanction, but the public prosecutor cannot act in a cases for which according to the law, training is mandatory and the public prosecutor did not attend it.

Q78 (2023): There is no sanction, but the public prosecutor cannot act in a cases for which according to the law, training is mandatory and the public prosecutor did not attend it.

Q79 (2025): For domestic violence, according to Article 9 of the Law on the Prevention of Domestic Violence in each public prosecutor's office, except for those with special competencies, the head public prosecutor appoints public prosecutors who have completed specialized training in order to exercise the competencies of the public prosecutor's office in preventing domestic violence and prosecuting perpetrators of crimes defined by this law. According to Article 28, specialized training is conducted by the Judicial Academy for Head Public Prosecutors, Public Prosecutors and Judges, in cooperation with other professional institutions and organizations. According to Article 3 of the same Law, domestic violence, in the sense of this law, is an act of physical, sexual, psychological or economic violence.
Moreover, Judicial Academy conducts trainings face-to-face and online. In 2025, Judicial Academy has conducted the following trainings: 1. Women in language and society – from the better half to the victim of femicide; 2. Corruption under the guise of violence – gender aspects of coercion and responsibility; 3. Domestic violence – risk assessment and the role of institutions in preventing violence; 4. Domestic violence – understanding and preventing gender-based violence – the responsibility of the system and the individual; 5. From victim to leader – financial security as a path to recovery for victims of gender-based violence and 6. Dealing with femicide cases. A total number of 144 have completed the trainings for domestic violence and femicide (68 public prosecutors and 76 prosecutorial staff). Regarding the online trainings, 4 public prosecutors and 12 prosecutorial staff have completed the trainings for domestic violence on LMS platform of the Judicial Academy and 2 public prosecutors and 3 prosecutorial staff have completed the training for gender equality, which also includes a module relating to domestic violence.

Q79 (2024): For domestic violence, according to Article 9 of the Law on the Prevention of Domestic Violence in each public prosecutor's office, except for those with special competencies, the public prosecutor appoints deputy public prosecutors who have completed specialized training to exercise the competencies of the public prosecutor's office in preventing domestic violence and prosecuting perpetrators of crimes defined by this law. According to Article 28, specialized training is conducted by the Judicial Academy for Public Prosecutors, Deputy Public Prosecutors, and Judges, in cooperation with other professional institutions and organizations. According to Article 3 of the same Law, domestic violence, in the sense of this law, is an act of physical, sexual, psychological or economic violence.
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Q80 (2025): Judicial Academy has on its LMS platform the following online trainings: 1. Environmental Courts and Tribunals- 5 judges and 2 public prosecutors completed the training in 2025; 2. EU Intellectual Property- no judges have completed the training, the training is not available for the public prosecutors; 3. EU Law- 3 judges completed the training in 2025, the training is not available for the public prosecutors.
Judicial Academy has conducted the following trainings face-to-face: 1. EU law in the field of gender equality; 2. Judicial decision-making, mediation, arbitration; 3. Personal data protection in the European Union; 4. EU law - intellectual property and competition law; 5. EU Charter of Fundamental Rights - human rights; 6. EU administrative law and 7. EU best practices in complex criminal investigations and trials for organized crime.
Q86 (General Comment): The annual training needs assessment primarily consists of the collection of qualitative and quantitative data from the target group -users of the training programs, as well as a wide range of partners in the implementation of the educational activities. The methodology used includes surveys and focus groups. Quantitative data is collected using standardised questionnaires adapted to the job analysis and the educational characteristics of the target audience. Focus groups with relevant representatives of courts and prosecutor's offices (representatives of the judicial practice department, presidents of the departments, first deputies, and users of initial training) are organised for the purpose of checking the quality of data obtained through surveys, but also for the purpose of obtaining more complex information in order to improve the quality of training and better functionalisation of the curriculum. Taking into account the complexity of the role of judges and prosecutors, the Judicial Academy also conducts an analysis of all relevant strategic documents and legal regulations, when constructing instruments for training needs analysis. Before sending the questionnaire, Judicial Academy regularly communicates with all important judicial bodies involved in defining the criteria for assessing the work performance of judges and prosecutors, in order to more comprehensively analyse the educational needs and make the curriculum sufficiently adaptable to the general and specific needs of the target audience.

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Q87 (General Comment): Based on Article 9 of the Law on the Judicial Academy and Article 10 of the Statute of the Judicial Academy Management Board adopted the Rulebook on the procedure for determining training needs and creating proposals for the annual continuous training program. Based on Article 4 of this Rulebook The Judicial Academy conducts an annual training needs analysis, because the obtained results are one of the main parameters for creating a plan and program of continuous training program for the next calendar year.

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Q88 (2025): The annual plan for the implementation of monitoring and evaluation determines the activities, as well as the instruments that will be used to assess the quality of the implemented educational activities. The evaluation instruments are based on the following indicators: the quality of the training program, the quality of lecturers/trainers, the quality of the chosen methodology, the quality of the training content and the practical knowledge application. Quality and satisfaction with the continuous training program are measured by the following instruments: Standard evaluation questionnaire, Assessment of the impact of the training in the Judicial Academy on the performance of the respondents, Evaluation of the Judicial Academy's educational activities with permanent participants, Participant's educational expectations from Judicial Academy, Participant's satisfaction with the educational aspects of the Judicial Academy, Monitoring reports, Structured tests (pre and post assessment of learning outcomes).

Q89 (General Comment): The annual plan for the implementation of monitoring and evaluation determines the activities, as well as the instruments that will be used to assess the quality of the implemented educational activities. The evaluation instruments are based on the following indicators: the quality of the training program, the quality of lecturers/trainers, the quality of the chosen methodology, the quality of the training content and the practical knowledge application. Quality and satisfaction with the continuous training program are measured by the following instruments: Standard evaluation questionnaire, Assessment of the impact of the training in the Judicial Academy on the performance of the respondents, evaluation of the Judicial Academy's educational activities with permanent participants, Participant's educational expectations from Judicial Academy, Participant's satisfaction with the educational aspects of the Judicial Academy, Monitoring reports, Structured tests (pre and post assessment of learning outcomes)

Q89 (2025): Evaluation instruments are based on the Kirkpatrick model of evaluation, Brinkerhoff's six-phase evaluation model and Blum's taxonomy. Depending on the structure of the educational activities and the time duration, different levels of these models have been reached.
Q89 (2024): The annual plan for the implementation of monitoring and evaluation determines the activities, as well as the instruments that will be used to assess the quality of the implemented educational activities. The evaluation instruments are based on the following indicators: the quality of the training program, the quality of lecturers/trainers, the quality of the chosen methodology, the quality of the training content and the practical knoweldge application. Quality and satisfaction with the continuous training program are measured by the following instruments: Standard evaluation questionnaire, Assessment of the impact of the training in the Judicial Academy on the performance of the respondents, Evaluation of the Judicial Academy's educational activities with permanent participants, Participant's educational expectations from Judicial Academy, Participant's satisfaction with the educational aspects of the Judicial Academy, Monitoring reports, Structured tests (pre and post assessment of learning outcomes.
Evaluation instruments are based on the Kirkpatrick model of evaluation, Brinkerhoff's six-phase evaluation model and Blum's taxonomy. Depending on the structure of the educational activities and the time duration, different levels of these models have been reached.

Q90 (General Comment): Assessment of satisfaction with some aspects of the training is carried out immediately after the training. Assessment of changes in knowledge is carried out using standardized pre and post tests. When the structure of the educational activity allows, the Judicial Academy evaluates the medium and long-term effects of the training. The medium-term effects are determined using a standardized questionnaire for assessing knowledge retention and the possibility of application in daily work. It is conducted two to three months after the training. The long-term effects of the training are carried out by a comparative analysis of the changes in the daily work of the participants also 6 months after the training.

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Q91 (General Comment): The obtained results are the basis for improving the quality of future trainings. Combined with the monitoring reports, they serve as guidelines for the implementation of various interactive methods and more precise adaptation of the program in the domain of balance of theory and practice, difficulty of tasks and case studies. The obtained data is also a guideline for lecturers to improve their didactic skills, especially in encouraging and maintaining interaction, creating a good learning climate, maintaining group dynamics, adapting the content to the experience and specific needs of the participants, with a focus on applicability in daily work. As one of the questions in the questionare is assessment of the futuere training needs, the data is also used for enabling continuous professional development of judges and prosecutors.

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needs, the data is also used for enabling continuous professional development of judges and prosecutors.

Kosovo*
Q10 (2025): The Academy of Justice is the only public and independent institution mandated to train judges, prosecutors, and judicial and prosecutorial administrative staff. When possible and upon request—though not required—the Academy also provides training to other legal professionals and members of the free professions, such as state attorneys, bankruptcy administrators, mediators, enforcement officers, and notaries, who are otherwise served by their own institutions. The Academy's budget is unified for the fulfillment of its mandate, with no separate budget lines allocated to specific beneficiary categories. The initial budget for 2025 was €864,973.00, while the final budget across all categories amounted to €737,099.16. Of this, €218,560.00 was dedicated exclusively to education and training services.

Q10 (2022): Based on the Law on the Academy of Justice, Kosovo has a joint institution that provides training for judges and prosecutors, administrative staff of courts and prosecutors' offices, as well as, according to the possibility and requirements, also for the free professions and other legal professionals.
The budget that was available for the year 2022 is a total of 660,149 euros, within which were all expenses for training, staff payments and other categories of goods and services. With the Law on the Budget of the Republic of Kosovo for the year 2022, the initial budget for this year was 660,149.00 euros, for all economic categories including salaries and wages, goods and services and municipal expenses.
The total amount of donations made for 2022 was 27,007.11 euros, from JUFREX the donation is 12,007.11 euros, of which 4,227.11 are carryovers from 2021 and 7,780.00 euros are donations this year, a donation of 15,000.00 euros was made by UNDP this year, while 24,607.11 euros were spent from the total donations for this year, and the remainder for the next year is 2,400.00 euros unspent donation from UNDP.

Q10-1 (2025): Out of 190 training activities conducted within the framework of continuous training, 49 were funded by donors. The Academy of Justice does not hold information on the financial value of these activities, as they were managed directly by the donors themselves. These donor-funded trainings were supported through various projects and organizations, including the Council of Europe, CYBERKOP, CEPEJ, the project Support to the Constitutional Court in the Implementation and Dissemination of the Standards of the European Court of Human Rights, Approximation of Laws and Policies with the Istanbul Convention, PRO-FREX-K (Protecting Freedom of Expression and of the Media), the Coalition of NGOs for the Protection of Children (KOMF), GIZ, the Humanitarian Law Center Kosovo, IRZ (German Foundation for International Legal Cooperation), NGO Terres des Hommes, OSCE, the European Union Home Affairs Programme in Kosovo Project (HAPE), the Balkan Investigative Reporting Network (BIRN), the Magistrates' School in Albania, UNDP, UNHCR, the United Nations Office on Drugs and Crime (UNODC), and the Western Balkan Rule of Law Initiative (WBROLI).

Q70 (General Comment): It is mandatory for the specialized functions, for leading functions, and for other aspects for sitting judges who by the Performance Evaluation Committee for judges are rated as "good" and "sufficient". Judges with the performance rating of "good" are obliged to attend three trainings, namely training on Ethics, Case Management, and Drafting of Court Decisions. Judges that are evaluated with the rating of "Sufficient" will attend the tree aforementioned trainings as well as trainings in the areas established as findings by the Performance Evaluation Committee. Judges that receive evaluation rating above the grades of "Sufficient" and "Good" are exempt from the mandatory trainings.

Q70 (2025): According to the applicable legislation for courts, in addition to the initial training that is legally required for newly appointed judges, further training is also mandatory in specific circumstances: when there are substantial changes in legislation, upon promotion to a higher judicial level, when assigned to a specialized field, when appointed as court president, during performance evaluations, and when required by strategic documents. The Academy of Justice is obliged only to design programs and implement them upon request. In 2025, the Academy received a request from the Kosovo Judicial Council (KJC) to conduct mandatory training for one serving judge following a performance evaluation. Based on the approved program, seven training sessions were delivered, totaling 21 hours of instruction.

Q70 (2022): General training during service, or continuous training for judges as stated by the Law on the Academy of Justice is in principle voluntary, while the training quota is determined by the KJC for mandatory training within the year.
Also, for specialized functions, such as the case for a judge of the Economic Court, training is mandatory.
Training for CMIS has been mandatory training. In the reporting period, there was a training for Registers, statistical reports and dashboards of CMIS which was dedicated to the administrative staff of the courts, namely heads of the office for case management, statistical officers, administrators and assistant administrators of the courts in which they participated 35 participants from all courts.
We have highlighted the in-service training on child-friendly justice as optional for all judges, since all without exception have the opportunity to participate in training, while juvenile judges choose to continue training in this field as they are within the scope of their work competencies.
In-service ethics training is mandatory for all judges except for judges who are 2 years before retirement. However, for 2022, the Judicial Council has removed the obligation for ethics training, which is why we have emphasized that it was optional.
In addition to professional training, the program also offers interdisciplinary training, which is why judges also participate in other trainings during their service.
Q71 (General Comment): In principle, in-service training of prosecutors is voluntary, however, during a calendar year, all prosecutors must attend at least three training sessions, one on ethics, when there are legislative changes, and when promoted or advanced from one department to another or when moving to a management position. Other cases are also based on performance evaluation by the Performance Evaluation Committee for Prosecutors.
Q71 (2025): In principle, continuous (in-service) training for prosecutors is voluntary. However, within each calendar year, all prosecutors are required to attend at least three training sessions: one on ethics, one addressing legislative changes, and one when they are promoted, transferred to another department, or appointed to a management position. Additional mandatory training may also be required based on performance evaluations conducted by the Commission for the Evaluation of the Performance of Prosecutors. All such trainings are organized at the request of the Kosovo Prosecutorial Council. In 2025, the Academy of Justice did not receive any requests from the Prosecutorial Council for mandatory in-service training of prosecutors, apart from the compulsory initial training for 24 newly appointed prosecutors, who represent the Academy's eleventh generation of prosecutors in initial training.
Q71 (2022): In principle, ongoing training for prosecutors is voluntary, however, during a calendar year, all prosecutors must participate in at least three (3) trainings. All trainings according to the order in the questionnaire can become mandatory if this is assessed by the Unit for review and evaluation of performance in the KPK and in cases where there are legislative changes, when the prosecutor is promoted in office as well as for professional ethics.
According to Regulation No. 01/2020 for training and professional development in the prosecutorial system, Ethics training is mandatory.
For each field according to the weight, the same description applies as for the judges.

Q72 (2025): For judges out of the 245 days of compulsory training, 117 days are theoretical training at the Academy of Justice and 128 days are practical training (120 days in the respective courts of appointment and 8 in other non-judicial institutions). Whereas, for prosecutors, out of the 245 days of compulsory training, 100 days are theoretical training at the Academy of Justice and 145 days are practical training (137 days in the respective prosecutor's offices of appointment and 8 in other non-judicial institutions).
During 2025, four generations of newly appointed judges and one generation of newly appointed prosecutors attended initial training. The XI, XII, XIII, and XIV generations comprised a total of 86 new judges, while the XI generation of prosecutors included 24 newly appointed members. The XI and XII generations of judges successfully completed all theoretical and practical training sessions during 2025. The XIII and XIV generations are still in progress, with their programs scheduled to continue into 2026. Similarly, the XI generation of prosecutors is currently undergoing theoretical and practical training, which will extend into January 2026 until the completion of all sessions in accordance with the program.

Q72 (2024): Initial compulsory training for judges includes:116 days of theoretical training in KJA
118 days of practical training in Courts, as well as 8 days of practical training in other non-judicial institutions Initial compulsory training for prosecutors includes:87 days of theoretical training in KJA
158 days of practical training in Prosecution Offices, as well as 8 days of practical training in other non-judicial institutions
Q72 (2022): In-service compulsory trainings - minimum number of days per year - Judges with work experience over 20 years - 2 (two) days.
Judges with work experience over 10 to 20 years - 5 (five) days.
Judges with work experience from 5 to 10 years - 6 (six) days.
Judges with experience from 3 to 5 years-7 (seven) days.
Per prosecutors the number of days is set according to the request of the KPC.
Regarding In-service compulsory trainings - minimum number of trainings per year it is indicated 1 as the minimum days and it varies from 1 to 7.
Regarding In-service compulsory trainings - minimum number of days per year it is indicated 2 and it varies from 2 to 7.
Mandatory initial training - means for newly appointed judges and prosecutors that in total they have to continue the training in 12 months, 6 months of theoretical training at the Law Academy and 6 months at the respective courts/prosecution offices where they are appointed .
During the reporting period in the framework of the trainings for judges, 206 days of training were carried out, divided into two groups (for two groups of 103 days each) because the training started in July 2022. While for the procurator, a total of 112 days of training were carried out.
Q73 (2025): In 2025, a total of 83 training sessions were conducted. Of these, 48 were joint sessions for judges and prosecutors, out of them 2 were held exclusively for prosecutors. Additionally, 87 training activities were organized specifically for employees in the judicial administration, and 4 for administrative staff of the prosecutorial system. Furthermore, 11 joint trainings were conducted for professional associates and legal officers of courts and prosecutorial offices, along with 3 joint trainings for administrative staff of both the judiciary and prosecution. Through the HELP platform, two joint courses were also delivered in 2025, covering the topics Human Rights and the Environment and The Right to Liberty and Security – Article 5. These courses were attended by judges, prosecutors, professional associates, and legal officers of courts and prosecutorial offices.

Q73 (2022): -In the total number of trainings 209, there were also 114 joint trainings for judges and prosecutors, 145 continuous trainings programme, 10 trainings for free legal professions, 7 training of trainers. For non-judge staff and For non-prosecutor staff there were 33 joint trainings.
-Regarding the category Number of days of delivered live (in person, hybrid, video conference) trainings, the total number of 354 days includes 237 trainings jointly for judges and prosecutors, 35 days trainings only for judges, 10 days only for prosecutors, 36 days of trainings jointly for non-judge and non-prosecutor staff. Furthermore, there were 10 days training for free legal professions and 19 days for trainings for trainers.
Q74 (2025): In addition to the categories specified in the previous table, other legal professionals from various institutions—such as mediators, free legal aid officers, victim advocates, probation officers, police officers, and others—also participated in the training programs. As a result, the number of participants increased from 3,460 to a total of 4,456 across all training activities during 2025.
Q74 (2023): The number of 19 trainings included 18 courses of HELP were translated into Albanian and Serbian languages and they are expected to be launched and provided for all the legal community and another course for seizing and confiscating assets, the only one that has been implemented.
Q74 (2022): Besides 3,810 participants judges, prosecutors, non-judge staff and non-prosecutor staff, the total number of participants at the Academy of Justice was 4,374 participants, including the participants from 139 trainings for private enforcement agents, free legal aid officers and victims' defenders, 289 other participants from the Probation Service, Kosovo Police, lawyers, Center for Social Work, Financial Intelligence Unit, etc.
Q75 (2022): Moreover, there were 78 (private enforcement agents, free legal aid officials and victim defender) and 286 other professionals.
Q77 (General Comment): The Kosovo Judicial Council has a mechanism for evaluating the performance of judges, including the attendance of judges in training. It has also approved Regulation No.06 / 2017 on Judge Training, according to which ethics training is mandatory for all judges and has determined the number of trainings depending on the experience of judges averaging 3-4 trainings per year. The failure to comply with this obligation without reasonable justification results in the application of the Law on Disciplinary Liability.
Q77 (2025): The Academy of Justice is required to design training programs in accordance with the requests of the Judicial Council and to deliver them to the relevant judges. The Academy does not have the authority to impose sanctions; its role is limited to reporting on the training programs, their implementation, and the attendance of judges in mandatory sessions to the Kosovo Judicial Council. However the Law on Disciplinary Liability of Judges and Prosecutors stipulates that if the judge continuously does not follow the mandatory trainings, it constitutes disciplinary offence. Kosovo Judicial Council is responsible for conducting disciplinary procedures.

Q77 (2022): The training aspect is an important component that has an impact on the evaluation of the judge's performance. The Performance Evaluation Commission within the KJC is the competent authority and decides on sanctions or any other measure. The Academy of Justice has the obligation to design and implement mandatory training if there are requests from the Judicial Council and through reports to notify the relevant institution about the attendance or non-attendance of judges in training.

Q78 (General Comment): Kosovo Prosecutorial Council Regulation No. 01/2020 on Trainings and Professional Development in the Prosecutorial System was approved on 14 January 2020. This regulation foresees mandatory trainings and sanctions. Article 18 of this regulation foresees that if prosecutors do not act pursuant with the obligations deriving from the regulation, namely attend the trainings foreseen, they have disciplinary liability.

Q78 (2025): Similar to its obligations toward judges, the Academy of Justice is required to design training programs based on the requests of the Prosecutorial Council and to make them available to the respective prosecutors. The Academy does not hold authority to impose sanctions; its role is limited to providing information on the training programs, their implementation, and the attendance of prosecutors to the Kosovo Prosecutorial Council.
However the Law on Disciplinary Liability of Judges and Prosecutors stipulates that if the prosecutor continuously does not follow the mandatory trainings, it constitutes disciplinary offence. Kosovo Prosecutorial Council is responsible for conducting disciplinary procedures.
Q78 (2022): The training aspect is an important component that has an impact on the evaluation of the prosecutor's performance. The Performance Evaluation Commission within the KPK is the competent authority and decides on sanctions or any other measure. The Academy of Law has the obligation to design and implement mandatory trainings if there are requests from the Prosecutorial Council and through reports to notify the relevant institution about the attendance or non-attendance of the prosecutors in the training

Q79 (2024): In all prosecution offices of Kosovo, domestic violence coordinators are appointed from among the prosecutors. Usually, the Justice Academy when organizing trainings of this nature targets the coordinators for participation, who based on their working agenda participate in the respective trainings. This year, 16 trainings have been conducted on the criminal and civil aspects of domestic violence, in which prosecutors from all prosecution offices of the Republic of Kosovo have participated with over 25 prosecutors trained.

Q79 (2023): in all the Prosecution Offices in Kosovo there are assigned Coordinators of Domestic Violence chosen from the rank of prosecutors. Usually in these types of trainings the respective prosecutors are invited and participate
Q79 (2022): To the trainings carried out on domestic violence and training against the sexual integrity of children.
Q80 (2025): In 2025, the Academy of Justice conducted two trainings specifically focused on EU law. The first training addressed Judicial and Law Enforcement Cooperation in Criminal Matters (EU) and was held with physical participation. The second training, on Fundamental Aspects of EU Law, was delivered online. Both trainings were joint sessions attended by judges and prosecutors.
Q81 (2025): In addition to the EU law trainings organized directly by the Academy of Justice, the Academy also facilitated the participation of judges and prosecutors from Kosovo in other EU law trainings delivered by judicial training institutions at the regional level. These included sessions on EU Law against Discrimination, EU Law on Gender Equality, and Procedural Protections in Criminal Proceedings in the EU, with a Focus on the Advanced Directive on Children.
Q82 (2025): In 2025, the Academy of Justice supported participation in a total of eight EU law–related training activities. Six of these were organized by ERA, covering EU Law on Gender Equality and EU Law against Discrimination. In addition, the European Judicial Training Network (EJTN) organized one training on Procedural Safeguards in Criminal Proceedings in the EU, with a Focus on the Advanced Directive on Children. Altogether, these accounted for eight specialized training activities on EU law.
As for online trainings, no additional sessions were held beyond the one already highlighted in Q154.
Q83 (2025): During 2025, 6 trainings on the ECHR were conducted, which were joint for judges and prosecutors with specific topics as follows:
Training European Standards: Protection of Reputation, Defamation and SLAPP Lawsuits conducted on 20-21 February 2025-supported by Chemonics.
Use and reference of the jurisprudence of the ECHR when writing court decisions conducted on 29-30 April 2025-supported by the EC
Effective Legal Remedies under Article 13 of the ECHR: Case law of the ECHR in civil and criminal matters conducted on 20 May 2025-supported by the EC
Conference - Freedom of Expression conducted on 17 June 2025-supported by PROFREX
Article 5 of the ECHR conducted on 11 September 2025-in AD cooperation with EC
Trial within a reasonable time under Article 6 of the ECHR: Unreasonable Length of Civil and Criminal Proceedings in the Case Law of the ECtHR, 18-19 November 2025 - supported by the EC.

Q86 (General Comment): The Academy of Justice, in addition to the above-mentioned resources, also implements the following mechanisms:
• Strategies and documents approved by the institutions that contain recommendations for the judiciary and the rule of law;
• Work reports of courts and prosecutors' offices;
• Monitoring of print and electronic media
• Recommendations of the Office for Performance Evaluation of judges and prosecutors;
• Analysis of the legislative agenda of the assembly
• Proposals of the staff, the Program Council and the Governing Council of the AD;
• Recommendations from NGOs
• The recommendations of local and international institutions and organizations are also taken as a basis
• The report of the European Commission on Kosovo.
The list of defined mechanisms is updated according to developments or priorities. The innovation in this list was also receiving opinions from civil societies, whose activity helps to create new perspectives for the training program.
Q86 (2025): Other mechanisms such as the perspective of civil society, the legislative agenda of the assembly and legal novelties, media monitoring of the judiciary, reports on the work of courts and prosecutors' offices, recommendations of the Ombudsman and strategic documents at the country level that have an impact on the work of the judiciary.

Q86 (2024): Besides the aforementioned sources, we take into account also take the perspective of the Civil Society, media monitoring on the judiciary, the court and prosecution office working reports, recommendations from the Ombudsperson, and the national strategic documents that impact the work of the judiciary
Q87 (General Comment): The assessment of training needs is done continuously throughout the year.
Q87 (2025): The training needs assessment is conducted annually and serves as the basis for drafting the training program within the framework of continuous education. For initial training, the program includes modules covering the jurisdiction assigned to newly appointed judges and prosecutors in the general divisions. However, for each new generation of judges and prosecutors, the program is reviewed and updated to reflect any legal developments, as well as improvements in training methodology.

Q88 (2025): For each type of training, the results are reviewed and taken into account when drafting the subsequent training program. Conclusions and recommendations are derived from the evaluation tables, which are dedicated to the Academy of Justice for improving both the training programs and the experience of their beneficiaries. These findings are directly applicable to judicial practice.
Q91 (2025): For all the presented options a special report is drafted on the training impact before and after the training.

Indicator 7- Training

by question No.

10. If there is one or more institution(s) responsible for training (judges, public prosecutors, non-judge and non-prosecutor staff), please provide their implemented budget(s). These budgets should not be included in Q7 and Q8.
10-1. What is the amount of the training budget coming from external donors?
70. Types of different trainings offered to judges:
71. Types of different trainings offered to public prosecutors:
72. Do you have a minimum number of compulsory trainings:
73. Number of in-service trainings available and delivered (in days) by the public institution(s) responsible for training.
74. Number of participants in the trainings during the reference year
75. Number of unique participants in the trainings during the reference year
76. Number of internet-based trainings on other e-learning platforms and number of participants
77. If in-service training is compulsory for judges, are sanctions foreseen if judges do not attend the training sessions? If yes, please specify.
78. In-service training is compulsory for prosecutors, are sanctions foreseen if prosecutors do not attend the training sessions? If yes, please specify.
79. Do prosecution offices have prosecutors who are specially trained in areas of domestic violence and sexual violence?
80. Please provide the number of delivered live trainings (in-person hybrid, video conference) and internet-based trainings and the number of days of delivered trainings on EU Law for:
81. Number of participants in live trainings and internet-based trainings on EU Law:
82. If any of the trainings on EU Law reported above were organised/financed by other stakeholders in the framework of co-operation programmes (for ex. EU funded projects), please provide their number:
83. Please provide the number of delivered live trainings (in-person hybrid, video conference) and internet-based trainings and the number of days of delivered trainings on ECHR for:
84. Number of participants in live trainings and internet-based trainings on ECHR:
85. If any of the trainings on ECHR reported above were organised/financed by other stakeholders in the framework of co-operation programmes (for ex. EU funded projects), please provide:
86. How do you identify (collect information about) future training needs? (multiple possible answers)
87. What is the frequency of assessing future training needs?
88. Do you evaluate the in-service trainings (seminars, workshops, round tables)?
89. If yes, what type of training evaluation model do you use?
90. If yes: what is the frequency of training evaluation? (multiple possible answers)

91. If yes, what is the result of the training evaluation process used for (multiple possible answers):

Question 10

Albania

(2025): One judicial training institution covers the training of the categories of judges, prosecutors, non-judge staff, non-prosecutor staff.

(2024): Its the same institution for both the training of judges and prosecutors. The institution in charge for the training of magistrate is School of Magistrate

(2023): The implemented budget in EURO is calculated by the average of exchange rate for the reference year 2023 that is 108.75. The budget in ALL is 461 639 120. The increase in the previous cycle can be explained by the increase of the number of candidates for magistrates attending the Initial Training Program, the increase of number of trainings of the Continuous Training Program, and the increase of salaries for the State Administration.

(2022): The amount provided by the State Budget to the School of Magistrates is 2 470 872 EURO
The total amount of funds given to the SoM by donors in 2022 is: 1 997 EURO.

Bosnia and Herzegovina

(General Comment): There are two training institutions in Bosnia and Herzegovina which are responsible for training of judges and prosecutors in two different entities within the state. Each of these institutions is responsible for both judges and prosecutors. Many of training courses delivered in the training institutions are prepared by domestic experts who are financed directly by external donors. Only some of the external donor funds used for this purpose are included in the budget of the training institutions.
In Bosnia and Herzegovina, there are no institutions specialized in training employees in prosecutor's offices and courts. The training they receive is provided on an ad hoc basis: in house, by relevant civil servant agencies as well as other public sector employees, or to a lesser extent by judicial training institutions (i.e. legal associates of prosecutors and judges). No special budget is allocated for such training.

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(2022): There are two training institutions in Bosnia and Herzegovina which are responsible for judicial training in two different entities in the country. Each of these institutions is responsible for both judges and prosecutors. Their respective adopted budgets for 2022 were: The Judicial and Prosecutorial Training Centre of Republika Srpska - 281 970 EUR. Budget funds for the Center for Education of Judges and Prosecutors in the Republic of Srpska have increased as material costs rose in 2022 due to the growth of inflation. The Judicial and Prosecutorial Training Centre of the Federation of Bosnia and Herzegovina - 333 132 EUR. Many of training courses delivered in the training institutions are prepared by domestic experts who are financed by external donors. The external donor funds used for this purpose are not included in the budget of the training institutions. In addition, the training institutions spent grants worth EUR 38.985,57 provided within the specific projects by the external donors in 2022, (i.e. the external donors which provided the grants were: UNICEF, the Council of Europe - SOUTH-EAST EUROPE Freedom of expression, The AIRE Centre - Advice on Individual Rights in Europe).

Montenegro

(2025): The Centre is an independent legal entity. (Article 2 paragraph 1 of the Law on the Centre for Training in Judiciary and State Prosecution ("Official Gazette of Montenegro" no. 58/2015)) and the only institution in charge of providing training activites to representatives of Montenegrin judiciary. The Centre organizes and implement trainings for judges and state prosecutors. Centre can also organize and implement trainings for attorneys-at-law, notaries, bailiffs, advisers, clerks and trainees in courts and state prosecution offices (hereinafter referred to as: special trainings), according to this law. (Article 3 of the Law on the Centre for Training in Judiciary and State Prosecution ("Official Gazette of Montenegro" no. 58/2015)).
The total amount presented reflects the funds allocated within the Centre's budget for the previous year for the organization of training activities, including in-service training, initial training and specialized training. The amount shown in Table 2 specifically represents the funds spent on the in-service training of judges and state prosecutors. It should be noted that, within the overall budget, a portion of the total amount presented was also allocated to non-judge and non-prosecutor participants, as well as to candidates for judicial and prosecutorial positions; however, these amounts are not presented separately in numerical terms.

(2024): Out of the total amount of the implemented budget of the Centre for Training in Judiciary and State Prosecution (CTJSP) stated in the table above, the funds in amount of 4.838,23 € come from the donation - THE GRANT AGREEMENT BETWEEN THE COUNCIL OF EUROPE AND THE CENTRE FOR TRAINING IN JUDICIARY AND STATE PROSECUTION OF MONTENEGRO.
The Centre is an independent legal entity. (Article 2 paragraph 1 of the Law on the Centre for Training in Judiciary and State Prosecution ("Official Gazette of Montenegro" no. 58/2015)) and the only institution in charge of providing training activites to representatives of Montenegrin judiciary. The Centre organizes and implement trainings for judges and state prosecutors. Centre can also organize and implement trainings for attorneys-at-law, notaries, bailiffs, advisers, clerks and trainees in courts and state prosecution offices (hereinafter referred to as: special trainings), according to this law. (Article 3 of the Law on the Centre for Training in Judiciary and State Prosecution ("Official Gazette of Montenegro" no. 58/2015)).

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The Centre is an independent legal entity. (Article 2 paragraph 1 of the Law on the Centre for Training in Judiciary and State Prosecution ("Official Gazette of Montenegro" no. 58/2015)) and the only institution in charge of providing training activites to representatives of Montenegrin judiciary. The Centre organizes and implement trainings for judges and state prosecutors. Centre can also organize and implement trainings for attorneys-at-law, notaries, bailiffs, advisers, clerks and trainees in courts and state prosecution offices (hereinafter referred to as: special trainings), according to this law. (Article 3 of the Law on the Centre for Training in Judiciary and State Prosecution ("Official Gazette of Montenegro" no. 58/2015)).
Funds for the work of the Centre shall be allocated in the special portion of the Budget of Montenegro in the amount of 2% of the allocated budget for judiciary and state prosecution service. (Article 53 of the Law on the Centre for Training in Judiciary and State Prosecution ("Official Gazette of Montenegro" no. 58/2015)).

(2022): Out of the total amount of the implemented budget of the Centre for Training in Judiciary and State Prosecution (CTJSP) stated in the table above, the funds in amount of 21,296.00€ come from the donation - THE GRANT AGREEMENT BETWEEN THE COUNCIL OF EUROPE AND THE CENTRE FOR TRAINING IN JUDICIARY AND STATE PROSECUTION OF MONTENEGRO.
Note: The amount of 240.540,51 € represents financial support from international and domestic partners for training activities organized in cooperation with the CTJSP). The total amount includes also donor support as recommended to be included by Cepej.

North Macedonia

(2025): The Academy is responsible for the training of judges and prosecutors, non-judge and non-prosecutor staff.
External donor are not included in the budget of the Academy.
2025 training budget decreased by approximately 40% compared to the previous year. This decrease is result of the fact that there were no new generation of initial training in 2025.

(2022): Implemented budget from donors: 52 640 €.

Serbia

(General Comment): This is the total budget of the Judicial Academy. The average exchange rate is 117,5 on January 27th, 2026 since the budget is in dinars.

(2022): 4200813 e - total
4071987 e - from the budget of Republic of Serbia
128826 e - funded by donors

Kosovo*

(2025): The Academy of Justice is the only public and independent institution mandated to train judges, prosecutors, and judicial and prosecutorial administrative staff. When possible and upon request—though not required—the Academy also provides training to other legal professionals and members of the free professions, such as state attorneys, bankruptcy administrators, mediators, enforcement officers, and notaries, who are otherwise served by their own institutions. The Academy's budget is unified for the fulfillment of its mandate, with no separate budget lines allocated to specific beneficiary categories. The initial budget for 2025 was €864,973.00, while the final budget across all categories amounted to €737,099.16. Of this, €218,560.00 was dedicated exclusively to education and training services.

(2022): Based on the Law on the Academy of Justice, Kosovo has a joint institution that provides training for judges and prosecutors, administrative staff of courts and prosecutors' offices, as well as, according to the possibility and requirements, also for the free professions and other legal professionals.
The budget that was available for the year 2022 is a total of 660,149 euros, within which were all expenses for training, staff payments and other categories of goods and services. With the Law on the Budget of the Republic of Kosovo for the year 2022, the initial budget for this year was 660,149.00 euros, for all economic categories including salaries and wages, goods and services and municipal expenses.
The total amount of donations made for 2022 was 27,007.11 euros, from JUFREX the donation is 12,007.11 euros, of which 4,227.11 are carryovers from 2021 and 7,780.00 euros are donations this year, a donation of 15,000.00 euros was made by UNDP this year, while 24,607.11 euros were spent from the total donations for this year, and the remainder for the next year is 2,400.00 euros unspent donation from UNDP.

Question 10-1

Albania
(2025): the correct answer is NAP

Bosnia and Herzegovina
(General Comment): There are two training institutions in Bosnia and Herzegovina which are responsible for training of judges and prosecutors in two different entities within the state. Each of these institutions is responsible for both judges and prosecutors. In addition to the budget funds, the training institutions spend grants provided within the specific projects by the external donors. These amounts vary every year depending on the amount of available external funds. Besides, many of training courses delivered in the training institutions are prepared by domestic and/or foreign experts who are financed directly by external donors. External donor funds used for this purpose are not included in the data on the budget of training institutions or in the data on funds directly donated to these institutions, because training institutions do not have this data.

(2025): There are two training institutions in Bosnia and Herzegovina which are responsible for training of judges and prosecutors in two different entities within the state. Each of these institutions is responsible for both judges and prosecutors. In addition to the budget funds, the training institutions spent grants worth EUR 17 540 provided within the specific projects by the external donors in 2025. These amounts vary every year depending on the amount of available external funds, so the amount of these funds in 2025, which are provided by UNICEF and Advice on Individual Rights in Europe (i.e. AIRE Centre), was higher compared to 2024. Besides, many of training courses delivered in the training institutions are prepared by domestic and/or foreign experts who are financed by external donors. External donor funds used for this purpose are not included in the data on the budget of training institutions or in the data on funds directly donated to these institutions, because training institutions do not have this data.
The difference in terms of value between 2025 and 2024 is significant in percentage terms, but that difference is negligible when comparing the absolute amounts of donations in 2025 and 2024.

(2024): There are two training institutions in Bosnia and Herzegovina which are responsible for training of judges and prosecutors in two different entities within the state. Each of these institutions is responsible for both judges and prosecutors. In addition to the budget funds, the training institutions spent grants worth EUR 13 130 provided within the specific projects by the external donors in 2024. These amounts vary every year depending on the amount of available external funds, so the amount of these funds in 2024 was lower compared to 2023. Besides, many of training courses delivered in the training institutions are prepared by domestic and/or foreign experts who are financed by external donors. External donor funds used for this purpose are not included in the data on the budget of training institutions or in the data on funds directly donated to these institutions, because training institutions do not have this data.

(2023): There are two training institutions in Bosnia and Herzegovina, which are responsible for judicial training in two different entities in the country. Each of these institutions is responsible for both judges and prosecutors. In addition to the budget funds (i.e. EUR 680 237), the training institutions spent grants worth EUR 34 485 provided within the specific projects by the external donors in 2023. Besides, many of training courses delivered in the training institutions are prepared by domestic and/or foreign experts who are financed by external donors. External donor funds used for this purpose are not included in the data on the budget of training institutions or in the data on funds directly donated to these institutions, because training institutions do not have this data.

Montenegro

(2025): The total training budget data is not available (NA). The Centre has information on external donor contributions amounting to €66,021.00 as of the reporting date, but this may not represent the full amount as donors are not obliged to report all contributions.

(2024): The stated amount represents the summation of funds allocated to the Centre, based on the data provided by the Centre's international partners.

(2023): The stated amount represents the summation of funds allocated to the Centre, based on the data provided by the Centre's international partners.

North Macedonia

(2023): 11.077 Euro is donation for software for Academy.

Serbia

(General Comment): This is the total budget coming from external donors for the Judicial Academy. The average exchange rate is 117,5 on January 27th, 2026 since the budget is in dinars.

(2024): the answer is provided from the Judicial academy

Kosovo*

(2025): Out of 190 training activities conducted within the framework of continuous training, 49 were funded by donors. The Academy of Justice does not hold information on the financial value of these activities, as they were managed directly by the donors themselves. These donor-funded trainings were supported through various projects and organizations, including the Council of Europe, CYBERKOP, CEPEJ, the project Support to the Constitutional Court in the Implementation and Dissemination of the Standards of the European Court of Human Rights, Approximation of Laws and Policies with the Istanbul Convention, PRO-FREX-K (Protecting Freedom of Expression and of the Media), the Coalition of NGOs for the Protection of Children (KOMF), GIZ, the Humanitarian Law Center Kosovo, IRZ (German Foundation for International Legal Cooperation), NGO Terres des Hommes, OSCE, the European Union Home Affairs Programme in Kosovo Project (HAPE), the Balkan Investigative Reporting Network (BIRN), the Magistrates' School in Albania, UNDP, UNHCR, the United Nations Office on Drugs and Crime (UNODC), and the Western Balkan Rule of Law Initiative (WBROLI).

Question 70

Albania

(2022): A training topic may be developed regularly or occasionally in different academic years. This is a different variable since the calendar of continuing education training activities itself is variable from one academic year to another. The components that influence the variability of this data are mainly the needs of the justice system for the development of training activities in a specific direction or field, as well as the selection of this topic by the main beneficiaries of continuing education, which are the in-service magistrates.

In other words, after we conduct the needs assessment process and collect the concrete needs of in-service magistrates, we organize the training activities. This is why we have checked the boxes "as needed" intending to say, "according to the needs of the system". This means that we organize them regularly but according to the needs of the in-service magistrates.

Bosnia and Herzegovina

(General Comment): The relevant legislation on juvenile criminal justice requires that in-service training for specialized functions is obligatory for prosecutors and judges assigned to work on criminal cases involving juveniles; they must take certain training courses in order to be able to work on such cases.
This program lasts 4 days and covers 7 topics.
As for general in-service training, the minimum requirement for prosecutors and judges is to attend trainings at the judicial training center for at least 3 days during one year. There is no minimum requirement for prosecutors and judges to attend a certain number of trainings over the course of one year. The judicial office holders may choose between training topics related to the issues they most frequently work on.
In addition, the High Judicial and Prosecutorial Council of Bosnia and Herzegovina decided that as of 2022 an in-service online training on ethics, prevention of corruption and conflicts of interest is compulsory for all judges and prosecutors. Furthermore, the High Judicial and Prosecutorial Council of Bosnia and Herzegovina has introduced in 2022 a mandatory managerial training for newly appointed court presidents and chief prosecutors. It includes the following topics: 1) Developing leadership and management skills 2) Proactive role of court presidents and 3) Modern public relations. Moreover, all chief prosecutors and court presidents are required to attend the training on the role of chief prosecutors and court presidents in preserving the judicial integrity.

(2025): Initial training is compulsory for all newly appointed judges and prosecutors. For more details pls. refer to Q72.
As for general in-service training, the minimum requirement for prosecutors and judges is to attend every year at least 3 days of training at the judicial training center(s). The judicial office holders may choose between various training topics, but the topic selected must be related to the cases they work on.
In 2025, The High Judicial and Prosecutorial Council of Bosnia and Herzegovina has declared the following trainings as mandatory for newly appointed presidents of courts and chief prosecutors: 1) The role of chief prosecutors and court presidents in preserving the judicial integrity, and 2) Developing leadership and management skills. In addition, all presidents of courts and chief prosecutors are obliged to attend training in Modern public relations.
In addition, in 2025 the High Judicial and Prosecutorial Council of Bosnia and Herzegovina issued a decision that all judges and prosecutors need to renew their knowledge on ethics and conflict of interest by attending online training on ethics, prevention of corruption and conflicts of interest every third year. The relevant legislation on juvenile criminal justice requires that in-service training for specialized functions is obligatory for prosecutors and judges assigned to work on criminal cases involving juveniles. They must attend in full the specialized training provided by JPTCs in order to receive appropriate certificate and be able to work on such cases. This program was revised in Y2025. It lasts 6 days and covers 3 temathic areas. First thematic area „Criminal proceedings involving children and minors“ has the following key areas of study: The etiology and phenomenology of juvenile delinquency from a criminological perspective, the juvenile justice system and international standards based on relevant international legal instruments in the field of children's rights, criminal procedure concerning juveniles, juvenile material and procedural criminal law, as well as the protection of juveniles and an introduction to children's rights. Second thematic area „The application of the Law on the Protection and Treatment of Children and Juveniles in Criminal Proceedings in practice“ covers the following: the use of alternative measures and diversion in criminal proceedings against juveniles, criminal offenses against children, and the implementation of the Law in practice with a focus on the protection and resocialization of child victims through practical examples. Third thematic area „The study of juvenile psychology and the role of guardianship authorities in criminal proceedings against minors“ encompasses an examination of the psychological dimensions of juvenile participation in criminal justice processes, an analysis of the role and significance of guardianship authorities in supporting judicial bodies responsible for conducting proceedings involving juveniles, and experiential learning through visits to institutional facilities. Before attending this specialized program, judges and prosecutors need to finish online CoE HELP module related to Child friendly justice.

Montenegro

(2025): Judges and state prosecutors shall have the right and duty to attend the in-service training for at least two working days annually for which they are to apply based on their own interest. (Article 45 paragraph 2 of the Law on the Centre for Training in Judiciary and State Prosecution ("Official Gazette of Montenegro" no. 58/2015)). The training is not compulsory for judges of specialized courts (except for the mentioned two days per year), however, the Centre for Training in Judiciary and State Prosecution in the framework of the In-service Training Program organizes regular training for judges of specialized courts at the annual level (judges of Commercial Court and Administrative Court). The only compulsory specialized training is the training for judges for the juveniles (who are the only ones competent to act in criminal proceedings with juveniles) according to the Law on the Treatment of Juveniles in Criminal Proceedings). All judges in charge of juveniles went through the specialized training. The trainings for management functions in courts are organized in accordance with current needs and, thus, these are not compulsory.

(2024): Judges and state prosecutors shall have the right and duty to attend the in-service training for at least two working days annually for which they are to apply based on their own interest. (Article 45 paragraph 2 of the Law on the Centre for Training in Judiciary and State Prosecution ("Official Gazette of Montenegro" no. 58/2015)). The training is not compulsory for judges of specialized courts (except for the mentioned two days per year), however, the Centre for Training in Judiciary and State Prosecution in the framework of the In-service Training Program organizes regular training for judges of specialized courts at the annual level (judges of Commercial Court and Administrative Court). The only compulsory specialized training is the training for judges for the juveniles (who are the only ones competent to act in criminal proceedings with juveniles) according to the Law on the Treatment of Juveniles in Criminal Proceedings). All judges in charge of juveniles went through the specialized training. The trainings for management functions in courts are organized in accordance with current needs and, thus, these are not compulsory.
Until the year of 2024, training on IT skills was conducted exclusively by the Judicial Council and Human Resource Management Authority, however, in 2024 Center for training began to organize trainings on IT skills, through the In-service training programme, that is intended for judges and state prosecutors.

(2023): The mandatory duration of the initial training is defined by the provision from Article 42 of the Law on the Center for Training in the Judiciary and the State Prosecutor's Office.
The initial training for candidates for judges of the basic court, that is, for candidates for state prosecutors in the basic state prosecutor's office lasts 18 months, of which six months are theoretical training and 12 months are practical training.
Converted into days of theoretical training, that is 128 days of six hours of training per training day.
The initial training for candidates for misdemeanor judges lasts nine months, of which three months are theoretical training, and six months practical training, and is conducted at the Center, that is, the Court for Misdemeanors in Podgorica.
Converted into days of theoretical training, that is 60 days of six hours of training per training day.
The initial training for candidates for judges in the Commercial Court of Montenegro lasts six months, of which 40 hours per month of theoretical training are conducted in the Center, i.e. the Commercial Court of Montenegro.
Converted into days of theoretical training, that is 44 days of six hours of training per training day.
The initial training for candidates for judges of the Administrative Court of Montenegro lasts four months, of which 20 hours per month of theoretical training are conducted in the Center, i.e. the Administrative Court of Montenegro.
Converted into days of theoretical training, it is 16 days of training of six hours per training day.
Judges and state prosecutors shall have the right and duty to attend the in-service training for at least two working days annually for which they are to apply based on their own interest. (Article 45 paragraph 2 of the Law on the Centre for Training in Judiciary and State Prosecution ("Official Gazette of Montenegro" no. 58/2015)).

(2022): Judges and state prosecutors shall have the right and duty to attend the in-service training for at least two working days annually for which they are to apply based on their own interest. (Article 45 paragraph 2 of the Law on the Centre for Training in Judiciary and State Prosecution ("Official Gazette of Montenegro" no. 58/2015)). The training is not compulsory for judges of specialized courts (except for the mentioned two days per year), however, the Centre for Training in Judiciary and State Prosecution in the framework of the In-service Training Program organizes regular training for judges of specialized courts at the annual level (judges of Commercial Court and Administrative Court). The only compulsory specialized training is the training for judges for the juveniles (who are the only ones competent to act in criminal proceedings with juveniles) according to the Law on the Treatment of Juveniles in Criminal Proceedings). All judges in charge of juveniles went through the specialized training. The trainings for management functions in courts are organized in accordance with current needs and, thus, these are not compulsory. When it comes to training activities for the use of computer facilities in office, these training activities are organized and conducted by the other authorities such as the Judicial Council and Human Resource Management Authority.

Kosovo*

(General Comment): It is mandatory for the specialized functions, for leading functions, and for other aspects for sitting judges who by the Performance Evaluation Committee for judges are rated as “good” and “sufficient”. Judges with the performance rating of “good” are obliged to attend three trainings, namely training on Ethics, Case Management, and Drafting of Court Decisions. Judges that are evaluated with the rating of “Sufficient” will attend the tree aforementioned trainings as well as trainings in the areas established as findings by the Performance Evaluation Committee. Judges that receive evaluation rating above the grades of “Sufficient” and “Good” are exempt from the mandatory trainings.

(2025): According to the applicable legislation for courts, in addition to the initial training that is legally required for newly appointed judges, further training is also mandatory in specific circumstances: when there are substantial changes in legislation, upon promotion to a higher judicial level, when assigned to a specialized field, when appointed as court president, during performance evaluations, and when required by strategic documents. The Academy of Justice is obliged only to design programs and implement them upon request. In 2025, the Academy received a request from the Kosovo Judicial Council (KJC) to conduct mandatory training for one serving judge following a performance evaluation. Based on the approved program, seven training sessions were delivered, totaling 21 hours of instruction.

(2022): General training during service, or continuous training for judges as stated by the Law on the Academy of Justice is in principle voluntary, while the training quota is determined by the KJC for mandatory training within the year.
Also, for specialized functions, such as the case for a judge of the Economic Court, training is mandatory.
Training for CMIS has been mandatory training. In the reporting period, there was a training for Registers, statistical reports and dashboards of CMIS which was dedicated to the administrative staff of the courts, namely heads of the office for case management, statistical officers, administrators and assistant administrators of the courts in which they participated 35 participants from all courts.
We have highlighted the in-service training on child-friendly justice as optional for all judges, since all without exception have the opportunity to participate in training, while juvenile judges choose to continue training in this field as they are within the scope of their work competencies.
In-service ethics training is mandatory for all judges except for judges who are 2 years before retirement. However, for 2022, the Judicial Council has removed the obligation for ethics training, which is why we have emphasized that it was optional.
In addition to professional training, the program also offers interdisciplinary training, which is why judges also participate in other trainings during their service.

Question 71

Bosnia and Herzegovina

(General Comment): The relevant legislation on juvenile criminal justice requires that in-service training for specialized functions is obligatory for prosecutors and judges assigned to work on criminal cases involving juveniles; they must take certain training courses in order to be able to work on such cases.
This program lasts 4 days and covers 7 topics.
As for general in-service training, the minimum requirement for prosecutors and judges is to attend trainings at the judicial training center for at least 3 days during one year. There is no minimum requirement for prosecutors and judges to attend a certain number of trainings over the course of one year. The judicial office holders may choose between training topics related to the issues they most frequently work on.
In addition, the High Judicial and Prosecutorial Council of Bosnia and Herzegovina decided that as of 2022 an in-service online training on ethics, prevention of corruption and conflicts of interest is compulsory for all judges and prosecutors. Furthermore, the High Judicial and Prosecutorial Council of Bosnia and Herzegovina has introduced in 2022 a mandatory managerial training for newly appointed court presidents and chief prosecutors. It includes the following topics: 1) Developing leadership and management skills 2) Proactive role of court presidents and 3) Modern public relations. Moreover, all chief prosecutors and court presidents are required to attend the training on the role of chief prosecutors and court presidents in preserving the judicial integrity.

(2025): Same as for Q70.

Montenegro

(2025): Judges and state prosecutors shall have the right and duty to attend the in-service training for at least two working days annually for which they are to apply based on their own interest. (Article 45 paragraph 2 of the Law on the Centre for Training in Judiciary and State Prosecution ("Official Gazette of Montenegro" no. 58/2015)). The training is not compulsory for judges of specialized courts (except for the mentioned two days per year), however, the Centre for Training in Judiciary and State Prosecution in the framework of the In-service Training Program organizes regular training for judges of specialized courts at the annual level (judges of Commercial Court and Administrative Court). The only compulsory specialized training is the training for state prosecutors for the juveniles (who are the only ones competent to act in criminal proceedings with juveniles) according to the Law on the Treatment of Juveniles in Criminal Proceedings). All state prosecutors in charge of juveniles went through the specialized training. The trainings for management functions in state prosecution offices are organized in accordance with current needs and, thus, these are not compulsory.

(2023): Judges and state prosecutors shall have the right and duty to attend the in-service training for at least two working days annually for which they are to apply based on their own interest. (Article 45 paragraph 2 of the Law on the Centre for Training in Judiciary and State Prosecution ("Official Gazette of Montenegro" no. 58/2015)).
The only compulsory specialized training is the training for state prosecutors for the juveniles (in charge of juveniles), according to the Law on Treatment of Juveniles in Criminal Proceedings). All state prosecutors in charge of juveniles went through the specialized training. The trainings for management functions in state prosecution offices are organized in accordance with current needs and, thus, these are not compulsory. When it comes to training activities for the use of computers in state prosecution offices, these training activities are organized and conducted by the other authorities such as Prosecutorial Council and Human Resource Management Authority.

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Kosovo*

(General Comment): In principle, in-service training of prosecutors is voluntary, however, during a calendar year, all prosecutors must attend at least three training sessions, one on ethics, when there are legislative changes, and when promoted or advanced from one department to another or when moving to a management position. Other cases are also based on performance evaluation by the Performance Evaluation Committee for Prosecutors.

(2025): In principle, continuous (in-service) training for prosecutors is voluntary. However, within each calendar year, all prosecutors are required to attend at least three training sessions: one on ethics, one addressing legislative changes, and one when they are promoted, transferred to another department, or appointed to a management position. Additional mandatory training may also be required based on performance evaluations conducted by the Commission for the Evaluation of the Performance of Prosecutors. All such trainings are organized at the request of the Kosovo Prosecutorial Council. In 2025, the Academy of Justice did not receive any requests from the Prosecutorial Council for mandatory in-service training of prosecutors, apart from the compulsory initial training for 24 newly appointed prosecutors, who represent the Academy's eleventh generation of prosecutors in initial training.

(2022): In principle, ongoing training for prosecutors is voluntary, however, during a calendar year, all prosecutors must participate in at least three (3) trainings. All trainings according to the order in the questionnaire can become mandatory if this is assessed by the Unit for review and evaluation of performance in the KPK and in cases where there are legislative changes, when the prosecutor is promoted in office as well as for professional ethics.
According to Regulation No. 01/2020 for training and professional development in the prosecutorial system, Ethics training is mandatory.
For each field according to the weight, the same description applies as for the judges.

Question 72

Albania

(General Comment): Initial compulsory training – minimum number of training: The initial training program is a teaching program which operates in teaching hours. We don't count the teaching hours as training because they start lessons in the morning, usually at 8.30 and finish in the afternoon, usually at around 17.00, like a regular school. Initial compulsory trainings – minimum number of days: There is no minimum number of days. The school year starts on the first Monday of October and end by the end of May of the following year. In-service compulsory trainings – minimum number of trainings per year: The legal obligation for in-service magistrates is 5 training days a month. It does not provide for a minimum number of trainings, but a minimum number of DAYS.

(2024): Duration of the initial training studies in the Albanian Magistrates School is for 3 academic years. The academic year starts on the first Monday of October and ends by the end of May the following year.

(2023): 195 - The first and second year of the initial training are divided in two semesters of 15 weeks each of them. A calendar year has 30 weeks, with 5 days of initial training in a week, in total 150 days of initial training in the first year, and 45 days of initial training in the second year.

(2022): The first and second year of the initial training are divided in two semesters of 15 weeks each of them. A calendar year has 30 weeks, with 5 days of initial training in a week, in total 150 days of initial training in the first year, and 45 days of initial training in the second year.

Bosnia and Herzegovina

(General Comment): IN-SERVICE TRAINING:
The minimum requirement for prosecutors and judges is to attend trainings at the judicial training center for at least 3 days during one year. There is no minimum requirement for prosecutors and judges to attend a certain number of trainings over the course of one year. The judicial office holders may choose between training topics related to the issues they most frequently work on.
INITIAL COMPULSORY TRAINING
The newly appointed prosecutors and judges must undergo an initial training program that is consisted of 11 different trainings; typically, the program lasts for 15 days. In order to qualify for appointment to judicial or prosecutorial office, one must have passed a bar examination and have a certain number of years of practical experience after having passed the bar examination. The program includes topics focused on development of relevant skills, ethics, human rights protection etc. Besides, newly appointed prosecutors receive on the job support and guidance from more experienced prosecutors (i.e. consultative prosecutors). Mentorship system for newly appointed judges is under the development.

(2025): IN-SERVICE TRAINING: The minimum requirement for prosecutors and judges is to attend trainings at the judicial training center for at least 3 days during one year. There is no minimum requirement for prosecutors and judges to attend a certain number of trainings over the course of one year. The judicial office holders may choose between training topics related to the cases they work on. INITIAL COMPULSORY TRAINING The newly appointed prosecutors and judges must undergo an initial training program that is consisted of 11 different trainings; typically, the program lasts for 15 days. In order to qualify for appointment to judicial or prosecutorial office, one must have passed a bar examination and have a certain number of years of practical experience after having passed the bar examination. The program includes topics focused on development of relevant skills, ethics, human rights protection etc. Besides, all newly appointed prosecutors receive on the job support and guidance from more experienced prosecutors (i.e. consultative prosecutors). Mentorship system for newly appointed judges is mainly in place.

Montenegro

(2025): The mandatory duration of the initial training is defined by the provision from Article 42 of the Law on the Center for Training in the Judiciary and the State Prosecutor's Office.
That Law was amended by the Law amending and supplementing the Law on the Center for Training in the Judiciary and the State Prosecutor's Office ("Official Gazette of Montenegro", no. 054/24 of 11.06.2024).
The initial training for candidates for judges of the basic court, that is, for candidates for state prosecutors in the basic state prosecutor's office lasts 12 months, of which three months are theoretical training and nine months are practical training.
Converted into days of theoretical training, that is 63 days of six hours of training per training day.
The initial training for candidates for misdemeanor judges lasts six months, of which two months are theoretical training, and four months practical training, and is conducted at the Center, that is, the Court for Misdemeanors in Podgorica.
Converted into days of theoretical training, that is 42 days of six hours of training per training day.
The initial training for candidates for judges in the Commercial Court of Montenegro lasts six months, of which 40 hours per month of theoretical training are conducted in the Center, i.e. the Commercial Court of Montenegro.
Converted into days of theoretical training, that is 42 days of six hours of training per training day.
The initial training for candidates for judges of the Administrative Court of Montenegro lasts four months, of which 40 hours per month of theoretical training are conducted in the Center, i.e. the Administrative Court of Montenegro.
Converted into days of theoretical training, it is 42 days of training of six hours per training day.
Judges and state prosecutors shall have the right and duty to attend the in-service training for at least two working days annually for which they are to apply based on their own interest. (Article 45 paragraph 2 of the Law on the Centre for Training in Judiciary and State Prosecution (“Official Gazette of Montenegro” no. 58/2015)).

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(2023): The mandatory duration of the initial training is defined by the provision from Article 42 of the Law on the Center for Training in the Judiciary and the State Prosecutor's Office.
The initial training for candidates for judges of the basic court, that is, for candidates for state prosecutors in the basic state prosecutor's office lasts 18 months, of which six months are theoretical training and 12 months are practical training.
Converted into days of theoretical training, that is 128 days of six hours of training per training day.
The initial training for candidates for misdemeanor judges lasts nine months, of which three months are theoretical training, and six months practical training, and is conducted at the Center, that is, the Court for Misdemeanors in Podgorica.
Converted into days of theoretical training, that is 60 days of six hours of training per training day.
The initial training for candidates for judges in the Commercial Court of Montenegro lasts six months, of which 40 hours per month of theoretical training are conducted in the Center, i.e. the Commercial Court of Montenegro.
Converted into days of theoretical training, that is 44 days of six hours of training per training day.
The initial training for candidates for judges of the Administrative Court of Montenegro lasts four months, of which 20 hours per month of theoretical training are conducted in the Center, i.e. the Administrative Court of Montenegro.
Converted into days of theoretical training, it is 16 days of training of six hours per training day.
Judges and state prosecutors shall have the right and duty to attend the in-service training for at least two working days annually for which they are to apply based on their own interest. (Article 45 paragraph 2 of the Law on the Centre for Training in Judiciary and State Prosecution (“Official Gazette of Montenegro” no. 58/2015)).

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The initial training for candidates for judges of the basic court, that is, for candidates for state prosecutors in the basic state prosecutor's office lasts 18 months, of which six months are theoretical training and 12 months are practical training.
Converted into days of theoretical training, that is 128 days of six hours of training per training day.
The initial training for candidates for misdemeanor judges lasts nine months, of which three months are theoretical training, and six months practical training, and is conducted at the Center, that is, the Court for Misdemeanors in Podgorica.
Converted into days of theoretical training, that is 60 days of six hours of training per training day.
The initial training for candidates for judges in the Commercial Court of Montenegro lasts six months, of which 40 hours per month of theoretical training are conducted in the Center, i.e. the Commercial Court of Montenegro.
Converted into days of theoretical training, that is 44 days of six hours of training per training day.
The initial training for candidates for judges of the Administrative Court of Montenegro lasts four months, of which 20 hours per month of theoretical training are conducted in the Center, i.e. the Administrative Court of Montenegro.
Converted into days of theoretical training, it is 16 days of training of six hours per training day.
Judges and state prosecutors shall have the right and duty to attend the in-service training for at least two working days annually for which they are to apply based on their own interest. (Article 45 paragraph 2 of the Law on the Centre for Training in Judiciary and State Prosecution (“Official Gazette of Montenegro” no. 58/2015)).

North Macedonia

(General Comment): The initial training lasts 24 months and takes place in two phases, namely:
- first phase - theoretical teaching at the Academy lasting nine months and
- second stage - practical teaching in courts and public prosecutor's offices and others
institutions, in accordance with the initial training program lasting 15 months.
The initial training is organized in three modules. Each module contains 7 subjects, or total of 21 subjects. The first and second modules are composed of 414 hours, while the third module is composed of 207 hours. Initial training contains 1035 hours in total. One teaching hour equals 40 minutes.
The Academy conducts compulsory training for judges and public prosecutors, in accordance with Article 5 of the Rules for Continuous Training, which they must attend as soon as they are elected. The number of mandatory days of training on an annual level decreasing gradually, as the judge's /the prosecutor seniority increases. Failure to meet the required number of training days on an annual level may even lead to deducting points, i.e. obtaining a lower annual grade, which, further, may make it more difficult for the concerned judge, i.e. public prosecutor, to be promoted in the future.
According to Article 7 paragraph 4, new elected judges and public prosecutors are obliged, of their choice, to attend intensive continuous training lasting five working days, which is carried out on the basis of a specialized program (divided into two modules: criminal and civil) for mandatory continuous training. Judges/public prosecutors with up to 3 years of experience are obliged to attend a total of 10 days of training.
1-3 years of experience as a judge/prosecutor=10 days of training
3-8 years of experience as a judge/prosecutor=6 days of training
8-15 years of experience as a judge/prosecutor=4 days of training
over 15 years of experience as a judge/prosecutor=2 days of training

(2024): The initial training lasts 24 months and takes place in two phases, namely:
- first phase - theoretical teaching at the Academy lasting nine months and
- second stage - practical teaching in courts and public prosecutor's offices and others
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The initial training is organized in three modules. Each module contains 7 subjects, or total of 21 subjects. The first and second modules are composed of 414 hours, while the third module is composed of 207 hours. Initial training contains 1035 hours in total. One teaching hour equals 40 minutes.
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over 15 years of experience as a judge/prosecutor=2 days of training

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- first phase - theoretical teaching at the Academy lasting nine months and
- second stage - practical teaching in courts and public prosecutor's offices and others
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The Academy conducts compulsory training for judges and public prosecutors, in accordance with Article 5 of the Rules for Continuous Training, which they must attend as soon as they are elected. The number of mandatory days of training on an annual level decreasing gradually, as the judge's /the prosecutor seniority increases. Failure to meet the required number of training days on an annual level may even lead to deducting points, i.e. obtaining a lower annual grade, which, further, may make it more difficult for the concerned judge, i.e. public prosecutor, to be promoted in the future.
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1-3 years of experience as a judge/prosecutor=10 days of training
3-8 years of experience as a judge/prosecutor=6 days of training
8-15 years of experience as a judge/prosecutor=4 days of training
over 15 years of experience as a judge/prosecutor=2 days of training

Serbia

(2025): During initial training the users of the initial training have the obligation to pass 4 HELP courses.

(2023): During initial training the users of the initial training have the obligation to pass 4 HELP courses.

Kosovo*

(2025): For judges out of the 245 days of compulsory training, 117 days are theoretical training at the Academy of Justice and 128 days are practical training (120 days in the respective courts of appointment and 8 in other non-judicial institutions). Whereas, for prosecutors, out of the 245 days of compulsory training, 100 days are theoretical training at the Academy of Justice and 145 days are practical training (137 days in the respective prosecutor's offices of appointment and 8 in other non-judicial institutions).
During 2025, four generations of newly appointed judges and one generation of newly appointed prosecutors attended initial training. The XI, XII, XIII, and XIV generations comprised a total of 86 new judges, while the XI generation of prosecutors included 24 newly appointed members. The XI and XII generations of judges successfully completed all theoretical and practical training sessions during 2025. The XIII and XIV generations are still in progress, with their programs scheduled to continue into 2026. Similarly, the XI generation of prosecutors is currently undergoing theoretical and practical training, which will extend into January 2026 until the completion of all sessions in accordance with the program.

(2024): Initial compulsory training for judges includes:116 days of theoretical training in KJA
118 days of practical training in Courts, as well as 8 days of practical training in other non-judicial institutions Initial compulsory training for prosecutors includes:87 days of theoretical training in KJA
158 days of practical training in Prosecution Offices, as well as 8 days of practical training in other non-judicial institutions

(2022): In-service compulsory trainings - minimum number of days per year - Judges with work experience over 20 years - 2 (two) days.
Judges with work experience over 10 to 20 years - 5 (five) days.
Judges with work experience from 5 to 10 years - 6 (six) days.
Judges with experience from 3 to 5 years-7 (seven) days.
Per prosecutors the number of days is set according to the request of the KPC.
Regarding In-service compulsory trainings - minimum number of trainings per year it is indicated 1 as the minimum days and it varies from 1 to 7.
Regarding In-service compulsory trainings - minimum number of days per year it is indicated 2 and it varies from 2 to 7.
Mandatory initial training - means for newly appointed judges and prosecutors that in total they have to continue the training in 12 months, 6 months of theoretical training at the Law Academy and 6 months at the respective courts/prosecution offices where they are appointed .
During the reporting period in the framework of the trainings for judges, 206 days of training were carried out, divided into two groups (for two groups of 103 days each) because the training started in July 2022. While for the procurator, a total of 112 days of training were carried out.

Question 73

Albania
(2024): Number of trainings available for non-judge and non-prosecutor staff is equal to the number of training delivered because there are no training activities that are repeated.

(2022): The total does not match as SoM does not organize trainings only for judges or only for prosecutors. In the table of training activities, trainings are defined which are addressed to a specific target group such as judges, prosecutors, judicial police officers, state lawyers, administrative staff of courts or prosecutions, chancellors, etc. but most of the training activities are open to all subjects whose law recognizes the right to be trained by the School of Magistrates. So, apart from the fact that there are trainings with a certain target group, the same trainings where judges have participated, prosecutors have also participated, especially when it comes to dealing with procedural law, where the confrontation of the prosecutor's perspective with the court is quite important. In this case, in 76 trainings for judges, there were trainings dedicated only to judges, but also trainings where there were judges, prosecutors and other subjects of the justice system.

Bosnia and Herzegovina

(2025): Non-judicial staff are professional associates in courts and prosecutor’s offices who attend the initial training and other seminars provided by the judicial training centres.

(2024): Non-judicial staff are professional associates in courts and prosecutor’s offices who attend the initial training and other seminars provided by the judicial training centers. In comparison to the previous year, there were disparities in number of participants in internet-based trainings provided on the e-learning platform of the judicial training institutions and other e-learning platforms. This was primarily due to developments related to the online module "Ethics and Integrity", which was transitioned in 2024 from the e-platform of the USAID project in Bosnia and Herzegovina “Judiciary against Corruption” to the e-platform managed by the judicial training institutions. During the transition period, it was not possible to conduct trainings on the aforementioned module. It is planned that this module will be available again in 2025. In addition, most judges and prosecutors attended training in this module during 2023, in accordance with the decision of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. In addition, although this module was available during 2024 before the transition, judges and prosecutors did not use it for training during that period. This had to do with the fact that most judges and prosecutors had attended training on this module during 2023, in accordance with the decision of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. Training on this module is expected to continue in 2025.

(2023): Non-judicial staff are professional associates in courts and prosecutor’s offices who attend the initial training and other seminars provided by the judicial training centers.

Montenegro

(2025): During 2025, the Centre for Training in the Judiciary and State Prosecution, in accordance with the adopted 2025 In- service Training Programme, implemented 70 activities, amounting to a total of 122 training days. In addition to the aforementioned Programme, and within the framework of the continuous training of judges and state prosecutors, a further 46 activities were carried out. This brings the total number of In-service training activities for judges and state prosecutors to 116, implemented either independently by the Centre or in cooperation with the Centre's partners.

The number of 122 training days refers exclusively to the training activities implemented under the 2025 In-service Training Programme. Therefore, the overall number of training days is not precise and should be considered as NA.

N/A. In-service training activities are organized jointly for judges and state prosecutors; therefore, it is not possible to disaggregate the number of training activities or training days by these categories. In addition, separate data for non-judge and non-prosecutor staff cannot be provided, as training activities are also attended by advisors from courts and state prosecution offices.

The Centre's e-learning platform is operational. So far, two courses have been developed and uploaded to the platform. These courses are intended for all legal professionals and holders of judicial offices and are not designed for specific professional categories

(2022): - In cooperation with HELP Programme for the Western Balkans and Turkey, Council of Europe (The European Programme for Human Rights Education for Legal Professionals), the Centre organized 2 (two) HELP e-learning courses and participated in 1 (one) regional HELP online course:
- The first HELP online course – e-learning (21 February to 21 April 2022) - The total pf 40 participants successfully completed this course (in effective duration of 12 hours) - 8 judges, 3 state prosecutors, 12 advisors from courts, 3 advisors from state prosecution offices, 3 trainees from courts, 2 candidates for judges, 4 candidates for state prosecutors, 2 lawyers and 3 representatives of the Ministry of Justice and Human and Minority Rights of Montenegro.
- The second HELP online course - e-learning (21 September – 21 November 2022) - The total of 38 participants successfully completed this course (in effective duration of 18 hours) – 7 judges, 1 state prosecutor, 11 advisors from courts, 5 trainees from courts, 1 candidate for a judge, 3 lawyers, 6 representatives of the Ministry of Justice of Montenegro, 3 representatives of LGBTQ organizations and 1 representative of the Institution of the Protector of Human Rights and Freedoms of Montenegro (Ombudsman).
- The regional HELP online course (29 March – 29 May 2022) organized by the Council of Europe HELP Programme and the United Nations High Commissioner for Refugees (UNHCR) – the participants herein attended separate courses in relation to the country they come from, which were translated into all languages of the Western Balkan countries and adapted to respective national legislation. The total of 11 participants successfully completed this course – 2 judges, 3 advisors from courts, 2 trainees from courts, 2 representatives of the Ministry of Justice of Montenegro, 1 representative of the Notary Office in Cetinje and 1 representative of the Ministry of Finance and Social Welfare.
The Centre participates in the activities offered by the European Judicial Training Network (EJTN) despite its status of an observer. During 2022, owing to the Centre's role of an intermediary and the invitation to participate in training activities, 19 representatives of the Montenegrin judiciary (14 judges, 2 state prosecutor, 2 trainees from courts and 1 advisor from a court) participated herein. These training activities encompassed 6 one-hour online seminars, 1 two-and-a-half-hour online seminar, 1 two-day online workshop, 2 two-day virtual study visits to the ECtHR and 1 in-person seminar.
- Finally, in 2022, owing to the role of the Centre as an intermediary and the invitation to participate in online training activities and face-to-face activities organised by foreign partners (at the regional and European level), the total of 108 representatives of Montenegrin judiciary participated in 38 training activities (51 judges, 15 special prosecutors, 18 state prosecutors, 13 candidates for a judge, 4 advisors from Special State Prosecution Office, 4 advisors from state prosecution offices, 1 advisor from a court and 2 trainees in courts). – PLEASE NOTE : This number DOES NOT include unique participants. Note: (comment ref. column 5) In total, 16,5 training days: (3 HELP courses: two 12-hour courses (4 training days) and one 18-hours course (3 training days) + EJTN two-day online workshop (2 training days), 2 EJTN two-day virtual study visits to the ECtHR (4 training days), 1 EJTN two-day in-person seminar (2 training days) + 6 one-hour online seminars and 1 two-and-a-half-hour online seminar (1 and a half training day))

North Macedonia
(2023): The decrease is due to the different needs defined in the Program for continuous training.

Serbia
(2025): There is a discrepancy due to the specific training provided for a specific target group and each one is counted (calculated) separately

(2024): Judicial Academy is continuously working to improve its training programs, therefore there might be a discrepancy regarding the number of participants, number of trainings, different offered trainings in regards to topics etc. and it all depends on the yearly demands and expectations of the all public institutions which take active participation in our programs, both in vivo and online. Moreover, at the end of each year Judicial Academy conducts a training needs analysis which is a guiding reference for the future trainings.

(2023): In 2023 the priority of the Judicial Academy was the development and the promotion of the Academy's new distance learning platform-LMS platform as well as development of the e-learning courses and e-library. That is the reason of the decreased number of live trainings delivered in comparison to 2022.

(2022): A large number of trainings includes few groups of stakeholders, such as police officers, lawyers, social workers, NGO representatives, tax administration officials and others, depending on the topic discussed of the specific training, and not only judges and prosecutors. Also, where possible and appropriate, Judicial Academy gathers judges, prosecutors, judicial and prosecutorial assistants and the users of the initial training of the Judicial Academy at the same trainings. This is the reason why total number of all participants is higher than the sum of the number of judges, prosecutors, non-judge and non-prosecutor staff who attended the trainings. For example, in 2022 Judicial Academy trained, together with judges and prosecutors, 1105 police officers and 643 lawyers.

Kosovo*

(2025): In 2025, a total of 83 training sessions were conducted. Of these, 48 were joint sessions for judges and prosecutors, out of them 2 were held exclusively for prosecutors. Additionally, 87 training activities were organized specifically for employees in the judicial administration, and 4 for administrative staff of the prosecutorial system. Furthermore, 11 joint trainings were conducted for professional associates and legal officers of courts and prosecutorial offices, along with 3 joint trainings for administrative staff of both the judiciary and prosecution. Through the HELP platform, two joint courses were also delivered in 2025, covering the topics Human Rights and the Environment and The Right to Liberty and Security – Article 5. These courses were attended by judges, prosecutors, professional associates, and legal officers of courts and prosecutorial offices.

(2022): -In the total number of trainings 209, there were also 114 joint trainings for judges and prosecutors, 145 continuous trainings programme, 10 trainings for free legal professions, 7 training of trainers. For non-judge staff and For non-prosecutor staff there were 33 joint trainings.
-Regarding the category Number of days of delivered live (in person, hybrid, video conference) trainings, the total number of 354 days includes 237 trainings jointly for judges and prosecutors, 35 days trainings only for judges, 10 days only for prosecutors, 36 days of trainings jointly for non-judge and non-prosecutor staff. Furthermore, there were 10 days training for free legal professions and 19 days for trainings for trainers.

Question 74

Albania

(2023): The increase is explained by the increase of available and delivered training activities, as well as the increase of the number of judges and prosecutors in the system after the last two years of graduation from SoM.

Bosnia and Herzegovina

(2025): In 2025, the number of participants in the trainings slightly rose compared to the previous reporting year because there were more newly appointed judges, prosecutors and professional associates/advisors who were eligible to attend the initial training courses.

(2024): In comparison to the previous year, there were disparities in number of participants in internet-based trainings provided on the e-learning platform of the judicial training institutions and other e-learning platforms. This was primarily due to developments related to the online module "Ethics and Integrity", which was transitioned in 2024 from the e-platform of the USAID project in Bosnia and Herzegovina “Judiciary against Corruption” to the e-platform managed by the judicial training institutions. During the transition period, it was not possible to conduct trainings on the aforementioned module. It is planned that this module will be available again in 2025. In addition, most judges and prosecutors attended training in this module during 2023, in accordance with the decision of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. In addition, although this module was available during 2024 before the transition, judges and prosecutors did not use it for training during that period. This had to do with the fact that most judges and prosecutors had attended training on this module during 2023, in accordance with the decision of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. Training on this module is expected to continue in 2025.

Montenegro

(2025): Given that In-service training is primarily intended for judges and state prosecutors, the data provided refers to the number of judges and state prosecutors out of the total number of active judges and state prosecutors.
N/A. At this stage, the Centre does not yet have statistical data on the number of holders of judicial offices and legal professionals who have attended the e-learning courses, considering that users have only recently been informed that the platform has been adapted and is fully functional.
N/A. Data on the number of non-judge and non-prosecutor staff is not considered relevant in this context. Although, as previously noted, advisors and other non-judge and non-prosecutor may attend certain training activities within the framework of In-service training, the Centre has recently established a dedicated department responsible for the specialized training of advisors and trainees in courts and state prosecution offices, as well as lawyers, notaries and public enforcement agents. Therefore, participation of these categories is primarily monitored through the activities organized by this department.
During 2025, the Centre organized theoretical training sessions for a total of 72 judicial trainees in courts and state prosecution offices. Out of the total number of trainees, 52 were assigned to courts, while the remaining 20 were assigned to state prosecution offices.
The discrepancy is due to the methodology used for reporting participants in in-service training activities. In-service trainings are often organized jointly for judges and state prosecutors, while certain training modules are intended primarily for judges (particularly in the field of civil law). Training activities within the criminal law module are generally attended by both judges and prosecutors.
As a result, the distribution of participants between judges and prosecutors varies depending on the subject matter and target group of each activity. In addition, only one training activity during the reporting period, dedicated to financial investigations, was attended exclusively by state prosecutors and was therefore reported solely under prosecutors' participation.

(2023): And 310 other participants not included in this categories

(2022): In addition, as per the column one 121 other participants (representatives of state institutions, law enforcement officers, lawyers, etc) undergone trough training.
Comment: The participants in the training activities also included other legal professionals, i.e. the representatives of the Ministry of Justice (and Human and Minority Rights), notary public offices, the Ministry of Finance and Social Welfare, LGBTQ organizations and Institution of the Protector of Human Rights and Freedoms of Montenegro (Ombudsman).
Note: (comment ref. column 3 - Total): The total of 108 participants in training activities includes: 31 judges, 6 prosecutors, 42 non-judge staff (3 candidates for judges + 27 advisors from courts + 12 trainees from courts), 7 non-prosecutor staff (4 candidates for state prosecutors + 3 advisors from state prosecution offices), 22 legal professionals from other public institutions (5 lawyers, 11 the Ministry of Justice (and Human and Minority Rights) + 1 notary public offices + 1 the Ministry of Finance and Social Welfare + 3 LGBTQ organizations + 1 Institution of the Protector of Human Rights and Freedoms of Montenegro (Ombudsman).
Note: (comment ref. column 3 - Non-judge staff): 3 candidates for judges + 27 advisors from courts + 12 trainees from courts.
Note: (comment ref. column 3 - Non-prosecutor staff): 4 candidates for state prosecutors + 3 advisors from state prosecution offices.
In non-prosecutor and non-judge staff we did not count trainees/interns in courts and state prosecution offices. The Centre for Training in Judiciary and State Prosecution implements theoretical part of professional training of trainees/interns in courts and state prosecution offices, in accordance with the Law on Trainees in Courts and State Prosecution Offices and Bar Examination ("Official Gazette of Montenegro", no. 55/2016 and 57/2016) and upon the Training Programme for Trainees in Courts and State Prosecution Offices which was adopted in January 2018. In 2022, the CTJSP organized training for 108 interns, of which 88 are interns in courts and 20 in state prosecutor's offices. The trainees were divided into five groups, and a total of 23 trainings were conducted (2 live and 21 online), i.e. 55 days of training.

North Macedonia

(2025): 985 participants is total number for non-judges and non-prosecutors for in live trainings. The Academy`s system can`t provide separate number for this category.

(2024): 1552 participants is total number for non-judges and non-prosecutors for in live trainings. The Academy`s system can`t provide separate number for this category.

(2023): 1261 participants is total number for non-judges and non-prosecutors for in live trainings. The Academy`s system can`t provide separate number for this category.

(2022): 2348 participants is total number for non-judges and non-prosecutors for in live trainings, and 91 is total number for non-judge and non-prosecutor staff for e-learning training. The Academy`s system can`t provide separate number for this category.

Serbia

(2025): A large number of trainings includes few groups of stakeholders, such as police officers, lawyers, social workers, NGO representatives, tax administration officials and others, depending on the topic discussed of the specific training, and not only judges and prosecutors. Also, where possible and appropriate, Judicial Academy gathers judges, prosecutors, judicial and prosecutorial assistants and the beneficiaries of the initial training of the Judicial Academy at the same trainings. This is the reason why the total number of all participants is higher than the sum of the number of judges, prosecutors, non-judge and non-prosecutor staff who attended the trainings. The total number of participants in live is 4661 which includes all participant categories.

(2024): A large number of trainings includes few groups of stakeholders, such as police officers, lawyers, social workers, NGO representatives, tax administration officials and others, depending on the topic discussed of the specific training, and not only judges and prosecutors. Also, where possible and appropriate, Judicial Academy gathers judges, prosecutors, judicial and prosecutorial assistants and the beneficiaries of the initial training of the Judicial Academy at the same trainings. This is the reason why the total number of all participants is higher than the sum of the number of judges, prosecutors, non-judge and non-prosecutor staff who attended the trainings. The total number of participants in live is 4487 which includes all participant categories.
Judicial Academy is continuously working to improve its training programs, therefore there might be a discrepancy regarding the number of participants, number of trainings, different offered trainings in regards to topics etc. and it all depends on the yearly demands and expectations of the all public institutions which take active participation in our programs, both in vivo and online. Moreover, at the end of each year Judicial Academy conducts a training needs analysis which is a guiding reference for the future trainings.
This is the number (4487) for participants who have completed the training.

(2023): A large number of trainings includes few groups of stakeholders, such as police officers, lawyers, social workers, NGO representatives, tax administration officials and others, depending on the topic discussed of the specific training, and not only judges and prosecutors. Also, where possible and appropriate, Judicial Academy gathers judges, prosecutors, judicial and prosecutorial assistants and the users of the initial training of the Judicial Academy at the same trainings. That is the reason why total number of all participants is higher than the sum of the number of judges, prosecutors, non-judge and non-prosecutor staff who attended the trainings. In 2023 the Academy increased the participation of the future judges and prosecutors (the users of the initial training, the judicial and prosecutorial assistants) in its educational events.
Please consider that the total number of all participants is 4858.

Kosovo*

(2025): In addition to the categories specified in the previous table, other legal professionals from various institutions—such as mediators, free legal aid officers, victim advocates, probation officers, police officers, and others—also participated in the training programs. As a result, the number of participants increased from 3,460 to a total of 4,456 across all training activities during 2025.

(2023): The number of 19 trainings included 18 courses of HELP were translated into Albanian and Serbian languages and they are expected to be launched and provided for all the legal community and another course for seizing and confiscating assets, the only one that has been implemented.

(2022): Besides 3,810 participants judges, prosecutors, non-judge staff and non-prosecutor staff, the total number of participants at the Academy of Justice was 4,374 participants, including the participants from 139 trainings for private enforcement agents, free legal aid officers and victims' defenders, 289 other participants from the Probation Service, Kosovo Police, lawyers, Center for Social Work, Financial Intelligence Unit, etc.

Question 75

Bosnia and Herzegovina

(General Comment): Court presidents and chief prosecutors are counted in the number of judges and prosecutors delivered for: Q31 (Number of professional judges sitting in courts on 31 December 2025., i.e. 1025), Q36 (Number of prosecutors on 31 December 2025, i.e. 352), and Q75 (Number of unique participants of the trainings during the reference year). The number of professional judges sitting in courts on an occasional basis (i.e. 11 reserve judges on 1 January 2025), is not included in the data provided for Q31 and Q75. Data on the number of judges and prosecutors who attended training during the reporting year but left the judiciary before the end of the reporting year due to resignation, retirement, death, etc. were not excluded from Q75. This may lead to inconsistencies between data reported under Q75 with data prepared for Q31 and Q36, as the latter do not include data on judges and prosecutors who left the judiciary during the reporting year.
Non-judicial staff are professional associates in courts and prosecutor’s offices who attend the initial training and other seminars provided by the judicial training centers.

(2025): In 2025, the number of unique participants in live trainings slightly rose compared to the previous reporting year because there were more newly appointed judges, prosecutors and professional associates/advisors who were eligible to attend the initial training courses.

(2024): Court presidents and chief prosecutors are counted in the number of judges and prosecutors delivered for: Q19 (Number of professional judges sitting in courts on 31 December 2024., i.e. 1044), Q28 (Number of prosecutors on 31 December 2024, i.e. 362), and Q147-2 (Number of unique participants of the trainings during the reference year). The number of professional judges sitting in courts on an occasional basis (i.e. 38 reserve judges on 1 January 2024), that used to be submitted for Q20, is not included in the data provided for Q19 and Q147-2. Data on the number of judges and prosecutors who attended training during the reporting year but left the judiciary before the end of the reporting year due to resignation, retirement, death, etc. were not excluded from Q147-2. This may lead to inconsistencies between data reported under Q147-2 with data prepared for Q19 and Q28, as the latter do not include data on judges and prosecutors who left the judiciary during the reporting year.
Non-judicial staff are professional associates in courts and prosecutor’s offices who attend the initial training and other seminars provided by the judicial training centers.

(2023): Court presidents and chief prosecutors are counted in the number of judges and prosecutors delivered for: Q19 (Number of professional judges sitting in courts on 31 December 2023), Q28 (Number of prosecutors on 31 December 2023), and Q147-2 (Number of unique participants of the trainings during the reference year). The number of professional judges sitting in courts on an occasional basis (i.e. 38 reserve judges on 31 December 2023), that used to be submitted for Q20, is not included in the data provided for Q19 and Q147-2.

(2022): Court presidents and chief prosecutors are counted in the number of judges and prosecutors delivered for: Q19 (Number of professional judges sitting in courts on 31 December 2022), Q28 (Number of prosecutors on 31 December 2022), and Q147-2 (Number of unique participants of the trainings during the reference year). The number of professional judges sitting in courts on an occasional basis on 31 December 2022 submitted for Q20 is not included in the data provided for Q147-2. The number of professional judges sitting in courts on 31 December 2022 (i.e. 1000) was higher than the number of unique participants of the trainings registered during 2022 (i.e. 1008), as some judges, who attended the trainings, left the judiciary before the end of the reporting year due to resignation, retirement, death etc.

Montenegro

(2025): At this stage, the Centre does not maintain disaggregated statistical data on participation by gender. The internal data collection and reporting system is still being further developed and currently does not allow for the extraction of training participation data broken down by women and men. Efforts are ongoing to improve internal monitoring mechanisms in order to enable more detailed statistical reporting in the future.

North Macedonia

(2022): Currently, the Academy's system can process and deliver data on the total number of judges and public prosecutors, that is, the total number of judges and the total number of public prosecutors who participated in the training. It can also provide data on the total number of training sessions by topic, but it is not possible to provide data according to your requirements.

Serbia

(2024): From the total number of 3128, 1298 participants are lawyers, police officers, social workers and beneficiaries of the Judicial Academy. The total number of 1830 unique participants include these categories: judges, prosecutors, non-judge staff and non-prosecutor staff.

(2023): With the new platform and the new internal system for gathering data, the Academy should have this statistics from the next year.

Kosovo*

(2022): Moreover, there were 78 (private enforcement agents, free legal aid officials and victim defender) and 286 other professionals.

Question 76

Bosnia and Herzegovina

(2025): Comments:

In comparison to the previous reporting year, there were more courses available on the HELP platform in 2025. In addition, in 2025 newly appointed judges and prosecutors were required, as part of their mandatory initial training course, to complete 4 HELP courses, which was a prerequisite for them to be eligible to attend the further sessions within the mandatory initial training course. Consequently, there was an increase in the number of available online training courses as well as in the number of participants in those courses.

(2024): In comparison to the previous year, there were disparities in number of participants in internet-based trainings provided on the e-learning platform of the judicial training institutions and other e-learning platforms. This was primarily due to developments related to the online module "Ethics and Integrity", which was transitioned in 2024 from the e-platform of the USAID project in Bosnia and Herzegovina “Judiciary against Corruption” to the e-platform managed by the judicial training institutions. During the transition period, it was not possible to conduct trainings on the aforementioned module. It is planned that this module will be available again in 2025. In addition, most judges and prosecutors attended training in this module during 2023, in accordance with the decision of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. In addition, although this module was available during 2024 before the transition, judges and prosecutors did not use it for training during that period. This had to do with the fact that most judges and prosecutors had attended training on this module during 2023, in accordance with the decision of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. Training on this module is expected to continue in 2025.

Montenegro

(2025): there were no internet based trainings

(2024): And 18 other participants (representatives of state institutions, law enforcement officers, attorney-at-law, etc).
The participants in the training activities also included other legal professionals, i.e. attorneys-at-law, representatives of the Centre for Training in Judiciary and State Prosecution, Center for Women's Rights and the manager of the court registry.
Note (comment ref. row 1 - Total): The total of 109 participants in training activities includes: 29 judges, 22 prosecutors, 30 non-judge staff (2 candidate for a judge + 16 advisors from courts + 12 trainees from courts), 10 non-prosecutor staff (1 candidates for state prosecutors + 9 advisors from state prosecution offices), 18 legal professionals from other public institutions (15 attorneys-at-law) + 1 representative of the Centre for Training in Judiciary and State Prosecution + 1 representative of the Center for Women's Rights + 1 manager of the court registry.
Note (comment ref. row 4 - Non-judge staff): 2 candidates for judges + 16 advisors from courts + 12 trainees from courts.
Note (comment ref. row 5 - Non-prosecutor staff): 1 candidate for a state prosecutor + 9 advisors from state prosecution offices.
- In cooperation with HELP Programme for the Western Balkans and Turkey, Council of Europe (The European Programme for Human Rights Education for Legal Professionals), the Centre organized 4 (four) HELP e-learning courses:
- The first HELP online course – e-learning (4 March to 21 April 2024) - The total of 18 participants successfully completed this course on the topic Judicial Reasoning and Human Rights (in effective duration of 20 hours) - 4 judges, 4 advisors from courts, 4 trainees from courts, 1 candidate for a judge, 4 attorneys-at-law and 1 manager of the court registry.
- The second HELP online course – e-learning (26 April to 18 July 2024) - The total of 25 participants successfully completed this course on the topic of Access to Justice for Women (in effective duration of 20 hours) - 4 judges, 5 state prosecutors, 3 advisors from courts, 2 advisors from state prosecution, 1 candidate for judges, 1 candidate for state prosecution, 7 attorneys-at-law, 1 representative of the Centre for Training in Judiciary and State Prosecution and 1 representative of the Center for Women's Rights. - The third HELP online course - e-learning (3 June – 31 July 2024) - The total of 1 participant successfully completed this course on the topic of The Importance of Quality of Justice in Mediation (in effective duration of 25 hours) – 1 judge.
- The fourth HELP online course – e-learning (4 October to 1 December 2024) - The total of 41 participant successfully completed this course on the topic of Procedural Safeguards in Criminal Proceedings and Victim's Rights (in effective duration of 26 hours) - 12 judges, 5 state prosecutors, 9 advisors from courts, 2 advisors from state prosecution, 8 trainees from courts, 4 attorneys-at-law and 1 representative of the Centre for Training in Judiciary and State Prosecution. - The Centre participates in the activities offered by the European Judicial Training Network (EJTN) within EJTN - Pilot Action on Judicial Training (Western Balkans II Project) that project was launched in March 2022 for a period of three years. It is implemented within the "IPA II Multi-country Action Programme 2020" and benefits from the financial support of the European Commission's Directorate-General for Neighbourhood and Enlargement Negotiations (DG NEAR). The main goal of the Project is to strengthen the capacities of the judicial training institutions in the Western Balkans for delivery of effective and efficient judicial training to judges and prosecutors on the EU acquis, including on the rule of law, with a view to support the enlargement and stabilisation and association process, as well as the Western Balkan Strategy of the European Union. The Project works across two closely related components. The first component, which identifies the Serbian Judicial Academy (JA) and the Montenegrin Centre for Training in Judiciary and State Prosecution (CTJSP) as the primary beneficiaries of the action, aims to

North Macedonia
(2025): All 6 trainings are intended for judges, prosecutors, non judge staff and non prosecutor staff, there is no separate training for each category.

(2024): 2 participants is total number for non-judges and non-prosecutors. The Academy`s system can`t provide separate number for this category.

Serbia

(2024): The total number of participants is 92, which inludes all participant categories.
Judicial Academy is continuously working to improve its training programs, therefore there might be a discrepancy regarding the number of participants, number of trainings, different offered trainings in regards to topics etc. and it all depends on the yearly demands and expectations of the all public institutions which take active participation in our programs, both in vivo and online. Moreover, at the end of each year Judicial Academy conducts a training needs analysis which is a guiding reference for the future trainings.

(2023): Total number of participants in internet-based trainings completed by justice professionals on other e-learning platforms (61) includes the staff of the Judicial Academy as well.

Question 77

Albania

(General Comment): The obligation of magistrates to complete mandatory training comes from Law No. 96/2016 On the Status of Judges and Prosecutors in the Republic of Albania.
Article 5, point 3 defines the mandatory period to be followed by the magistrate in the continuing training as follows:
The period of continuing education should be:
a) not less than five full days per year and not less than 30 full days during five years;
b) not more than 40 days per year and 200 days during five years
Regular follow-up and compliance with the law or not is a component that serves for the professional ethical evaluation of judges and prosecutors by the High Judicial Council and the High Prosecutorial Council, and non-attendance of continuous training can serve to be considered a disciplinary violation.
Article 102, point g
Disciplinary violations related to the exercise of the function:
unjustified non-fulfillment of the obligation to participate at least in the specified number of continuing training activities, according to the conditions and criteria established by law.
Also, the sanction for non-fulfillment of continuing training, which may lead to a disciplinary violation, is defined in articles 112 and 113 of the same law:
Article 112
Complementary disciplinary measures
1. If the magistrate has been convicted by a final decision for criminal offenses in the field of corruption, the Council decides, in addition to the dismissal of the magistrate, also the return of the amount of the gross salary of the last year in office benefited from him.
2. The Council, along with the measures provided for in point 1, letters "b", "c", subsection "i", "ç", "d", of Article 105, of this law, may also decide one of the following additional disciplinary measures:
a) compulsory attendance of specified professional trainings, according to the provision in Article 113 of this law;
b) removal from office of the chairman. Article 113
Complementary measures for training
In support of Article 112, point 2, letter "a", of this law, the Council may impose the additional disciplinary measure of mandatory attendance of specified professional trainings, if the offense committed can be corrected through participation in mandatory training programs. In this case, the decision determines the content and duration of the mandatory training program.

(2025): The obligation of magistrates to complete mandatory training comes from Law No. 96/2016 On the Status of Judges and Prosecutors in the Republic of Albania.
Article 5, point 3 defines the mandatory period to be followed by the magistrate in the continuing training as follows:
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a) compulsory attendance of specified professional trainings, according to the provision in Article 113 of this law;
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Complementary measures for training
In support of Article 112, point 2, letter "a", of this law, the Council may impose the additional disciplinary measure of mandatory attendance of specified professional trainings, if the offense committed can be corrected through participation in mandatory training programs. In this case, the decision determines the content and duration of the mandatory training program.

Bosnia and Herzegovina

(General Comment): The Law on High Judicial and Prosecutorial Council of Bosnia and Herzegovina (Article 56) defines the list of disciplinary offences for judges which includes the following "failure to fulfill the obligation to participate in forms of compulsory professional training“.
Historically, none of the judges has been found liable for this offence.

Montenegro

(General Comment): The Law on the Centre for Training in Judiciary and State Prosecution does not stipulate penalties for judges who do not participate in training activities. However, when the work of judges is evaluated by the Judicial Council, one of the sub-criteria is participation in training activities. Therefore, if judges do not participate in training activities, it may have a negative effect on the overall evaluation of the work of judges.

(2025): Judges and state prosecutors shall have the right and duty to attend the in-service training for at least two working days annually for which they are to apply based on their own interest. (Article 45 paragraph 2 of the Law on the Centre for Training in Judiciary and State Prosecution ("Official Gazette of Montenegro" no. 58/2015)). According to the Law on the Judicial Council and Judges "Official Gazette of Montenegro", No. 11/2015, 28/2015, 42/2018, and 60/2024, it is stipulated that the general abilities and professional activities of a judge are assessed based on the following sub-criteria: communication skills; ability to adapt to changing circumstances; participation in various professional activities. Participation in various professional activities is assessed based on the judge's involvement in training and other professional activities. Therefore, it is important to fulfill the required number of training sessions prescribed by the Law on the Center, because the final assessment of the judge depends on their further advancement in service.

(2024): Judges and state prosecutors shall have the right and duty to attend the in-service training for at least two working days annually for which they are to apply based on their own interest. (Article 45 paragraph 2 of the Law on the Centre for Training in Judiciary and State Prosecution ("Official Gazette of Montenegro" no. 58/2015)). According to the Law on the Judicial Council and Judges "Official Gazette of Montenegro", No. 11/2015, 28/2015, 42/2018, and 60/2024, it is stipulated that the general abilities and professional activities of a judge are assessed based on the following sub-criteria: communication skills; ability to adapt to changing circumstances; participation in various professional activities. Participation in various professional activities is assessed based on the judge's involvement in training and other professional activities. Therefore, it is important to fulfill the required number of training sessions prescribed by the Law on the Center, because the final assessment of the judge depends on their further advancement in service.

North Macedonia

(General Comment): According to the current Law on Courts, (Article 77 paragraph 1 item 5) as a disciplinary violation for which a disciplinary procedure is initiated to determine the disciplinary responsibility of a judge for whom a disciplinary measure will be imposed, is considered lack of mandatory training. the duty of continuing training).
According to the Law and bylaws of the Academy, the Academy only organize trainings that are mandatory and at the end of each calendar year they give certificates to the judges for the number of days spent on training. For the training days that the judges have gone through and whether they have completed the number of trainings according to their length of service, the Academy inform the Judicial Council which is acting further.

Serbia

(General Comment): If a specialization course is compulsory, those judges who do not receive certificate on that specialization will not be able to take cases on the relevant subject, e.g. juvenile law cases.
Under Article 97, paragraph 1, item 13 of the Law on Judges (Official Gazette of the Republic of Serbia, No. 10/2023), unjustified absence from mandatory training programmes constitutes a disciplinary offense

(2025): Under Article 97, paragraph 1, item 13 of the Law on Judges (Official Gazette of the Republic of Serbia, No. 10/2023), unjustified absence from mandatory training programmes constitutes a disciplinary offense

(2024): There is no sanction, but the judge cannot act in a cases for which according to the law, training is mandatory and the judge did not attend it.

(2023): There is no sanction, but the judge cannot act in a cases for which according to the law, training is mandatory and the judge did not attend it.

Kosovo*
(General Comment): The Kosovo Judicial Council has a mechanism for evaluating the performance of judges, including the attendance of judges in training. It has also approved Regulation No.06 / 2017 on Judge Training, according to which ethics training is mandatory for all judges and has determined the number of trainings depending on the experience of judges averaging 3-4 trainings per year. The failure to comply with this obligation without reasonable justification results in the application of the Law on Disciplinary Liability.

(2025): The Academy of Justice is required to design training programs in accordance with the requests of the Judicial Council and to deliver them to the relevant judges. The Academy does not have the authority to impose sanctions; its role is limited to reporting on the training programs, their implementation, and the attendance of judges in mandatory sessions to the Kosovo Judicial Council. However the Law on Disciplinary Liability of Judges and Prosecutors stipulates that if the judge continuously does not follow the mandatory trainings, it constitutes disciplinary offence. Kosovo Judicial Council is responsible for conducting disciplinary procedures.

(2022): The training aspect is an important component that has an impact on the evaluation of the judge's performance. The Performance Evaluation Commission within the KJC is the competent authority and decides on sanctions or any other measure. The Academy of Justice has the obligation to design and implement mandatory training if there are requests from the Judicial Council and through reports to notify the relevant institution about the attendance or non-attendance of judges in training.

Question 78

Albania

(General Comment): In Article 102, point 1, letter “h”, of the Law no.96/2016 “On the status of judges and prosecutors in the Republic of Albania”, as amended, is provided as a disciplinary violation related to the exercise of function, the non-compliance of the prosecutor with unjustified causes of the obligation to attend continuing training programs, according to the conditions and criteria set by law.

(2025): The obligation of magistrates to complete mandatory training comes from Law No. 96/2016 On the Status of Judges and Prosecutors in the Republic of Albania.
Article 5, point 3 defines the mandatory period to be followed by the magistrate in the continuing training as follows:
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HPC - In Article 102, point 1, letter “h”, of the Law no. 96/2016 “On the status of judges and prosecutors in the Republic of Albania”, as amended, is provided as a disciplinary violation related to the exercise of function, the non-compliance of the prosecutor with unjustified causes of the legal obligation to attend continuing training programs, according to the conditions and criteria set by law.

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Bosnia and Herzegovina

(General Comment): The Law on High Judicial and Prosecutorial Council of Bosnia and Herzegovina (Article 57) defines the list of disciplinary offences for prosecutors which includes the following "failure to fulfill the obligation to participate in forms of compulsory professional training“. Historically, none of the prosecutors has been found liable for this offence.

Montenegro

(General Comment): The Law on the Centre for Training in Judiciary and State Prosecution does not stipulate penalties for state prosecutors who do not participate in training activities. However, when the work of state prosecutors is evaluated by the Prosecutorial Council, one of the sub-criteria is participation in training activities. Therefore, if state prosecutors do not participate in training activities, it may have a negative effect on the overall evaluation of the work of state prosecutors

(2025): Judges and state prosecutors shall have the right and duty to attend the in-service training for at least two working days annually for which they are to apply based on their own interest. (Article 45 paragraph 2 of the Law on the Centre for Training in Judiciary and State Prosecution ("Official Gazette of Montenegro" no. 58/2015)). According to the Law on the Judicial Council and Judges "Official Gazette of Montenegro", No. 11/2015, 28/2015, 42/2018, and 60/2024, it is stipulated that the general abilities and professional activities of a judge are assessed based on the following sub-criteria: communication skills; ability to adapt to changing circumstances; participation in various professional activities. Participation in various professional activities is assessed based on the judge's involvement in training and other professional activities. Therefore, it is important to fulfill the required number of training sessions prescribed by the Law on the Center, because the final assessment of the judge depends on their further advancement in service.

(2024): Judges and state prosecutors shall have the right and duty to attend the in-service training for at least two working days annually for which they are to apply based on their own interest. (Article 45 paragraph 2 of the Law on the Centre for Training in Judiciary and State Prosecution ("Official Gazette of Montenegro" no. 58/2015)).
According to the Law on the State Prosecutor's Office "Official Gazette of Montenegro", No. 11/2015, 42/2015, 80/2017, 10/2018, 76/2020, 59/2021, and 54/2024, the Secretariat keeps a record of data on state prosecutors and heads of state prosecutor offices, which includes, among other things, data on published scientific and professional papers and other activities in the profession. Professional activities also include participation in training, which is significant when evaluating the work of state prosecutors. Therefore, it is important to fulfill the required number of training sessions prescribed by the Law on the Center, as the final evaluation of the state prosecutor depends on their further advancement in service.

North Macedonia

(General Comment): See the answer on question 148.
According to the Law on Public Prosecutor's Office (Article 70 paragraph 1 line 8) as a disciplinary violation for initiating a disciplinary procedure of public prosecutor is also and failure to fulfill the duty of professional education.

Serbia

(General Comment): If a specialization course is compulsory, those prosecutors who do not receive certificate on that specialization will not be able to take cases on the relevant subject, e.g. juvenile law cases.
Under Article 115, paragraph 1, item 16 of the Law on the Public Prosecutor's Office (Official Gazette of the Republic of Serbia, No. 10/2023), unjustified absence from mandatory training programmes constitutes a disciplinary offense

(2025): Under Article 115, paragraph 1, item 16 of the Law on the Public Prosecutor's Office (Official Gazette of the Republic of Serbia, No. 10/2023), unjustified absence from mandatory training programmes constitutes a disciplinary offense. The public prosecutor cannot act in cases for which according to the law, training is mandatory and the public prosecutor did not attend it.

(2024): There is no sanction, but the public prosecutor cannot act in a cases for which according to the law, training is mandatory and the public prosecutor did not attend it.

(2023): There is no sanction, but the public prosecutor cannot act in a cases for which according to the law, training is mandatory and the public prosecutor did not attend it.

Kosovo*

(General Comment): Kosovo Prosecutorial Council Regulation No. 01/2020 on Trainings and Professional Development in the Prosecutorial System was approved on 14 January 2020. This regulation foresees mandatory trainings and sanctions. Article 18 of this regulation foresees that if prosecutors do not act pursuant with the obligations deriving from the regulation, namely attend the trainings foreseen, they have disciplinary liability.

(2025): Similar to its obligations toward judges, the Academy of Justice is required to design training programs based on the requests of the Prosecutorial Council and to make them available to the respective prosecutors. The Academy does not hold authority to impose sanctions; its role is limited to providing information on the training programs, their implementation, and the attendance of prosecutors to the Kosovo Prosecutorial Council.
However the Law on Disciplinary Liability of Judges and Prosecutors stipulates that if the prosecutor continuously does not follow the mandatory trainings, it constitutes disciplinary offence. Kosovo Prosecutorial Council is responsible for conducting disciplinary procedures.

(2022): The training aspect is an important component that has an impact on the evaluation of the prosecutor's performance. The Performance Evaluation Commission within the KPK is the competent authority and decides on sanctions or any other measure. The Academy of Law has the obligation to design and implement mandatory trainings if there are requests from the Prosecutorial Council and through reports to notify the relevant institution about the attendance or non-attendance of the prosecutors in the training

Question 79

Albania

(2025): : 7 prosecutors trained on domestic violence and 2 prosecutors trained on sexual exploitation of minors during 2025.

(2024): During 2024, the SoM has trained on these topics: 22 judges, 26 prosecutors and 53 others.

(2023): The School of Magistrates organizes ongoing training with prosecutors on topics such as domestic violence and gender-based violence; obligations arising from the Istanbul Convention and the Recommendations of the Grevio Committee for the justice system. Introduction to Gender Theory, Gender theories in courtrooms, national and international context and case law, etc.

Bosnia and Herzegovina

(General Comment): The majority of prosecution offices have specialized departments with prosecutors who are experienced in investigating and prosecuting sexual violence cases. Specialized trainings for prosecution of domestic violence cases are held regularly for prosecutors who are responsible for domestic violence cases

Montenegro

(General Comment): The Basic State Prosecutor's Office in Kotor and the Basic State Prosecutor's Office in Bijelo Polje have prosecutors who are specially trained in the field of domestic violence and sexual violence, as well as in the particular field of domestic violence and sexual violence against juvenile victims.
The Basic State Prosecutor's Office in Podgorica and the Basic State Prosecutor's Office in Plav have prosecutors who are specially trained in the field of domestic violence and sexual violence.
The High State Prosecutor's Office in Bijelo Polje, the High State Prosecutor's Office in Podgorica and the Basic State Prosecutor's Office in Bar have specialized prosecutors for dealing with juvenile victims, in the criminal offences of domestic violence and sexual violence.

(2025): The authorized prosecutors for all criminal offenses in proceedings against minors are the state prosecutors for minors, who are specially trained to conduct such proceedings.

(2024): The authorized prosecutors for all criminal offenses in proceedings against minors are the state prosecutors for minors, who are specially trained to conduct such proceedings.

(2023): There are prosecutors specialized in the area of domestic violence and sexual violence. They undergone trough trainings for these topics, possess certificates and, among other, they work on cases regarding criminal offences related to these types of violence.

(2022): There are prosecutors specialized in the area of domestic violence and sexual violence. They undergone trough trainings for these topics, possess certificates and, among other, they work on cases regarding criminal offences related to these types of violence.

North Macedonia

(General Comment): In the Academy for judges and prosecutors are organised a lot of training activities in the field of domestic and sexual violence.
The Academy for Judges and Public Prosecutors within the general Program for continuous training of judges and public prosecutors as well as in the Catalog for mandatory continuous training envisages and implements trainings on domestic violence and sexual violence.
The notifications submitted to the courts and prosecutor's offices for each specific training indicate the target group for which the training is intended. The trainings on the indicated topics are intended for judges and public prosecutors who act in cases from the areas mentioned in the question.

Serbia

(2025): For domestic violence, according to Article 9 of the Law on the Prevention of Domestic Violence in each public prosecutor's office, except for those with special competencies, the head public prosecutor appoints public prosecutors who have completed specialized training in order to exercise the competencies of the public prosecutor's office in preventing domestic violence and prosecuting perpetrators of crimes defined by this law. According to Article 28, specialized training is conducted by the Judicial Academy for Head Public Prosecutors, Public Prosecutors and Judges, in cooperation with other professional institutions and organizations. According to Article 3 of the same Law, domestic violence, in the sense of this law, is an act of physical, sexual, psychological or economic violence.
Moreover, Judicial Academy conducts trainings face-to-face and online. In 2025, Judicial Academy has conducted the following trainings: 1. Women in language and society – from the better half to the victim of femicide; 2. Corruption under the guise of violence – gender aspects of coercion and responsibility; 3. Domestic violence – risk assessment and the role of institutions in preventing violence; 4. Domestic violence – understanding and preventing gender-based violence – the responsibility of the system and the individual; 5. From victim to leader – financial security as a path to recovery for victims of gender-based violence and 6. Dealing with femicide cases. A total number of 144 have completed the trainings for domestic violence and femicide (68 public prosecutors and 76 prosecutorial staff). Regarding the online trainings, 4 public prosecutors and 12 prosecutorial staff have completed the trainings for domestic violence on LMS platform of the Judicial Academy and 2 public prosecutors and 3 prosecutorial staff have completed the training for gender equality, which also includes a module relating to domestic violence.

(2024): For domestic violence, according to Article 9 of the Law on the Prevention of Domestic Violence in each public prosecutor's office, except for those with special competencies, the public prosecutor appoints deputy public prosecutors who have completed specialized training to exercise the competencies of the public prosecutor's office in preventing domestic violence and prosecuting perpetrators of crimes defined by this law. According to Article 28, specialized training is conducted by the Judicial Academy for Public Prosecutors, Deputy Public Prosecutors, and Judges, in cooperation with other professional institutions and organizations. According to Article 3 of the same Law, domestic violence, in the sense of this law, is an act of physical, sexual, psychological or economic violence.

(2023): For domestic violence, according to Article 9 of the Law on the Prevention of Domestic Violence in each public prosecutor's office, except for those with special competencies, the public prosecutor appoints deputy public prosecutors who have completed specialized training to exercise the competencies of the public prosecutor's office in preventing domestic violence and prosecuting perpetrators of crimes defined by this law. According to Article 28, specialized training is conducted by the Judicial Academy for Public Prosecutors, Deputy Public Prosecutors, and Judges, in cooperation with other professional institutions and organizations. According to Article 3 of the same Law, domestic violence, in the sense of this law, is an act of physical, sexual, psychological or economic violence.

(2022): For domestic violence, according to Article 9 of the Law on the Prevention of Domestic Violence in each public prosecutor's office, except for those with special competencies, the public prosecutor appoints deputy public prosecutors who have completed specialized training in order to exercise the competencies of the public prosecutor's office in preventing domestic violence and prosecuting perpetrators of crimes defined by this law. According to Article 28, specialized training is conducted by the Judicial Academy for Public Prosecutors, Deputy Public Prosecutors and Judges, in cooperation with other professional institutions and organizations. According to Article 3 of the same Law, domestic violence, in the sense of this law, is an act of physical, sexual, psychological or economic violence.

Kosovo*

(2024): In all prosecution offices of Kosovo, domestic violence coordinators are appointed from among the prosecutors. Usually, the Justice Academy when organizing trainings of this nature targets the coordinators for participation, who based on their working agenda participate in the respective trainings. This year, 16 trainings have been conducted on the criminal and civil aspects of domestic violence, in which prosecutors from all prosecution offices of the Republic of Kosovo have participated with over 25 prosecutors trained.

(2023): in all the Prosecution Offices in Kosovo there are assigned Coordinators of Domestic Violence chosen from the rank of prosecutors. Usually in these types of trainings the respective prosecutors are invited and participate

(2022): To the trainings carried out on domestic violence and training against the sexual integrity of children.

Question 80

Albania

(2025): 1. Judicial Cooperation in Criminal Matters (judges and prosecutors)
2. Fight against corruption in EU (judges and prosecutors)
3. International Kidnapping of Children (judges and prosecutors)
4. European Arrest Order and its elements (Judges and Prosecutors)
5. EU Law, its main elements (judges)
6. European law on consumer protection right (judges and prosecutors)

Bosnia and Herzegovina

(2025): The list of delivered EU Law trainings for in 2025 according to the information provided by the judicial training institutions in Bosnia and Herzegovina:
"The relationship between European Law and the Domestic Law of Bosnia and Herzegovina".
"Recognition and Enforcement of Foreign Court Judgments – Domestic Case Law and International Trends".
Both of the above-mentioned trainings were attended by judges and prosecutors.

Montenegro

(2025): EJTN – Western Balkans II Project
"Intellectual Property Protection in the EU – Montenegro Context" – 10 participants: 8 judges (Supreme and Commercial Courts) and 2 court advisors.
Train the Trainers on EU Administrative Law (Serbia context) – 2 judges (Administrative Court).
Train the Trainers on the EU Charter of Fundamental Rights (Serbia context) – 6 judges from various Basic and Higher Courts.
Study visit on organized crime prevention – 2 state prosecutors.
Two-day Train the Trainers on Judicial Skills – 2 judges.
CLEUIM Project (Jean Monnet Chair in EU Internal Market Law)
Training on "EU Internal Market and Environmental Protection" – 12 participants: 1 state prosecutor, 2 judicial trainees, 1 trainee prosecutor, 1 court advisor, and 7 trainees from courts and prosecution offices.
Project "How Much Does Corruption Cost?" (in cooperation with CEDEM)
Joint training on "Needs of the Montenegrin Judiciary, Police and Customs for Enhancing Judicial Cooperation in Criminal Matters and Anti-Corruption Measures" – 19 participants: 4 judges, 2 state prosecutors, 4 advisors in prosecution offices, 5 police representatives, and 4 customs representatives.
At present, none of the courses implemented on the Centre's e-learning platform cover EU law; however, the implementation of a course on EU law is planned in the near future.

North Macedonia

(2025): Data protection and right to privacy
5g technology - quantum computing, blockchain and the internet
Protection of women and victims of violence
Artificial intelligence systems and fundamental rights
Introduction to the protection of human rights in Europe - the interaction between the ECHR and the Chapter of Fundamental rights of the EU HELP course
Digital contracts act

Serbia

(2025): Judicial Academy has on its LMS platform the following online trainings: 1. Environmental Courts and Tribunals- 5 judges and 2 public prosecutors completed the training in 2025; 2. EU Intellectual Property- no judges have completed the training, the training is not available for the public prosecutors; 3. EU Law- 3 judges completed the training in 2025, the training is not available for the public prosecutors.
Judicial Academy has conducted the following trainings face-to-face: 1. EU law in the field of gender equality; 2. Judicial decision-making, mediation, arbitration; 3. Personal data protection in the European Union; 4. EU law - intellectual property and competition law; 5. EU Charter of Fundamental Rights - human rights; 6. EU administrative law and 7. EU best practices in complex criminal investigations and trials for organized crime.

Kosovo*

(2025): In 2025, the Academy of Justice conducted two trainings specifically focused on EU law. The first training addressed Judicial and Law Enforcement Cooperation in Criminal Matters (EU) and was held with physical participation. The second training, on Fundamental Aspects of EU Law, was delivered online. Both trainings were joint sessions attended by judges and prosecutors.

Question 81

Bosnia and Herzegovina

(2025): The list of delivered EU Law trainings for in 2025 according to the information provided by the judicial training institutions in Bosnia and Herzegovina:
"The relationship between European Law and the Domestic Law of Bosnia and Herzegovina".
“Recognition and Enforcement of Foreign Court Judgments – Domestic Case Law and International Trends”.
Both of the above-mentioned trainings were attended by judges and prosecutors.

Montenegro

(2025): N/A. See the comment section above.

Kosovo*

(2025): In addition to the EU law trainings organized directly by the Academy of Justice, the Academy also facilitated the participation of judges and prosecutors from Kosovo in other EU law trainings delivered by judicial training institutions at the regional level. These included sessions on EU Law against Discrimination, EU Law on Gender Equality, and Procedural Protections in Criminal Proceedings in the EU, with a Focus on the Advanced Directive on Children.

Question 82

Bosnia and Herzegovina
(2025): The training on the topic “The relationship between European Law and the Domestic Law of Bosnia and Herzegovina” was organized with the support of the IRZ Project in Bosnia and Herzegovina (i.e. IRZ: The German Foundation for International Legal Cooperation).

Montenegro
(2025): See the comment section above – EJTN and CEDEM trainings.

Kosovo*
(2025): In 2025, the Academy of Justice supported participation in a total of eight EU law–related training activities. Six of these were organized by ERA, covering EU Law on Gender Equality and EU Law against Discrimination. In addition, the European Judicial Training Network (EJTN) organized one training on Procedural Safeguards in Criminal Proceedings in the EU, with a Focus on the Advanced Directive on Children. Altogether, these accounted for eight specialized training activities on EU law.
As for online trainings, no additional sessions were held beyond the one already highlighted in Q154.

Question 83

Albania
(2025): 1. Application of ECtHR case law on investigation of corruption (judges and prosecutors) (2 activities)
2. Conflict of interest for magistrates in framework of domestic legislation and ECtHR case law (judges)

Bosnia and Herzegovina
(2025): The list of delivered trainings on ECHR in 2025 according to the information provided by the judicial training institutions in Bosnia and Herzegovina:
“Case Law of the European Court of Human Rights”. “Prohibition of Discrimination”. “The Judiciary and Freedom of Expression in the Courtroom”. “Safety of Journalists and Protection of Whistleblowers”. “Freedom of Expression in the Digital World”. “Introduction to the European Convention on Human Rights”. “Procedural Rights - European Convention on Human Rights”. “Human Rights of LGBTI Persons – Experience from BiH and the Region”. Several trainings on Gender Based Violence. All of the above-mentioned trainings were attended by judges and prosecutors.

Montenegro

(2025): At present, none of the courses implemented on the Centre's e-learning platform cover the European Convention on Human Rights (ECHR); however, the implementation of an ECHR-focused course is planned in the near future. The Centre is currently in the process of integrating HELP courses into its e-learning platform.

North Macedonia

(2025): Data protection and right to privacy
New judgments based on Article 8 of the ECHR (private and family life
The role of the ECtHR in determining the scope of human rights with examples form case law
Freedom of expression and safety of journalists
Introduction to the protection of human rights in Europe - the interaction between the ECHR and the Chapter of Fundamental rights of EU - HELP course
Enforcement of judgments rendered by the ECtHR in civil and criminal proceedings Free legal aid/ The practice of the ECtHR on access to justice in civil and administrative proceedings In addition to the above mentioned trainings, the practice of the ECHR and the recommendations of the CoE have also been reviewed in other trainings, around 25 trainings

Kosovo*

(2025): During 2025, 6 trainings on the ECHR were conducted, which were joint for judges and prosecutors with specific topics as follows:
Training European Standards: Protection of Reputation, Defamation and SLAPP Lawsuits conducted on 20-21 February 2025-supported by Chemonics.
Use and reference of the jurisprudence of the ECHR when writing court decisions conducted on 29-30 April 2025-supported by the EC
Effective Legal Remedies under Article 13 of the ECHR: Case law of the ECHR in civil and criminal matters conducted on 20 May 2025-supported by the EC
Conference - Freedom of Expression conducted on 17 June 2025-supported by PROFREX
Article 5 of the ECHR conducted on 11 September 2025-in AD cooperation with EC
Trial within a reasonable time under Article 6 of the ECHR: Unreasonable Length of Civil and Criminal Proceedings in the Case Law of the ECtHR, 18-19 November 2025 - supported by the EC.

Question 84

Bosnia and Herzegovina

(2025): The list of delivered trainings on ECHR in 2025 according to the information provided by the judicial training institutions in Bosnia and Herzegovina:
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Question 85

Bosnia and Herzegovina

(2025): According to the information provided by the judicial training institutions in Bosnia and Herzegovina, the majority of trainings on ECHR in 2025, that are listed in relation to Q83 and Q84, were delivered with the financial support of different domestic and international stakeholders.

Montenegro

(2025): Comments

One training session was organized within Phase III of the joint European Union–Council of Europe programme, "Horizontal Facility for the Western Balkans and Turkey 2023–2026", which supports the implementation of reform agendas in the fields of human rights, rule of law, and democracy, and assists in aligning with European standards and EU legal acquis where relevant. The training was conducted under the "Strengthening Justice" theme, specifically within the project "Accountability and Professionalism in the Justice System".

All other training activities were conducted within the framework of the 2025 In-service Training Programme for Judges and State Prosecutors, organized independently by the Centre.

Question 86

Albania

(General Comment): The assessment of training needs is a process spread over different steps, time and subjects. This process begins with an invitation to propose topics, which is sent to all beneficiaries of continuing training, such as magistrates, state lawyers, judicial police officers; the institutions with which the School of Magistrates cooperates; national and international partners; High Judicial Council; High Prosecutorial Council; Ministry of Justice; internal and external teachers of the School. In short, to every beneficiary or valued entity that can make a contribution to the most coherent and beneficial drafting of the activity calendar. During the drafting of the Calendar, the suggestions given in the Evaluation Forms of each training activity that took place in a previous academic year are also taken into consideration. The approved Draft Calendar is then sent to all the beneficiary subjects where they are asked to apply for participation to the training topics they are interested in. Based on the interest shown, the final topics are approved which will be organized during the next academic year.
Regarding the evaluation of the training activities, at the end of each activity, evaluation forms are distributed to the participants and experts. The participants give their evaluation on the activity, the materials available from the experts, the panel of experts and facilitators as well as the continuing training staff. The experts evaluate the interactivity between the participants as well as between each other.

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Bosnia and Herzegovina

(2024): The Centers for Training of Judges and Prosecutors in Bosnia and Herzegovina have partially amended the responses for 2024 compared to 2023. These institutions have indicated that the responses are different due to technical mistakes for the previous reporting year. These errors have been amended in the current questionnaire.

Montenegro

(2025): Before adopting an annual training programme, the Centre conducts training needs assessment on the basis of the Training Needs Assessment Methodology developed with the support of the Council of Europe within the project "Accountability and Professionalism of the Judicial System in Montenegro", i.e. the Horizontal Facility for the Western Balkans and Turkey II. This methodology is based on a comprehensive approach which includes various qualitative and quantitative research tools and methods. This includes collecting data by sending electronic questionnaires to judges and state prosecutors who express their interests and needs for training, but also through focus group meetings and interviews with the training programme beneficiaries, which serve as a basis for preparation of the annual training programme. The Centre also takes into account the review of legislation, reports and strategic documents, letters from national institutions and organizations, contributions from professional associations and non-governmental organizations, analysis of other available statistical data, expert assessments and, of course, the Progress Report of Montenegro prepared by the EU Commission, as well as other relevant recommendations. The Centre also uses the Google Analytics platform, i.e. a questionnaire for collecting opinions and suggestions of key target groups, i.e. judges The invitation link is sent to all judges through court presidents. When it comes to focus groups, first of all, the Centre carefully selects the members of these focus groups on an annual basis and then at the meetings the Centre gains a deeper insight into their views, opinions and suggestions. There are three focus groups - for criminal law, civil law and misdemeanor law. When it comes to the judges of the Commercial Court and the Administrative Court, due to the small number of these judges, the Centre usually conducts an interview with them in order to take into account their opinion. The Supreme State Prosecutor’s Office prepares a separate Training Needs Analysis (TNA) for prosecutors and submits it to the Centre.

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From 2023 a set of questions about the EU law was included in the questionnaire with the help of the European Judicial Training Network (EJTN). The main expected result hereof was development of a Training Programme on the EU acquis, consisting of 5 (five) face-to-face and 1 (one) online seminar, which has been incorporated into the CTJSP’s Annual Training Programme in 2023 and 2024. Namely, the EJTN appointed two experts who worked on conducting the analysis of the results of the TNA in cooperation with the Centre from November to December 2022. These experts contributed to the TNA with elaboration of survey questions, participation in focus groups meetings, discussions with project beneficiaries and other relevant stakeholders, as well as with drafting a proposal for organization of training courses on the EU law and recommendations for improvement of the TNA process.

North Macedonia

(General Comment): Trainings on a specific topic may become part of the Academy's training catalog and as a result of a given obligation in accordance with the Conclusions of the Government of the RSM or other institutions, trainings arising as an obligation from adopted national programs, strategies or trainings agreed with international projects and collaborators .

Monitoring and evaluation are of key importance for the quality control of the General Program, as well as of the events held according to the Training Catalog, developed on the basis of the General Program. For that reason, the Academy conducts monitoring and evaluation of the events, through questionnaires that the participants receive at each event, and refer to the evaluation of the success of the program, the lecturers, the materials and the success of the program, with the possibility of giving their own suggestions and comments.

Serbia

(General Comment): The annual training needs assessment primarily consists of the collection of qualitative and quantitative data from the target group -users of the training programs, as well as a wide range of partners in the implementation of the educational activities. The methodology used includes surveys and focus groups. Quantitative data is collected using standardised questionnaires adapted to the job analysis and the educational characteristics of the target audience. Focus groups with relevant representatives of courts and prosecutor's offices (representatives of the judicial practice department, presidents of the departments, first deputies, and users of initial training) are organised for the purpose of checking the quality of data obtained through surveys, but also for the purpose of obtaining more complex information in order to improve the quality of training and better functionalisation of the curriculum. Taking into account the complexity of the role of judges and prosecutors, the Judicial Academy also conducts an analysis of all relevant strategic documents and legal regulations, when constructing instruments for training needs analysis. Before sending the questionnaire, Judicial Academy regularly communicates with all important judicial bodies involved in defining the criteria for assessing the work performance of judges and prosecutors, in order to more comprehensively analyse the educational needs and make the curriculum sufficiently adaptable to the general and specific needs of the target audience.

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Kosovo*

(General Comment): The Academy of Justice, in addition to the above-mentioned resources, also implements the following mechanisms:

- Strategies and documents approved by the institutions that contain recommendations for the judiciary and the rule of law;
- Work reports of courts and prosecutors' offices;
- Monitoring of print and electronic media
- Recommendations of the Office for Performance Evaluation of judges and prosecutors;
- Analysis of the legislative agenda of the assembly
- Proposals of the staff, the Program Council and the Governing Council of the AD;
- Recommendations from NGOs
- The recommendations of local and international institutions and organizations are also taken as a basis
- The report of the European Commission on Kosovo.

The list of defined mechanisms is updated according to developments or priorities. The innovation in this list was also receiving opinions from civil societies, whose activity helps to create new perspectives for the training program.

(2025): Other mechanisms such as the perspective of civil society, the legislative agenda of the assembly and legal novelties, media monitoring of the judiciary, reports on the work of courts and prosecutors' offices, recommendations of the Ombudsman and strategic documents at the country level that have an impact on the work of the judiciary.

(2024): Besides the aforementioned sources, we take into account also take the perspective of the Civil Society, media monitoring on the judiciary, the court and prosecution office working reports, recommendations from the Ombudsperson, and the national strategic documents that impact the work of the judiciary

Question 87

Albania

(2024): the frequency of assessment: School of Magistrates of Albania, each year organizes the needs assessment process for the continuous training program for in-service magistrates in the country. They are invited to send to the School of Magistrates all their needs/proposals for topics to be included the year's continuous training program and treated in training seminars.

Bosnia and Herzegovina

(General Comment): The analysis and creation of training programs is done by the judicial training institutions once a year.
There are two types of evaluation questionnaires that the judicial training institutions use to gather the relevant information:
1. Heads of courts and prosecutor's offices – there is a questionnaire aimed at collecting their proposals with regards to topics they find relevant for their respective institutions.
2. All judges and prosecutors – there is a questionnaire which has a purpose to obtain their proposals with regards to topics they think should be included in the annual training programs.
In addition, the judicial training institutions cooperate with the Standing Committee for Training of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina trough the analysis of relevant case - law.

Serbia

(General Comment): Based on Article 9 of the Law on the Judicial Academy and Article 10 of the Statute of the Judicial Academy Management Board adopted the Rulebook on the procedure for determining training needs and creating proposals for the annual continuous training program. Based on Article 4 of this Rulebook The Judicial Academy conducts an annual training needs analysis, because the obtained results are one of the main parameters for creating a plan and program of continuous training program for the next calendar year.

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Kosovo*

(General Comment): The assessment of training needs is done continuously throughout the year.

(2025): The training needs assessment is conducted annually and serves as the basis for drafting the training program within the framework of continuous education. For initial training, the program includes modules covering the jurisdiction assigned to newly appointed judges and prosecutors in the general divisions. However, for each new generation of judges and prosecutors, the program is reviewed and updated to reflect any legal developments, as well as improvements in training methodology.

Question 88

Bosnia and Herzegovina

(General Comment): The Centers for Training of Judges and Prosecutors in Bosnia and Herzegovina are using the Kirkpatrick training evaluation model except that the trainings are not evaluated after 6 months or after a year from the date of realization.

Montenegro

(General Comment): The so-far evaluation carried out by the Centre for Training in Judiciary and State Prosecution was aimed at measuring satisfaction of participants in training activities, immediately after the training activity.
Through evaluation questionnaires, which are filled out at the end of the training, we examined whether and to what extent the participants are satisfied with the training programme, owing to which we obtain average grades by taking into account the following:
- to what extent the participants' expectations are fulfilled;
- satisfaction with the offered material;
- general evaluations of the training activity;
- knowledge self-assessment before and after the training; (i.e. positive differences in self-assessment of participants' knowledge before and after the training);
- proposals for future topics;
- and acceptability of the teaching method or the way in which the lecture was implemented.
In the evaluation questionnaire, special attention is paid to the assessment of the quality of lecturers, where the following is assessed: - Quality of lectures; - Adherence to scheduled duration of lectures; - Communication and interaction with participants in the training activity; - Clarity and interestingness of the presentation; - Mastery of knowledge transfer skills; - Applicability in practice when it comes to the contents of the lecture and the materials shared during the training; - Demonstrated motivation.
Taking into account the above, the Centre interprets the results and opinions presented in the evaluation form, and adapts its training offer to the suggestions provided by the participants (and based on the analysis, the Centre can also change the lecturers).
In addition, the Rulebook on Lecturers prescribes the obligation of lecturers to submit a report after the training (where the lecturer himself expresses his opinion on success of the training, whether the topic was relevant, involvement of the participants, etc.). At the end of 2022, the Centre started to amend its Rulebook on Lecturers. The amendment hereof foresees introduction of a questionnaire that will be distributed to participants both at the beginning and at the end of the training, with the same questions, in order to measure knowledge improvement in terms of specific training activity, i.e. training topic.
Furthermore, the Centre monitors implementation of its Annual Training Programmes through quantitative indicators of success, such as the number of implemented programmes, implemented training activities, and the number and structure of the participants. In this way, the Centre can obtain the number of the most attended training activities (through average attendance and the interest expressed in attending the training).
When it comes to the measurement of real effects of the training activity (in addition to the evaluation questionnaires after completion of the training, sending of questionnaires after a certain period of time), we believe that the best indicator of the effects of the training activities is the analysis of judicial practice, i.e. the way in which judges and state prosecutors apply acquired knowledge in their daily practice. The Centre carries out this type of evaluation exceptionally and in cooperation with international partners, within the projects related to a specific area. For example, such an analysis was carried out in relation to the freedom of expression, when court decisions were analysed, the number of court decisions and the manner in which international standards were applied in connection with Article 10 of the ECHR, in the time period before and during the implementation of the

Serbia

(2025): The annual plan for the implementation of monitoring and evaluation determines the activities, as well as the instruments that will be used to assess the quality of the implemented educational activities. The evaluation instruments are based on the following indicators: the quality of the training program, the quality of lecturers/trainers, the quality of the chosen methodology, the quality of the training content and the practical knowledge application. Quality and satisfaction with the continuous training program are measured by the following instruments: Standard evaluation questionnaire, Assessment of the impact of the training in the Judicial Academy on the performance of the respondents, Evaluation of the Judicial Academy's educational activities with permanent participants, Participant's educational expectations from Judicial Academy, Participant's satisfaction with the educational aspects of the Judicial Academy, Monitoring reports, Structured tests (pre and post assessment of learning outcomes).

Kosovo*

(2025): For each type of training, the results are reviewed and taken into account when drafting the subsequent training program. Conclusions and recommendations are derived from the evaluation tables, which are dedicated to the Academy of Justice for improving both the training programs and the experience of their beneficiaries. These findings are directly applicable to judicial practice.

Question 89

Albania

(2025): At the end of each activity, evaluation forms are distributed to the participants/experts.

(2024): Evaluation of the training activities, at the end of each activity, evaluation forms are distributed to the participants

Bosnia and Herzegovina

(General Comment): For all judicial office holders and non-judicial staff (all topics except the ethics) only post-training satisfaction questionnaires are used.
The questionnaires are anonymous and contain three parts:
1. The first part: satisfaction with technical realization, satisfaction with the trainer and topic, 2. The second part is evaluation of the trainer - methodology, communication, knowledge sharing,
3. The third part are comments related to improvement of training, personal impressions and proposals of new topics.
The training grades range from 1 to 5 (5 being the highest grade).

(2024): The Centers for Training of Judges and Prosecutors in Bosnia and Herzegovina are using the Kirkpatrick training evaluation model except that the trainings are not evaluated after 6 months or after a year from the date of realization.

Serbia

(General Comment): The annual plan for the implementation of monitoring and evaluation determines the activities, as well as the instruments that will be used to assess the quality of the implemented educational activities. The evaluation instruments are based on the following indicators: the quality of the training program, the quality of lecturers/trainers, the quality of the chosen methodology, the quality of the training content and the practical knowledge application. Quality and satisfaction with the continuous training program are measured by the following instruments: Standard evaluation questionnaire, Assessment of the impact of the training in the Judicial Academy on the performance of the respondents, evaluation of the Judicial Academy's educational activities with permanent participants, Participant's educational expectations from Judicial Academy, Participant's satisfaction with the educational aspects of the Judicial Academy, Monitoring reports, Structured tests (pre and post assessment of learning outcomes)

(2025): Evaluation instruments are based on the Kirkpatrick model of evaluation, Brinkerhoff's six-phase evaluation model and Blum's taxonomy. Depending on the structure of the educational activities and the time duration, different levels of these models have been reached.

(2024): The annual plan for the implementation of monitoring and evaluation determines the activities, as well as the instruments that will be used to assess the quality of the implemented educational activities. The evaluation instruments are based on the following indicators: the quality of the training program, the quality of lecturers/trainers, the quality of the chosen methodology, the quality of the training content and the practical knoweldge application. Quality and satisfaction with the continuous training program are measured by the following instruments: Standard evaluation questionnaire, Assessment of the impact of the training in the Judicial Academy on the performance of the respondents, Evaluation of the Judicial Academy's educational activities with permanent participants, Participant's educational expectations from Judicial Academy, Participant's satisfaction with the educational aspects of the Judicial Academy, Monitoring reports, Structured tests (pre and post assessment of learning outcomes.
Evaluation instruments are based on the Kirkpatrick model of evaluation, Brinkerhoff's six-phase evaluation model and Blum's taxonomy. Depending on the structure of the educational activities and the time duration, different levels of these models have been reached.

Question 90

Albania

(2025): : An evaluation questionnaire is distributed and collected at the end of the training seminar, getting information on the training activities delivered.

Serbia

(General Comment): Assessment of satisfaction with some aspects of the training is carried out immediately after the training. Assessment of changes in knowledge is carried out using standardized pre and post tests. When the structure of the educational activity allows, the Judicial Academy evaluates the medium and long-term effects of the training. The medium-term effects are determined using a standardized questionnaire for assessing knowledge retention and the possibility of application in daily work. It is conducted two to three months after the training. The long-term effects of the training are carried out by a comparative analysis of the changes in the daily work of the participants also 6 months after the training.

(2025): Assessment of satisfaction with some aspects of the training is carried out immediately after the training. Assessment of changes in knowledge is carried out using standardized pre and post-tests. When the structure of the educational activity allows, Judicial Academy evaluates the medium and long-term effects of the training. The medium-term effects are determined using a standardized questionnaire for assessing knowledge retention and the possibility of application in daily work. It is conducted two to three months after the training. The long-term effects of the training are carried out by a comparative analysis of the changes in the daily work of the participants also 6 months after the training.

Question 91

Bosnia and Herzegovina

(2025): In 2025, the Centers for Training of Judges and Prosecutors in Bosnia and Herzegovina did not introduce new training courses as the result of their analysis of training evaluation in the reporting year.

Serbia

(General Comment): The obtained results are the basis for improving the quality of future trainings. Combined with the monitoring reports, they serve as guidelines for the implementation of various interactive methods and more precise adaptation of the program in the domain of balance of theory and practice, difficulty of tasks and case studies. The obtained data is also a guideline for lecturers to improve their didactic skills, especially in encouraging and maintaining interaction, creating a good learning climate, maintaining group dynamics, adapting the content to the experience and specific needs of the participants, with a focus on applicability in daily work. As one of the questions in the questionare is assessment of the futuere training needs, the data is also used for enabling continuous professional development of judges and prosecutors.

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needs, the data is also used for enabling continuous professional development of judges and prosecutors.

Kosovo*

(2025): For all the presented options a special report is drafted on the training impact before and after the training.

8. Accountability and processes affecting public trust - Overview

Total number of initiated and completed disciplinary proceedings and number of sanctions pronounced against judges and prosecutors in 2025 (Tables 8.8.5 and 8.8.10)

Beneficiaries	Disciplinary proceedings and sanctions against judges and prosecutors in 2025					
	Number of initiated cases		Number of completed cases		Number of sanctions pronounced	
	Judges	Prosecutors	Judges	Prosecutors	Judges	Prosecutors
Albania	3	6	10	7	3	6
Bosnia and Herzegovina	28	6	26	6	21	4
Montenegro	6	4	3	3	0	2
North Macedonia	42	3	25	3	7	3
Serbia	5	5	1	1	1	1
Kosovo*	6	10	6	5	6	5
WB Average	17	5	13	4	6	3

Figure 8.1 Total number of initiated and completed disciplinary proceedings and number of sanctions pronounced against judges in 2025 (per 100 judges)

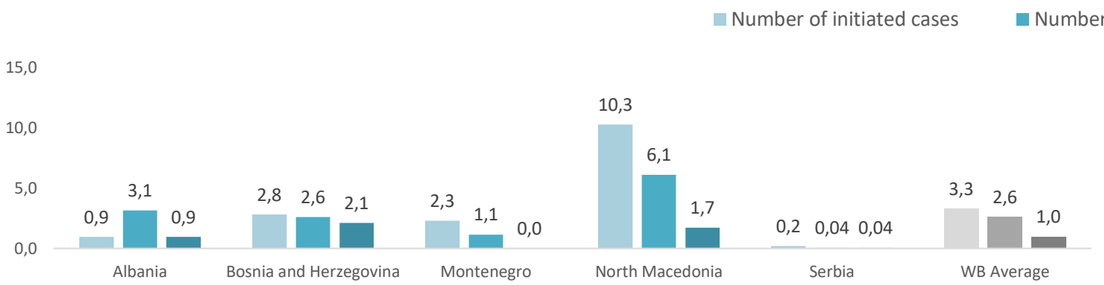
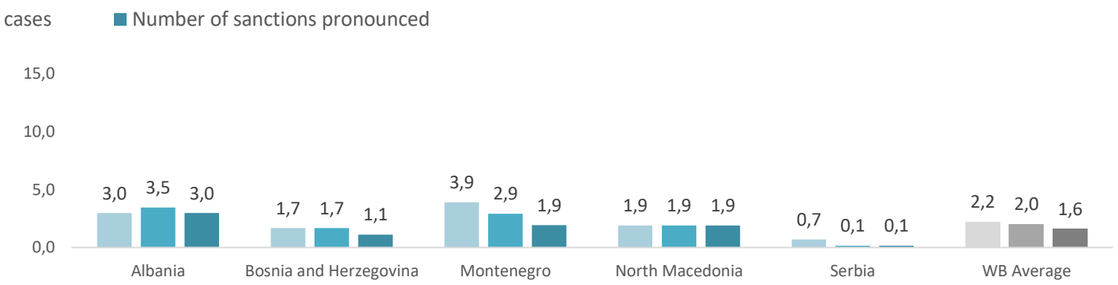


Figure 8.2 Total number of initiated and completed disciplinary proceedings and number of sanctions pronounced against prosecutors in 2025 (per 100 prosecutors)



Number of criminal cases against judges and prosecutors in 2025 (Table 8.1.2)

Beneficiaries	Number of criminal cases and sanctions against judges and prosecutors in 2025					
	Number of initiated cases		Number of completed cases		Number of sanctions pronounced	
	Judges	Prosecutors	Judges	Prosecutors	Judges	Prosecutors
Albania	NA	3	NA	NA	NA	NA
Bosnia and Herzegovina	1	0	0	2	0	0
Montenegro	0	4	1	NA	1	1
North Macedonia	1	2	1	0	0	0
Serbia	NA	NA	NA	NA	NA	NA
Kosovo*	1	18	0	NA	NA	NA
WB Average	1	2	1	1	0	0

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

8. Accountability and processes affecting public trust - List of tables

8.1 Promotion of integrity and prevention of corruption

Table 8.1.1 Type of legal provisions to guarantee the independence of judges and prosecutors in 2025 (Q140 and Q141)

Table 8.1.2 Number of criminal cases against judges or prosecutors in 2025 (Q142)

Table 8.1.3 Specific measures to prevent corruption for judges and prosecutors in 2025 (Q143)

8.2 Code of ethics for judges and prosecutors

Table 8.2.1 Code of ethics for judges in 2025 (Q144 and Q145)

Table 8.2.2 Code of ethics for prosecutors in 2025 (Q146 and Q147)

Table 8.2.3 Institution or body responsible for ethical questions and public availability of guidelines and/or opinions for judges and prosecutors in 2025 (Q148, Q149, Q150, Q151, Q152, Q153, Q154 and Q155)

8.3 Recusal of judges

Table 8.3.1 Procedure to effectively challenge a judge, total number of initiated procedures and total number of pronounced recusals in 2025 (Q156 and Q157)

8.4 Allocation of court cases

Table 8.4.1 Organisation of the distribution of court cases in 2025 (Q158 and Q159)

Table 8.4.2 Transparency and organisation of reassignment of court cases in 2025 (Q159, Q160, Q162, Q163 and Q164)

Table 8.4.3 Number of reassignments of court cases processed in 2025 (Q161)

8.5 Integrity of court staff

Table 8.5.1 Types of breaches of integrity provided for by legislation in respect of court staff in 2025 (Q165)

8.6 Declaration of assets

Table 8.6.1 Declaration of assets for judges in 2025: law(s) and regulation(s) that require a declaration (Q167)

Table 8.6.2 Declaration of assets for judges in 2025: items to be declared, moment for the declaration and declaration concerning the members of the family (Q168, Q169, Q170 and Q171)

Table 8.6.3 Declaration of assets for judges in 2025: verification, registration and publication of the declaration (Q173, Q174 and Q175)

Table 8.6.4 Declaration of assets for judges in 2025: sanctions in case of non-declaration (Q176)

Table 8.6.5 Declaration of assets for prosecutors in 2025: law(s) and regulation(s) that require a declaration of assets (Q178)

8. Accountability and processes affecting public trust - List of tables

Table 8.6.6 Declaration of assets for prosecutors in 2025: items to be declared, moment for the declaration and declaration concerning the members of the family (Q179, Q180, Q181 and Q182)

Table 8.6.7 Declaration of assets for prosecutors in 2025: verification, registration and publication of the declaration (Q184, Q185 and Q186)

Table 8.6.8 Declaration of assets for prosecutors in 2025: sanctions in case of non-declaration (Q187)

Table 8.6.9 Declaration of assets for judges an prosecutors in 2025: number of proceedings against judges and prosecutors due to violations/discrepancies in their declaration (Q177 and Q188)

8.7 Conflict of interests

Table 8.7.1 Conflict of interests: procedures/mechanisms for managing (potential) conflicts of interest of judges in 2025 (Q189)

Table 8.7.2 Other functions/activities carried out by judges in 2025 (Q190, Q191, Q192 and Q193)

Table 8.7.3 Existence of laws/regulations for the proceedings and the sanctions for breaches of rules on conflicts of interest in respect of judges in 2025 (Q194 and Q195)

Table 8.7.4 Conflict of interests: the procedures/mechanisms for managing (potential) conflicts of interest of prosecutors in 2025 (Q197)

Table 8.7.5 Other functions/activities carried out by prosecutors in 2025 (Q198, Q199, Q200 and Q201)

Table 8.7.6 Existence of laws/regulations for the proceedings and the sanctions for breaches of rules on conflicts of interest in respect of prosecutors in 2025 (Q202 and Q203)

Table 8.7.7 Number of procedures for breaches of rules on conflict of interest against judges and prosecutors in 2025 (Q196 and Q204)

8.8 Disciplinary procedure for judges and prosecutors

Table 8.8.1 Initiation of a disciplinary procedure against judges in 2025 (Q205)

Table 8.8.2 Authority with disciplinary power over judges in 2025 (Q206)

Table 8.8.3 Possibility for a judge to present an argumentation, to appeal to the disciplinary decision and body competent to decide on an appeal in 2025 (Q207, Q211 and Q212)

Table 8.8.4 Reasons for transferring a judge without his/her consent in 2025 (Q213)

Table 8.8.5 Number of initiated and completed disciplinary proceedings and number of sanctions pronounced against judges in 2025 (Q208, Q209 and Q210)

8. Accountability and processes affecting public trust - List of tables

Table 8.8.7 Initiation of a disciplinary procedure against prosecutors in 2025 (Q214)

Table 8.8.8 Authority with disciplinary power over prosecutors in 2025 (Q215)

Table 8.8.9 Possibility for a prosecutor to present an argumentation, to appeal to the disciplinary decision and body competent to decide on an appeal in 2025 (Q216, Q220 and Q221)

Table 8.8.10 Number of initiated and compleated disciplinary proceedings and number of sanctions pronounced against prosecutors in 2025 (Q217, Q218 and Q219)

8.1 Promotion of integrity and prevention of corruption

Table 8.1.1 Type of legal provisions to guarantee the independence of judges and prosecutors in 2025 (Q140 and Q141)

Beneficiaries	Legal provisions to guarantee the independence of judges and prosecutors in 2025							
	Judges				Prosecutors			
	Constitution	Special law	Bylaw	Other	Constitution	Special law	Bylaw	Other
Albania								
Bosnia and Herzegovina								
Montenegro								
North Macedonia								
Serbia								
Kosovo*								

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 8.1.2 Number of criminal cases against judges or prosecutors in 2025 (Q142)

Beneficiaries	Number of criminal cases against judges or prosecutors in 2025					
	Judges			Prosecutors		
	Number of initiated cases	Number of completed cases	Number of sanctions pronounced	Number of initiated cases	Number of completed cases	Number of sanctions pronounced
Albania	NA	NA	NA	3	NA	NA
Bosnia and Herzegovina	1	0	0	0	2	0
Montenegro	0	1	1	4	NA	1
North Macedonia	1	1	0	2	0	0
Serbia	NA	NA	NA	NA	NA	NA
Kosovo*	1	0	NA	18	NA	NA
Average	1	1	0	2	1	0
Median	1	1	0	3	1	0
Minimum	0	0	0	0	0	0
Maximum	1	1	1	4	2	1

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 8.1.3 Specific measures to prevent corruption for judges and prosecutors in 2025 (Q143)

Beneficiaries	Specific measures to prevent corruption for judges and prosecutors in 2025											
	Gift rules		Specific training		Internal controls		Safe complaints mechanisms		Other		No mechanism in place	
	Judges	Prosecutors	Judges	Prosecutors	Judges	Prosecutors	Judges	Prosecutors	Judges	Prosecutors	Judges	Prosecutors
Albania												
Bosnia and Herzegovina												
Montenegro												
North Macedonia												
Serbia												
Kosovo*												

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

8.2 Code of ethics for judges and prosecutors

Table 8.2.1 Code of ethics for judges in 2025 (Q144 and Q145)

Beneficiaries	Code of ethics for judges in 2025										
	Existence of code of ethics	Principles contained in the code of ethics									Link to the code of ethics
		Adherence to judicial values (independence, integrity, impartiality)	Relationship with institution, citizens and users	Competence and continuing education	Extrajudicial activities	Conflict of interest	Information disclosure and relationship with press agencies	Political activity	Association membership and institutional positions	Gift rules	
Albania											https://www.gjp.gov.al/rc/doc/KODI_I_ETIK_S_GJYQ_SORE_VKLGJ_nr_271_date_22_4_2021_4666.pdf
Bosnia and Herzegovina											https://vstv.pravosudje.ba/vstvfo/E/141/kategorije-vijesti/1198/1178/1359
Montenegro											https://sudovi.me/static//sdsv/doc/Eticki_kodeks_sudija
North Macedonia											http://www.vsrm.mk/wps/wcm/connect/vsrm/10ae444c-09fd-4cbd-9fa6-ed45ae4ad13b/%D0%9A%D0%BE%D0%B4%D0%B5%D0%BA%D1%81+%D0%B7%D0%B0+%D0%B5%D1%82%D0%B8%D0
Serbia											https://vss.sud.rs/api/documents/preview/Eticki%20kodeks%20SI%20gl%2096%2018%2012%2010_0.pdf
Kosovo*											https://www.gjyqesori-rks.org/wp-content/uploads/lgsl/Kodi%20Etikes%20Profesionale%20per%20gjyqtar.pdf

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 8.2.2 Code of ethics for prosecutors in 2025 (Q146 and Q147)

Beneficiaries	Code of ethics for prosecutors in 2025										
	Existence of code of ethics	Principles contained in the code of ethics									Link to the code of ethics
		Adherence to judicial values (independence, integrity, impartiality)	Relationship with institution, citizens and users	Competence and continuing education	Extrajudicial activities	Conflict of interest	Information disclosure and relationship with press agencies	Political activity	Association membership and institutional positions	Gift rules	
Search Key	2025#146.1.1	2025#147.1.1	2025#147.1.2	2025#147.1.3	2025#147.1.4	2025#147.1.5	2025#147.1.6	2025#147.1.7	2025#147.1.8	2025#147.1.9	2025#146.1.1.01
A	E	F	G	H	I	J	K	L	M	N	O
Albania											https://klp.al/wp-content/uploads/2022/03/Standardet-e-Etikes-dhe-Rregullat-e-Sjelljes-se-Prokurorit.pdf
Bosnia and Herzegovina											https://vstv.pravosudje.ba/vstvfo/E/141/kategorije-vijesti/1198/1178/1359
Montenegro											https://tuzilastvo.me/wp-content/uploads/2025/11/Eticki-kodeks-drzavnih-tuzilaca-2025.pdf
North Macedonia											https://jorm.gov.mk/wp-content/uploads/2021/05/etichki-kodeks-na-%D1%98avnite-obviniteli-2021.pdf
Serbia											https://vst.jt.rs/wp-content/uploads/2024/04/Eticki-kodeks-javnih-tuzilaca-3.pdf
Kosovo*											https://prokuroria-rks.org/uploads/2025/06/c2bfba50-0bda-4278-bda7-bb59bbf63aff_Kodi-i-Etikes-dhe-Sjelljes-Profesionale-per-

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 8.2.3 Institution or body responsible for ethical questions and public availability of guidelines and/or opinions for judges and prosecutors in 2025 (Q148, Q149, Q150, Q151, Q152, Q153, Q154 and Q155)

Beneficiaries	Institution or body responsible for ethical questions and public availability of guidelines and/or opinions for judges and prosecutors in 2025							
	Judges				Prosecutors			
	Existence of the institution	Members of the institution/body	Guidelines and/or opinions publicly available	Number of guidelines and/or opinions given in 2025	Existence of the institution	Members of the institution/body	Guidelines and/or opinions publicly available	Number of guidelines and/or opinions given in 2025
Albania		Only judges		1		Only prosecutors		0
Bosnia and Herzegovina		Judges and other legal professionals		48		Prosecutors and other legal professionals		16
Montenegro		Judges and other legal professionals		NA		Prosecutors and other legal professionals		2
North Macedonia		Only judges		0		Only prosecutors		0
Serbia		Only judges		7		Only prosecutors		NA
Kosovo*		Only judges		2		Only prosecutors		-
Average				14				5
Median				4				1
Minimum				0				0
Maximum				48				16

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

8.3 Recusal of judges

Table 8.3.1 Procedure to effectively challenge a judge, total number of initiated procedures and total number of pronounced recusals in 2025 (Q156 and Q157)

Beneficiaries	Existence of a procedure to effectively challenge a judge, if a party considers that the judge is not impartial	Total number of initiated procedures in 2025	Total number of pronounced recusals in 2025
Albania		NA	NA
Bosnia and Herzegovina		544	63
Montenegro		2 780	1 833
North Macedonia		4 754	4 153
Serbia		NA	NA
Kosovo*		NA	NA

Yes	
No	
NA	
NAP	

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

8.4 Allocation of court cases

Table 8.4.1 Organisation of the distribution of court cases in 2025 (Q158 and Q159)

Beneficiaries	Organisation of the distribution of court cases					
	Automatic allocation	Random allocation	Other type of allocation	Specific allocation for priority cases	Possibility to exclude a judge from the allocation	All interventions on the system irreversibly logged/ registered
Albania						
Bosnia and Herzegovina						
Montenegro						
North Macedonia						
Serbia						
Kosovo*						

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 8.4.2 Transparency and organisation of reassignment of court cases in 2025 (Q159, Q160, Q162, Q163 and Q164)

Beneficiaries	Reasons for reassigning a case				Does the reassignment of cases have to be reasoned?			Reassignments of cases processed through the computerised distribution of cases	If yes, how are reassignments of cases processed:				
	Conflict of interest declared by the judge or by the parties	Recusal of the judge or requested by the parties	Physical unavailability (illness, longer absence)	Other	Yes for all reassignments	Yes for some reassignments	No		Automatic allocation	Random allocation	By discretion of a president of a court	Other	All interventions on the system are irreversibly logged/ registered
Albania													
Bosnia and Herzegovina													
Montenegro													
North Macedonia													
Serbia													
Kosovo*													

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 8.4.3 Number of reassignments of court cases processed in 2025 (Q161)

Beneficiaries	Number of reassignments of court cases processed in 2025				
	Total number (1 + 2 + 3 + 4)	Conflict of interest declared by the judge or by the parties (1)	Recusal of the judge or requested by the parties (2)	Physical unavailability (illness, longer absence) (3)	Other (4)
Albania	NA	NA	NA	NA	NA
Bosnia and Herzegovina	460 135	NA	NA	NA	NA
Montenegro	25 473	NA	2 636	1 325	NA
North Macedonia	32 797	NA	2 683	4 910	25 204
Serbia	NA	NA	NA	NA	NA
Kosovo*	24 851	481	NAP	NAP	24 370
Average	172 802	-	-	-	-
Median	32 797	-	-	-	-
Minimum	25 473	-	-	-	-
Maximum	460 135	-	-	-	-

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

8.5 Integrity of court staff

Table 8.5.1 Types of breaches of integrity provided for by legislation in respect of court staff in 2025 (Q165)

Beneficiaries	Types of breaches of integrity provided for by legislation in respect of court staff				
	Conflicts of Interest	Unauthorized disclosure of confidential or sensitive information on court cases and/or procedures	Non-timely and/or Incomplete Asset Declarations	Breaches of Codes of Conduct	Other
Albania					
Bosnia and Herzegovina					
Montenegro					
North Macedonia					
Serbia					
Kosovo*					

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

8.6 Declaration of assets

Table 8.6.1 Declaration of assets for judges in 2025: law(s) and regulation(s) that require a declaration (Q167)

Beneficiaries	Law(s) and regulation(s) that require a declaration of assets for judges					
	Constitution	Law regulating the status of judges	Law on High Judicial Council	Special law	Bylaw	Other
Albania						
Bosnia and Herzegovina						
Montenegro						
North Macedonia						
Serbia						
Kosovo*						

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 8.6.2 Declaration of assets for judges in 2025: items to be declared, moment for the declaration and declaration concerning the members of the family (Q168, Q169, Q170 and Q171)

Beneficiaries	Declaration of assets for judges in 2025: items to be declared, moment for the declaration and declaration concerning the members of the family															
	Items to be declared						Moment for the declaration				Declaration concerning the members of the family					
	Assets	Financial interests	Sources of income	Liabilities	Gifts	Other	At the beginning of the term of office	At the end of the term of office	When there is a significant change in the items	Other	Spouse	Partner	Children (under legal age)	Adult children	Other family members	Same declaration as for the judge
Albania																
Bosnia and Herzegovina																
Montenegro																
North Macedonia																
Serbia																
Kosovo*																

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 8.6.3 Declaration of assets for judges in 2025: verification, registration and publication of the declaration (Q173, Q174 and Q175)

Beneficiaries	Declaration of assets for judges in 2025: verification, registration and publication of the declaration								
	Declaration of assets verified by:				Existence of a register of declaration of assets	Declaration published			
	Timeliness	Completeness	Accuracy of the content	Unexplained financial discrepancies		On internet	In an official journal	Other	Not published
Albania	Yes	Yes	Yes	Yes	Yes	No	No	Yes	No
Bosnia and Herzegovina	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No
Montenegro	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No
North Macedonia	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No
Serbia	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No
Kosovo*	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 8.6.4 Declaration of assets for judges in 2025: sanctions in case of non-declaration (Q176)

Beneficiaries	Sanction in case of non-declaration of assets by judges							
	Warning	Fine	Withdrawal from cases	Transfer to another (court) geographical location	Suspension	Other criminal sanction	Other disciplinary sanction	Other
Albania								
Bosnia and Herzegovina								
Montenegro								
North Macedonia								
Serbia								
Kosovo*								

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 8.6.5 Declaration of assets for prosecutors in 2025: law(s) and regulation(s) that require a declaration of assets (Q178)

Beneficiaries	Law(s) and regulation(s) that require a declaration of assets for prosecutors						
	Constitution	Law regulating the status of prosecutors	Law on High Judicial Council	Special law	Special regulation	Bylaw	Other
Albania							
Bosnia and Herzegovina							
Montenegro							
North Macedonia							
Serbia							
Kosovo*							

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 8.6.6 Declaration of assets for prosecutors in 2025: items to be declared, moment for the declaration and declaration concerning the members of the family (Q179, Q180, Q181 and Q182)

Beneficiaries	Declaration of assets for prosecutors in 2025: items to be declared, moment for the declaration and declaration concerning the members of the family															
	Items to be declared						Moment for the declaration				Declaration concerning the members of the family					
	Assets	Financial interests	Sources of income	Liabilities	Gifts	Other	At the beginning of the term of office	At the end of the term of office	When there is a significant change in the items	Other	Spouse	Partner	Children (under legal age)	Adult children	Other family members	Same declaration as for the prosecutor
Albania																
Bosnia and Herzegovina																
Montenegro																
North Macedonia																
Serbia																
Kosovo*																

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 8.6.7 Declaration of assets for prosecutors in 2025: verification, registration and publication of the declaration (Q184, Q185 and Q186)

Beneficiaries	Declaration of assets for prosecutors in 2025: verification, registration and publication of the declaration								
	Declarations of assets verified by:				Existence of a register of declaration of assets	Declaration published			
	Timeliness	Completeness	Accuracy of the content	Unexplained financial discrepancies		On internet	In an official journal	Other	Not published
Albania									
Bosnia and Herzegovina									
Montenegro									
North Macedonia									
Serbia									
Kosovo*									

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 8.6.8 Declaration of assets for prosecutors in 2025: sanctions in case of non-declaration (Q187)

Beneficiaries	Sanction in case of non-declaration of assets by prosecutors							
	Warning	Fine	Withdrawal from cases	Transfer to another public prosecution office	Suspension	Other criminal sanction	Other disciplinary sanction	Other
Albania								
Bosnia and Herzegovina								
Montenegro								
North Macedonia								
Serbia								
Kosovo*								

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 8.6.9 Declaration of assets for judges an prosecutors in 2025: number of proceedings against judges and prosecutors due to violations/discrepancies in their declaration (Q177 and Q188)

Beneficiaries	Number of proceedings due to violations/discrepancies in the declaration of assets 2025					
	Proceedings against judges			Proceedings against prosecutors		
	Number of initiated cases	Number of completed cases	Number of sanctions pronounced	Number of initiated cases	Number of completed cases	Number of sanctions pronounced
Albania	29	29	0	30	30	2
Bosnia and Herzegovina	5	0	0	1	0	0
Montenegro	NA	NA	NA	NA	NA	NA
North Macedonia	1	0	1	4	1	1
Serbia	17	43	22	6	18	8
Kosovo*	133	130	0	54	54	0
Average	13	18	6	10	12	3
Median	11	15	1	5	10	2
Minimum	1	0	0	1	0	0
Maximum	29	43	22	30	30	8

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

8.7 Conflict of interests

Table 8.7.1 Conflict of interests: procedures/mechanisms for managing (potential) conflicts of interest of judges in 2025 (Q189)

Beneficiaries	Procedures/mechanisms for managing (potential) conflicts of interest of judges 2025				
	Regulation/procedure on reporting a (potential) conflict of interest	Regulation/procedure for recusal/withdrawal from a case	Regulation on receiving gifts	Regulation on combining the profession of a judge with other functions/professional activities	Other
Albania					
Bosnia and Herzegovina					
Montenegro					
North Macedonia					
Serbia					
Kosovo*					

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 8.7.2 Other functions/activities carried out by judges in 2025 (Q190, Q191, Q192 and Q193)

Beneficiaries	Other functions/activities carried out by judges in 2025																				
	Teaching		Research and publication		Arbitrator		Consultant		Cultural function		Political function		Mediator		Other		Authorisation needed to perform these accessory activities	Authority giving authorisation			If no authorisation is needed, the judge has to inform his or her hierarchy about these accessory activities
	With remuneration	Without remuneration	With remuneration	Without remuneration	With remuneration	Without remuneration	With remuneration	Without remuneration	With remuneration	Without remuneration	With remuneration	Without remuneration	With remuneration	Without remuneration	With remuneration	Without remuneration		The court in question	High Judicial Council	Other	
Albania																	Yes				
Bosnia and Herzegovina																	No				
Montenegro																	Yes				
North Macedonia																	Yes				
Serbia																	Yes				
Kosovo*																	Yes				

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 8.7.3 Existence of laws/regulations for the proceedings and the sanctions for breaches of rules on conflicts of interest in respect of judges in 2025 (Q194 and Q195)

Beneficiaries	Laws/regulations for the proceedings and the sanctions for breaches of rules on conflicts of interest in respect of judges in 2025															
	Law/regulation regulating the proceedings for breaches of rules on conflicts of interest							Law/regulation regulating the sanctions for breaches of rules on conflicts of interest								
	Law on prevention of conflict of interest	Criminal procedure code	Civil procedure code	Code of ethics	Law on judges	Law on the High Judicial Council	Other	Law on prevention of conflict of interest	Criminal procedure code	Criminal code	Civil procedure code	Civil code	Code of ethics	Law on judges	Law on the High Judicial Council	Other
Albania																
Bosnia and Herzegovina																
Montenegro																
North Macedonia																
Serbia																
Kosovo*																

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 8.7.4 Conflict of interests: the procedures/mechanisms for managing (potential) conflicts of interest of prosecutors in 2025 (Q197)

Beneficiaries	Procedures/mechanisms for managing (potential) conflicts of interest of prosecutors in 2025				
	Regulation/procedure on reporting a (potential) conflict of interest	Regulation/procedure for recusal/withdrawal from a case	Regulation on receiving gifts	Regulation on combining the profession of a prosecutor with other functions/professional activities	Other
Albania					
Bosnia and Herzegovina					
Montenegro					
North Macedonia					
Serbia					
Kosovo*					

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 8.7.5 Other functions/activities carried out by prosecutors in 2025 (Q198, Q199, Q200 and Q201)

Beneficiaries	Other functions/activities carried out by prosecutors in 2025																				
	Teaching		Research and publication		Arbitrator		Consultant		Cultural function		Political function		Mediator		Other		Authorisation needed to perform these accessory activities	Authority giving authorisation			If no authorisation is needed, the prosecutor has to inform his or her hierarchy about these accessory activities
	With remuneration	Without remuneration	With remuneration	Without remuneration	With remuneration	Without remuneration	With remuneration	Without remuneration	With remuneration	Without remuneration	With remuneration	Without remuneration	With remuneration	Without remuneration	With remuneration	Without remuneration		The public prosecution office in question	High Judicial/ Prosecutorial Council	Other	
Albania																	Yes for some				
Bosnia and Herzegovina																	No				
Montenegro																	Yes for some				
North Macedonia																	Yes				
Serbia																	Yes				
Kosovo*																	Yes				

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 8.7.6 Existence of laws/regulations for the proceedings and the sanctions for breaches of rules on conflicts of interest in respect of prosecutors in 2025 (Q202 and Q203)

Beneficiaries	Laws/regulations for the proceedings and the sanctions for breaches of rules on conflicts of interest in respect of prosecutors in 2025														
	Law/regulation regulating the proceedings for breaches of rules on conflicts of interest							Law/regulation regulating the sanctions for breaches of rules on conflicts of interest							
	Law on prevention of conflict of interest	Criminal procedure code	Civil procedure code	Code of ethics	Law on public prosecutors/ public prosecution	Law on the Judicial/ Prosecutorial Council	Other	Law on prevention of conflict of interest	Criminal procedure code	Criminal code	Civil procedure code	Civil code	Code of ethics	Law on public prosecutors/ public prosecution	Law on the High Judicial/ Prosecutorial Council	Other
Albania																
Bosnia and Herzegovina																
Montenegro																
North Macedonia																
Serbia																
Kosovo*																

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 8.7.7 Number of procedures for breaches of rules on conflict of interest against judges and prosecutors in 2025 (Q196 and Q204)

Beneficiaries	Number of procedures for breaches of rules on conflict of interest in 2025					
	Procedures against judges			Procedures against prosecutors		
	Number of initiated cases	Number of completed cases	Number of sanctions pronounced	Number of initiated cases	Number of completed cases	Number of sanctions pronounced
Albania	0	0	0	NA	NA	NA
Bosnia and Herzegovina	0	2	0	0	0	0
Montenegro	NA	NA	NA	NA	NA	NA
North Macedonia	2	2	0	2	0	2
Serbia	4	4	0	6	4	0
Kosovo*	NA	NA	NA	NA	13	0
Average	2	2	0	3	1	1
Median	1	2	0	2	0	0
Minimum	0	0	0	0	0	0
Maximum	4	4	0	6	4	2

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

8.8 Disciplinary procedure for judges and prosecutors

Table 8.8.1 Initiation of a disciplinary procedure against judges in 2025 (Q205)

Beneficiaries	Disciplinary proceedings against judges could be initiated by:								
	Relevant Court or hierarchical superior	High Court / Supreme Court	Judicial Council	Disciplinary court	Disciplinary body	Parliament	Executive power	Other	This is not possible
Albania					Yes				
Bosnia and Herzegovina					Yes				
Montenegro	Yes	Yes						Yes	
North Macedonia			Yes						
Serbia					Yes				
Kosovo*	Yes	Yes	Yes						

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 8.8.2 Authority with disciplinary power over judges in 2025 (Q206)

Beneficiaries	Authority with disciplinary power over judges in 2025						
	Court	Higher Court / Supreme Court	Judicial Council	Disciplinary court or body	Parliament	Executive power	Other
Albania			Yes				
Bosnia and Herzegovina			Yes				
Montenegro			Yes				
North Macedonia			Yes				
Serbia	Yes		Yes				
Kosovo*	Yes	Yes	Yes	Yes			

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 8.8.3 Possibility for a judge to present an argumentation, to appeal to the disciplinary decision and body competent to decide on an appeal in 2025 (Q207, Q211 and Q212)

Beneficiaries	Possibility for a judge to present an argumentation, to appeal to the disciplinary decision and body competent to decide on an appeal									
	Possibility for the judge to present an argumentation		Possibility to appeal to the disciplinary decision	Body competent to decide on an appeal						
	Hearing	Written submission		Court	Higher Court / Supreme Court	Judicial Council	Disciplinary court or body	Parliament	Executive power	Other
Albania										
Bosnia and Herzegovina										
Montenegro										
North Macedonia										
Serbia										
Kosovo*										

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 8.8.4 Reasons for transferring a judge without his/her consent in 2025 (Q213)

Beneficiaries	Reasons for transferring a judge without his/her consent		
	For disciplinary reasons	For organisational reasons	For other reason
Albania			
Bosnia and Herzegovina			
Montenegro			
North Macedonia			
Serbia			
Kosovo*			

Yes	
No	
NA	
NAP	

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 8.8.5 Number of initiated and completed disciplinary proceedings and number of sanctions pronounced against judges in 2025 (Q208, Q209 and Q210)

Beneficiaries	Total number of disciplinary proceedings initiated against judges	Total number of cases completed against judges	Number of sanctions pronounced against judges										
			Total	Reprimand	Suspension	Withdrawal from cases	Fine	Temporary reduction of salary	Position downgrade	Transfer to another geographical (court) location	Resignation	Other	Dismissal
			1+…+10	1	2	3	4	5	6	7	8	9	10
Albania	3	10	3	2	1	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Bosnia and Herzegovina	28	26	21	3	NAP	NAP	NAP	17	0	0	0	0	1
Montenegro	6	3	0	0	0	0	0	0	0	0	0	0	0
North Macedonia	42	25	7	0	0	NAP	NAP	4	NAP	NAP	0	NAP	3
Serbia	5	1	1	1	0	0	0	0	0	0	0	0	0
Kosovo*	6	6	6	2	NAP	1	NAP	2	NAP	NAP	NAP	1	NAP
Average	17	13	6	1	0	-	-	5	0	0	0	0	1
Median	6	10	3	1	0	-	-	2	0	0	0	0	1
Minimum	3	1	0	0	0	-	-	0	0	0	0	0	0
Maximum	42	26	21	3	1	-	-	17	0	0	0	0	3

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 8.8.7 Initiation of a disciplinary procedure against prosecutors in 2025 (Q214)

Beneficiaries	Disciplinary proceedings against prosecutors could be initiated by:								
	Head of the organisational unit or hierarchical superior public prosecutor	Prosecutor General /State public prosecutor	Public Prosecutorial Council (High Judicial Council)	Disciplinary court	Disciplinary body	Professional body	Executive power	Other	This is not possible
Albania					Yes				
Bosnia and Herzegovina					Yes				
Montenegro	Yes	Yes	Yes				Yes	Yes	
North Macedonia	Yes	Yes							
Serbia					Yes				
Kosovo*	Yes	Yes	Yes					Yes	

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 8.8.8 Authority with disciplinary power over prosecutors in 2025 (Q215)

Beneficiaries	Authority with disciplinary power over prosecutors						
	Supreme Court	Head of the organisational unit or hierarchical superior	Prosecutor General/ State public prosecutor	Public prosecutorial Council (Judicial Council)	Disciplinary court or body	Executive power	Other
Albania							
Bosnia and Herzegovina							
Montenegro							
North Macedonia							
Serbia							
Kosovo*							

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 8.8.9 Possibility for a prosecutor to present an argumentation, to appeal to the disciplinary decision and body competent to decide on an appeal in 2025 (Q216, Q220 and Q221)

Beneficiaries	Possibility for a prosecutor to present an argumentation, to appeal to the disciplinary decision, and body competent to decide on an appeal									
	Possibility for the prosecutor to present an argumentation		Possibility to appeal to the disciplinary decision	Body competent to decide on an appeal						
	Hearing	Written submission		Supreme Court	Head of the organisational unit or hierarchical superior public prosecutor	Prosecutor General /State public prosecutor	Public prosecutorial Council (Judicial Council)	Disciplinary court or body	Executive power	Other
Albania										
Bosnia and Herzegovina										
Montenegro										
North Macedonia										
Serbia										
Kosovo*										

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 8.8.10 Number of initiated and completed disciplinary proceedings and number of sanctions pronounced against prosecutors in 2025 (Q217, Q218 and Q219)

Beneficiaries	Total number of initiated disciplinary proceedings against prosecutors	Total number of completed cases against prosecutors	Number of pronounced sanctions against prosecutors										
			Total	Reprimand	Suspension	Withdrawal from cases	Fine	Temporary reduction of salary	Position downgrade	Transfer to another geographical location	Resignation	Other	Dismissal
			1+…+10	1	2	3	4	5	6	7	8	9	10
Albania	6	7	6	1	NAP	NAP	NAP	1	1	NAP	NAP	3	NAP
Bosnia and Herzegovina	6	6	4	2	NAP	NAP	NAP	2	0	0	0	0	0
Montenegro	4	3	2	NAP	1	NAP	NAP	NA	NAP	NAP	NA	NAP	1
North Macedonia	3	3	3	0	0	NAP	NAP	1	NAP	NAP	2	NAP	0
Serbia	5	1	1	0	0	0	0	0	0	0	0	1	0
Kosovo*	10	5	5	4	NAP	NAP	NAP	1	NAP	NAP	NAP	NAP	NAP
Average	5	4	3	1	0	-	-	1	0	-	1	1	0
Median	5	3	3	1	0	-	-	1	0	-	0	1	0
Minimum	3	1	1	0	0	-	-	0	0	-	0	0	0
Maximum	6	7	6	2	1	-	-	2	1	-	2	3	1

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Indicator 8 - Accountability and processes affecting public trust

by country

Question 140. What are the legal provisions in the hierarchy of norms, which guarantee the independence of judges? (Please indicate the articles and copy the relevant legal provisions in English)
Question 141. What are the legal provisions in the hierarchy of norms, which guarantee the independence of prosecutors? (Please indicate the articles and copy the relevant legal provisions in English)
Question 142. Number of criminal cases against judges or prosecutors
Question 143. Are specific measures to prevent corruption in place?
Question 144. Is there a code of ethics applicable to all judges? Please provide the link.
Question 145. Does the Code of Ethics contain principles on:
Question 146. Is there a code of ethics applicable to all prosecutors? Please provide the link.
Question 147. Does the Code of Ethics contain principles on:
Question 148. Is there in your country an institution / body giving guidelines and/or opinions on ethical questions of the conduct of judges (e.g. involvement in political life, use of social media by judges, etc.)
Question 149. If yes, who are the members of this institution / body?
Question 150. Are the guidelines and/or opinions of this institution/body publicly available?
Question 151. How many guidelines and/or opinions were given during the reference year?
Question 152. Is there in your country an institution / body giving guidelines and/or opinions on ethical questions of the conduct of prosecutors (e.g. involvement in political life, use of social media by prosecutors, etc.)
Question 153. If yes, who are the members of this institution / body ?
Question 154. Are the guidelines and/or opinions of this institution/body publicly available?
Question 155. How many guidelines and/opinions were given during the reference year?
Question 156. Is there a procedure to effectively challenge a judge (recusal), if a party considers that the judge is not impartial?
Question 157. If yes, what are:
Question 158. How is distribution of court cases organized in your system?
Question 159. Are all interventions in distribution (assignments and reassignments) of court cases irreversibly logged/registered?
Question 160. What are the different possible reasons for reassigning a case?
Question 161. How many reassignments of cases were processed in the reference year?
Question 162. Does the reassignment of cases have to be reasoned?
Question 163. Are all reassignments of cases processed through the computerised distribution of cases?
Question 164. If yes, how are reassignments of cases processed?

Question 165. Which breaches of integrity are provided for by legislation in respect of court staff?
Question 167. Which law(s) and regulation(s) require a declaration of assets by judges? (Please indicate the articles and copy the relevant legal provisions in English)
Question 168. What items are to be declared?
Question 169. What is the moment of the declaration of assets of judges?
Question 170. Does this declaration concern the members of the family?
Question 171. Is the declaration for family members the same as for the judge (in terms of items to be declared, moment of declaration etc.)?
Question 172. Which authority receives and verifies the declaration? Please specify the status and nature of this authority (is it an independent body, what is the procedure for appointing members etc.)
Question 173. Are these declarations of assets verified as regards:
Question 174. Is there a register of declaration of assets?
Question 175. Where is the declaration published?
Question 176. What is the sanction in case of non-declaration of assets (including non-submission of declaration)?
Question 177. Number of proceedings against judges due to violations/discrepancies in their declaration of assets

Question 178. Which law(s) and regulation(s) require a declaration of assets by prosecutors? (Please indicate the articles and copy the relevant legal provisions in English)
Question 179. What items are to be declared?
Question 180. What is the moment of the declaration of assets of prosecutors?
Question 181. Does this declaration concern the members of the family?
Question 182. Is the declaration for family members the same as for the prosecutor (in terms of items to be declared, moment of declaration, etc.)?
Question 183. Which authority receives and verifies the declaration? Please specify the status and nature of this authority (is it an independent body, what is the procedure for appointing members etc.):
Question 184. Are these declarations of assets verified as regards:
Question 185. Is there a register of declaration of assets?
Question 186. Where is the declaration published?
Question 187. What is the sanction in case of non-declaration of assets (including non-submission of declaration)?
Question 188. Number of cases against prosecutors due to violations/discrepancies in their declaration of assets
Question 189. Select and describe the procedures/mechanisms for managing (potential) conflicts of interest of judges
Question 190. Can judges combine their work with any of the following other functions/activities?
Question 191. Is an authorisation needed to perform these accessory activities for judges?
Question 192. If yes, who is giving authorisation for these accessory activities for judges?
Question 193. If not, does the judge have to inform his or her hierarchy about these accessory activities?
Question 194. Under which law/regulation are proceedings for breaches of rules on conflicts of interest in respect of judges regulated?
Question 195. In which law are the sanctions for breaches of the rules on conflicts of interest in respect of judges provided:
Question 196. Number of cases initiated/completed/sanctions pronounced for breaches of the rules on conflicts of interest in respect of judges in the reference year

Question 197. Select and describe the procedures/mechanisms for managing (potential) conflicts of interest of prosecutors:
Question 198. Can public prosecutors combine their work with any of the following other functions/activities?
Question 199. Is an authorisation needed to perform these accessory activities for public prosecutors?
Question 200. If yes, who is giving authorisation for these accessory activities for public prosecutors?
Question 201. If not, does the prosecutor have to inform his or her hierarchy about these accessory activities?
Question 202. Under which law/regulation are proceedings for breaches of rules on conflicts of interest in respect of prosecutors regulated?
Question 203. In which law are the sanction for breaches of the rules on conflicts of interest in respect of prosecutors provided:
Question 204. Number of cases initiated/completed/sanctions pronounced for conflicts of interests against prosecutors in the reference year
Question 205. Who is authorised to initiate disciplinary proceedings against judges (multiple replies possible)?
Question 206. Which authority has disciplinary power over judges? (multiple replies possible)
Question 207. What are the possibilities for the judge to present an argumentation? (multiple replies possible)
Question 208. Number of disciplinary cases (total) initiated during the reference year against judges
Question 209. Number of cases completed in the reference year against judges
Question 210. Number of sanctions pronounced during the reference year against judges
Question 211. Can a disciplinary decision be appealed?
Question 212. If yes, what body is competent to decide on appeal?
Question 213. Can a judge be transferred to another court without his/her consent:
Question 214. Who is authorised to initiate disciplinary proceedings against public prosecutors (multiple replies possible):
Question 215. Which authority has disciplinary power over public prosecutors? (multiple replies possible)
Question 216. What are the possibilities for prosecutors to present an argumentation (multiple replies possible):
Question 217. Number of disciplinary cases (total) initiated during the reference year against public prosecutors
Question 218. Number of cases completed in the reference year against public prosecutors
Question 219. Number of sanctions pronounced during the reference year against public prosecutors.
Question 220. Can the disciplinary decision be appealed?
Question 221. If yes, what body is competent to decide on appeal?

Albania

Q140 (General Comment): Article 3 of Law No. 96/2016, as amended: A magistrate shall exercise the function independently, on the basis of assessment of facts and interpretation of the law, in accordance with his intrinsic conviction, free of any extraneous influences, direct or indirect, from any side or for any reason

Q140 (2025): Article 3 of Law No. 96/2016, as amended: A magistrate shall exercise the function independently, on the basis of assessment of facts and interpretation of the law, in accordance with his intrinsic conviction, free of any extraneous influences, direct or indirect, from any side or for any reason

Q140 (2022): The judges' independence is guaranteed by the constitution, by special law, by Procedural Codes both civil and penal as well as bylaws (e.g. Code of ethics)

Q141 (General Comment): Based on the article 149 of the Constitution, The High Prosecutorial Council guarantees the independence, accountability, discipline, status and career of the prosecutors of the Republic of Albania.Article 3 of Law No. 96/2016, as amended: A magistrate shall exercise the function independently, on the basis of assessment of facts and interpretation of the law, in accordance with his intrinsic conviction, free of any extraneous influences, direct or indirect, from any side or for any reason

Q141 (2025): Based on the article 149 of the Constitution, The High Prosecutorial Council guarantees the independence, accountability, discipline, status and career of the prosecutors of the Republic of Albania.Article 3 of Law No. 96/2016, as amended: A magistrate shall exercise the function independently, on the basis of assessment of facts and interpretation of the law, in accordance with his intrinsic conviction, free of any extraneous influences, direct or indirect, from any side or for any reason

Q143 (2025): High Inspectorate for Declaration and Control of Assets and Conflict of Interest periodic declarations.

Q143 (2024): - HIDAACI periodic declarations.

- There are procedures in place stipulated by the law on whistleblowers, regulations on gifts, as well as specific trainings by the School of Magistrates on corruption, the Judge of Ethics also plays an important role on specific matters, HIDAACI and the vetting process controls assets, the HIJC controls assets of new appointed magistrates. The mandatory rotation of judges is not a measure, that should be inadvertent. https://klgj.al/wp-content/uploads/2021/04/VENDIM-NR.-171-DAT%c3%8b-22.04.2021-P%c3%8bR-MIRATIMIN-E-%e2%80%9cKODI-I-ETIK%c3%8bS-GJYQ%c3%8bSORE%e2%80%9d.pdf
- The school of magistrate is in charge for trainings.

Q143 (2022): There are procedures in place stipulated by the law on whistleblowers, regulations on gifts, as well as specific trainings by the School of Magistrates on corruption, the Judge of Ethics also plays an important role on specific matters, HIDAACI and the vetting process controls assets, the HIJC controls assets of new appointed magistrates. The mandatory rotation of judges is not a measure, that should be inadvertent. https://klgj.al/wp-content/uploads/2021/04/VENDIM-NR.-171-DAT%c3%8b-22.04.2021-P%c3%8bR-MIRATIMIN-E-%e2%80%9cKODI-I-ETIK%c3%8bS-GJYQ%c3%8bSORE%e2%80%9d.pdf

Q145 (2025): The principle of impartiality
gj) he must not accept gifts, favors or benefits, for himself or his relatives, such as may call into question his impartiality. The principle of integrity
e) he does not ask for or accept gifts, loans or favors for himself or his family members, which come to him due to the exercise of his duties. f) may receive symbolic gifts, prizes or benefits, as the case may be, provided that the gift, prize or benefit is not perceived by a reasonable observer as a cause of bias or as an intention to influence the judge in the exercise of his duties.

Q145 (2024): The principle of impartiality
gj) he must not accept gifts, favors or benefits, for himself or his relatives, such as may call into question his impartiality. The principle of integrity
e) he does not ask for or accept gifts, loans or favors for himself or his family members, which come to him due to the exercise of his duties. f) may receive symbolic gifts, prizes or benefits, as the case may be, provided that the gift, prize or benefit is not perceived by a reasonable observer as a cause of bias or as an intention to influence the judge in the exercise of his duties.

Q149 (2025): Ethics Advisor exercises the duty of a judge, so the final answer is "Only judges"
Q149 (2022): According to art 83 of the law no 115/2016, The judge of ethics, (which is a single judge, appointed by HJC) gives opinions on ethic related aspects while the HJC is the responsible body that sets the code of ethics.
Q150 (2025): The Council shall assign one Ethics Advisor from the ranks of judges who meet legal requirements to be a member of the High Court and who has the experience and knowledge on ethics matters. The Ethics Advisor shall serve for a 5-years period, with the right to only one reappointment.
The Ethics Advisor shall perform the following tasks:
a) give advice, upon the request of any judge on the most appropriate behavior in and outside of the court, in the event of ethical uncertainties;
b) may ask for the opinion of the Council on certain issues relating to the conduct of judges in general, but not in relation to specific persons;
c) elaborate, publish, and continuously update an informative manual, which shall reflect questions and answers relating to ethical questions, based on the best international standards and practices, relevant decisions of the Council;
ç) ensure, in collaboration with the School of Magistrates, the initial and continuous training on issues of ethics;
d) report in writing, not less than once a year, before the Council in relation with his/her activity.

Q150 (2024): The Council shall assign one Ethics Advisor from the ranks of judges who meet legal requirements to be a member of the High Court and who has the experience and knowledge on ethics matters. The Ethics Advisor shall serve for a 5-years period, with the right to only one reappointment.
The Ethics Advisor shall perform the following tasks:
a) give advice, upon the request of any judge on the most appropriate behavior in and outside of the court, in the event of ethical uncertainties;
b) may ask for the opinion of the Council on certain issues relating to the conduct of judges in general, but not in relation to specific persons;
c) elaborate, publish, and continuously update an informative manual, which shall reflect questions and answers relating to ethical questions, based on the best international standards and practices, relevant decisions of the Council;
ç) ensure, in collaboration with the School of Magistrates, the initial and continuous training on issues of ethics;
d) report in writing, not less than once a year, before the Council in relation with his/her activity.

Q151 (2025): The Ethics Advisor has prepared a manual on ethical dilemmas regarding the conduct of judges during and outside of their duties.
Q153 (2025): According to Article 182, of the Law no. 115/2016, “On the governance institutions of the justice system”, as amended, the High Prosecutorial Council appoints an Ethics Advisor from among the prosecutors who meet the legal requirements to be a prosecutor of the General Prosecutor's office and who has experience and knowledge on ethics issues. The Ethics Advisor serves for a period of 5 years, with the right to re-election only once.
Q153 (2024): According to Article 182, of the Law no. 115/2016, “On the governance institutions of the justice system”, as amended, the High Prosecutorial Council appoints an Ethics Advisor from among the prosecutors who meet the legal requirements to be a prosecutor of the General Prosecutor's office and who has experience and knowledge on ethics issues. The Ethics Advisor serves for a period of 5 years, with the right to re-election only once.

Q154 (2025): The Ethics Advisor performs the following tasks:
a) gives advice, at the request of any prosecutor, on the most appropriate behaviour, inside and outside the prosecutor's office or the court, on controversial issues of ethics;
b) may request the opinion of the Council on certain issues related to the conduct of prosecutors in general, but not related to specific persons;
c) designs, publishes and continuously updates an informative manual, which contains questions and answers on ethical dilemmas, based on international standards and best practices and relevant decisions of the Council;
d) takes care, in cooperation with the School of Magistracy, for the initial and ongoing training on ethics issues;
e) reports in writing, no less than once a year, before the Council regarding its activity.
The Ethics Advisor has the obligation to maintain confidentiality, not providing any information to the structures of the governing bodies of the prosecution that exercise inspection and evaluation powers

Q154 (2024): The Ethics Advisor performs the following tasks:
a) gives advice, at the request of any prosecutor, on the most appropriate behaviour, inside and outside the prosecutor's office or the court, on controversial issues of ethics;
b) may request the opinion of the Council on certain issues related to the conduct of prosecutors in general, but not related to specific persons;
c) designs, publishes and continuously updates an informative manual, which contains questions and answers on ethical dilemmas, based on international standards and best practices and relevant decisions of the Council;
d) takes care, in cooperation with the School of Magistracy, for the initial and ongoing training on ethics issues;
e) reports in writing, no less than once a year, before the Council regarding its activity.
The Ethics Advisor has the obligation to maintain confidentiality, not providing any information to the structures of the governing bodies of the prosecution that exercise inspection and evaluation powers.

Q156 (General Comment): As provided by the Criminal Procedure Code, Parties may request the disqualification of a judge in cases of incompatibility, on grounds of participating in proceedings; incompatibility on grounds of family, blood or in-laws relation, when the judge has the duty to abstain from the judgment, and if, in the exercise of his functions and prior to the issuance of the decision, he has expressed his opinion on the facts or circumstances object of the proceedings. Similar proceedings are provided by civil procedures and administrative procedures codes.

The judge is obliged to withdraw from a case when:

1. he has an interest in the case or in another dispute which is related to it in the trial.
2. he or his spouse has kin relations to the fourth degree or in-law to the second degree, or is related by obligations of child adoption, or lives together in a permanently with one of the parties or attorneys.
3. he or his spouse is in legal conflict or in enmity or in relations of credit or loan with one of the parties or one of the representatives.
4. he has given advise or has expressed opinion on the case in trial or has participated in the trial of the case in a different level of the process, has been questioned as a witness, as expert or representative of one or the other party.
5. he is guardian, employer of one of the parties, administrator or has another task in an entity, association, society or other institution which has interests in the case in trial.
6. in any other event when, according to concrete circumstances, serious reasons for partiality are verified. The request for resignation is presented to the chairman of the respective court who decides. The chairman of the Court of Appeal decides on the presentation of the resignation of the chairman of the district court, and the Chairman of the High Court decides on the request of the chairman of the Court of Appeal. The parties are notified on the content of the request

The judge who on his conscience assesses that there are reasonable causes not to take part in the revision of a case, requests the chairman of the court to be replaced. When Chairman of the court deems relevant the request orders his replacement with another judge through lot.

In cases where the resignation of a judge is mandatory, each of the parties may request the exempt of the judge.

The request, signed by the respective party or its representative, must be deposited with the court secretariat when the announcement of the judge or judges that shall examine the case is made public, or if not, immediately after the announcement of the judge or judges that shall try the case.

Later submission of the request is permitted only in the instance that the party has received information on the grounds of dismissal, or if the judge has inappropriately expressed biased opinion of the facts and circumstances pertaining to the trial during the execution of his duties, although no later than three days from receipt of information.

The request must contain the grounds of dismissal, documents and other available evidence.

The request for the dismissal of a judge is examined in consultation chamber in a session by another judge of the same court. The appeal against the decision to accept or reject the request for dismissal is allowed together with the final decision.

The request for dismissing a judge of the appeals court is decided by a panel of three judges of the same court, different from the panel to which the judge belongs. The decision is of a final form.

The request for dismissing a judge of the High Court is decided by a panel of three judges of the same court, different from the panel to which the judge belongs. The decision is of a

Q157 (2024): To avoid confusion with last year's data, we clarify that from the statistical data that the Council collects, there are 1006 requests for resignation on the case by the judge, approved by the president of the court; and 14 decisions aimed at excluding a judge.

Q158 (General Comment): Every intervention made while distributing cases by electronic lot is logged in the system, this means a third party can audit in every moment the procedure of the lot, and see if it has been done according to the rules in place. Whenever the workload of a judge is considered disproportionate compared to the average, the judge in question is excluded from the random distribution of the cases, by an internal order issued by the president of the court.

Q158 (2025): Decision of the High Judicial Council No. 554, dated 29.12.2022 “ON THE DIVISION OF COURT CASES BY LOTTERY”, provides in detail on the procedure for dividing cases by lot.
Q159 (2025): Decision of the High Judicial Council No. 554, dated 29.12.2022 “ON THE DIVISION OF COURT CASES BY LOTTERY”, provides in detail on the procedure for dividing cases by lot.

Q160 (2025): Decision No. 724, dated 07.12.2023 “ON THE REDISTRIBUTION OF COURT CASES BY LOTTERY”, provides in detail on the procedure for the redistribution of cases by lot.

Q162 (2025): Decision No. 724, dated 07.12.2023 “ON THE REDISTRIBUTION OF COURT CASES BY LOTTERY”, provides in detail on the procedure for the redistribution of cases by lot.

Q164 (2025): Decision No. 724, dated 07.12.2023 “ON THE REDISTRIBUTION OF COURT CASES BY LOTTERY”, provides in detail on the procedure for the redistribution of cases by lot
Q165 (2025): This is defined by internal rules and regulations of courts. Following guidelines and by-laws to be approved by HJC, as provided by Law No. 98 / 2016 “on the organisation of the judicial power in the Republic of Albania”, this aspect will be further defined. Furthermore, Law 98/2016, art. 6 “When carrying out its activity, judicial civil servants shall be obliged to avoid any conflict of interest, in accordance with the rules provided in the legislation on the prevention of conflict of interests.”. In addition, art. 8 “The activity of the judicial civil service is governed by law and is based on the principles of equal opportunities, non-discrimination, transparency, professionalism, integrity, responsiveness and orientation towards efficient and accessible services to every person. 2. The status of judicial civil servants is based on the principle of the guarantee of stability, merit and transparent career development.”
Q167 (General Comment): Please note that the constitution provides that a judge can be an Albanian citizen appointed by the High Judicial Council after graduating the School of Magistrates and after the conduction of a preliminary process of verification of their assets and their background checks, in accordance with the law. Hence, an initial obligation to declare assets, prior to their appointment as judges is provided in the constitution. Further, this obligation is further elaborated in the law on status of judges of prosecutors that provides that judges and prosecutors undergo an assets and background check, prior to their admission to the School of Magistrates, prior to their appointment as judges and prosecutors and every time that they apply for a position at a higher level.
However, please note that the obligation to annually declare their (applicable to judges and prosecutors) assets is provided in a special law, namely law on the declaration and audit of assets, financial obligations of elected persons and certain public officials.

Q155 (**General comment**): Article 3, 2 of law no. 9049, dated 10.4.2003 "On the declaration and control of the assets, financial obligations of the elected and some public employees", as amended, that follows article 3, and it states:
"Article 3/1
Declaration of assets for candidates in different positions in the justice system institutions 1. The following shall have the obligation to declare assets and private interests: a) candidates expressing their interest on Constitutional Court vacancies, in accordance with the provisions of the legislation regulating the governance of the justice system; b) candidates expressing their interest to become High Justice Inspector as well as non-magistrate candidates interested in becoming inspector in the High Justice Inspector Office, in accordance with the provisions of the legislation regulating the governance of the justice system; c) candidates for admission in the initial training of the School of Magistrates as well as graduates that are candidates for magistrate, in accordance with the provisions of the legislation regulating the status of judges and prosecutors;
ç) candidates for judge and judicial civil servant in the special courts against corruption and organised crime, as well their close family members, in accordance with the provisions of the legislation regulating the organisation and functioning of institutions against corruption and organised crime; d) candidates for prosecutor, investigation officer, administrative personnel of the Special Prosecutor's Office, National Bureau of Investigation, as well their close family members, in accordance with the provisions of the legislation regulating the organisation and functioning of institutions against corruption and organised crime; dh) candidates who seek promotion in higher or more specialised levels, in accordance with the provisions of the legislation regulating the status of judges and prosecutors;
e) candidates for member of the High Court from the ranks of distinguished legal experts, in accordance with the provisions of the legislation regulating the status of judges and prosecutors; ë) candidates for president of other courts or prosecutor's offices, in accordance with the provisions of the legislation regulating the status of judges and prosecutors; f) any other person that is subject to the obligation of declaration before candidacy, in accordance with the effective legislation.
2. Candidates for the positions referred to in point 1 of this article, who are subject to the obligation to declare private interests in accordance with the provisions of Article 3 of this law, shall not perform a new declaration, but shall be subjected to full audit of assets. In the event during 180 days prior to the submission of the request, the candidate has already been audited by the High Inspectorate of Declaration and Audit of Assets and Conflict of Interests and the audit didn't prove to be disfavourable for them, then the audit shall be considered as already performed.
3. The High Inspectorate shall perform full audit on the verification of truthfulness and accuracy of the data contained in the declarations of persons referred to in point 1 of this article within 2 months from the submission of the declaration, unless otherwise stipulated by the law. At the end of verification, the General Inspector shall immediately send the relevant verification reports to the relevant institutions."
Article 3/1 of the law no. 9049, dated 10.4.2003 "On the declaration and control of the assets, financial obligations of the elected and some public employees", as amended, specifies the obligation to declare for the candidates for different positions in the justice system.
This article has been added with the amendments made to the law, by law no. 42/2017, dated 6.4.2017, "On some changes and additions to the law no. 9049, dated 10.4.2003 'On the declaration and control of the assets, financial obligations of the elected and some public employees', as amended".
The subjects are obliged to declare to the High Inspectorate of the Declaration and Audit of Assets and Conflict of Interests, by

Q168 (General comment): Article 7 of the law no. 9049, dated 10.4.2003 "On the declaration and control of the assets, financial obligations of the elected and some public employees", as amended, sets out the provisions regarding the annual periodic declaration:
"Article 7
Annual Periodic Declaration
1. Periodic declarations shall only include the changes to the previously declared assets, financial obligations, and private interests, in accordance with Article 6 of this law, those appearing during the declaration year and any earned income and declarable expenditure carried out during the year being declared.
2. The declarations prior to the beginning of duty, according to Article 5/1 of this Law, and the declaration after leaving office, according to Article 7/1 of this Law, shall be specific instances of the periodic declaration.
3. All officials and other persons related, who have the obligation to declare, shall be obliged to present their declaration, by March 31 of each year, to the authority or responsible structure of the public institution contemplated in the legislation applicable to the prevention of conflict of interests in the exercise of public functions.
4. When the official transfers the rights of active ownership of shares or parts of the capital, according to the provisions of the legislation applicable to the prevention of conflict of interests in the exercise of public functions, in the periodic declaration, as long as this situation continues, they shall only declare the status of such rights before the transfer and the earning from property they effectively received during the year for which the declaration is made.
5. For the purpose of declaration before taking office, annual periodic declaration, or after leaving office, according to the above points of this article, the persons related to the officials who have the obligation to make a declaration shall include only the spouse, cohabitant, and their adult children."
Article 9 of the law no. 9049, dated 10.4.2003 "On the declaration and control of the assets, financial obligations of the elected and some public employees", as amended, sets out the provisions regarding the declaration on request:
"Article 9
Declaration on Request
1. The Inspector General shall have the duty to request the declaration of assets and private interests and the sources of their creation, according to the requirements of this Law, as well as to order the inspection of the accuracy of these declarations even for individuals, or natural and legal persons, when, from the verifications made, it turns out that the latter are persons related to entities that have the obligation to declare periodically.
2. The definition of a related person, pursuant to point 1 of this Article, shall also apply to a trustee, as defined in the legislation applicable to prevention of conflict of interests in the exercise of public functions, as well as to the cohabitants as defined by the Family Code.
3. The Inspector General, for the purpose of verifying the declaration of income, in accordance with the legislation applicable to income tax, shall send to the Minister of Finance and the General Director of Taxation information about the list of individuals who result as persons related with the declaring entities that have the obligation to declare, according to point 1 of this Article."

Q169 (2025): No changes from previous year

Q170 (General Comment): In accordance with article 21 and 22 of the special law, the declaration of assets includes the assets of the subject and his family (husband / wife, cohabitant and adult children), the sources of creation and financial liabilities of the entity. The declaration shall also include the fact whether the declarant has or does not have any other related persons.
When the property of the members of the family is divided and registered as such in the bodies of the state or judicial administration, the declaration is submitted separately by each member of the family, with the property registered in his/her own name, and it is attached to the declaration of the subject who has the obligation to make the declaration. The member of the family and the person related to the declaring subject is legally liable for the authenticity and accuracy of the declared data. Spouses and adult children have an obligation to declare assets the same as the judge or prosecutor. On the special form, there is a separate section for the spouse and the adult children that is signed by them, and if there are any assets that have not been declared, they are administratively or criminally liable for the omission to declare. However, for underage children the obligation to declare their assets rests with the judge or the prosecutor since, in any case, if the children would have any assets under their name, they would be acting as legal representatives for that asset, and therefore such interests would have to be declared. However, this is a very rare situation, since, in the most cases, underage children are unable to enter into legal transactions.

Q173 (General Comment): Article 25/1

Complete audit of the declaration of assets and private interests

1. The complete audit to verify the authenticity and accuracy of the data contained in the declaration of assets and private interests shall be carried out:

a) every 2 years for the President of the Republic, members of Parliament, Prime Minister, Deputy Prime Minister, Minister, Deputy Minister, Constitutional Court judge, judge of the High Court, member of the High Judicial Council, members of the High Prosecutorial Council, General Prosecutor, Head of the Special Prosecutor's Office, Head of the National Bureau of Investigation, High Justice Inspector, and inspectors of the High Inspectorate of Justice, the Chairman of the High State Audit, Ombudsman, members of the Central Election Committee, members of the regulatory bodies and competition protection bodies, the Governor of the Bank of Albania, Deputy Governor and members of its Supervisory Board;

b) every 3 years for prefects, mayors, and heads of regional councils, the civil servants of high-management level of public administration, officials of high management level of customs and tax administration, judges of appeal, prosecutors of the Special Prosecutor's Office, prosecutors of Appeal and General Prosecutor's Office, as well as judicial police officers of the National Investigation Bureau;

c) Every 4 years for the heads of state institutions, central or local, and members of collegial bodies of these institutions not included in the above letters of this point.

ç) Every 4 years for all judges of the court of first instance and prosecutors of the judicial district of the first instance;

d) Every 5 years for other officials not included in the above letters.

Points 2 and 3 are abrogated

4. The complete audit or re-audit of the declaration shall be carried out by the Inspector General, when they have data from legitimate sources, questioning the authenticity and accuracy of the data contained in the declaration of an official, and when there is a discrepancy resulting from the arithmetic and logical audit, showing that the sources do not cover or do not justify the property rights of the declaring entity.

5. The complete audit and administrative investigation conducted by the High Inspector shall be completed within 6 months after its start, which may be prolonged in compliance with the requirements of the Administrative Procedure Code.

Q175 (General Comment): HIDAACI pursues an open and transparent policy with citizens, media and civil society, aiming to strengthen the bridges of cooperation between them and the institution, always in compliance with the requirements of the law “On the right to information” and protection of personal data when receiving and handling requests for information. Asset declaration are made public upon requests, coming from citizen, NGO, Media and for the period, 2014- 2018, approximately 41,261 copies of declaration forms were made publicly available. While from 2019, approximately 10,937 asset declarations were made publicly available. Request can be submitted online or in writing to the appropriate contact point (designated contact point for this purpose) of HIDACCI.

Q175 (2022): Asset declarations are made public upon requests coming from citizens, NGO, Media and for the period, 2014 - 2022, approximately 66,204 copies of declaration forms were made publicly available. During the year 2021, 3,553 declarations were made publicly available, while during 2022, 4,271 declarations were made publicly available
In general declarations are made public through requests coming from citizens, NGO, and Media, which can be submitted through the official email address or in writing to HIDACCI. Through the processing of such requests hard copies of the requested declaration forms are provided in compliance with the provisions of the laws on the right of information and the protection of personal data. These declarations are usually published in open data sources such as Open Data Albania. However as of 2022, with the implementation and improvement of the new online declaration system (EACIDS) which is now fully functional for declaration purposes, the publication of all the declarations is possible through this system for public access.
Q176 (General Comment): Article 40/1 of the law no.9049/2003 provides that “1. Any violation of the obligations set forth in this Law, when it does not constitute a criminal offense, shall constitute an administrative contravention and shall be punishable by a fine, according to the limits specified below: a) For failure to declare before taking office, annually periodically, upon leaving office, or upon request, on time and without good cause, the official or the person related to him, who has the obligation to declare, shall be fined from 200,000 (two hundred thousand) ALL up to 500,000 (five hundred thousand) ALL” Criminal sanction, Article 257/a/1 of the Criminal Code “Refusal for declaration, non-declaration, concealment or false declaration of assets, private interests of elected persons and public employees, or of any other person that is legally binding for the declaration” provides that “The refusal or failure of the elected persons or public servants or any other person being subject to the legal obligation to make the declaration in accordance with the law to declare the assets shall, where disciplinary measures have previously been taken, consist a criminal offence and it shall be punished by a fine or up to 6 months imprisonment”.
Disciplinary sanction , Article 15 of the Law no.9049/2003 provides that “The High Inspectorate of Declaration and Audit of Assets and Conflict of Interests shall convey to the bodies responsible for investigating disciplinary violations a reasoned report accompanied by the documentation related to the verified irregularities pertaining to the declared assets”.

Q176 (2025): No changes from previous year
Q177 (2024): The cases represent administrative investigations conducted by HIDAACI while sanctions represent fines.
Q177 (2023): *The cases represent administrative investigations conducted by HIDAACI while sanctions represent fines.

Q179 (General Comment): The subjects are obliged to declare to the High Inspectorate of the Declaration and Audit of Assets and Conflict of Interests, by March 31st of each year, the situation of their private interests inside and outside the territory of Albania, the sources of their creation, and their financial obligations up to December 31st of the previous year, as follows:
a) immovable properties and the real rights over them according to the Civil Code;
b) movable properties that can be registered in the public registers and the real rights over them according to the Civil Code;
c) Items with special value over 300 000 (three hundred thousand) ALL;
ç) The value of shares, securities and parts of capital owned;
d) The amount of liquidity, situation in cash outside the banking system, in current account, deposits, treasury bonds and loans, in ALL or foreign currency;
dh) Financial obligations to natural and legal persons, expressed in ALL or in foreign currency;
e) Personal income for the year, from the salary or participation in boards, commissions or any other activity that brings personal income;
ë) Licenses and patents that bring income.
f) Gifts and preferential treatments, including the identity of the natural or legal person from whom come or are created the gifts or preferential treatments. The gifts or preferential treatments are not declared when their value is less than 10,000 (ten thousand) ALL, and when two or more gifts or preferential treatments given by the same person, together, do not exceed this value during the same period of declaration;
g) Engagements in private activities for profit or any kind of activity that generates income, including any kind of income created by this activity or this engagement;
gj) Private interests of the entity, corresponding, containing, based on or derived from family or cohabitation relations;
h) Any declarable expenses, worth over 300,000 (three hundred thousand) ALL, carried out during the declaration year;
Private interests of other types, different from those specified in Article 4 of this Law, may be required to be declared periodically, if it is possible and appropriate for subcategories of interests within these types, determined by order of the Inspector General.
2. Subjects specified in Article 3/1 of this law, shall be obliged to declare – to the High Inspectorate of Declaration and Audit of Assets and Conflict of Interests – their private interests, their sources, as well as their domestic and out-of-country financial obligations, in compliance with Article 5/1 of this law and in accordance to the timeframes stipulates by the effective legislation.
Q179 (2025): No changes from previous year.
Q179 (2022): Except above mentioned, must be declared any expenses incurred in the amount of over 300,000 ALL, eg. for education, health care, vacation, rent, etc., and the total of the annual expenditure by declaring savings, as appropriate.
Q180 (General Comment): Also, another declaration of prosecutors is the Periodic/Annual Private Interest Statement, who is declared during each year (annual/periodic) of exercising their function. Declaration Forms are approved from the High Inspectorate of Declaration and Audit of Assets and Conflict of Interests.
Q180 (2024): Another declarations of assets from prosecutors is the Periodic/Annual Private Interest Statement, which are declared during each time the prosecutors apply for promotion in higher positions. Declaration Forms are approved from the High Inspectorate of Declaration and Audit of Assets and Conflict of Interests

Q181 (General Comment): In accordance with article 21 and 22 of the special law, the declaration of assets includes the assets of the subject and his family (husband / wife, cohabitant and adult children), the sources of creation and financial liabilities of the entity. The declaration shall also include the fact whether the declarant has or does not have any other related persons.
When the property of the members of the family is divided and registered as such in the bodies of the state or judicial administration, the declaration is submitted separately by each member of the family, with the property registered in his/her own name, and it is attached to the declaration of the subject who has the obligation to make the declaration. The member of the family and the person related to the declaring subject is legally liable for the authenticity and accuracy of the declared data. Spouses and adult children have an obligation to declare assets the same as the judge or prosecutor. On the special form, there is a separate section for the spouse and the adult children that is signed by them, and if there are any assets that have not been declared, they are administratively or criminally liable for the omission to declare. However, for underage children the obligation to declare their assets rests with the judge or the prosecutor since, in any case, if the children would have any assets under their name, they would be acting as legal representatives for that asset, and therefore such interests would have to be declared. However, this is a very rare situation, since, in the most cases, underage children are unable to enter into legal transactions.

Q181 (2025): No changes from previous year.
Q184 (General Comment): Article 25/1
Complete audit of the declaration of assets and private interests
1. The complete audit to verify the authenticity and accuracy of the data contained in the declaration of assets and private interests shall be carried out:
a) every 2 years for the President of the Republic, members of Parliament, Prime Minister, Deputy Prime Minister, Minister, Deputy Minister, Constitutional Court judge, judge of the High Court, member of the High Judicial Council, members of the High Prosecutorial Council, General Prosecutor, Head of the Special Prosecutor's Office, Head of the National Bureau of Investigation, High Justice Inspector, and inspectors of the High Inspectorate of Justice, the Chairman of the High State Audit, Ombudsman, members of the Central Election Committee, members of the regulatory bodies and competition protection bodies, the Governor of the Bank of Albania, Deputy Governor and members of its Supervisory Board;
b) every 3 years for prefects, mayors, and heads of regional councils, the civil servants of high-management level of public administration, officials of high management level of customs and tax administration, judges of appeal, prosecutors of the Special Prosecutor's Office, prosecutors of Appeal and General Prosecutor's Office, as well as judicial police officers of the National Investigation Bureau;
c) Every 4 years for the heads of state institutions, central or local, and members of collegial bodies of these institutions not included in the above letters of this point.
ç) Every 4 years for all judges of the court of first instance and prosecutors of the judicial district of the first instance;
d) Every 5 years for other officials not included in the above letters.
Points 2 and 3 are abrogated
4. The complete audit or re-audit of the declaration shall be carried out by the Inspector General, when they have data from legitimate sources, questioning the authenticity and accuracy of the data contained in the declaration of an official, and when there is a discrepancy resulting from the arithmetic and logical audit, showing that the sources do not cover or do not justify the property rights of the declaring entity.
5. The complete audit and administrative investigation conducted by the High Inspector shall be completed within 6 months after its start, which may be prolonged in compliance with the requirements of the Administrative Procedure Code.

Q184 (2025): No changes from previous year.

Q187 (General Comment): Fine, Article 40/1 of the law no.9049/2003 provides that “1. Any violation of the obligations set forth in this Law, when it does not constitute a criminal offense, shall constitute an administrative contravention and shall be punishable by a fine, according to the limits specified below:
a) For failure to declare before taking office, annually periodically, upon leaving office, or upon request, on time and without good cause, the official or the person related to him, who has the obligation to declare, shall be fined from 200,000 (two hundred thousand) ALL up to 500,000 (five hundred thousand) ALL” criminal sanction, Article 257/a/1 of the Criminal Code “Refusal for declaration, non-declaration, concealment or false declaration of assets, private interests of elected persons and public employees, or of any other person that is legally binding for the declaration” provides that “The refusal or failure of the elected persons or public servants or any other person being subject to the legal obligation to make the declaration in accordance with the law to declare the assets shall, where disciplinary measures have previously been taken, consist a criminal offence and it shall be punished by a fine or up to 6 months imprisonment” disciplinary sanction, Article 15 of the Law no.9049/2003 provides that “The High Inspectorate of Declaration and Audit of Assets and Conflict of Interests shall convey to the bodies responsible for investigating disciplinary violations a reasoned report accompanied by the documentation related to the verified irregularities pertaining to the declared assets”.
Q188 (2025): The cases represent administrative investigations conducted by HIDAACI while sanctions represent fines.
Q188 (2024): The cases represent administrative investigations conducted by HIDAACI while sanctions represent fines.
Q188 (2023): *The cases represent administrative investigations conducted by HIDAACI while sanctions represent fines.

Q188 (2022): Please note that under the new constitutional amendments, judges and prosecutors are undergoing a vetting process. As part of this temporary process, judges and prosecutors are re-evaluation based on three criteria:
(a) Asset assessment, (b) Background assessment, and (c) Proficiency assessment. Under the asset declaration process, HIDAACI plays a key role: HIDAACI based on declarations of assets shall conduct a full audit procedure in compliance with this law, the Law “On the declaration and audit of assets, financial obligations of elected persons and certain public officials, the Law “On prevention of conflict of interest in exercising public functions” and the “Code of Administrative Procedures”.
The General Inspector of HIDAACI, for the purpose of this assessment, can request through the General Directorate of Prevention of Money Laundering or Ministry of Justice records of assets owned by assessees or their related persons, or any financial transactions
in Albania or abroad according to Law “On prevention of money laundering and financing of terrorism” or documents used abroad by assessees or their related persons. Such documents or information can be used as evidence before the Commission or Appeal
Chamber.
3. HIDAACI provides full access to international observers, upon their request, to seek information, consult, copy or investigate declaration of assets submitted by the assessee or his or her related persons and their accompanying documents.
4. HIDAACI shall conduct a full audit procedure as soon as possible but no longer than 180 days as of the day of asset declaration submission.
5. Upon completion of the audit, the General Inspector of HIDAACI shall prepare a reasoned detailed report and, as appropriate, shall find out that: (a) Accurate declaration /disclosure in compliance with the law, with legitimate financial sources and not found in situation of conflicts of interest; (b) Lack of legitimate financial sources to justify their assets; (c) Hiding wealth/ assets;
(d) False declaration; (e) Assessee found in situation of conflicts of interests.
For these reasons, HIDAACI has not in itself, referred for further proceedings against judges and prosecutors to criminal investigation or fined, as an administrative measure, any judge or prosecutor during 2019; however, due to the work of HIDAACI, a considerable number of judges and prosecutors have been dismissed from the vetting bodies based on the reports filed by HIDAACI. To ilustrate the work of HIDAACI under the vetting process, from 8 February 2018 to 31 December 2019 the IQC (the first vetting body) has dismissed from duty 50 judges, 31 prosecutors and 2 legal advisors. The findings of the assessment process done from HIDAACI for 178 subjects that were under evaluation, 119 subjects resulted without any problems, and 59 subjects were reported by HIDAACI with problems with their asset declarations. Further to these reports, IQC undertakes a more in-depth investigation. These in-depth investigations resulted in the following data: 80 subjects were reported without violations/discrepancies in their declaration of assets and 98 subjects were reported with violations/discrepancies in their declaration of assets. Most of these subjects were dismissed due to these discrepancies.

Q189 (General Comment): 1.Any official, in the exercise of his powers or in the performance of his public duties on the basis of his recognition and in good faith, is obliged to make a preliminary declaration, case by case, of the existence of his private interests, which may give rise to the a conflict of interest. Declaration of interest case of private interests Submitted every time by the official, when requested by superior or by superior creation. Declaration, as a rule, is required and made in advance. When this it is not possible or when it has not happened, the declaration can be requested and made as soon as possible possible. Self-declaration or declaration upon request is done as a written rule.
2.The magistrate who certifies that there are conditions of conflict of interest shall submit to the court president a request for waiver of the relevant case and allegations.
3.The official cannot accept gifts given to him because of his position by a private individual, natural or legal person when this may give rise to a conflict. Only cases specified by acts of the competent authorities that allow it are excluded acceptance of preferential gifts or treatments for protocol reasons interest of any kind.
4.Law no. 96/2016 date 6.10.2016 art. 9.

Q189 (2024): Regulation/procedure for recusal/withdrawal from a case – article 72-75 Civil Procedural Code + Article 15-22 Criminal Procedural Code;
Regulation on combining the profession of a judge with other functions/professional activities Article 9 of the Law no 986/2016 “On the status of judges and prosecutors in the Republic of Albania

Q189 (2023): No changes from previous years.
Q189 (2022): Regulation/procedure for recusal/withdrawal from a case – article 72-75 Civil Procedural Code + Article 15-22 Criminal Procedural Code;
Regulation on combining the profession of a judge with other functions/professional activities Article 9 of the Law no 986/2016 “On the status of judges and prosecutors in the Republic of Albania

Q155 (General comment). Article 9 of the Law no 96/2016 "On the status of judges and prosecutors in the Republic of Albania" stipulates that: 1. Magistrates may undertake an extra-office activity only if these activities: a) are consistent with the dignity of the exercise of the function; b) do not to lead to a perception of bias or partiality in the performance of the function. c) do not conflict with essential office interests, thus not impacting the timing and efficient fulfilment of the functions. In any case, the remunerated extra-office activity, including the preparatory work for carrying out this activity, shall not exceed 200 hours during and beyond the office hours per year; ç) do not conflict with the purpose wherefore the workload has been reduced;

d) if the remuneration for the extra- office activity includes any kind and form of payment, financial reward or compensation that does not exceed normal commercial terms, dh)are not incompatible with the exercise of the magistrates' function or is not prohibited according to this Law. 2. The magistrate shall, except in the event of scientific publications or training, be prohibited to use the title of the magistrate beyond his function, while taking the measures that also third parties do not use his title in these activities.

3. A magistrate may write, publish, lecture, teach on legal issues and participate in activities concerning the legal issues, the legal system, the administration of justice or related matters, in accordance with the provisions of paragraph 1 of this Article. 4. Before starting the accomplishment of a remunerated extra office activity under the provisions of this Article, the magistrate shall notify the Council and submit the necessary documentation on:

a) describing the nature and duration of the extra office activity; b) establishing the remuneration rate for these activities; c) establishing the workload at the court or prosecution office, the overall workload at the court or prosecution office and the timely delivery of the duties in the previous twelve months.

5. Before accepting an assignment to undertake a remunerated extra office activity, the magistrate must obtain the consent of the relevant Council.

6. The Council shall decide within three weeks upon receipt of the request and the complete documentation and grant the consent if the proposed activity, and any remuneration for its performance, satisfies the requirements of paragraph 1 and this Article. If the Council does not express itself by way of a decision within three weeks upon receiving the request and the complete documentation and neither notifies the interested person, or does not make a decision to extend the time period, the request shall be deemed approved, in accordance with the provisions of the Administrative Procedure Code. 7. A magistrate shall notify the chairperson on non-remunerated extraoffice activities which do not fall under the scope of powers of the Council, where the magistrate:

a) acts as representative of the judicial system or the prosecution service; b) makes general public statements about matters that affect the judiciary or the prosecution service; c) participate in discussions on questions of law;

8. The chairperson shall report annually to the respective Councils at least on the nature and number of hours on the non-remunerated extra office activities of a magistrate of the respective court or prosecution office.

9. The Councils shall, within January each year, publish on the official website and forward a grounded written report on the remunerated extra-office activities of magistrates, including the remuneration or reward, benefited during the preceding calendar year and the respective market worth to the High Inspectorate for the Declaration and Audit of Assets and Conflict of Interests and the tax administration authorities. The respective institutions shall co-operate with the Councils for the determination of the normal commercial rates. 10. Based on the principle of equity and proportionality, the Council shall establish more detailed rules on the extra office activities

Q190 (2025): In regard to “Research and publication” the possibility of giving contribution to doctrine “Without remuneration” is included as it is not prohibited. In regard of the extra-office activity of judges, article 9 of Law No. 96/2016 foresees as quoted below: 1. A magistrate may undertake an extra-office activity only if these activities: a) are consistent with the dignity of the exercise of the function; b) do not to lead to a perception of bias or partiality in the performance of the function; c) do not conflict with essential office interests, thus not impacting the timing and efficient fulfilment of the functions. In any case, the remunerated extra-office activity, including the preparatory work for carrying out this activity, shall not exceed 200 hours during and beyond the office hours per year; ç) do not conflict with the purpose wherefore the workload has been reduced; d) if the remuneration for the extra- office activity includes any kind and form of payment, financial reward or compensation that does not exceed normal commercial terms, dh) are not incompatible with the exercise of the magistrates’ function or is not prohibited according to this Law. 2. The magistrate shall, except in the event of scientific publications or training, be prohibited to use the title of the magistrate beyond his function, while taking the measures that also third parties do not use his title in these activities. 3. A magistrate may write, publish, lecture, teach on legal issues and participate in activities concerning the legal issues, the legal system, the administration of justice or related matters, in accordance with the provisions of paragraph 1 of this Article. 4. Before starting the accomplishment of a remunerated extra office activity under the provisions of this Article, the magistrate shall notify the Council and submit the necessary documentation on: a) describing the nature and duration of the extra office activity; b) establishing the remuneration rate for these activities; c) establishing the workload at the court or prosecution office, the overall workload at the court or prosecution office and the timely delivery of the duties in the previous twelve months. 5. Before accepting an assignment to undertake a remunerated extra-office activity, the magistrate must obtain the consent of the relevant Council. 6. The Council shall decide within three weeks upon receipt of the request and the complete documentation and grant the consent if the proposed activity, and any remuneration for its performance, satisfies the requirements of paragraph 1 and this Article. If the Council does not express itself by way of a decision within three weeks upon receiving the request and the complete documentation and neither notifies the interested person, or does not make a decision to extend the time period, the request shall be deemed approved, in accordance with the provisions of the Administrative Procedure Code. 7. A magistrate shall notify the chairperson on non-remunerated extra-office activities which do not fall under the scope of powers of the Council, where the magistrate: a) acts as representative of the judicial system or the prosecution service; b) makes general public statements about matters that affect the judiciary or the prosecution service; c) participate in discussions on questions of law. 8. The chairperson shall report annually to the respective Councils at least on the nature and number of hours on the non-remunerated extra office activities of a magistrate of the respective court or prosecution office.

Q190 (2024): In regard to “Research and publication” the possibility of giving contribution to doctrine “Without remuneration” is included as it is not prohibited. In regard of the extra-office activity of judges, article 9 of Law No. 96/2016 foresees as quoted below: 1. A magistrate may undertake an extra-office activity only if these activities: a) are consistent with the dignity of the exercise of the function; b) do not to lead to a perception of bias or partiality in the performance of the function; c) do not conflict with essential office interests, thus not impacting the timing and efficient fulfilment of the functions. In any case, the remunerated extra-office activity, including the preparatory work for carrying out this activity, shall not exceed 200 hours during and beyond the office hours per year; ç) do not conflict with the purpose wherefore the workload has been reduced; d) if the remuneration for the extra- office activity includes any kind and form of payment, financial reward or compensation that does not exceed normal commercial terms, dh) are not incompatible with the exercise of the magistrates’ function or is not prohibited according to this Law. 2. The magistrate shall, except in the event of scientific publications or training, be prohibited to use the title of the magistrate beyond his function, while taking the measures that also third parties do not use his title in these activities. 3. A magistrate may write, publish, lecture, teach on legal issues and participate in activities concerning the legal issues, the legal system, the administration of justice or related matters, in accordance with the provisions of paragraph 1 of this Article. 4. Before starting the accomplishment of a remunerated extra office activity under the provisions of this Article, the magistrate shall notify the Council and submit the necessary documentation on: a) describing the nature and duration of the extra office activity; b) establishing the remuneration rate for these activities; c) establishing the workload at the court or prosecution office, the overall workload at the court or prosecution office and the timely delivery of the duties in the previous twelve months. 5. Before accepting an assignment to undertake a remunerated extra-office activity, the magistrate must obtain the consent of the relevant Council. 6. The Council shall decide within three weeks upon receipt of the request and the complete documentation and grant the consent if the proposed activity, and any remuneration for its performance, satisfies the requirements of paragraph 1 and this Article. If the Council does not express itself by way of a decision within three weeks upon receiving the request and the complete documentation and neither notifies the interested person, or does not make a decision to extend the time period, the request shall be deemed approved, in accordance with the provisions of the Administrative Procedure Code. 7. A magistrate shall notify the chairperson on non-remunerated extra-office activities which do not fall under the scope of powers of the Council, where the magistrate: a) acts as representative of the judicial system or the prosecution service; b) makes general public statements about matters that affect the judiciary or the prosecution service; c) participate in discussions on questions of law. 8. The chairperson shall report annually to the respective Councils at least on the nature and number of hours on the non-remunerated extra office activities of a magistrate of the respective court or prosecution office.

Q190 (2023): In regard of the extra-office activity of judges, article 9 of Law No. 96/2016 foresees as quoted below: 1. A magistrate may undertake an extra-office activity only if these activities: a) are consistent with the dignity of the exercise of the function; b) do not to lead to a perception of bias or partiality in the performance of the function; c) do not conflict with essential office interests, thus not impacting the timing and efficient fulfilment of the functions. In any case, the remunerated extra-office activity, including the preparatory work for carrying out this activity, shall not exceed 200 hours during and beyond the office hours per year; ç) do not conflict with the purpose wherefore the workload has been reduced; d) if the remuneration for the extra- office activity includes any kind and form of payment, financial reward or compensation that does not exceed normal commercial terms, dh) are not incompatible with the exercise of the magistrates' function or is not prohibited according to this Law. 2. The magistrate shall, except in the event of scientific publications or training, be prohibited to use the title of the magistrate beyond his function, while taking the measures that also third parties do not use his title in these activities. 3. A magistrate may write, publish, lecture, teach on legal issues and participate in activities concerning the legal issues, the legal system, the administration of justice or related matters, in accordance with the provisions of paragraph 1 of this Article. 4. Before starting the accomplishment of a remunerated extra office activity under the provisions of this Article, the magistrate shall notify the Council and submit the necessary documentation on: a) describing the nature and duration of the extra office activity; b) establishing the remuneration rate for these activities; c) establishing the workload at the court or prosecution office, the overall workload at the court or prosecution office and the timely delivery of the duties in the previous twelve months. 5. Before accepting an assignment to undertake a remunerated extra-office activity, the magistrate must obtain the consent of the relevant Council. 6. The Council shall decide within three weeks upon receipt of the request and the complete documentation and grant the consent if the proposed activity, and any remuneration for its performance, satisfies the requirements of paragraph 1 and this Article. If the Council does not express itself by way of a decision within three weeks upon receiving the request and the complete documentation and neither notifies the interested person, or does not make a decision to extend the time period, the request shall be deemed approved, in accordance with the provisions of the Administrative Procedure Code. 7. A magistrate shall notify the chairperson on non-remunerated extra-office activities which do not fall under the scope of powers of the Council, where the magistrate: a) acts as representative of the judicial system or the prosecution service; b) makes general public statements about matters that affect the judiciary or the prosecution service; c) participate in discussions on questions of law. 8. The chairperson shall report annually to the respective Councils at least on the nature and number of hours on the non-remunerated extra office activities of a magistrate of the respective court or prosecution office. From the given answer, "Teaching" remains "with remuneration" as the previous year. In regard to "Research and publication" the possibility of giving contribution to doctrine "Without remuneration" is included as it is not prohibited.

Q193 (2022): Article 9 of the Law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania" stipulates that: 1. A magistrate may undertake an extra-office activity only if these activities: a) are consistent with the dignity of the exercise of the function; b) do not to lead to a perception of bias or partiality in the performance of the function. c) do not conflict with essential office interests, thus not impacting the timing and efficient fulfilment of the functions. In any case, the remunerated extra-office activity, including the preparatory work for carrying out this activity, shall not exceed 200 hours during and beyond the office hours per year; ç) do not conflict with the purpose wherefore the workload has been reduced;
d) if the remuneration for the extra- office activity includes any kind and form of payment, financial reward or compensation that does not exceed normal commercial terms, dh)are not incompatible with the exercise of the magistrates' function or is not prohibited according to this Law. 2. The magistrate shall, except in the event of scientific publications or training, be prohibited to use the title of the magistrate beyond his function, while taking the measures that also third parties do not use his title in these activities.
3. A magistrate may write, publish, lecture, teach on legal issues and participate in activities concerning the legal issues, the legal system, the administration of justice or related matters, in accordance with the provisions of paragraph 1 of this Article. 4. Before starting the accomplishment of a remunerated extra office activity under the provisions of this Article, the magistrate shall notify the Council and submit the necessary documentation on:
a) describing the nature and duration of the extra office activity; b) establishing the remuneration rate for these activities; c) establishing the workload at the court or prosecution office, the overall workload at the court or prosecution office and the timely delivery of the duties in the previous twelve months.
5. Before accepting an assignment to undertake a remunerated extra office activity, the magistrate must obtain the consent of the relevant Council.
6. The Council shall decide within three weeks upon receipt of the request and the complete documentation and grant the consent if the proposed activity, and any remuneration for its performance, satisfies the requirements of paragraph 1 and this Article. If the Council does not express itself by way of a decision within three weeks upon receiving the request and the complete documentation and neither notifies the interested person, or does not make a decision to extend the time period, the request shall be deemed approved, in accordance with the provisions of the Administrative Procedure Code. 7. A magistrate shall notify the chairperson on non-remunerated extraoffice activities which do not fall under the scope of powers of the Council, where the magistrate:
a) acts as representative of the judicial system or the prosecution service; b) makes general public statements about matters that affect the judiciary or the prosecution service; c) participate in discussions on questions of law;
8. The chairperson shall report annually to the respective Councils at least on the nature and number of hours on the non-remunerated extra office activities of a magistrate of the respective court or prosecution office.
9. The Councils shall, within January each year, publish on the official website and forward a grounded written report on the remunerated extra-office activities of magistrates, including the remuneration or reward, benefited during the preceding calendar year and the respective market worth to the High Inspectorate for the Declaration and Audit of Assets and Conflict of Interests and the tax administration authorities. The respective institutions shall co-operate with the Councils for the determination of the normal commercial rates. 10. Based on the principle of equity and proportionality, the Council shall establish more detailed rules on the extra office activities

Q192 (2025): Article 9 of Law 96/2016

Q194 (General Comment): In the Law "On the status of judges and prosecutors", as amended, is provided that, breach of the rules of incompatibility or conflict of interest prevention is a disciplinary violation. Also, in the Law no. 9367 dated 7.4.2005, "On the prevention of conflicts of interest in the exercise of public functions", as amended, is provided that, any violation of the obligations set forth in this law, when it does not constitute a criminal offense, constitutes an administrative offense and is punishable by a fine.

Q194 (2023): *No changes from previous year.
Q195 (General Comment): Please briefly describe the procedure: Please note that civil procedure code and criminal procedure code have been checked because they regulate the recusals of judges in civil or criminal proceedings and the procedure for doing so.
Please note that some of the procedure to sanction breaches of the rules on the conflict of interest for both judges and prosecutors are provided in the law on the status of judges and prosecutors in the Republic of Albania. In question 223, this law under the "law on judges" tick. However, please be advised that this law in question 232 has been reported in the section "other, please specify" because, under the similar section includes "law on public prosecutors/public prosecution". In Albania these are two different law: law on the status of judges and prosecutors, which would correspond to a section titled "law on public prosecutors" and the law on the organisation and functioning of the prosecution offices in the Republic of Albania, which would correspond to a section titled "law on public prosecution".

Q195 (2025): Article 102 of law 96/2016: Disciplinary misconducts during the exercise of the function are, in particular, but not limited to the acts, omissions or behaviours of the magistrate, as follows: a) Failure to submit a request for recusal from the proceedings or from the trial of the case, when it is mandatory under the law, if the magistrate is aware or should have been aware of such circumstances; b) Filing a request for recusal from proceeding or trial of the case, if this action is: (i) not based on reasons provided by law; (ii) done aiming at creating unfair benefit for the parties and third parties or aiming at shirking the legal responsibility to review the case or aiming at creating the possibility of assigning the case to another magistrate; (iii) Non-submission of the request immediately after getting aware about the cause;
Article 103 of law 96/2016: Disciplinary misconducts outside of the exercise of the function are in particular but not limited the actions, omissions and behaviours of the magistrate, as follows…. “Benefiting unfairly, directly or indirectly gifts, favours, promises or preferential treatment of any kind, which are given because of the exercised function or due to the use of his/her position as a magistrate, even in the case when they are formalized through a legal act”.

Q195 (2023): *No changes from previous year.

Q130 (General comment): Please note that under the new constitutional amendments, judges and prosecutors are undergoing a vetting process. As part of this temporary process, judges and prosecutors are re-evaluation based on three criteria:
(a) Asset assessment, (b) Background assessment, and (c) Proficiency assessment. Under the asset declaration process, HIDAACI plays a key role: HIDAACI based on declarations of assets shall conduct a full audit procedure in compliance with this law, the Law “On the declaration and audit of assets, financial obligations of elected persons and certain public officials, the Law “On prevention of conflict of interest in exercising public functions” and the “Code of Administrative Procedures”.
The General Inspector of HIDAACI, for the purpose of this assessment, can request through the General Directorate of Prevention of Money Laundering or Ministry of Justice records of assets owned by assessees or their related persons, or any financial transactions in Albania or abroad according to Law “On prevention of money laundering and financing of terrorism” or documents used abroad by assessees or their related persons.HIDAACI, for all the subjects involved in this process, took measures for the compilation of individual physical files, which included systematically and thoroughly the form of declaration of assets, the justifying documents and following all the correspondence related to the reevaluation process. All documentation administered in the file is reflected in each case in the file inventory.
The High Inspectorate with the purpose of fulfilling the constitutional and legal obligations for the completion of the full audit of assets declarations regarding the legitimacy of the source of the creation of the property, the fulfillment of financial obligations, including private interests, started the establishment of the official communication with all public and private entities for verification purposes for more than 3,000 persons (subjects of re-evaluation and related persons).
Moreover, the High Inspectorate for the purposes of data accuracy, and reconciliation took measures to manually extract and process from the assets declaration forms submitted for the re-evaluation process, along with assets declaration forms submitted by subjects over the years, detailed data (fatherhood, motherhood, date of birth, identification number, civil status etc.) to more than 3,000 persons (re-evaluation subjects and related persons).
The correspondence was initially sent to about 26 public and private legal entities (Bank of Albania, second tier banks, investment companies, IPRO, NBC, Agency for Legalisation, Urbanisation and Integration of Informal Areas and Buildings, GDT, GDPML, General Maritime Directorate, Electricity Power Distribution Operator, etc.). During the audit process, depending on its progress, as well as the need to obtain additional information, HIDAACI proceeded with the further delivery of correspondence with public and private legal entities. Such documents or information can be used as evidence before the Commission or Appeal Chamber.
3. HIDAACI provides full access to international observers, upon their request, to seek information, consult, copy or investigate declaration of assets submitted by the assessee or his or her related persons and their accompanying documents.
4. HIDAACI shall conduct a full audit procedure as soon as possible but no longer than 180 days as of the day of asset declaration submission.
5. Upon completion of the audit, the General Inspector of HIDAACI shall prepare a reasoned detailed report and, as appropriate, shall find out that: (a) Accurate declaration /disclosure in compliance with the law, with legitimate financial sources and not found in situation of conflicts of interest; (b) Lack of legitimate financial sources to justify their assets; (c) Hiding wealth/ assets;

Q137 (General comment): There is legislation in force which already prohibits the conflict of interests of the prosecutors during the exercise of their public function:
1. Criminal Procedure Code (as above mentioned);
2. Law “On the status of judges and prosecutors”, as amended;
3. Law no. 9367, dated 7.4.2005, “On the prevention of conflicts of interest in the exercise of public functions”, as amended;
4. Order no. 141, dated 19.07.2014 “On adoption of rules on ethics and conduct of prosecutors”, of General Prosecution Office (as above mentioned).
In Articles 6-7, of the Law “On the status of judges and prosecutors”, as amended, concerning incompatibilities with the function of magistrate, it is provided that the function of magistrate is incompatible with the ... conduct of any political activity, whether or not the activity is carried out in conjunction with any political party or not, which may affect the independence of the magistrate, create a conflict of interest or, in any event, create the impression that the magistrate is impartial and unaffected.
Also, the Magistrate is prohibited from actively owning shares or portions of the capital of a business organization, or passively owning shares or portions of the capital of a business organization, if the company has profits or benefits from public contracts, in accordance with the prevention legislation of the conflict of interest in force as well as passively owning shares or portions of the capital of a company in which the activity of the magistrate is prohibited because it creates a conflict of interest.
According to Articles 32 and 35, of the Law “On the status of judges and prosecutors”, as amended, High Prosecutorial Council verifies the integrity and assets before the candidates are accepted in the initial formation/training in the School of Magistrates, part of which is the evaluation of possible conflict of interests based on the reports of the High Inspectorate of Declaration and Audit of Assets and Conflict of Interests.
According to Article 90, of the Law “On the status of judges and prosecutors”, as amended, part of the evaluation of the prosecutor's performance are:
a) … reports of the High Inspectorate of Declaration and Audit of Assets and Conflict of Interests;
b) the number of cases in which prosecutors have been expelled due to a conflict of interest.
Also, according to Article 102, of the Law “On the status of judges and prosecutors”, as amended, disciplinary violations in the exercise of office shall be the actions, omissions or behaviours of the magistrate, as follows: …. p) breach of the rules of incompatibility or conflict of interest prevention, in accordance with the provisions of the legislation in force.
In Article 7 of Law no. 9367 dated 7.4.2005, “On the prevention of conflicts of interest in the exercise of public functions”, as amended, is provided that:
1. Every official, in the exercise of his powers or in the performance of his public duties, on the basis of his recognition and in good faith, is obliged to make a preliminary, on a case-by-case basis, of the existence of his private interests, which may cause to arise a conflict of interest.

Q137 (2023): The following laws and sub-laws are related with the prevention of conflict of interest of prosecutors:

1. Constitution of the Republic of Albania.
2. Criminal Procedure Code.
3. Law “On the status of judges and prosecutors in the Republic of Albania”, as amended
4. Law no. 9367 dated 7.4.2005, “On the prevention of conflicts of interest in the exercise of public functions”, as amended
5. Decision nr. 26, dated 22.02.2019, “On the activities out of function of the prosecutors”, of High Prosecutorial Council
6. Decision no. 32, dated 24.2.2022, "On the approval of the standards of ethics and rules of conduct of the prosecutor", of High Prosecutorial Council
7. Decision no. 407, dated 17.12.2021, "On the approval of the Regulation" On the organization and internal functioning of the High Council of the Prosecution ", of High Prosecutorial Council

Article 148/d, of the Constitution provides that:

1. The prosecutor bears disciplinary responsibility under the law; 2. A prosecutor shall be dismissed by the High Prosecutorial Council when:

a) commits serious professional or ethical violations that discredit the position and image of the prosecutor in the exercise of his or her duties;

Article 149/a

1. High Prosecutorial Council exercises these responsibilities:

……..

ç) approves the rules on ethics and supervise their respecting.

In Article 26, point 1, of the Criminal Procedure Code is provided that:

“1. Prosecutor is obliged to give up when there exist reasons for bias on the cases provided in Article 17.”

In Article 17, of the Criminal Procedure Code is provided that:

1.A judge has the duty to quit the judgment of a particular case: a) when there is interest in the proceedings or when one of the private parties or a defence counsel is a debtor or creditor of his, his spouse or his children;

b) when he is the guardian, representative or employer of the defendant or one of the private parties, or when the guardian or representative of one of these parties is the close relative of his or her spouse;

c) when he has given advice or when he has expressed an opinion on the object of the proceedings;

ç) when there are disputes between him, his spouse or any of his relatives with the defendant or one of the private parties;

d) when any of his relatives or spouse has been harmed or damaged by the criminal offense;

dh) when a relative of his or her spouse performs or has performed the functions of a prosecutor in the same proceeding;

e) when it is in one of the conditions of non-compliance provided for in Articles 15 and 16;

Q137 (2024): The following laws and sub-laws are related with the prevention of conflict of interest of prosecutors:
1. Constitution of the Republic of Albania.
2. Criminal Procedure Code.
3. Law “On the status of judges and prosecutors in the Republic of Albania”, as amended
4. Law no. 9367 dated 7.4.2005, “On the prevention of conflicts of interest in the exercise of public functions”, as amended
5. Decision nr. 26, dated 22.02.2019, “On the activities out of function of the prosecutors”, of High Prosecutorial Council
6. Decision no. 32, dated 24.2.2022, "On the approval of the standards of ethics and rules of conduct of the prosecutor", of High Prosecutorial Council
7. Decision no. 407, dated 17.12.2021, "On the approval of the Regulation" On the organization and internal functioning of the High Council of the Prosecution ", of High Prosecutorial Council
Article 148/d, of the Constitution provides that:
1. The prosecutor bears disciplinary responsibility under the law; 2. A prosecutor shall be dismissed by the High Prosecutorial Council when:
a) commits serious professional or ethical violations that discredit the position and image of the prosecutor in the exercise of his or her duties;
Article 149/a
1. High Prosecutorial Council exercises these responsibilities:
……..
ç) approves the rules on ethics and supervise their respecting.
In Article 26, point 1, of the Criminal Procedure Code is provided that:
“1. Prosecutor is obliged to give up when there exist reasons for bias on the cases provided in Article 17.”
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c) when he has given advice or when he has expressed an opinion on the object of the proceedings;
ç) when there are disputes between him, his spouse or any of his relatives with the defendant or one of the private parties;
d) when any of his relatives or spouse has been harmed or damaged by the criminal offense;
dh) when a relative of his or her spouse performs or has performed the functions of a prosecutor in the same proceeding;
e) when it is in one of the conditions of non-compliance provided for in Articles 15 and 16;

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c) when he has given advice or when he has expressed an opinion on the object of the proceedings;

ç) when there are disputes between him, his spouse or any of his relatives with the defendant or one of the private parties;

d) when any of his relatives or spouse has been harmed or damaged by the criminal offense;

dh) when a relative of his or her spouse performs or has performed the functions of a prosecutor in the same proceeding;

e) when it is in one of the conditions of non-compliance provided for in Articles 15 and 16;

ë) when there are other important causes of bias.”

Q137 (2022): The following laws are related with the prevention of conflict of interest of prosecutors:

1. Constitution of the Republic of Albania.
2. Criminal Procedure Code.
3. Law “On the status of judges and prosecutors in the Republic of Albania”, as amended
4. Law no. 9367 dated 7.4.2005, “On the prevention of conflicts of interest in the exercise of public functions”, as amended
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d) when any of his relatives or spouse has been harmed or damaged by the criminal offense;

dh) when a relative of his or her spouse performs or has performed the functions of a prosecutor in the same proceeding;

e) when it is in one of the conditions of non-compliance provided for in Articles 15 and 16;

Q198 (General Comment): According to Article 9, of the Law "On the status of judges and prosecutors in the Republic of Albania", as amended, the magistrate is allowed to perform activities outside of his duties, only if these activities:
a) are in accordance with the dignity of exercising the function;
b) do not create perceptions of influence or bias during the exercise of the function;
c) do not conflict with the essential interests of the function, not infringing the deadlines and the efficient exercise of the functions.
ç) do not conflict with the purpose for which the workload has been reduced;
d) in the event that the reward for non-functional activities includes any type and form of payment, financial reward or compensation, which do not exceed the usual market rules;
dh) are not incompatible with the exercise of the function of the magistrate and are not prohibited according to this law.
The magistrate can write, publish, give lectures and teaching on legal issues and participate in activities related to legal issues, the legal system, the administration of justice and other related issues. Before starting to perform a paid activity out of office, the magistrate must notify the High Prosecutorial Council and submit the necessary documentation.
The magistrate receives the approval of the High Prosecutorial Council, before accepting the performance of paid activities outside the function. The Council decides within three weeks of receiving the request and complete documentation and gives approval if the activity and any remuneration for its performance are in accordance with the law.

Q198 (2025): According to Article 9, of the Law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended, the magistrate is allowed to perform activities outside of his duties, only if these activities:
a) are in accordance with the dignity of exercising the function;
b) do not create perceptions of influence or bias during the exercise of the function;
c) do not conflict with the essential interests of the function, not infringing the deadlines and the efficient exercise of the functions.
ç) do not conflict with the purpose for which the workload has been reduced;
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Also, the prosecutor, without violating the established deadlines and the efficient exercise of the functions, can participate in unpaid activities (without remuneration) outside the function, without the approval of the High Prosecutorial Council, only in cases where:
a) acts as a representative of the prosecution;
b) participates in activities for issues related to the judicial or prosecution system and makes general public statements within the framework of participation in these activities;
c) participates in discussions on legal issues.

Q198 (2024): According to Article 9, of the Law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended, the magistrate is allowed to perform activities outside of his duties, only if these activities:
a) are in accordance with the dignity of exercising the function;
b) do not create perceptions of influence or bias during the exercise of the function;
c) do not conflict with the essential interests of the function, not infringing the deadlines and the efficient exercise of the functions.
ç) do not conflict with the purpose for which the workload has been reduced;
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a) acts as a representative of the prosecution;
b) participates in activities for issues related to the judicial or prosecution system and makes general public statements within the framework of participation in these activities;
c) participates in discussions on legal issues

Q252 (2023): According to the Law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended, failure to file a request for waiver of processings or adjudication of the case, where is mandatory, by law, if the magistrate was aware or should have been aware of such circumstances is a disciplinary violation. Anyone can submit a complaint to the High Inspector of Justice against a prosecutor to investigate whether the latter has exercised the function under conditions of conflict of interest. If, after the disciplinary investigation, it is established that there has been a disciplinary violation from the magistrate, the High Inspector of Justice proposes to the High Prosecutorial Council, the approval of a disciplinary measure. In Decision no. 407, dated 17.12.2021, "On the organising and functioning of High Prosecutorial Council" of High Prosecutorial Council regarding the conflict of interest is provided that:

1. A member of the Council shall avoid actual, apparent or potential conflicts of interest and other legal obstacles to perform his or her duties in good faith.
2. A member of the Council shall take active measures to prevent actual, apparent or potential conflicts of interest arising from family, gender or in-law relationships.
3. Each member of the Council shall, immediately upon receipt of the agenda and materials for a future meeting of the Council, the Commission or the working group and, in any case, before voting on the relevant issue, declare the conflict of interest or obstacle. The member of the Council who has declared the conflict of interest or obstacle shall not participate in the discussion or voting of the relevant issue.
4. If a conflict of interest occurs, the member shall request to withdraw from the discussion or vote. The decision to accept the resignation of the member shall be taken by the Head of the Council. When the Head resigns, the decision to accept it shall be taken by the Deputy Head.
5. If a member is aware that another member of the Council is in a conflict of interest or obstacle, he shall declare it immediately upon becoming aware of it and, in any case, before the vote of the relevant issue.
6. The member, for whom a conflict of interest or legal obstacle is alleged, shall declare his position regarding this claim. If the member considers that the claim is valid, as the case may be, he shall not participate in the discussion or voting on the relevant issue or shall withdraw. When the request for withdraw is submitted in a plenary session, a meeting of the Commission or a working group, the discussion or voting on the issue in question shall be postponed to the next plenary session or Meeting. 7. The parties may request the exclusion of a member of the Council from participating in the administrative procedure, only at the preliminary stage of the process, when exists one of the grounds for withdraw the procedure according to the law, and the member does not voluntarily withdraw on that issue. The decision to exclude a member from the participation in the plenary meeting or Commission shall be taken by the Council, in accordance with the rules provided for in the law. When the exclusion of the Head of the Council is requested, the meeting shall be chaired by the Deputy Head of the Council. 8. In the event that the Council deems it necessary, it shall request an official opinion from the HIDAACCI regarding the situation of the conflict of interest.

Law no. 9367, dated 7.4.2005, "On the prevention of conflict of interests in the exercise of public functions", as amended, aims to ensure that the exercise of public duty is carried out without being influenced by the private interests of the official, directly or indirectly, which affect, may affect or appear to affect the improper performance of his public duties and responsibilities. This law defines the rules, tools, ways, procedures, responsibilities and powers for the identification, declaration, registration, treatment, resolution and punishment of cases of conflict of interest. The law is enforced by the High Inspectorate of Declaration and Audit of Assets and Conflict of Interest (HIDAACI).

According to Article 44, of this law, any violation of the obligations defined in the law, when it does not constitute a criminal offense, constitutes an administrative misdemeanor

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5. If a member is aware that another member of the Council is in a conflict of interest or obstacle, he shall declare it immediately upon becoming aware of it and, in any case, before the vote of the relevant issue.
6. The member, for whom a conflict of interest or legal obstacle is alleged, shall declare his position regarding this claim. If the member considers that the claim is valid, as the case may be, he shall not participate in the discussion or voting on the relevant issue or shall withdraw. When the request for withdraw is submitted in a plenary session, a meeting of the Commission or a working group, the discussion or voting on the issue in question shall be postponed to the next plenary session or Meeting. 7. The parties may request the exclusion of a member of the Council from participating in the administrative procedure, only at the preliminary stage of the process, when exists one of the grounds for withdraw the procedure according to the law, and the member does not voluntarily withdraw on that issue. The decision to exclude a member from the participation in the plenary meeting or Commission shall be taken by the Council, in accordance with the rules provided for in the law. When the exclusion of the Head of the Council is requested, the meeting shall be chaired by the Deputy Head of the Council. 8. In the event that the Council deems it necessary, it shall request an official opinion from the HIDAACCI regarding the situation of the conflict of interest.

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Q202 (2023): Law no. 9367, dated 7.4.2005, "On the prevention of conflict of interests in the exercise of public functions", as amended, aims to ensure that the exercise of public duty is carried out without being influenced by the private interests of the official, directly or indirectly, which affect, may affect or appear to affect the improper performance of his public duties and responsibilities. This law defines the rules, tools, ways, procedures, responsibilities and powers for the identification, declaration, registration, treatment, resolution and punishment of cases of conflict of interest. The law is enforced by the High Inspectorate of Declaration and Audit of Assets and Conflict of Interest (HIDAACI). According to Article 44, of this law, any violation of the obligations defined in the law, when it does not constitute a criminal offense, constitutes an administrative misdemeanor and is punishable by a fine. The fines are higher, according to the evaluation of the measure of the violation and according to the level of increase in the official's position.
In article 45, it is determined that any violation of the obligations defined in this law by officials constitutes a disciplinary violation, regardless of criminal or administrative liability. The measures and procedures defined by the Constitution and the relevant law (Law "On the status of judges and prosecutors", as amended) apply to officials who are members of constitutional bodies (such as prosecutor's offices). According to Article 26, of Criminal Procedural Code, the prosecutor has the duty to resign when there are reasons of one-sidedness in the cases provided by Article 17. On the declaration of relinquishment, according to their duties dhe decision is taken from the head of the prosecution at the court of first instance, of the prosecution at the court of appeal, the General Prosecutor and the head of the Special Prosecution. For the heads of prosecutions, the decision is taken from dhe heads of the higher prosecution offices. With the decision accepting the relinquishment declaration, the prosecutor who resigned is replaced by another prosecutor.
In Decision no. 32, dated 24.2.2022, "On the approval of the standards of ethics and rules of conduct of the prosecutor" of High Prosecutorial Council is provided that, the head of the prosecution office oversees compliance with the rules of conduct and ethics of the prosecutor and reports every problem to the High Council of Prosecution. Violation of the standards of ethics and rules of conduct of the prosecutor when it does not constitute grounds for disciplinary responsibility is taken into consideration within the ethical and professional assessment of the prosecutor. According to the Law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended, failure to file a request for waiver of proceedings or adjudication of the case, where is mandatory, by law, if the magistrate was aware or should have been aware of such circumstances is a disciplinary violation. Anyone can submit a complaint to the High Inspector of Justice against a prosecutor to investigate whether the latter has exercised the function under conditions of conflict of interest. If, after the disciplinary investigation, it is established that there has been a disciplinary violation from the magistrate, the High Inspector of Justice proposes to the High Prosecutorial Council, the approval of a disciplinary measure

Q202 (2022): Law no. 9367, dated 7.4.2005, "On the prevention of conflict of interests in the exercise of public functions", as amended, aims to ensure that the exercise of public duty is carried out without being influenced by the private interests of the official, directly or indirectly, which affect, may affect or appear to affect the improper performance of his public duties and responsibilities. This law defines the rules, tools, ways, procedures, responsibilities and powers for the identification, declaration, registration, treatment, resolution and punishment of cases of conflict of interest. The law is enforced by the High Inspectorate of Declaration and Audit of Assets and Conflict of Interest (HIDAACI).
According to Article 44, of this law, any violation of the obligations defined in the law, when it does not constitute a criminal offense, constitutes an administrative misdemeanor and is punishable by a fine. The fines are higher, according to the evaluation of the measure of the violation and according to the level of increase in the official's position.
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Q203 (General Comment): Please briefly describe the procedure: In the Law “On the status of judges and prosecutors”, as amended, is provided that,
breach of the rules of incompatibility or conflict of interest prevention is a disciplinary violation. Also, in the Law no. 9367 dated
7.4.2005, “On the prevention of conflicts of interest in the exercise of public functions”, as amended, is provided that, any violation of the obligations set forth in this law, when it does not constitute a criminal offense, constitutes an administrative offense and is punishable by a fine.
Please note that some of the procedure to sanction breaches of the rules on the conflict of interest for both judges and prosecutors are
provided in the law on the status of judges and prosecutors in the Republic of Albania. In question 223, this law under the "law on judges" tick. However, please be advised that this law in question 232 has been reported in the section "other, please specify" because, under the similar section includes "law on public prosecutors/public prosecution". In Albania these are two different law: law on the status of judges and prosecutors, which would correspond to a section titled "law on public prosecutors" and the law on the organisation and functioning of the prosecution offices in the Republic of Albania, which would correspond to a section titled "law on public prosecution".

Q203 (2023): No changes from previous years.
Q205 (General Comment): According to article 194, paragraph 1, of law no: 115/2016 “On governance institutions of the justice system”, as amended, The High Justice Inspector is the state authority responsible for the verification of complaints, investigation of disciplinary misconducts and initiation of disciplinary proceedings against judges and prosecutors of all levels, members of the High Judicial Council, members of the High Prosecutorial Council and the Prosecutor General, as well as for the institutional inspection of courts and prosecution offices.
Q205 (2025): The High Inspector of Justice is the state authority responsible for verifying complaints, investigating disciplinary violations and initiating disciplinary proceedings against judges and prosecutors of all levels, members of the High Judicial Council, members of the High Prosecutorial Council and the Prosecutor General, as well as for the institutional inspection of courts and prosecutorial offices.

Q205 (2022): Disiplinary body (Hight Inspector of Justice)
Q206 (General Comment): According to article 61, paragraph 2, letter “b”, of law no. 115/2016 ““On governance institutions of the justice system”, as amended, The High Judicial Council shall assume the following competences in the plenary meeting: b) decides on the disciplinary measures on judges of all levels.
Q206 (2025): In reference to Law 115/2015 “ON THE GOVERNING BODIES OF THE JUSTICE SYSTEM” and in implementation of the Law 96/2016 "On the Status of Judges and Prosecutors in the Republic of Albania", the High Judicial Council is responsible for imposing disciplinary measures and suspension.
Q206 (2024): According to article 194, paragraph 1, of law no: 115/2016 “On governance institutions of the justice system”, as amended, The High Justice Inspector is the state authority responsible for the verification of complaints, investigation of disciplinary misconducts and initiation of disciplinary proceedings against judges and prosecutors of all levels, members of the High Judicial Council, members of the High Prosecutorial Council and the Prosecutor General, as well as for the institutional inspection of courts and prosecution offices

PROSECUTORS IN THE REPUBLIC OF ALBANIA.
Rights and Obligations of Parties during the Disciplinary Proceeding
1. During disciplinary proceedings, the magistrate or his/her representative shall be provided access to the file, so far as it does not endanger:
a) the legal interests of the parties or third persons;
b) the functions of the deciding body,
c) the purpose of the proceedings.
2. A magistrate who is informed that a disciplinary proceeding has been instituted against him, he/she must at the same time be informed of the rights:
a) to submit a written defence within a specified time;
b) to attend any hearing;
c) to call witnesses who may provide information of significance to the case;
ç) to present documents;
d) to take other measures for the purpose of providing evidence in support of his or her defence;
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dh)to be represented under the provisions of the Code of Administrative Procedures,
e) recover his/her legal costs reasonably incurred in cases where no disciplinary measure is imposed.
3. The Council may request the magistrate to submit information, documents or any evidence and to attend hearings.
4. The parties have the right to be notified on any decision of the Council

Q207 (2025): Law 96/2016 “ON THE STATUS OF JUDGES AND PROSECUTORS” in Article 141 provides on "The rights and obligations of the parties during disciplinary proceedings"; in Article 142 provides on "The disciplinary hearing".

Q208 (2024): Disciplinary violations related to the exercise of the function

Q209 (2025): Including the procedures initiated in the previous years

Q209 (2024): By number of cases completed, we mean the total number of disciplinary proceedings requests brought before the High Judicial Council for a disciplinary hearing.

Q210 (General Comment): According to article 138, paragraph 1, of Law no. 96/2016 “On the status of judges and prosecutors in the Republic of Albania”, as amended, if there is reasonable doubt that the magistrate has committed a disciplinary misconduct, the High Justice Inspector shall initiate the disciplinary proceeding by submitting the investigation report together with the investigation file. As per article 146, paragraph 2 of law no. no. 96/2016 “On the status of judges and prosecutors in the Republic of Albania”, as amended. After having considered all facts and evidence the Council shall either: a) Reject the request for disciplinary proceeding, on the grounds that the facts alleged did not occur or that they do not constitute a disciplinary misconduct; b) Uphold the allegations and impose one or more disciplinary measures

Q212 (General Comment): Article 140 of the Constitution 1. The judge is disciplinarily liable under the law.
2. The judge is dismissed by decision of the High Judicial Council when:
a) commits serious professional or ethical misconduct that discredit the position and image of
judge while exercising the duty;
b) sentenced by final court decision for the commission of a crime.
3. The judge is suspended from duty by decision of the High Judicial Council when:
a) upon him/her is imposed the personal security measure of “arrest in prison” or “house
arrest” for the commission of a criminal offence;
b) he/she obtains the capacity of defendant for a serious offence committed intentionally;
c) disciplinary proceedings are initiated, as per the law.
4. Against the decision of dismissal an appeal may be made to the Constitutional Court.
Q212 (2025): Article 147 of Law 96/2016:
Right to appeal disciplinary decisions
1. The magistrate has the right to appeal the decision on disciplinary measure to the competent court.
2. The High Inspector of Justice has the right to appeal any decision of the Council on disciplinary matters to the competent court.The Appeal Chamber is the competent body to adjudicate appeals against decisions of the High Judicial Council imposing disciplinary sanctions against judges. The Constitutional Court is the competent body to adjudicate appeals against the decision of dismissal, as a disciplinary decision.

Q212 (2024): The Appeal Chamber is the competent body to adjudicate appeals against decisions of the High Judicial Council, or High Inspector of Justice imposing disciplinary sanctions against judges. The Constitutional Court is the competent body to adjudicate appeals against the decision of dismissal, as a disciplinary decision.

PROSECUTORS IN THE REPUBLIC OF ALBANIA.
Article 44
Transfer without Consent
1. Magistrates shall be transferred without their consent only in the following cases:
a) implementing a disciplinary measure;
b) where a magistrate's position is abolished as the result of changes in the administrative structure and territorial powers of the courts or prosecution offices, following an assessment based on objective and transparent criteria;
c) as a consequence of establishing a family relationship amounting to an environmental incompatibility in the sense of Article 8, of this Law;
ç) in case of temporary shortage of magis trates in a court or prosecution office which cannot be covered by the magistrates in the mobility scheme in accordance with the provisions contained in the Article 46 of this Law.
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2. Where a magistrate's position is abolished in accordance with letter 'b' of paragraph 1 of this Article, he or she shall:
a) be transferred to a position at the same level in the new structure having under its territorial powers the court or prosecution office where the magistrate has previously exercised the function, or where this is not possible,
b) have the right to choose to be transferred to any position at the same level, that is vacant or expected to become vacant within up to six

Q213 (2025): -Transfer without Consent. – Aricle 44 of the law No 96/2016 “On the Status of Judges and Prosecutors in the Republic of Albania”;1. Magistrates shall be transferred without their consent only in the following cases: a) implementing a disciplinary measure; b) where a magistrate’s position is abolished as the result of changes in the administrative structure and territorial powers of the courts or prosecution offices, following an assessment based on objective and transparent criteria; c) as a consequence of establishing a family relationship amounting to an environmental incompatibility in the sense of Article 8, of this Law; ç) in case of temporary shortage of magistrates in a court or prosecution office which cannot be covered by the magistrates in the mobility scheme in accordance with the provisions contained in the Article 46 of this Law.
2. Where a magistrate’s position is abolished in accordance with letter ‘b’ of paragraph 1 of this Article, he or she shall: a) be transferred to a position at the same level in the new structure having under its territorial powers the court or prosecution office where the magistrate has previously exercised the function, or where this is not possible, b) have the right to choose to be transferred to any position at the same level, that is vacant or expected to become vacant within up to six months upon the abolition of the position, in a court or prosecution office of the same level, of the same material competence. 3. In case of a temporary shortage of magistrates under letter ‘ç’ of paragraph 1 of this Article, the Council shall assign a magistrate from the mobility scheme or transfer a magistrate temporarily in accordance with Article 46 of this Law. 4. A magistrate shall have the right to appeal against a decision on a transfer without consent before the court. The examination of the appeal by the court shall not suspend the transfer decision .
-due to the creation of family relationships that lead to environmental incompatibility, according to Article 8 of this law;
-due to the temporary absence of magistrates in the courts and the prosecutor's office, which cannot be filled by the magistrates who are in the delegation scheme, according to the provisions made in Article 46 of this law.

Q213 (2024): -Transfer without Consent. – Aricle 44 of the law No 96/2016 “On the Status of Judges and Prosecutors in the Republic of Albania”;
1. Magistrates shall be transferred without their consent only in the following cases: a) implementing a disciplinary measure; b) where a magistrate’s position is abolished as the result of changes in the administrative structure and territorial powers of the courts or prosecution offices, following an assessment based on objective and transparent criteria; c) as a consequence of establishing a family relationship amounting to an environmental incompatibility in the sense of Article 8, of this Law; ç) in case of temporary shortage of magistrates in a court or prosecution office which cannot be covered by the magistrates in the mobility scheme in accordance with the provisions contained in the Article 46 of this Law.
2. Where a magistrate’s position is abolished in accordance with letter ‘b’ of paragraph 1 of this Article, he or she shall: a) be transferred to a position at the same level in the new structure having under its territorial powers the court or prosecution office where the magistrate has previously exercised the function, or where this is not possible, b) have the right to choose to be transferred to any position at the same level, that is vacant or expected to become vacant within up to six months upon the abolition of the position, in a court or prosecution office of the same level, of the same material competence. 3. In case of a temporary shortage of magistrates under letter ‘ç’ of paragraph 1 of this Article, the Council shall assign a magistrate from the mobility scheme or transfer a magistrate temporarily in accordance with Article 46 of this Law. 4. A magistrate shall have the right to appeal against a decision on a transfer without consent before the court. The examination of the appeal by the court shall not suspend the transfer decision .
-due to the creation of family relationships that lead to environmental incompatibility, according to Article 8 of this law;
-due to the temporary absence of magistrates in the courts and the prosecutor's office, which cannot be filled by the magistrates who are in the delegation scheme, according to the provisions made in Article 46 of this law.

Q214 (General Comment): The High Inspector of Justice is a constitutional institution. Article 147/d/1 of the CONSTITUTION
The High Justice Inspector shall be responsible for the verification of complaints, investigation of violations on its own initiative and the initiation of disciplinary proceedings against judges and prosecutors of all levels, members of the High Judicial Council, High Prosecutorial Council and the Prosecutor General, in accordance with the procedure defined by law.

Q214 (2025): High Inspector of Justice. According to Article 147/d of the Constitution of the Republic of Albania and Article 194, paragraph 1 of Law no. 115/2016 "On the governance institutions of the justice system", as amended, The High Justice Inspector is the state authority responsible for the verification of complaints, investigation of disciplinary misconducts and initiation of disciplinary proceedings against judges and prosecutors of all levels, members of the High Judicial Council, members of the High Prosecutorial Council and the Prosecutor General, as well as for the institutional inspection of courts and prosecution offices;
Q214 (2024): High Inspector of Justice according to article 194, paragraph 1, of law no: 115/2016 "On governance institutions of the justice system", as amended, The High Justice Inspector is the state authority responsible for the verification of complaints, investigation of disciplinary misconducts and initiation of disciplinary proceedings against judges and prosecutors of all levels, members of the High Judicial Council, members of the High Prosecutorial Council and the Prosecutor General, as well as for the institutional inspection of courts and prosecution offices
Q214 (2022): Disiplinary body (Hight Inspector of Justice)
Q215 (General Comment): According to article 159, paragraph 2, letter "b", of law no. 115/2016 ""On governance institutions of the justice system", as amended, The High Prosecutorial Council shall assume the following competences in the plenary meeting: b) decides on the disciplinary measures on prosecutors of all levels
Q215 (2025): According to Article 159, paragraph 2, letter "b" of Law no. 115/2016 "On the governance institutions of the justice system", as amended, the High Prosecutorial Council, in its plenary composition, is the authority competent to decide on and impose disciplinary measures on prosecutors of all levels.Pursuant to Article 147/d, of the Constitution of the Republic of Albania and Article 194 of Law no. 115/2016 On the governance institutions of the justice system", as amended, article 138, paragraph 1, of Law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended, where there are reasonable grounds to believe that a magistrate has committed a disciplinary misconduct, the High Inspector of Justice initiates disciplinary proceedings by submitting the investigation report together with the complete investigation file to the competent Council. Pursuant to Article 146, paragraph 2 of Law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended, after having examined all facts and evidence, the High Prosecutoria Council shall either:
a) Reject the request for disciplinary proceeding, on the grounds that the facts alleged did
not occur or that they do not constitute a disciplinary misconduct.
b) Uphold the allegations and impose one or more disciplinary measures

Q215 (2022): High Prosecutorial Council
Q216 (2025): With regard to the investigation according to article 129 of law no 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended The magistrate shall be a party in the proceedings upon the opening of the investigation and shall be provided with access to the file to the extent that it is consistent with this scope of the investigation. The High Justice Inspector may request the magistrate to submit information, documents or any evidence necessary for the investigation. The High Justice Inspector shall notify the concerned magistrate or his/her representative within five days after taking the decision on archiving the complaint, on opening of investigation, on widening or changing the scope of investigation and or on closing the investigation.

Q217 (2025): Based on Law no. 96/2016, “On the status of judges and prosecutors in the Republic of Albania”, as amended:
Article 101/1
ç) unjustified or repeated failure to perform functions during a trial or investigation;
dh) action, inaction or conduct of a magistrate, which brings unfair benefits or damages to the parties in a judicial process or investigative procedure, contrary to the law;
d) repeated delays or which bring serious consequences or unjustified procrastination of actions and/or procedural acts;
ë) repeated and unjustified delay in starting a court session or procrastination of investigations;
Article 102/2
a) serious or repeated failure to comply with procedural and substantive legislation or incorrect application of procedural and substantive legislation, when established by a higher court;

Q217 (2024): Disciplinary violations related to the exercise of the function
Q218 (2025): In two cases, the request of the High Inspector of Justice for public reprimand was rejected.
Q218 (2024): Disciplinary violations related to the exercise of the function
Q219 (2025): they were dismissed according to the Law No. 84/2016 “On the transitional re-evaluation of judges and prosecutors in the Republic of Albania”.
Additional Comment. The sanction number 5 and 6 is against the same prosecutor which was the Head of Prosecution Office.

Q219 (2022): In the case of the second disciplinary proceeding completed during 2022, the High Justice Inspector has proposed to the High Prosecutorial Council, the appointment of the disciplinary measure "Public notice" for the prosecutor and for the head of the prosecution office, for the disciplinary violations provided in Article 102/1, letters "ç", "dh", and "l", of the Law "On the status of judges and prosecutors in the Republic of Albania", as amended. At the end of the disciplinary proceeding, with Decision no. 31, dated 24.02.2022, High Prosecutorial Council rejected the proposal of the High Justice Inspector to give the disciplinary measure "Public notice" to the two magistrates.
Q221 (2025): According to Law no. 115/2016 “On the governance institutions of justice system”, as amended, individual administrative acts (decisions) of the High Prosecutorial Council that impose disciplinary measures on prosecutors are appealed to the Constitutional Court.According to article 192, paragraph 1, of Law no. 115/2016 “On governance institutions of the justice system”, as amended, the individual administrative acts imposing disciplinary measures on prosecutors may be appealed against before the Constitutional Court.
Q221 (2024): According to Law no. 115/2016 “On the governance institutions of justice system”, as amended, individual administrative acts (decisions) of the High Prosecutorial Council that impose disciplinary measures on prosecutors are appealed to the Constitutional Court.
Q221 (2022): Article 147 of the Law no. 96/2016 ON THE STATUS OF JUDGES AND PROSECUTORS
IN THE REPUBLIC OF ALBANIA
Right to Appeal Disciplinary Decisions
1. The magistrate shall have the right to appeal a decision imposing a
disciplinary measure before the competent court.
2. The High Justice Inspector shall have the right to appeal any decision of
the Council in disciplinary matters before the competent court.

Bosnia and Herzegovina

Constitutions are adopted at different levels of government in Bosnia and Herzegovina (i.e. state, entities, cantons), whereas the Brčko District of Bosnia and Herzegovina, which is a single administrative unit of local self-government existing under the sovereignty of Bosnia and Herzegovina, has enacted its Statute.

In the Constitution of Bosnia and Herzegovina, there are no provisions that explicitly mention the independence of the courts. However, as Article II of the Constitution stipulates that the rights and freedoms guaranteed by the European Convention for the Protection of Human Rights and fundamental freedoms and its Protocols shall be directly applied in Bosnia and Herzegovina, and that the Convention and its Protocols shall have priority over all other laws, this way, indirectly, through the Convention Provisions, the independence of the courts is introduced as a constitutional principle. In parallel to the Constitution of Bosnia and Herzegovina, the Constitution of the Federation of Bosnia and Herzegovina and the Republika Srpska Constitution, the constitutions of all cantons that exist within the Federation of Bosnia and Herzegovina as well as the Statute of the Brcko District of Bosnia and Herzegovina introduce the independence of the courts as a constitutional principle, based on the principle of the division of power between the legislative, executive and judicial branches. Furthermore, the Constitution of the Federation of BiH the Republika Srpska Constitution the constitutions of all cantons that exist within the Federation of Bosnia and Herzegovina, as well as the Statute of the Brcko District of Bosnia and Herzegovina contain certain mechanisms for the protection of judicial independence in the form of: the permanence of judicial function, material guarantees in the form of prohibition of salary reduction and other compensations during the performance of judicial practice, immunity from criminal and civic liability for any opinion expressed in the decision-making process and the prohibition of performing public functions that are incompatible with judicial office.

Special law: Additionally, besides the provisions on courts in the above-mentioned constitutions, special laws on courts are adopted at different levels of government in Bosnia and Herzegovina (i.e., state, entities, and the Brčko District of Bosnia and Herzegovina). Laws on courts regulate the organization, jurisdiction, and functioning of courts at the respective level of government. According to the laws on courts, courts are independent and autonomous from the legislative and executive authorities. No one may influence the independence and impartiality of a judge in deciding cases assigned to them for work.

Finally, separate state level law has established the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. The High Judicial and Prosecutorial Council of Bosnia and Herzegovina is independent and autonomous body, with the task of ensuring the maintenance of an independent, impartial and professional judiciary. It has an array of competencies concerning all judges in Bosnia and Herzegovina as follows:

Courts are autonomous and independent of the legislative and executive authorities. No one may influence the independence and impartiality of a judge in deciding the cases assigned to them.

Finally, the High Judicial and Prosecutorial Council of Bosnia and Herzegovina has been established by separate state level law. The High Judicial and Prosecutorial Council of Bosnia and Herzegovina is independent and autonomous body, with the task of ensuring the maintenance of an independent, impartial and professional judiciary. It has an array of competencies with regards to all judges in Bosnia and Herzegovina as follows: appointing court presidents and judges, receiving complaints against judges, conducting disciplinary proceedings, determining

disciplinary liability, and imposing disciplinary measures on judges; deciding upon appeals in disciplinary proceedings; deciding

Q142 (Judicial Council): Consultation

Constitutions are adopted at different levels of government in Bosnia and Herzegovina (i.e. state, entities, and cantons), whereas the Brčko District of Bosnia and Herzegovina which is a single administrative unit of local self-government existing under the sovereignty of Bosnia and Herzegovina has enacted its Statute.

The Constitution of the Republic of Srpska and the Statute of the Brčko District of Bosnia and Herzegovina provide that prosecutor's offices are independent institutions that prosecute perpetrators of criminal and other legally punishable acts and take legal actions to protect legality, as well as that the establishment, organization, and competencies of the prosecutor's office are regulated by law.

The other constitutions (that is, the Constitution of Bosnia and Herzegovina, the Constitution of the Federation of Bosnia and Herzegovina, the constitutions of the cantons) do not contain provisions on prosecutor's offices.

Special law: Additionally, besides the provisions on the prosecutors' offices in the above-mentioned constitutions, special laws on the prosecutors' offices are adopted at different levels of government in Bosnia and Herzegovina (i.e., state, entities, cantons and the Brčko District of Bosnia and Herzegovina). Laws on the prosecutors' offices regulate the organization, jurisdiction, and functioning of courts at the respective level of government. According to the prosecutors' offices, the prosecutors' offices are independent and autonomous from the legislative and executive authorities. Pursuant to the specific legislation regulating the legal status of prosecutors' offices in Bosnia and Herzegovina, they constitute independent authorities which prosecute perpetrators of criminal offenses and file legal expedients for the purpose of protecting legality and constitutionality. Public prosecution offices shall perform their functions on the basis of the constitution and the law. No one shall have the right to influence the public prosecutor's office in the execution of its constitutional and legal functions. The Chief Prosecutor shall have the right and duty to give mandatory instructions to the public prosecutor regarding his/her work, and may, apart from that: take certain actions which are in the competence of the public prosecutor; authorize a different public prosecutor to process individual cases that are within the competence of the public prosecutor; authorize a public prosecutor to perform individual activities that are within the competence of another public prosecutor. The Chief Prosecutor may perform criminal prosecution within the competence of a public prosecutor, and in doing so, s/he may: undertake necessary measures related to detection of crimes and identification of perpetrators with the purpose of directing preceding criminal proceedings; request investigation conduct; bring and represent indictment, i.e. indictment proposals and other proposals before competent court; file appeals against unlawful court decisions, i.e. withdraw already filed appeals.

Finally, separate state level law has established the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. The High Judicial and Prosecutorial Council of Bosnia and Herzegovina is independent and autonomous body, with the task of ensuring the maintenance of an independent, impartial and professional judiciary. It has an array of competencies concerning all prosecutors in Bosnia and Herzegovina as follows:

appointing chief prosecutors and prosecutors, receiving complaints against prosecutors, conducting disciplinary proceedings, determining disciplinary liability, and imposing disciplinary measures on prosecutors; deciding upon appeals in disciplinary proceedings; deciding upon suspensions of prosecutors; deciding upon issues of incompatibility of other functions performed by prosecutors; deciding upon the temporary assignment or transfer of prosecutors to another prosecution office; supervising the advanced professional training of prosecutors and advising the Centers for Judicial and Prosecutorial Training in their adoption of programs of advanced professiona training for prosecutors; determining the minimum amount of advanced professional training to be undertaken by every prosecutor each year; determining the induction training for candidates chosen for and

Q142 (2025): In 2025, an indictment was confirmed against one judge whereas there were no new confirmed indictments against prosecutors. As for completed cases, there were no verdicts in criminal trials that had been instituted against judges before the reporting year; in addition, two prosecutors were acquitted in 2025 following criminal trials that had been initiated before the reporting year.

Q142 (2024): One judge received suspended sentence for domestic violence, which led to termination of his mandate. Other case for another judge is was ongoing at the end of the reporting year. In addition, the criminal case which had started during the reporting year against one of the prosecutors was closed after he died in 2024.

Q142 (2023): Although no judges or prosecutors were indicted in 2023, two criminal investigations were initiated by prosecutor's office – one against court president and one against prosecutor but indictments have not been confirmed by the competent courts yet. It should also be noted that judicial institutions are not formally obliged to inform HJPC regarding criminal proceedings against judges or prosecutors whose mandate was ceased (e.g. resignation or retirement).
Q142 (2022): ODC was informed about three investigations initiated against two judges and one prosecutor. ODC wasn't informed about end of the investigations.
One judge was sentenced to one-year prison sentence for corruptive criminal offence, in proceeding initiated last year.
Q143 (General Comment): The High Judicial and Prosecutorial Council of Bosnia and Herzegovina adopted the Guidelines for the prevention of conflicts of interest in the judiciary (July 2016), covering a) incompatibilities; b) reporting on property, income, obligations and interests; c) gifts and other benefits; d) contacts with third persons and abuse of confidential information; e) nepotism; and f) education and awareness-raising. The Guidelines elaborate the existing legislation and code of ethics and go into further detail with practical "do's and don'ts" in a variety of situations.
There is an automated case assignment system in place, where cases are randomly assigned to judges, according to predetermined criteria.
In a situation where the judge to whom a case is assigned must, as required by law, be disqualified or recused from further proceedings, the case will be reassigned to another judge by the Court President or his deputy.
Disqualification of judges is governed by the civil procedure codes in Bosnia and Herzegovina (Law on Civil Procedure before the Court of BiH and civil procedure codes of the BiH Federation, Republika Srpska and Brcko District of BiH), which stipulate that:
a) the judge may be disqualified if circumstances exist that cast doubt to his impartiality (disqualification); b) the motion for disqualification of a judge shall be decided by Court President, and the motion for disqualification of Court President shall be decided by the court in plenary session; c) the provisions on disqualification of judges shall apply, mutatis mutandis, to record keepers. The criminal procedure codes of BiH, BiH Federation, Republika Srpska and Brcko District of BiH stipulate that:
a) the provisions on disqualification of a judge shall accordingly be applied to prosecutors and persons authorised to represent the prosecutor in the proceedings, record keepers, court interpreters and other staff members; b) the prosecutor shall decide the disqualification of persons authorised to represent him in criminal proceedings, and the Collegium of the Prosecutor's Office shall decide the disqualification of the prosecutor. c) the panel, presiding judge or judge shall decide the disqualification of record keepers, court interpreters and other staff member, and, until the indictment is filed, it shall be decided by the prosecutor. In a situation where the judge to whom a case is assigned must be disqualified or recused from the case, the case will be reassigned to another judge. The same rule applies to prosecutors.
Case reassignment is governed by the books of rules on the case management systems in courts and prosecutor's offices (the Book of Rules on CMS and the Book of Rules on TCMS).
The case is reassigned to another judge by the Court President or a person authorised by him, who must state the grounds for reassignment.
The case is reassigned to another prosecutor by the Chief Prosecutor, who must state the grounds for reassignment.

Q144 (General Comment): https://vstv.pravosudje.ba/vstvfo/E/141/kategorije-vijesti/1198/1178/1359
Q146 (General Comment): https://vstv.pravosudje.ba/vstvfo/E/141/kategorije-vijesti/1198/1178/1359
Q148 (General Comment): The Standing Committee on Ethics, Integrity and Accountability of Judges and Prosecutors is a committee established by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. It is authorized to give binding opinions on ethical and incompatibility questions raised by judges and prosecutors. Only the members of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina are eligible to be appointed the members of the Committee. Currently, the members of the Committee have the following background: 2 judges, 1 prosecutor, 1 lawyer, and 1 law professor who has been appointed as the member of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina by the Parliamentary Assembly of Bosnia and Herzegovina.

Q149 (General Comment): The Standing Committee on Ethics, Integrity and Accountability of Judges and Prosecutors is a committee established by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. It is authorized to give binding opinions on ethical and incompatibility questions raised by judges and prosecutors. Only the members of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina are eligible to be appointed the members of the Committee. Currently, the members of the Committee have the following background: 2 judges, 1 prosecutor, 1 lawyer, and 1 law professor who has been appointed as the member of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina by the Parliamentary Assembly of Bosnia and Herzegovina.

Q150 (2024): The High Judicial and Prosecutorial Council of BiH gives opinions and decides on the issues of judicial ethics and compatibility of additional activities with the judicial function through its Standing Committee on Ethics, Integrity and Accountability of Judges and prosecutors, which is competent for examination of submitted requests for opinions. In matters that have already been decided and where ethical practice has already been established, the Standing Committee is authorized to act autonomously on the submitted request, while the decision on contested ethical issues is considered only by the High Judicial and Prosecutorial Council of BiH. According to the analysis of the past practice, 45-50 responses on requests for opinions are submitted annually. The High Judicial and Prosecutorial Council of BiH started publishing in 2022 on its website the above-mentioned opinions in shortened form, as well as answers to the most frequent questions submitted by prosecutors and judges with regards to ethics, integrity and compatibility of other activities with the performance of judicial function.

Q150 (2023): The High Judicial and Prosecutorial Council of BiH gives opinions and decides on the issues of judicial ethics and compatibility of additional activities with the judicial function through its Standing Committee on Ethics, Integrity and Accountability of Judges and prosecutors, which is competent for examination of submitted requests for opinions. In matters that have already been decided and where ethical practice has already been established, the Standing Committee is authorized to act autonomously on the submitted request, while the decision on contested ethical issues is considered only by the High Judicial and Prosecutorial Council of BiH. According to the analysis of the past practice, 45-50 responses on requests for opinions are submitted annually. The High Judicial and Prosecutorial Council of BiH started publishing in 2022 on its website the above-mentioned opinions in shortened form, as well as answers to the most frequent questions submitted by prosecutors and judges with regards to ethics, integrity and compatibility of other activities with the performance of judicial function.

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Q151 (General Comment): The High Judicial and Prosecutorial Council of BiH gives opinions and decides on the issues of judicial ethics and compatibility of additional activities with the judicial function through its Standing Committee on Ethics, Integrity and Accountability of Judges and Prosecutors, which is competent for examination of submitted requests for opinions. Additional activities of judges which are usually subject of opinions are activities such as being paid as lecturers at conferences and seminars, experts on legal reform projects or commissions for the drafting of legal regulations, members in bar or state exam panels etc.

Q151 (2025): The High Judicial and Prosecutorial Council of BiH gives opinions and decides on the issues of judicial ethics and compatibility of additional activities with the judicial function through its Standing Committee on Ethics, Integrity and Accountability of Judges and Prosecutors, which is competent for examination of submitted requests for opinions. Additional activities of judges which are usually subject of opinions are activities such as being paid as lecturers at conferences and seminars, experts on legal reform projects or commissions for the drafting of legal regulations, members in bar or state exam panels etc.

Q152 (General Comment): The Standing Committee on Ethics, Integrity and Accountability of Judges and Prosecutors is a committee established by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. It is authorized to give binding opinions on ethical and incompatibility questions raised by judges and prosecutors. Only the members of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina are eligible to be appointed the members of the Committee. Currently, the members of the Committee have the following background: 2 judges, 1 prosecutor, 1 lawyer, and 1 law professor who has been appointed as the member of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina by the Parliamentary Assembly of Bosnia and Herzegovina.

Q153 (General Comment): The Standing Committee on Ethics, Integrity and Accountability of Judges and Prosecutors is a committee established by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. It is authorized to give binding opinions on ethical and incompatibility questions raised by judges and prosecutors. Only the members of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina are eligible to be appointed the members of the Committee. Currently, the members of the Committee have the following background: 2 judges, 1 prosecutor, 1 lawyer, and 1 law professor who has been appointed as the member of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina by the Parliamentary Assembly of Bosnia and Herzegovina.

Q154 (General Comment): The High Judicial and Prosecutorial Council of BiH gives opinions and decides on the issues of judicial ethics and compatibility of additional activities with the judicial function through its Standing Committee on Ethics, Integrity and Accountability of Judges and prosecutors, which is competent for examination of submitted requests for opinions.

In matters that have already been decided and where ethical practice has already been established, the Standing Committee is authorized to act autonomously on the submitted request, while the decision on contested ethical issues is considered only by the High Judicial and Prosecutorial Council of BiH. The High Judicial and Prosecutorial Council of BiH started publishing in 2022 on its website the above-mentioned opinions in shortened form, as well as answers to the most frequent questions submitted by prosecutors and judges with regards to ethics, integrity and compatibility of other activities with the performance of judicial function

Q154 (2024): The High Judicial and Prosecutorial Council of BiH gives opinions and decides on the issues of judicial ethics and compatibility of additional activities with the judicial function through its Standing Committee on Ethics, Integrity and Accountability of Judges and prosecutors, which is competent for examination of submitted requests for opinions. In matters that have already been decided and where ethical practice has already been established, the Standing Committee is authorized to act autonomously on the submitted request, while the decision on contested ethical issues is considered only by the High Judicial and Prosecutorial Council of BiH. According to the analysis of the past practice, 45-50 responses on requests for opinions are submitted annually. The High Judicial and Prosecutorial Council of BiH started publishing in 2022 on its website the above-mentioned opinions in shortened form, as well as answers to the most frequent questions submitted by prosecutors and judges with regards to ethics, integrity and compatibility of other activities with the performance of judicial function

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Q154 (2022): The High Judicial and Prosecutorial Council of BiH gives opinions and decides on the issues of judicial ethics and compatibility of additional activities with the judicial function through its Standing Committee on Ethics, Integrity and Accountability of Judges and prosecutors, which is competent for examination of submitted requests for opinions. In matters that have already been decided and where ethical practice has already been established, the Standing Committee is authorized to act autonomously on the submitted request, while the decision on contested ethical issues is considered only by the High Judicial and Prosecutorial Council of BiH. According to the analysis of the past practice, 45-50 responses on requests for opinions are submitted annually. The High Judicial and Prosecutorial Council of BiH started publishing in 2022 on its website the above-mentioned opinions in shortened form, as well as answers to the most frequent questions submitted by prosecutors and judges with regards to ethics, integrity and compatibility of other activities with the performance of judicial function.

Q155 (General Comment): The High Judicial and Prosecutorial Council of BiH gives opinions and decides on the issues of judicial ethics and compatibility of additional activities with the judicial function through its Standing Committee on Ethics, Integrity and Accountability of Judges and Prosecutors, which is competent for examination of submitted requests for opinions. Additional activities of prosecutors which are usually subject of opinions are activities such as being paid as lecturers at conferences and seminars, experts on legal reform projects or commissions for the drafting of legal regulations, members in bar or state exam panels etc.
Q155 (2025): The High Judicial and Prosecutorial Council of BiH gives opinions and decides on the issues of judicial ethics and compatibility of additional activities with the judicial function through its Standing Committee on Ethics, Integrity and Accountability of Judges and Prosecutors, which is competent for examination of submitted requests for opinions. Additional activities of prosecutors which are usually subject of opinions are activities such as being paid as lecturers at conferences and seminars, experts on legal reform projects or commissions for the drafting of legal regulations, members in bar or state exam panels etc.
Q156 (General Comment): A judge cannot adjudicate the case if circumstances exist that raise a reasonable suspicion as to his/her impartiality.
The court president decides on the request for exemption of a judge in civil proceedings. The court in plenary session decides on the petition for exemption of a judge in criminal proceedings.
Q157 (General Comment): A judge cannot adjudicate the case if circumstances exist that raise a reasonable suspicion as to his/her impartiality.
The court president decides on the request for exemption of a judge in civil proceedings. The court in plenary session decides on the petition for exemption of a judge in criminal proceedings.
Q157 (2024): 93% of procedures initiated during 2024. were resolved in the reference year.
Out of the total number of initiated procedures in the reference year, the party's request for the recusal of the judge was accepted in 10% procedures.

Q157 (2023): 97% of procedures initiated during 2023. were resolved in the reference year.
Out of the total number of initiated procedures in the reference year, the party's request for the recusal of the judge was accepted in 10% procedures.
Q157 (2022): 87% of procedures initiated during 2022 were resolved in the reference year.
Out of the total number of initiated procedures in the reference year, the party's request for the recusal of the judge was accepted in 9% procedures.
Q158 (General Comment): Comments regarding Q158:
- Random allocation Random allocation is carried out in accordance with the predefined settings for assigning cases to judges. These settings relate to the division, type of cases, legal basis, the initial document, or the administrative unit in which the judge acts.
- Other type of allocation
Cases could be allocated in accordance with the decision of the court president or chief prosecutor.
- Specific allocation for priority cases
Priority cases (e.g. cases involving detention, cases involving minors etc.) are distributed urgently as prescribed by the law or by the decision of the court president. The law stipulates shorter deadlines for priority cases, so these cases have to be allocated to judges urgently and judges have to start working on them immediately.
- Possibility to exclude It is possible to exclude a judge from the allocation for various reasons. Judge can be temporarily excluded due to illness, vacation, longer absence, overload with cases etc. Also, it is possible to exclude a judge from the allocation for reasons prescribed by the law.
General comments:
The system for distribution of cases in the courts of Bosnia and Herzegovina is organized as random and automatic
allocation, in accordance with predefined parameters. Due to the parameters the system for distribution of cases is classified as "other type of allocation". These parameters are prescribed by the decision of the court president, and they include specialization of judges and percentage of participation of every judge in the distribution of cases. After these parameters are set, system randomly distributes cases to judges of particular specialization and in accordance with the percentage of each judges' participation in the distribution but also considering workload of individual judges. The High Judicial and Prosecutorial Council of Bosnia and Herzegovina has adopted the Rulebook on internal court operations and the Rulebook on the Automated Case Management System in Courts. Priority cases (e.g. cases involving detention, cases involving minors etc.) are distributed urgently as prescribed by the law or by the decision of the court president. The law stipulates shorter deadlines for priority cases, so these cases have to be allocated to judges urgently and judges have to start working on them immediately. It is possible to exclude a judge from the allocation for various reasons. Judge can be temporarily excluded due to illness, vacation, longer absence, overload with cases etc.

Q160 (General Comment): The relevant legislation on court procedures in Bosnia and Herzegovina prescribes circumstances that call into question his/her impartiality in which a judge cannot adjudicate the case. These circumstances indicate that the judge has a conflict of interest in the individual case and therefore there is a legal base for initiating procedures to prevent or recuse him/her from dealing with the case.
As an example, the judge must not deal with the case if the party, legal representative or authorized agent is his/her blood relative in direct line to any degree or in the lateral line up to fourth degree, or if they are spouses or relatives up to second degree, regardless of whether the marriage has been terminated or not. In addition, as another example, the judge must be taken off the case if it turns out that he/she has participated in the same case in reaching the judgment of the inferior instance court. In conclusion, the legislation on court procedures defines the basis (i.e. aforementioned circumstances that pertain to the conflict of interest) and the procedure for the recusal of the judge.
In this regard, the legislation does not refer specifically to the conflict of interest, i.e. the laws do not foresee it as a separate category. However, it is in the law that the recusal of the judges as a legal term comprises all matters related to the protection of the impartiality in the court procedures. Consequently, it is not possible in Bosnia and Herzegovina to differentiate data on the number of reassigned cases for the following category: Recusal of the judge or requested by the parties. In the context of data on the total number of reassigned court cases in 2025 (i.e. 460 135), it is important to take into account that these court cases were redistributed primarily because the judges in charge of these court cases have ceased to work in a particular court (i.e. appointment to another court, retirement, resignation etc.). In addition, courts had to reassign a significant number of cases owing to the longer absence of judges because of sick leave. Finally, harmonizing the burden of judges with court cases in a single court and regrouping judges within the court made it necessary to reassign noteworthy number of court cases.

Q161 (General Comment): The relevant legislation on court procedures in Bosnia and Herzegovina prescribes circumstances that call into question his/her impartiality in which a judge cannot adjudicate the case. These circumstances indicate that the judge has a conflict of interest in the individual case and therefore there is a legal base for initiating procedures to prevent or recuse him/her from dealing with the case.
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Q161 (2025): Unlike in 2024 when reassignments were processed in 663 080 cases, the number of cases with processed reassignments in 2025 was lower, namely 460 135. The reduction in the number of reassignments was not a result of the implementation of any guidelines or legislative changes.

Q162 (General Comment): When reassigning the case through the Case Management System it is necessary to select a valid reason for reassignment.
Users of system have to select an option from the list of the reasons for obligatory reassignment prescribed by the law, or the alternative option “Other reasons”. When the latter option is selected, a detailed explanation on reasons for reassignment of the case needs to be submitted pursuant to the Article 9 of the Rulebook on the Automated Case Management System in Courts.
Q163 (General Comment): Priority cases are allocated to judges and prosecutors through automatic allocation algorithm based on specific setup of predefined parameters used for priority cases. This basically means that in courts and prosecutor offices there is always at least one judge or prosecutor determined in advance, who is person on duty for certain period and to whom such cases will be assigned automatically by system.
All other non-priority cases are also allocated to judges through automatic allocation algorithm but setup for this allocation is more complex and based on more than one information from new case, and usually with more judges available in pool to select from.
Both algorithms (for priority and non-priority cases) are always based on court president decision, which is created once per year or more often if necessary.
Regarding reassignment of cases:
All reassignments of cases are processed through the computerized distribution of cases , whether new judge is selected by automatic allocation algorithm (in accordance to predefined parameters) or by court president decision. In every case, reason for reassignment has to be entered in the system by selecting from predefined list of reasons for reassignment and/or adding free text as description. This is why „Yes“ is more appropriate as answer for Q187, with two options selected as explanatory answer in Q188 (2nd and 3rd). Reassignments of cases can be processed as random and automatic where system will choose from the judges of same specialization, or it can be processed in a way that court president makes a decision and chooses the judge to whom the case will be reassigned.

Q164 (General Comment): Priority cases are allocated to judges and prosecutors through automatic allocation algorithm based on specific setup of predefined parameters used for priority cases. This basically means that in courts and prosecutor offices there is always at least one judge or prosecutor determined in advance, who is person on duty for certain period and to whom such cases will be assigned automatically by system. All other non-priority cases are also allocated to judges through automatic allocation algorithm but setup for this allocation is more complex and based on more than one information from new case, and usually with more judges available in pool to select from.
Both algorithms (for priority and non-priority cases) are always based on court president decision, which is created once per year or more often if necessary.
Regarding reassignment of cases:
All reassignments of cases are processed through the computerized distribution of cases , whether new judge is selected by automatic allocation algorithm (in accordance to predefined parameters) or by court president decision. In every case, reason for reassignment has to be entered in the system by selecting from predefined list of reasons for reassignment and/or adding free text as description. This is why „Yes“ is more appropriate as answer for Q159.
Reassignments of cases can be processed as random and automatic where system will choose from the judges of same specialization, or it can be processed in a way that court president makes a decision and chooses the judge to whom the case will be reassigned. In that sense, it is important to note that for the selection choice „By discretion of a president of a court” both options are possible. The president of the court can issue an order that a case should be reassigned so that the judge is selected systematically through the case management system, as well as the president of the court can directly decide that a case is reassigned to a specific judge without random case assignment.

Q164 (2025): Due to misinterpretation of the option 'By discretion of a president of a court', it was mistakenly left unmarked in the previous reporting cycles.

Q164 (2024): Due to misinterpretation of the "other" option in this part of the question 188, the option "all interventions on the system are irreversibly logged/registered" was not marked in the previous reporting cycles. It is confirmed that all interventions on the system are irreversibly logged/registered and, therefore, this option needs to be marked.

Conflict of interest, breaches of codes of conduct and unauthorized disclosure of confidential information are either explicitly provided as disciplinary offence/breach of duty, or covered by the broader definition of other disciplinary offences (such as e.g. performing activities conflicting with the official duties, engaging in activities that prevent or deter citizens to exercise their rights; violating rules on work discipline, inappropriate behavior towards parties/citizens and colleagues, performing tasks negligently and disorderly, exceeding official authority). At one instance conflict of interest, if not timely resolved, leads to a dismissal (Law on civil servants and employees in the judiciary of Brcko District of Bosnia and Herzegovina). Others:

Applicable legislation provides broad list of other disciplinary offences, relating to the issue of the integrity, such as committing the actions that represent a criminal offense against official duty/ another criminal offense/minor offence that causes damage to the reputation of the civil service, which makes a civil servant unfit for duty.

Non-timely and/or incomplete asset declarations:

Duty of the court staff to declare their asset is not widely and consistently provided at all levels of jurisdiction. Some laws (i.e. the Law on civil service in the Federation of Bosnia and Herzegovina and cantonal laws on civil service) specifically provide obligation for civil servant to disclose his/her asset upon the appointment and the duty to report any changes during the employment. Failure to adhere to these rules is not specifically proscribed as a breach of duty or disciplinary offence. Breaches of integrity are provided for by legislation in respect of court staff which is adopted at different levels of government in Bosnia and Herzegovina. Relevant laws are listed below.

Bosnia and Herzegovina– Law on Labor in BiH Institutions; Rulebook on Disciplinary and Material Accountability of Employees in BiH Institutions; Code of Conduct of Civil Servants in BiH Institutions; Criminal code of BiH (e.g. Chapter Nineteen - Criminal offences of corruption and criminal offences against official duty or other responsible duty or Chapter Twenty - Criminal offences against administration of justice). Labor Law in BiH Institutions – Article 60:

1. An employee shall be disciplinarily responsible for the breach of one or more official duties prescribed by this law when the breach is a result of their own fault. 2. Breaches of official duties may be serious or minor. 3. Serious breaches of official duties are:

a) performing an act that is defined as a criminal offense against official duty, or another criminal offense, or misdemeanor, which damages the reputation of the employer, making the employee unsuitable for work with the employer; b) revealing state, military, or official secrets, or violating regulations concerning the safeguarding of these secrets; c) abuse or exceeding of official authority; d) failure to perform or negligent and careless execution of entrusted tasks; e) engaging in activities that prevent or hinder citizens or other persons from exercising their rights with the employer;

f) engaging in activities or work that is directly or indirectly contrary to the interests of the employer; g) causing greater material damage to the employer's property or assets intentionally or through gross negligence, h) unjustified absence from work for more than two days in a month; i) violation of work discipline rules; j) untimely and disorderly execution of assigned tasks; k) inappropriate behavior towards citizens, colleagues, and other persons in the performance of official duties; l) any other violation that is determined by a special law as a serious violation. 4. The Rulebook on Disciplinary and Material Accountability of Employees (hereinafter referred to as the Rulebook on Disciplinary Responsibility) determines minor violations of official duty. 5. Responsibility for committing a criminal act or offense does not exclude disciplinary and material responsibility of an employee, provided that such an act simultaneously constitutes a violation of official duty. 6. The rulebook referred to in paragraph 4 of this article is adopted by the Council of

Q167 (General Comment): THE LAW ON THE HIGH JUDICIAL AND PROSECUTORIAL COUNCIL OF BOSNIA AND HERZEGOVINA The Article 86, paragraph 1 (Declaration of Assets and Interests) regulates as follows:
Judges and prosecutors shall submit to the HJPC their initial and annual declaration of assets and interests, including the manner and time of acquiring those assets and their acquisition value, income, interests, liabilities, expenditures and guarantees for themselves, their spouse or civil law partner, parents and children and other persons with whom they share a household. BOOK OF RULES OF THE HIGH JUDICIAL AND PROSECUTORIAL COUNCIL OF BOSNIA ON DISCLOSURE OF ASSETS AND INTERESTS HERZEGOVINA
The Article 19 regulates as follows:
(Types of Declarations and Filing Deadlines)
(1) First-time appointed judges and prosecutors shall file their asset declarations for the previous calendar year within 30 days from the date of publication of the decision on appointment on the website of the Council, while elected members of the Council shall file their asset declarations for the previous calendar year before taking office and within 30 days from the receipt of the decision on election.
(2) In the promotion procedure, the last annual report filed for the previous calendar year shall be taken as the initial report.
(3) Within the meaning of this Book of Rules, the term promotion shall not mean the appointment of:
1. of judges to the same or lower instances courts at Entity level;
2. of prosecutors to the same or lower instance prosecutor's offices at Entity level.
(4) Following the filing of their initial declaration, judges, prosecutors and Council members shall file their annual declarations by 1 March every year. (5) A judge, prosecutor and Council member whose term of office has expired shall, by 1 March of the year following the year for which the declaration is filed, file their asset declarations for the year in which their term expires and for the first calendar year following their end of term.
Q167 (2025): The bylaw was not marked in the Questionnaire for 2024, because it was inadvertently missed. Namely, the High Judicial and Prosecutorial Council of Bosnia and Herzegovina adopted the Book of Rules on Disclosure of Assets and Interests in 2024.

Q168 (General Comment): The Article 86, paragraph 2 of the Law on the HJPC BiH, regulates as follows
(1)Declaration from paragraph (1) of this Article shall contain the following data:
a)name and surname, date of birth, place and address of temporary/permanent residence, marital status/kinship with the declarant, employment status, function and place of work;
b)data on all income for the judge, prosecutor, spouse or civil-law partner, parents, children and other persons from paragraph (1) of this Article with whom they share a household;
c)data on income from other paid activities;
d)data on ownership of real estates, including the manner and time of their acquisition, and acquisition value;
e)data on ownership of vehicles, including the manner and time of its acquisition, and acquisition value;
f)data on ownership of other movables the individual value of which exceeds EUR 2,500 including the manner and time of acquisition;
g)data on deposits in banks or other financial institutions, including e-currencies and cash the value of which exceeds EUR 2,500;
h)data on life insurance policy;
i)data on gifts and donations received in connection with the performance of office, the value of which exceeds EUR 15;
j)data on gifts and donations received as a private person if their individual value exceeds EUR 250 or 500 in total per year;
k)data on investments, including shares and other securities;
l)data on other expenses; the individual value of which exceeds EUR 2,500
m)data on liabilities.

Q168 (2025): The gifts option was not marked in the Questionnaire for 2024, because it was inadvertently missed.

Q169 (General Comment): In addition to the above stated options, in accordance with the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, judges in Bosnia and Herzegovina are obliged to submit annual declaration of assets within the deadline set by the HJPC which shall not extend beyond 30 April of the current year.
A judge who is appointed to a judicial office for the first time, shall submit his/her entry declaration within 30 days from the day of assuming the office.
A judge whose mandate has expired shall submit his/her declaration pursuant to this Law for the first year following the expiry of their mandate.

Q169 (2024): In addition to the above stated options, in accordance with the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, judges in Bosnia and Herzegovina are obliged to submit annual declaration of assets within the deadline set by the HJPC which shall not extend beyond 30 April of the current year.
A judge who is appointed to a judicial office for the first time, shall submit his/her entry declaration within 30 days from the day of assuming the office.
A judge whose mandate has expired shall submit his/her declaration pursuant to this Law for the first year following the expiry of their mandate.

Q169 (2023): The Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of Bosnia and Herzegovina", number: 63/23) was adopted on 6 September 2023. The Law entered into force on 23 September 2023 and it is in application since from 23 December 2023. However, the implementation of the Law will begin in 2024, following the organizational and technical preparations at the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. For the purpose of verifying declarations, through the Department responsible for processing declarations within the Secretariat of the HJPC referred to in Article 86f of the Law on Amendments to the Law on the HJPC, the HJPC shall adopt and regularly revise the risk criteria which shall be confidential. A risk criterion is a circumstance or a set of circumstances based on which declarations of assets and interests are prioritized for regular checks, a schedule of checks is prepared and an additional check is conducted. First appointment and promotion constitute a risk criterion requiring additional checks to be conducted ex officio in accordance with Article 86c paragraphs (4) to (8) of the Law on Amendments to the Law on the HJPC.).
Q170 (General Comment): In accordance with the Article 86, paragraph 1 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina the judges are obliged to submit the asset declaration for themselves, their spouse or civil-law partner, parents and children and other persons with whom they share a household.

Q170 (2024): In accordance with the Article 86, paragraph 1 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina the judges are obliged to submit the asset declaration for themselves, their spouse or civil-law partner, parents and children and other persons with whom they share a household (hereinafter: the Declaration).
Q170 (2023): The financial statement shall include information about spouses and children who are part of the same household and hold shares in or participate in the management of private or public corporations and associations, including political parties. The Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of Bosnia and Herzegovina", number: 63/23) was adopted on 6 September 2023. The Law entered into force on 23 September 2023 and it is in application since 23 December 2023. However, the implementation of the Law will begin in 2024, following the organizational and technical preparations at the High Judicial and Prosecutorial Council of Bosnia and Herzegovina.
Q170 (2022): The financial statement shall include information about spouses and children who are part of the same household and hold shares in or participate in the management of private or public corporations and associations, including political parties.
Q171 (General Comment): In accordance with the amendment to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina (i.e. the Article 86e), which has been applied since 2024, HJPC has established the Register of Declarations on Assets and Interests. Declarations of judges and prosecutors whose mandate has terminated shall be expunged from the Register ten years after mandate termination. Expungement is suspended during any ongoing use of the declarations and attached documents by the Council or any other authority for an official procedure.
Q172 (General Comment): In accordance with the Article 86f of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, in 2025 the HJPC established the Asset Declaration Department responsible for processing declarations within the HJPC Secretariat (hereinafter: the Department), which is independent in performing its tasks and shall be competent for implementing the provisions of this Law that regulate the processing of declarations, without receiving any instructions and without any interference in its work on specific cases. The Department is independently managed by the Head of the Department, who organizes and ensures the lawful and efficient performance of tasks, while performing the function entrusted to him/her conscientiously. The Head of the Department is assisted in his/her work by the Deputy Head, legal advisers, expert advisers and other employees
tasked to perform duties laid down in the Rulebook on Internal Organization and Job Systematization in the Secretariat.
Furthermore, in accordance with the Article 3, paragraph 1 of the Book of Rule, as an integral component of the HJPC BiH Secretariat's organisational structure, the Asset Declaration Department independently and autonomously carries out the competences outlined in Article 86g of the Law on the HJPC BiH, in accordance with the Law on the HJPC BiH and the Law on Civil Service in the Institutions of BiH.

Q174 (General Comment): In accordance with the amendment to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina (i.e. the Article 86e), which has been applied since 2024, HJPC has established the Register of Declarations on Assets and Interests. Declarations of judges and prosecutors whose mandate has terminated shall be expunged from the Register ten years after mandate termination. Expungement is suspended during any ongoing use of the declarations and attached documents by the Council or any other authority for an official procedure.
Q175 (General Comment): The Article 86a. of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes that declaration of assets shall be published on the HJPC website with the purpose to strengthen integrity, transparency and public trust in the judiciary, and to prevent conflict of interest and other impermissible influence on the performance of a judicial office. The following data from the declaration shall not be available to the public: names of minor persons listed in the declaration, except for the first letter of their first name, personal identity number and residence address of the judge or prosecutor or other persons listed in the declaration, the name and number of the street where the property listed in the declaration is located, bank account numbers and other financial ID numbers, individual amounts of cash owned by a judge or prosecutor and individual amounts of money owned by other household members, registration numbers of vehicles.
Annual income tax return and other attachments that a judge submit with their declarations shall not be available to the public.
First and last names of the relatives of a judge working in the judiciary, the bar, public attorney or notary offices shall be published on the HJPC website. Relatives shall include relatives in the direct line of descent, relatives in the lateral line of descent up to a third degree, relatives-in-law to a second degree and the child of a spouse, spouse or a civil-law partner, adoptive parents and adopted children.
Information from asset declarations of judges whose term of office has been terminated will not be publicly available three years after the termination.

Q175 (2024): The Article 86a. of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes that declaration of assets shall be published on the HJPC website with the purpose to strengthen integrity, transparency and public trust in the judiciary, and to prevent conflict of interest and other impermissible influence on the performance of a judicial office. The following data from the declaration shall not be available to the public: names of minor persons listed in the declaration, except for the first letter of their first name, personal identity number and residence address of the judge or prosecutor or other persons listed in the declaration, the name and number of the street where the property listed in the declaration is located, bank account numbers and other financial ID numbers, individual amounts of cash owned by a judge or prosecutor and individual amounts of money owned by other household members, registration numbers of vehicles.
Annual income tax return and other attachments that a judge submit with their declarations shall not be available to the public.
First and last names of the relatives of a judge working in the judiciary, the bar, public attorney or notary offices shall be published on the HJPC website. Relatives shall include relatives in the direct line of descent, relatives in the lateral line of descent up to a third degree, relatives-in-law to a second degree and the child of a spouse, spouse or a civil-law partner, adoptive parents and adopted children. Furthermore, the Article 21 of the Book of Rule is related to transparency of processing declaration and prescribes that annual declarations and end-of-term declarations of judges are published on the website of the HJPC within 30 days of the deadline for filing declarations. Initial asset declarations of newly appointed judges are published on the website of the HJPC within 30 days from assuming office. Information from asset declarations not available to the public pursuant to the Article 86a of the Law on the HJPC BiH is clearly marked in asset declaration form to be filled out electronically.
Information from asset declarations of judges whose term of office has been terminated will not be publicly available three years after the termination.

Q175 (2023): Only with the consent of judges and prosecutors, their declarations of assets are published on the website of the HJPC BiH during 2023 (for the declaration of assets for 2022). The Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of Bosnia and Herzegovina", number: 63/23) was adopted on 6 September 2023. The Law entered into force on 23 September 2023 and it is in application since from 23 December 2023. However, the implementation of the Law will begin in 2024, following the organizational and technical preparations at the High Judicial and Prosecutorial Council of Bosnia and Herzegovina.

Q175 (2022): Only with the consent of judges and prosecutors, their declarations of assets are published on the website of the HJPC BiH.

[illegible] offences for judges which includes (among others):

l) violating provisions of this Law on submitting declaration of assets and interests.

Therefore non-declaration of assets is prescribed by the law explicitly as a disciplinary offence for the judge for which any disciplinary measure can be imposed depending on the circumstances of an individual disciplinary case. Article 58 of the the Law prescribes the disciplinary measures, which the HJPC may impose, to the judges:

(1) The Council may impose one or more of the following disciplinary measures: (a) a written warning which shall not be made public; (b) public reprimand; (c) reduction in salary or emoluments up to a maximum of 50% (fifty per cent) for a period of up to one (1) year; (d) temporary or permanent reassignment to another court or prosecutor's office; (e) demotion of a Court President to an ordinary judge or the Chief Prosecutor or Deputy Chief Prosecutor to an ordinary prosecutor; (f) removal from the office. (2) As a separate measure, instead of or in addition to any of the disciplinary measures set out above, the Council may, if appropriate, order that a judge or prosecutor participate in rehabilitation programmes, counselling, or professional training. (3) All rights and privileges under labour relations of a judge, Court President, Chief Prosecutor, Deputy Chief Prosecutor, or prosecutor who is removed from office pursuant to a disciplinary proceeding shall cease upon removal by the Council. A judges or prosecutor who is removed from office under this article shall be barred from further exercise of judicial or prosecutorial function. Article 59 of the Law refers to the Principles for determining of the measures:

(1)Disciplinary measures imposed should be governed by the principle of proportionality. Before pronouncing the measures for a disciplinary offence, the following aspects shall be taken into consideration by the disciplinary commissions:

(a)the number and severity of the disciplinary offence committed and its consequences;

(b)the degree of responsibility;

(c)the circumstances under which the disciplinary offence was committed;

(d)the previous work and behaviour of the offender; and

(e)any other circumstances that may affect the decision on the severity and type of disciplinary measure, including the degree of remorse and/or cooperation shown by the judge or prosecutor during the disciplinary proceedings.

(2)The disciplinary measure of dismissal shall only be used in cases where a serious disciplinary offence is found and the severity of the offence makes it clear that the offender is unfit or unworthy to continue to hold his or her office.

(3)The Council may take into account any prior suspension, imposed in the course of the proceedings in question, and may reduce the disciplinary measure accordingly, or may, at its discretion,determine that the prior suspension is itself a sufficient measure for the disciplinary violation or violations found.

In order to support the disciplinary commissions and the Council in determining and imposing disciplinary measures in accordance with the Article 59 of the Law, the Council adopted in July 2016 internal Guidelines for Determining Disciplinary Measures in Disciplinary Proceedings. These Guidelines prescribe the manner in which an appropriate disciplinary measure should be determined in a specific disciplinary case, and ensure consistency and fairness in all cases relating to similar disciplinary offences and circumstances. The Guidelines serve as a means of achieving the primary purpose of disciplinary responsibility, which includes the following: (a) protecting the interests of the public, judicial

Q176 (2021): The Article 58, paragraph 1 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes the list of the disciplinary offences for judges which includes (among others):
l) violating provisions of this Law on submitting declaration of assets and interests;
Therefore non-declaration of assets is prescribed by the law explicitly as a disciplinary offence for the judge for which any disciplinary measure can be imposed depending on the circumstances of an individual disciplinary case. Article 58 of the the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes the disciplinary measures, which the HJPC may impose, to the judges:
(1) The Council may impose one or more of the following disciplinary measures: (a) a written warning which shall not be made public; (b) public reprimand; (c) reduction in salary or emoluments up to a maximum of 50% (fifty per cent) for a period of up to one (1) year; (d) temporary or permanent reassignment to another court or prosecutor's office; (e) demotion of a Court President to an ordinary judge or the Chief Prosecutor or Deputy Chief Prosecutor to an ordinary prosecutor; (f) removal from the office. (2) As a separate measure, instead of or in addition to any of the disciplinary measures set out above, the Council may, if appropriate, order that a judge or prosecutor participate in rehabilitation programmes, counselling, or professional training. (3) All rights and privileges under labour relations of a judge, Court President, Chief Prosecutor, Deputy Chief Prosecutor, or prosecutor who is removed from office pursuant to a disciplinary proceeding shall cease upon removal by the Council. A judges or prosecutor who is removed from office under this article shall be barred from further exercise of judicial or prosecutorial function. Article 59 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina refers to the Principles for determining of the measures:
(1)Disciplinary measures imposed should be governed by the principle of proportionality. Before pronouncing the measures for a disciplinary offence, the following aspects shall be taken into consideration by the disciplinary commissions:
(a)the number and severity of the disciplinary offence committed and its consequences;
(b)the degree of responsibility;
(c)the circumstances under which the disciplinary offence was committed;
(d)the previous work and behaviour of the offender; and
(e)any other circumstances that may affect the decision on the severity and type of disciplinary measure, including the degree of remorse and/or cooperation shown by the judge or prosecutor during the disciplinary proceedings.
(2)The disciplinary measure of dismissal shall only be used in cases where a serious disciplinary offence is found and the severity of the offence makes it clear that the offender is unfit or unworthy to continue to hold his or her office.
(3)The Council may take into account any prior suspension, imposed in the course of the proceedings in question, and may reduce the disciplinary measure accordingly, or may, at its discretion,determine that the prior suspension is itself a sufficient measure for the disciplinary violation or violations found.
In order to support the disciplinary commissions and the Council in determining and imposing disciplinary measures in accordance with the Article 59 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, the Council adopted in July 2016 internal Guidelines for Determining Disciplinary Measures in Disciplinary Proceedings. These
Q177 (2022): The cases are pending.

Q178 (General Comment): THE LAW ON THE HIGH JUDICIAL AND PROSECUTORIAL COUNCIL OF BOSNIA AND HERZEGOVINA The Article 86, paragraph 1 (Declaration of Assets and Interests) regulates as follows:
Judges and prosecutors shall submit to the HJPC their initial and annual declaration of assets and interests, including the manner and time of acquiring those assets and their acquisition value, income, interests, liabilities, expenditures and guarantees for themselves, their spouse or civil law partner, parents and children and other persons with whom they share a household BOOK OF RULES OF THE HIGH JUDICIAL AND PROSECUTORIAL COUNCIL OF BOSNIA ON DISCLOSURE OF ASSETS AND INTERESTS HERZEGOVINA
The Article 19 regulates as follows:
(Types of Declarations and Filing Deadlines)
(1) First-time appointed judges and prosecutors shall file their asset declarations for the previous calendar year within 30 days from the date of publication of the decision on appointment on the website of the Council, while elected members of the Council shall file their asset declarations for the previous calendar year before taking office and within 30 days from the receipt of the decision on election.
(2) In the promotion procedure, the last annual report filed for the previous calendar year shall be taken as the initial report.
(3) Within the meaning of this Book of Rules, the term promotion shall not mean the appointment of:
1. of judges to the same or lower instances courts at Entity level;
2. of prosecutors to the same or lower instance prosecutor's offices at Entity level.
(4) Following the filing of their initial declaration, judges, prosecutors and Council members shall file their annual declarations by 1 March every year. (5) A judge, prosecutor and Council member whose term of office has expired shall, by 1 March of the year following the year for which the declaration is filed, file their asset declarations for the year in which their term expires and for the first calendar year following their end of term.
Q178 (2025): The bylaw was not marked in the Questionnaire for 2024, because it was inadvertently missed. Namely, the High Judicial and Prosecutorial Council of Bosnia and Herzegovina adopted the Book of Rules on Disclosure of Assets and Interests in 2024.
Q178 (2024): The Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of Bosnia and Herzegovina", number: 63/23) was adopted on 6 September 2023. The Law entered into force on 23 September 2023 and it is in application since from 23 December 2023. The implementation of the Law has started in 2024. Therefore pursuant to the Article 86, paragraph 1 (Declaration of Assets and Interests) of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina (Official Gazette of BiH, number 25/04, 93/05, 48/07, 15/08, 63/23, 9/24 i 50/24) prosecutors are obliged to submit to the HJPC their initial and annual declaration of assets and interests, including the manner and time of acquiring those assets and their acquisition value, income, interests, liabilities, expenditures and guarantees for themselves, their spouse or civil-law partner, parents and children and other persons with whom they share a household.

Q179 (General Comment): The Article 86, paragraph 2 of the Law on the HJPC BiH, regulates as follows
(1)Declaration from paragraph (1) of this Article shall contain the following data:
a)name and surname, date of birth, place and address of temporary/permanent residence, marital status/kinship with the declarant, employment status, function and place of work;
b)data on all income for the judge, prosecutor, spouse or civil-law partner, parents, children and other persons from paragraph (1) of this Article with whom they share a household;
c)data on income from other paid activities;
d)data on ownership of real estates, including the manner and time of their acquisition, and acquisition value;
e)data on ownership of vehicles, including the manner and time of its acquisition, and acquisition value;
f)data on ownership of other movables the individual value of which exceeds EUR 2,500 including the manner and time of acquisition;
g)data on deposits in banks or other financial institutions, including e-currencies and cash the value of which exceeds EUR 2,500;
h)data on life insurance policy;
i)data on gifts and donations received in connection with the performance of office, the value of which exceeds EUR 15;
j)data on gifts and donations received as a private person if their individual value exceeds EUR 250 or 500 in total per year;
k)data on investments, including shares and other securities;
l)data on other expenses; the individual value of which exceeds EUR 2,500
m)data on liabilities.

Q180 (General Comment): In addition to the above stated options, in accordance with the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, prosecutors are obliged to submit annual declaration of assets within the deadline set by the HJPC which shall not extend beyond 30 April of the current year. A prosecutor who is appointed to a judicial office for the first time, shall submit his/her entry declaration within 30 days from the day of assuming the office. A prosecutor whose mandate has expired shall submit his/her declaration pursuant to this Law for the first year following the expiry of their mandate.
Q180 (2024): In addition to the above stated options, in accordance with the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, prosecutors are obliged to submit annual declaration of assets within the deadline set by the HJPC which shall not extend beyond 30 April of the current year. A prosecutor who is appointed to a judicial office for the first time, shall submit his/her entry declaration within 30 days from the day of assuming the office. A prosecutor whose mandate has expired shall submit his/her declaration pursuant to this Law for the first year following the expiry of their mandate.
Q180 (2023): The Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of Bosnia and Herzegovina", number: 63/23) was adopted on 6 September 2023. The Law entered into force on 23 September 2023 and it is in application since from 23 December 2023. However, the implementation of the Law will begin in 2024, following the organizational and technical preparations at the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. For the purpose of verifying declarations, through the Department responsible for processing declarations within the Secretariat of the HJPC referred to in Article 86f of the Law on Amendments to the Law on the HJPC, the HJPC shall adopt and regularly revise the risk criteria which shall be confidential. A risk criterion is a circumstance or a set of circumstances based on which declarations of assets and interests are prioritized for regular checks, a schedule of checks is prepared and an additional check is conducted. First appointment and promotion constitute a risk criterion requiring additional checks to be conducted ex officio in accordance with Article 86c paragraphs (4) to (8) of the Law on Amendments to the Law on the HJPC.).

Q181 (General Comment): In accordance with the Article 86, paragraph 1 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina the prosecutors are obliged to submit the asset declaration for themselves, their spouse or civil-law partner, parents and children and other persons with whom they share a household (hereinafter: the Declaration).
Q181 (2024): In accordance with the Article 86, paragraph 1 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina the prosecutors are obliged to submit the asset declaration for themselves, their spouse or civil-law partner, parents and children and other persons with whom they share a household (hereinafter: the Declaration).
Q181 (2023): The financial statement shall include information about spouses and children who are part of the same household and hold shares in or participate in the management of private or public corporations and associations, including political parties. The Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of Bosnia and Herzegovina", number: 63/23) was adopted on 6 September 2023. The Law entered into force on 23 September 2023 and it is in application since 23 December 2023. However, the implementation of the Law will begin in 2024, following the organizational and technical preparations at the High Judicial and Prosecutorial Council of Bosnia and Herzegovina.

Q181 (2022): The financial statement shall include information about spouses and children who are part of the same household and hold shares in or participate in the management of private or public corporations and associations, including political parties.
Q183 (General Comment): In accordance with the Article 86f of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, in 2025 the HJPC established the Asset Declaration Department responsible for processing declarations within the HJPC Secretariat (hereinafter: the Department), which is independent in performing its tasks and shall be competent for implementing the provisions of this Law that regulate the processing of declarations, without receiving any instructions and without any interference in its work on specific cases. The Department is independently managed by the Head of the Department, who organizes and ensures the lawful and efficient performance of tasks, while performing the function entrusted to him/her conscientiously. The Head of the Department is assisted in his/her work by the Deputy Head, legal advisers, expert advisers and other employees
tasked to perform duties laid down in the Rulebook on Internal Organization and Job Systematization in the Secretariat.
Furthermore, in accordance with the Article 3, paragraph 1 of the Book of Rule, as an integral component of the HJPC BiH Secretariat's organisational structure, the Asset Declaration Department independently and autonomously carries out the competences outlined in Article 86g of the Law on the HJPC BiH, in accordance with the Law on the HJPC BiH and the Law on Civil Service in the Institutions of BiH.
Q185 (General Comment): In accordance with the amendment to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina (i.e. the Article 86e), which has been applied since 2024, HJPC has established the Register of Declarations on Assets and Interests. Declarations of judges and prosecutors whose mandate has terminated shall be expunged from the Register ten years after mandate termination. Expungement is suspended during any ongoing use of the declarations and attached documents by the Council or any other authority for an official procedure.

Q186 (General Comment): The Article 86a. of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes that declaration of assets shall be published on the HJPC website with the purpose to strengthen integrity, transparency and public trust in the judiciary, and to prevent conflict of interest and other impermissible influence on the performance of a judicial office. The following data from the declaration shall not be available to the public: names of minor persons listed in the declaration, except for the first letter of their first name, personal identity number and residence address of the judge or prosecutor or other persons listed in the declaration, the name and number of the street where the property listed in the declaration is located, bank account numbers and other financial ID numbers, individual amounts of cash owned by a judge or prosecutor and individual amounts of money owned by other household members, registration numbers of vehicles.
Annual income tax return and other attachments that a judge submit with their declarations shall not be available to the public.
First and last names of the relatives of a judge working in the judiciary, the bar, public attorney or notary offices shall be published on the HJPC website. Relatives shall include relatives in the direct line of descent, relatives in the lateral line of descent up to a third degree, relatives-in-law to a second degree and the child of a spouse, spouse or a civil-law partner, adoptive parents and adopted children.
Information from asset declarations of judges whose term of office has been terminated will not be publicly available three years after the termination.

Q186 (2024): The Article 86a. of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes that declaration of assets shall be published on the HJPC website with the purpose to strengthen integrity, transparency and public trust in the judiciary, and to prevent conflict of interest and other impermissible influence on the performance of a prosecutor's office. The following data from the declaration shall not be available to the public: names of minor persons listed in the declaration, except for the first letter of their first name, personal identity number and residence address of the judge or prosecutor or other persons listed in the declaration, the name and number of the street where the property listed in the declaration is located, bank account numbers and other financial ID numbers, individual amounts of cash owned by a judge or prosecutor and individual amounts of money owned by other household members, registration numbers of vehicles.
Annual income tax return and other attachments that a prosecutor submits with their declarations shall not be available to the public.
First and last names of the relatives of a prosecutor working in the judiciary, the bar, public attorney or notary offices shall be published on the HJPC website. Relatives shall include relatives in the direct line of descent, relatives in the lateral line of descent up to a third degree, relatives-in-law to a second degree and the child of a spouse, spouse or a civil-law partner, adoptive parents and adopted children. Furthermore, the Article 21 of the Book of Rule is related to transparency of processing declaration and prescribes that annual declarations and end-of-term declarations of prosecutors are published on the website of the HJPC within 30 days of the deadline for filing declarations. Initial asset declarations of newly appointed prosecutors are published on the website of the HJPC within 30 days from assuming office. Information from asset declarations not available to the public pursuant to the Article 86a of the Law on the HJPC BiH is clearly marked in asset declaration form to be filled out electronically.
Information from asset declarations of judges whose term of office has been terminated will not be publicly available three years after the termination.

Q186 (2023): Only with the consent of judges and prosecutors, their declarations of assets are published on the website of the HJPC BiH during 2023 (for the declaration of assets for 2022). The Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of Bosnia and Herzegovina", number: 63/23) was adopted on 6 September 2023. The Law entered into force on 23 September 2023 and it is in application since from 23 December 2023. However, the implementation of the Law will begin in 2024, following the organizational and technical preparations at the High Judicial and Prosecutorial Council of Bosnia and Herzegovina.
Q186 (2022): Only with the consent of judges and prosecutors, their declarations of assets are published on the website of the HJPC BiH.

Q137 (Judicial Council): The Article 97, paragraph 2 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes the list of the disciplinary offences for prosecutors which includes (among others):
l) violating provisions of this Law on submitting declaration of assets and interests.
Therefore, non-declaration of assets is prescribed by the law explicitly as a disciplinary offence for the prosecutor for which any disciplinary measure can be imposed depending on the circumstances of an individual disciplinary case. Article 58 of the the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes the disciplinary measures, which the HJPC may impose, to the prosecutors:
(1) The Council may impose one or more of the following disciplinary measures: (a) a written warning which shall not be made public; (b) public reprimand; (c) reduction in salary or emoluments up to a maximum of 50% (fifty per cent) for a period of up to one (1) year; (d) temporary or permanent reassignment to another court or prosecutor's office; (e) demotion of a Court President to an ordinary judge or the Chief Prosecutor or Deputy Chief Prosecutor to an ordinary prosecutor; (f) removal from the office. (2) As a separate measure, instead of or in addition to any of the disciplinary measures set out above, the Council may, if appropriate, order that a judge or prosecutor participate in rehabilitation programmes, counselling, or professional training. (3) All rights and privileges under labour relations of a judge, Court President, Chief Prosecutor, Deputy Chief Prosecutor, or prosecutor who is removed from office pursuant to a disciplinary proceeding shall cease upon removal by the Council. A judges or prosecutor who is removed from office under this article shall be barred from further exercise of judicial or prosecutorial function. Article 59 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina refers to the Principles for determining of the measures:
(1)Disciplinary measures imposed should be governed by the principle of proportionality. Before pronouncing the measures for a disciplinary offence, the following aspects shall be taken into consideration by the disciplinary commissions:
(a)the number and severity of the disciplinary offence committed and its consequences;
(b)the degree of responsibility;
(c)the circumstances under which the disciplinary offence was committed;
(d)the previous work and behaviour of the offender; and
(e)any other circumstances that may affect the decision on the severity and type of disciplinary measure, including the degree of remorse and/or cooperation shown by the judge or prosecutor during the disciplinary proceedings.
(2)The disciplinary measure of dismissal shall only be used in cases where a serious disciplinary offence is found and the severity of the offence makes it clear that the offender is unfit or unworthy to continue to hold his or her office.
(3)The Council may take into account any prior suspension, imposed in the course of the proceedings in question, and may reduce the disciplinary measure accordingly, or may, at its discretion,determine that the prior suspension is itself a sufficient measure for the disciplinary violation or violations found.
In order to support the disciplinary commissions and the Council in determining and imposing disciplinary measures in accordance with the Article 59 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, the Council adopted in July 2016 internal Guidelines for Determining Disciplinary Measures in Disciplinary Proceedings. These

Q137 (2024): The Article 57, paragraph 2 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes the list of the disciplinary offences for prosecutors which includes (among others):
l) violating provisions of this Law on submitting declaration of assets and interests;
Therefore non-declaration of assets is prescribed by the law explicitly as a disciplinary offence for the prosecutor for which any disciplinary measure can be imposed depending on the circumstances of an individual disciplinary case. Article 58 of the the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes the disciplinary measures, which the HJPC may impose, to the prosecutors:
(1) The Council may impose one or more of the following disciplinary measures: (a) a written warning which shall not be made public; (b) public reprimand; (c) reduction in salary or emoluments up to a maximum of 50% (fifty per cent) for a period of up to one (1) year; (d) temporary or permanent reassignment to another court or prosecutor's office; (e) demotion of a Court President to an ordinary judge or the Chief Prosecutor or Deputy Chief Prosecutor to an ordinary prosecutor; (f) removal from the office. (2) As a separate measure, instead of or in addition to any of the disciplinary measures set out above, the Council may, if appropriate, order that a judge or prosecutor participate in rehabilitation programmes, counselling, or professional training. (3) All rights and privileges under labour relations of a judge, Court President, Chief Prosecutor, Deputy Chief Prosecutor, or prosecutor who is removed from office pursuant to a disciplinary proceeding shall cease upon removal by the Council. A judges or prosecutor who is removed from office under this article shall be barred from further exercise of judicial or prosecutorial function. Article 59 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina refers to the Principles for determining of the measures:
(1)Disciplinary measures imposed should be governed by the principle of proportionality. Before pronouncing the measures for a disciplinary offence, the following aspects shall be taken into consideration by the disciplinary commissions:
(a)the number and severity of the disciplinary offence committed and its consequences;
(b)the degree of responsibility;
(c)the circumstances under which the disciplinary offence was committed;
(d)the previous work and behaviour of the offender; and
(e)any other circumstances that may affect the decision on the severity and type of disciplinary measure, including the degree of remorse and/or cooperation shown by the judge or prosecutor during the disciplinary proceedings.
(2)The disciplinary measure of dismissal shall only be used in cases where a serious disciplinary offence is found and the severity of the offence makes it clear that the offender is unfit or unworthy to continue to hold his or her office.
(3)The Council may take into account any prior suspension, imposed in the course of the proceedings in question, and may reduce the disciplinary measure accordingly, or may, at its discretion,determine that the prior suspension is itself a sufficient measure for the disciplinary violation or violations found.
In order to support the disciplinary commissions and the Council in determining and imposing disciplinary measures in accordance with the Article 59 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, the Council adopted in July 2016 internal Guidelines for Determining Disciplinary Measures in Disciplinary Proceedings. These

Q255 (General comment): Regulation/procedure on reporting a (potential) conflict of interest: The Article 83 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina referring to the Referral to the Council prescribes that judge may request the Council's opinion on whether his/her activities are compatible with his or her office and the provisions of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. A court president may also request Council's opinion when he or she believes that a judge performs or intends to perform an activity that is incompatible with his or her office. Court president shall inform the judge concerned about the request for opinion. In addition to issuing opinions in response to specific request, the Council may also, ex officio, issue its opinion on compatibility of a judicial office with the activities they perform upon receiving the information from Article 83, paragraph (3) of this Law. Council's opinion on compatibility of offices shall be binding and compliance with it shall protect the judge against the risk of disciplinary proceedings. Regulation/procedure for recusal/withdrawal from a case:
THE CODE OF ETHICS FOR JUDGES ADOPTED BY THE HIGH JUDICIAL AND PROSECUTORIAL COUNCIL OF BOSNIA AND HERZEGOVINA
2.2 A judge shall conduct himself or herself in his/her personal or business affairs as to minimize the occasions on which it will be necessary for the judge to be disqualified from hearing or deciding cases.
2.2.a In evaluating reasons for recusal from a case, in order to avoid every perceived, potential of actual conflict of interest, a judge should take into account in particular all of their previous duties and activities performed prior to taking the judicial office.
2.2.b A judge who intends to terminate their judicial function or who knows that their function will be terminated by force of law or by the HJPC's decision, shall not use their judicial function or judicial resources to promote their future activities and in this regard, they shall bear in mind the potential existence of grounds for recusal.
2.2.c If a judge knows that his/her family member or other person close to him/her has a financial, political or other interest in a case that he/she adjudicates, the judge should request to be recused. This implies that a judge should take reasonable steps to be informed about financial, political or other interests of his/her family members.
Regulation on receiving gifts:
THE CODE OF ETHICS FOR JUDGES ADOPTED BY THE HIGH JUDICIAL AND PROSECUTORIAL COUNCIL OF BOSNIA AND HERZEGOVINA
4.11 A judge and members of the judge's family, shall neither ask for, nor accept, any gift, bequest, loan or favour in relation to anything done or to be done or omitted to be done by the judge in connection with the performance of judicial duties, nor shall a judge knowingly permit such conduct by court staff or others under his supervision during and after performance of their judicial duties.
4.11.a A judge should inform their close family members about the rules on receiving prohibited gifts or other benefits.
4.12 Subject to law and to any legal requirements of public disclosure, a judge may receive a token gift, award or benefit as appropriate to the occasion on which it is made provided that such gift, award or benefit might not reasonably be perceived as intended to influence the judge in the performance of judicial duties or otherwise give rise to an appearance of partiality.
Regulation on combining the profession of a judge with other functions/professional activities:
THE LAW ON HIGH JUDICIAL AND PROSECUTORIAL COUNCIL OF BOSNIA AND HERZEGOVINA
Article 82 (Prohibition against holding incompatible offices)

Q128 (2023): Regulation/procedure on reporting a (potential) conflict of interest: The Article 83 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina referring to the Referral to the Council prescribes that judge may request the Council's opinion on whether his/her activities are compatible with his or her office and the provisions of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. A court president may also request Council's opinion when he or she believes that a judge performs or intends to perform an activity that is incompatible with his or her office. Court president shall inform the judge concerned about the request for opinion.
In addition to issuing opinions in response to specific request, the Council may also, ex officio, issue its opinion on compatibility of a judicial office with the activities they perform upon receiving the information from Article 83, paragraph (3) of this Law. Council's opinion on compatibility of offices shall be binding and compliance with it shall protect the judge against the risk of disciplinary proceedings. Regulation/procedure for recusal/withdrawal from a case:
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2.2.a In evaluating reasons for recusal from a case, in order to avoid every perceived, potential of actual conflict of interest, a judge should take into account in particular all of their previous duties and activities performed prior to taking the judicial office.
2.2.b A judge who intends to terminate their judicial function or who knows that their function will be terminated by force of law or by the HJPC's decision, shall not use their judicial function or judicial resources to promote their future activities and in this regard, they shall bear in mind the potential existence of grounds for recusal.
2.2.c If a judge knows that his/her family member or other person close to him/her has a financial, political or other interest in a case that he/she adjudicates, the judge should request to be recused. This implies that a judge should take reasonable steps to be informed about financial, political or other interests of his/her family members.
Regulation on receiving gifts:
THE CODE OF ETHICS FOR JUDGES ADOPTED BY THE HIGH JUDICIAL AND PROSECUTORIAL COUNCIL OF BOSNIA AND HERZEGOVINA
4.11 A judge and members of the judge's family, shall neither ask for, nor accept, any gift, bequest, loan or favour in relation to anything done or to be done or omitted to be done by the judge in connection with the performance of judicial duties, nor shall a judge knowingly permit such conduct by court staff or others under his supervision during and after performance of their judicial duties.
4.11.a A judge should inform their close family members about the rules on receiving prohibited gifts or other benefits.
4.12 Subject to law and to any legal requirements of public disclosure, a judge may receive a token gift, award or benefit as appropriate to the occasion on which it is made provided that such gift, award or benefit might not reasonably be perceived as intended to influence the judge in the performance of judicial duties or otherwise give rise to an appearance of partiality.
Regulation on combining the profession of a judge with other functions/professional activities:
THE LAW ON HIGH JUDICIAL AND PROSECUTORIAL COUNCIL OF BOSNIA AND HERZEGOVINA
Article 82 (Prohibition against holding incompatible offices)

Q190 (2024): Regulation/procedure on reporting a (potential) conflict of interest: The Article 83 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina referring to the Referral to the Council prescribes that judge may request the Council's opinion on whether his/her activities are compatible with his or her office and the provisions of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. A court president may also request Council's opinion when he or she believes that a judge performs or intends to perform an activity that is incompatible with his or her office. Court president shall inform the judge concerned about the request for opinion.
In addition to issuing opinions in response to specific request, the Council may also, ex officio, issue its opinion on compatibility of a judicial office with the activities they perform upon receiving the information from Article 83, paragraph (3) of this Law. Council's opinion on compatibility of offices shall be binding and compliance with it shall protect the judge against the risk of disciplinary proceedings. Regulation/procedure for recusal/withdrawal from a case:
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2.2 A judge shall conduct himself or herself in his/her personal or business affairs as to minimize the occasions on which it will be necessary for the judge to be disqualified from hearing or deciding cases.
2.2.a In evaluating reasons for recusal from a case, in order to avoid every perceived, potential of actual conflict of interest, a judge should take into account in particular all of their previous duties and activities performed prior to taking the judicial office.
2.2.b A judge who intends to terminate their judicial function or who knows that their function will be terminated by force of law or by the HJPC's decision, shall not use their judicial function or judicial resources to promote their future activities and in this regard, they shall bear in mind the potential existence of grounds for recusal.
2.2.c If a judge knows that his/her family member or other person close to him/her has a financial, political or other interest in a case that he/she adjudicates, the judge should request to be recused. This implies that a judge should take reasonable steps to be informed about financial, political or other interests of his/her family members.
Regulation on receiving gifts:
THE CODE OF ETHICS FOR JUDGES ADOPTED BY THE HIGH JUDICIAL AND PROSECUTORIAL COUNCIL OF BOSNIA AND HERZEGOVINA
4.11 A judge and members of the judge's family, shall neither ask for, nor accept, any gift, bequest, loan or favour in relation to anything done or to be done or omitted to be done by the judge in connection with the performance of judicial duties, nor shall a judge knowingly permit such conduct by court staff or others under his supervision during and after performance of their judicial duties.
4.11.a A judge should inform their close family members about the rules on receiving prohibited gifts or other benefits.
4.12 Subject to law and to any legal requirements of public disclosure, a judge may receive a token gift, award or benefit as appropriate to the occasion on which it is made provided that such gift, award or benefit might not reasonably be perceived as intended to influence the judge in the performance of judicial duties or otherwise give rise to an appearance of partiality.
Regulation on combining the profession of a judge with other functions/professional activities:
THE LAW ON HIGH JUDICIAL AND PROSECUTORIAL COUNCIL OF BOSNIA AND HERZEGOVINA
Article 82 (Prohibition against holding incompatible offices)

Q191 (General Comment): If a judicial office holder is not certain whether an activity is compatible with the judicial function and the relevant prerequisites from the law, he or she will obtain a binding opinion from the High Judicial and Prosecutorial Council of Bosnia and Herzegovina to clarify the issue.
A judicial office holder must make sure to comply with the prerequisite that the total amount of remuneration for other activities may not exceed 40% of his or her annual salary.

Q193 (2025): If a judicial office holder is not certain whether an activity is compatible with the judicial function and the relevant prerequisites from the law, he or she will obtain a binding opinion from the High Judicial and Prosecutorial Council of Bosnia and Herzegovina to clarify the issue.
A judicial office holder must make sure to comply with the prerequisite that the total amount of remuneration for other activities may not exceed 40% of his or her annual salary.

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Q193 (2022): If a judicial office holder is not certain whether an activity is compatible with the judicial function and the relevant prerequisites from the law, he or she will obtain a binding opinion from the High Judicial and Prosecutorial Council of Bosnia and Herzegovina to clarify the issue.
A judicial office holder must make sure to comply with the prerequisite that the total amount of remuneration for other activities may not exceed 40% of his or her annual salary.

Q23-1 (Judicial Council): The Article 58, paragraph 2 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes the list of the disciplinary offences for judges that includes (among others):
c) not disqualifying himself or herself from hearing a case when a conflict of interest exists; o) being engaged in activities that are incompatible with the judicial function;
p) exceeding any limitations related to income generated from fees for additional activities;
t) accepting a gift or reward whose purpose is to inappropriately influence the judge's decisions or actions, including cases where the gift or reward only give an impression of inappropriate influence.
Therefore the breaches of rules on conflict of interests are prescribed by the law explicitly as a disciplinary offences for the judge for which any disciplinary measure can be imposed depending on the circumstances of an individual disciplinary case. Article 58 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes the disciplinary measures, which the HJPC may impose, to the judges:
(1) The Council may impose one or more of the following disciplinary measures: (a) a written warning which shall not be made public; (b) public reprimand; (c) reduction in salary or emoluments up to a maximum of 50% (fifty per cent) for a period of up to one (1) year; (d) temporary or permanent reassignment to another court or prosecutor's office; (e) demotion of a Court President to an ordinary judge or the Chief Prosecutor or Deputy Chief Prosecutor to an ordinary prosecutor; (f) removal from the office. (2) As a separate measure, instead of or in addition to any of the disciplinary measures set out above, the Council may, if appropriate, order that a judge or prosecutor participate in rehabilitation programmes, counselling, or professional training. (3) All rights and privileges under labour relations of a judge, Court President, Chief Prosecutor, Deputy Chief Prosecutor, or prosecutor who is removed from office pursuant to a disciplinary proceeding shall cease upon removal by the Council. A judges or prosecutor who is removed from office under this article shall be barred from further exercise of judicial or prosecutorial function. Article 59 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina refers to the Principles for determining of the measures:
(1)Disciplinary measures imposed should be governed by the principle of proportionality. Before pronouncing the measures for a disciplinary offence, the following aspects shall be taken into consideration by the disciplinary commissions:
(a)the number and severity of the disciplinary offence committed and its consequences;
(b)the degree of responsibility;
(c)the circumstances under which the disciplinary offence was committed;
(d)the previous work and behavior of the offender; and
(e)any other circumstances that may affect the decision on the severity and type of disciplinary measure, including the degree of remorse and/or cooperation shown by the judge or prosecutor during the disciplinary proceedings.
(2)The disciplinary measure of dismissal shall only be used in cases where a serious disciplinary offence is found and the severity of the offence makes it clear that the offender is unfit or unworthy to continue to hold his or her office.
(3)The Council may take into account any prior suspension, imposed in the course of the proceedings in question, and may reduce the disciplinary measure accordingly, or may, at

Q23-1 (2023): The Article 56, paragraph 2 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes the list of the disciplinary offences for judges that includes (among others):
c) not disqualifying himself or herself from hearing a case when a conflict of interest exists; o) being engaged in activities that are incompatible with the judicial function;
p) exceeding any limitations related to income generated from fees for additional activities;
t) accepting a gift or reward whose purpose is to inappropriately influence the judge's decisions or actions, including cases where the gift or reward only give an impression of inappropriate influence.
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(3)The Council may take into account any prior suspension, imposed in the course of the proceedings in question, and may reduce the disciplinary measure accordingly, or may, at

Q155 (**Judicial Council**): The Article 58, paragraph 2 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes the list of the disciplinary offences for judges that includes (among others):
c) not disqualifying himself or herself from hearing a case when a conflict of interest exists; o) being engaged in activities that are incompatible with the judicial function;
p) exceeding any limitations related to income generated from fees for additional activities;
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Q155 (2023): The Article 56, paragraph 2 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes the list of the disciplinary offences for judges that includes (among others):
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Q196 (2024): The Article 56, paragraph 2 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes the list of the disciplinary offences for judges that includes (among others):
c) not disqualifying himself or herself from hearing a case when a conflict of interest exists; o) being engaged in activities that are incompatible with the judicial function;
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Q196 (General Comment): .
Q196 (2024): At the end of 2024, disciplinary proceedings were underway, initiated during the reporting period, against two judges for failing to recuse themselves from their specific court cases.

Q137 (Judicial Councils): Regulation/procedure on reporting a (potential) conflict of interest THE LAW ON THE HIGH JUDICIAL AND PROSECUTORIAL COUNCIL OF BOSNIA AND HERZEGOVINA Article 85 (Opinions on Activities of a Judge or Prosecutor)

The Article 85 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina referring to the Referral to the Council prescribes that prosecutor may request the Council's opinion on whether his/her activities are compatible with his or her office and the provisions of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. A chief prosecutor may also request Council's opinion when he or she believes that a prosecutor performs or intends to perform an activity that is incompatible with his or her office. Chief prosecutor shall inform the prosecutor concerned about the request for opinion.

In addition to issuing opinions in response to specific request, the Council may also, ex officio, issue its opinion on compatibility of a prosecutorial office with the activities they perform upon receiving the information from Article 83, paragraph (3) of this Law. Council's opinion on compatibility of offices shall be binding and compliance with it shall protect the prosecutor against the risk of disciplinary proceedings.

Regulation/procedure for recusal/withdrawal from a case:

THE CODE OF ETHICS FOR PROSECUTORS ADOPTED BY THE HIGH JUDICIAL AND PROSECUTORIAL COUNCIL OF BOSNIA AND HERZEGOVINA

2.2 A prosecutor shall conduct himself or herself in his/her personal or business affairs as to minimize the occasions on which it will be necessary for the prosecutor to be disqualified from cases.

2.2.a In evaluating reasons for recusal from a case, in order to avoid every perceived, potential of actual conflict of interest, a prosecutor should take into account in particular all of their previous duties and activities performed prior to taking the prosecutor's office.

2.2.b A prosecutor who intends to terminate their prosecutor's office or who knows that their office will be terminated by force of law or by the HJPC's decision, shall not use their prosecutor's office or prosecutor's resources to promote their future activities and in this regard, they shall bear in mind the potential existence of grounds for recusal.

2.2.c If a prosecutor knows that his/her family member or other person close to him/her has a financial, political or other interest in a case that he/she adjudicates, the prosecutor should request to be recused. This implies that a prosecutor should take reasonable steps to be informed about financial, political or other interests of his/her family members.

Regulation on receiving gifts

THE CODE OF ETHICS FOR PROSECUTORS ADOPTED BY THE HIGH JUDICIAL AND PROSECUTORIAL COUNCIL OF BOSNIA AND HERZEGOVINA

4.11 A prosecutor and members of the prosecutor's family, shall neither ask for, nor accept, any gift, bequest, loan or favor in relation to anything done or to be done or omitted to be done by the prosecutor in connection with the performance of prosecutorial duties, nor shall a prosecutor knowingly allow such conduct by the prosecutorial staff and others under his supervision during and after performance of the prosecutorial office.

4.12 Subject to law and to any legal requirements of public disclosure, a prosecutor may receive a token gift, award or benefit as appropriate to the occasion on which it is made provided that such gift, award or benefit might not reasonably be perceived as intended to influence the prosecutor in the performance of prosecutorial duties or otherwise give rise to an appearance of partiality.

Regulation on combining the profession of a prosecutor with other functions/professional activities THE LAW ON THE HIGH JUDICIAL AND PROSECUTORIAL COUNCIL OF BOSNIA

Q137 (2023): Regulation/procedure on reporting a (potential) conflict of interest: THE LAW ON THE HIGH JUDICIAL AND PROSECUTORIAL COUNCIL OF BOSNIA AND HERZEGOVINA
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Regulation on combining the profession of a prosecutor with other functions/professional activities THE LAW ON THE HIGH JUDICIAL AND PROSECUTORIAL COUNCIL OF BOSNIA

Q199 (2024): Regulation/procedure on reporting a (potential) conflict of interest: THE LAW ON THE HIGH JUDICIAL AND PROSECUTORIAL COUNCIL OF BOSNIA AND HERZEGOVINA
Article 85 (Opinions on Activities of a Judge or Prosecutor)
The Article 85 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina referring to the Referral to the Council prescribes that prosecutor may request the Council's opinion on whether his/her activities are compatible with his or her office and the provisions of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. A chief prosecutor may also request Council's opinion when he or she believes that a prosecutor performs or intends to perform an activity that is incompatible with his or her office. Chief prosecutor shall inform the prosecutor concerned about the request for opinion.
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Regulation on combining the profession of a prosecutor with other functions/professional activities THE LAW ON THE HIGH JUDICIAL AND PROSECUTORIAL COUNCIL OF BOSNIA

Q199 (General Comment): If a judicial office holder is not certain whether an activity is compatible with the judicial function and the relevant prerequisites from the law, he or she will obtain a binding opinion from the High Judicial and Prosecutorial Council of Bosnia and Herzegovina to clarify the issue.
A judicial office holder must make sure to comply with the prerequisite that the total amount of remuneration for other activities may not exceed 40% of his or her annual salary.

Q201 (General Comment): If a judicial office holder is not certain whether an activity is compatible with the judicial function and the relevant prerequisites from the law, he or she will obtain a binding opinion from the High Judicial and Prosecutorial Council of Bosnia and Herzegovina to clarify the issue.
A judicial office holder must make sure to comply with the prerequisite that the total amount of remuneration for other activities may not exceed 40% of his or her annual salary.

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A judicial office holder must make sure to comply with the prerequisite that the total amount of remuneration for other activities may not exceed 40% of his or her annual salary.

Q202 (General comment): The Article 57, paragraph 2 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes the list of the disciplinary offences for prosecutors that includes (among others):
c) not disqualifying himself or herself from hearing a case when a conflict of interest exists; p) being engaged in activities that are incompatible with the prosecutorial function;
r) exceeding any limitations related to income generated from fees for additional activities;
u) accepting a gift or reward whose purpose is to inappropriately influence the prosecutor's decisions or actions, including cases where the gift or reward only give an impression of inappropriate influence.
Therefore the breaches of rules on conflict of interests are prescribed by the law explicitly as a disciplinary offences for the prosecutor for which any disciplinary measure can be imposed depending on the circumstances of an individual disciplinary case. Article 58 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes the disciplinary measures, which the HJPC may impose, to the prosecutors:
(1) The Council may impose one or more of the following disciplinary measures: (a) a written warning which shall not be made public; (b) public reprimand; (c) reduction in salary or emoluments up to a maximum of 50% (fifty per cent) for a period of up to one (1) year; (d) temporary or permanent reassignment to another court or prosecutor's office; (e) demotion of a Court President to an ordinary judge or the Chief Prosecutor or Deputy Chief Prosecutor to an ordinary prosecutor; (f) removal from the office. (2) As a separate measure, instead of or in addition to any of the disciplinary measures set out above, the Council may, if appropriate, order that a judge or prosecutor participate in rehabilitation programs, counselling, or professional training. (3) All rights and privileges under labor relations of a judge, Court President, Chief Prosecutor, Deputy Chief Prosecutor, or prosecutor who is removed from office pursuant to a disciplinary proceeding shall cease upon removal by the Council. A judges or prosecutor who is removed from office under this article shall be barred from further exercise of judicial or prosecutorial function. Article 59 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina refers to the Principles for determining of the measures:
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(2)The disciplinary measure of dismissal shall only be used in cases where a serious disciplinary offence is found and the severity of the offence makes it clear that the offender is unfit or unworthy to continue to hold his or her office.
(3)The Council may take into account any prior suspension, imposed in the course of the proceedings in question, and may reduce the disciplinary measure accordingly, or may, at

Q255 (General comment): The Article 51, paragraph 2 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes the list of the disciplinary offences for prosecutors that includes (among others):
c) not disqualifying himself or herself from hearing a case when a conflict of interest exists; p) being engaged in activities that are incompatible with the prosecutorial function;
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Q255 (2023): The Article 57, paragraph 2 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes the list of the disciplinary offences for prosecutors that includes (among others):
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u) accepting a gift or reward whose purpose is to inappropriately influence the prosecutor's decisions or actions, including cases where the gift or reward only give an impression of inappropriate influence.
Therefore the breaches of rules on conflict of interests are prescribed by the law explicitly as a disciplinary offences for the prosecutor for which any disciplinary measure can be imposed depending on the circumstances of an individual disciplinary case. Article 58 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes the disciplinary measures, which the HJPC may impose, to the prosecutors:
(1) The Council may impose one or more of the following disciplinary measures: (a) a written warning which shall not be made public; (b) public reprimand; (c) reduction in salary or emoluments up to a maximum of 50% (fifty per cent) for a period of up to one (1) year; (d) temporary or permanent reassignment to another court or prosecutor's office; (e) demotion of a Court President to an ordinary judge or the Chief Prosecutor or Deputy Chief Prosecutor to an ordinary prosecutor; (f) removal from the office. (2) As a separate measure, instead of or in addition to any of the disciplinary measures set out above, the Council may, if appropriate, order that a judge or prosecutor participate in rehabilitation programs, counselling, or professional training. (3) All rights and privileges under labor relations of a judge, Court President, Chief Prosecutor, Deputy Chief Prosecutor, or prosecutor who is removed from office pursuant to a disciplinary proceeding shall cease upon removal by the Council. A judges or prosecutor who is removed from office under this article shall be barred from further exercise of judicial or prosecutorial function. Article 59 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina refers to the Principles for determining of the measures:
(1)Disciplinary measures imposed should be governed by the principle of proportionality. Before pronouncing the measures for a disciplinary offence, the following aspects shall be taken into consideration by the disciplinary commissions:
(a)the number and severity of the disciplinary offence committed and its consequences;
(b)the degree of responsibility;
(c)the circumstances under which the disciplinary offence was committed;
(d)the previous work and behavior of the offender; and
(e)any other circumstances that may affect the decision on the severity and type of disciplinary measure, including the degree of remorse and/or cooperation shown by the judge or prosecutor during the disciplinary proceedings.
(2)The disciplinary measure of dismissal shall only be used in cases where a serious disciplinary offence is found and the severity of the offence makes it clear that the offender is unfit or unworthy to continue to hold his or her office.
(3)The Council may take into account any prior suspension, imposed in the course of the proceedings in question, and may reduce the disciplinary measure accordingly, or may, at

Q203 (2024): The Article 57, paragraph 2 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes the list of the disciplinary offences for judges that includes (among others):
c) not disqualifying himself or herself from hearing a case when a conflict of interest exists; o) being engaged in activities that are incompatible with the judicial function;
p) exceeding any limitations related to income generated from fees for additional activities;
t) accepting a gift or reward whose purpose is to inappropriately influence the judge's decisions or actions, including cases where the gift or reward only give an impression of inappropriate influence.
Therefore the breaches of rules on conflict of interests are prescribed by the law explicitly as a disciplinary offences for the judge for which any disciplinary measure can be imposed depending on the circumstances of an individual disciplinary case. Article 58 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes the disciplinary measures, which the HJPC may impose, to the prosecutors:
(1) The Council may impose one or more of the following disciplinary measures: (a) a written warning which shall not be made public; (b) public reprimand; (c) reduction in salary or emoluments up to a maximum of 50% (fifty per cent) for a period of up to one (1) year; (d) temporary or permanent reassignment to another court or prosecutor's office; (e) demotion of a Court President to an ordinary judge or the Chief Prosecutor or Deputy Chief Prosecutor to an ordinary prosecutor; (f) removal from the office. (2) As a separate measure, instead of or in addition to any of the disciplinary measures set out above, the Council may, if appropriate, order that a judge or prosecutor participate in rehabilitation programmes, counselling, or professional training. (3) All rights and privileges under labour relations of a judge, Court President, Chief Prosecutor, Deputy Chief Prosecutor, or prosecutor who is removed from office pursuant to a disciplinary proceeding shall cease upon removal by the Council. A judges or prosecutor who is removed from office under this article shall be barred from further exercise of judicial or prosecutorial function. Article 59 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina refers to the Principles for determining of the measures:
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(a)the number and severity of the disciplinary offence committed and its consequences;
(b)the degree of responsibility;
(c)the circumstances under which the disciplinary offence was committed;
(d)the previous work and behaviour of the offender; and
(e)any other circumstances that may affect the decision on the severity and type of disciplinary measure, including the degree of remorse and/or cooperation shown by the judge or prosecutor during the disciplinary proceedings.
(2)The disciplinary measure of dismissal shall only be used in cases where a serious disciplinary offence is found and the severity of the offence makes it clear that the offender is unfit or unworthy to continue to hold his or her office.
(3)The Council may take into account any prior suspension, imposed in the course of the proceedings in question, and may reduce the disciplinary measure accordingly, or may, at

Q204 (General Comment): .

Q205 (General Comment): Judges may be subject to disciplinary proceedings for violations stipulated by the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina (HJPC). Disciplinary proceedings are initiated by the Office of Disciplinary Counsel of the HJPC.
The latter receives and reviews complaints concerning the conduct of judges or runs cases on its own initiative. After the Office of Disciplinary Counsel receives a complaint and reviews it, the complaint can be immediately discarded or other necessary actions can be carried out, including launching of an investigation. If the Office of Disciplinary Counsel establishes that there is reasonable ground to believe that a judge has made a disciplinary offence, it will launch an investigation of the facts and circumstances.
If the investigation shows that the complaint is not founded or the allegations of the complaint cannot be verified and proven, the Office of Disciplinary Counsel will close the case and will not initiate disciplinary proceeding against a judge.
If the investigation shows that there is evidence to confirm allegations of misconduct of a judge, the Office of Disciplinary Counsel will launch a disciplinary proceeding before the HJPC filing a disciplinary complaint. After filing the complaint, the Office of Disciplinary Counsel may offer the accused prosecutor a joint consent agreement for establishment of disciplinary liability for the committed disciplinary offences, which will be considered and approved by the competent panel of the HJPC.
Q206 (General Comment): Judges may be subject to disciplinary proceedings for violations stipulated by the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina (HJPC). The Disciplinary Panels (first-and second instance) comprising of the members of the HJPC decide in disciplinary procedures initiated by the Office of Disciplinary Counsel against a judge. During the disciplinary proceeding, the Office of Disciplinary Counsel may submit a request to remove a judge temporarily from any duty, until the completion of the disciplinary proceeding on the basis of which there was a temporary removal from the court. Temporary removal from the court can be requested until completion of an initiated dismissal procedure as well as until the termination of a criminal proceeding initiated against a judge, while the temporary removal from office is mandatory in case when a judge is in pre-trial detainment, until pre-trial detainment ends.

Q206 (2024): Judges may be subject to disciplinary proceedings for violations stipulated by the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina (HJPC). The Disciplinary Panels (first-and second instance) comprising of the members of the HJPC decide in disciplinary procedures initiated by the Office of Disciplinary Counsel against a judge. During the disciplinary proceeding, the Office of Disciplinary Counsel may submit a request to remove a judge temporarily from any duty, until the completion of the disciplinary proceeding on the basis of which there was a temporary removal from the court. Temporary removal from the court can be requested until completion of an initiated dismissal procedure as well as until the termination of a criminal proceeding initiated against a judge, while the temporary removal from office is mandatory in case when a judge is in pre-trial detainment, until pre-trial detainment ends.

Q207 (General Comment): The Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina Article 68
Rights of Parties during Disciplinary Proceedings
Disciplinary procedures shall be governed by fairness and transparency. During the course of disciplinary proceedings, the judge or prosecutor concerned shall have the following rights that must be guaranteed in the Rules of Procedure for disciplinary proceedings adopted by the Council:
(a) the right to be duly notified of the allegations of the violation and the supporting evidence, along with the right to respond in writing or to have a verbal statement recorded in writing;
(b) the right to a fair and public hearing within a reasonable time by an independent and impartial panel established by law. The press and public may be excluded from all or part of the hearing in the interests of morals, public order or national security in a democratic society, where the interests of juveniles or the protection of the private life of the parties so require, or to the extent strictly necessary in the opinion of the panel in special circumstances where publicity would prejudice the interests of justice;
(c) the right to assert the privilege against self-incrimination and to appear at any hearing and defend against the allegations with legal counsel of choice; (d) the right that judgments shall be pronounced publicly and/or made public in some manner; and
(e) the right to appeal adverse decisions.

Q208 (General Comment): Total number disciplinary proceedings initiated during the reference year (29) against 31 judges. One disciplinary case was initiated against three judges.
Q208 (2024): Total number disciplinary proceedings initiated during the reference year was 29 against 31 judges. One disciplinary case was initiated against three judges.

Q208 (2023): In the reference year 24 disciplinary proceedings were initiated against 23 judges. Two disciplinary proceedings were initiated against one judge.
Q208 (2022): Some cases against judges were initiated for two or more disciplinary mistakes. Such cases were counted only once in accordance with the Explanatory note. The main mistake for those disciplinary cases was determined in our best estimate.

Q210 (2025): From this reporting cycle, reporting on the suspensions of judges within the data on the number of imposed disciplinary sanctions ceases because it has been concluded, contrary to previous interpretation, that suspensions should be treated as temporary measures imposed against judges within the disciplinary procedure, and not as disciplinary sanctions.
Q210 (2024): Difference between completed disciplinary proceedings (i.e.20) and the total number of sanctions (i.e.16) was registered due to the fact that two disciplinary cases were rejected, and two disciplinary cases were suspended.

Q210 (2023): Difference between completed disciplinary proceedings (28) and the total number of sanctions (23) is because four disciplinary proceedings were rejected and one disciplinary proceedings was suspended (one judge was retired).
Q210 (2022): A significant difference between the number of disciplinary proceedings initiated (35) and the total number of sanctions imposed (23) was caused by the following circumstances: the disciplinary action was rejected in (3) cases and disciplinary proceedings were suspended in (9) cases (4 judges retired, 3 judges resigned, 1 judge died, and 1 judge's term expired).

Q212 (General Comment): Decisions of first-instance disciplinary panel can be appealed to a second-instance disciplinary panel. Decisions of second- instance disciplinary panel decisions can be appealed to the High Judicial and Prosecutorial Council, but only regarding pronounced disciplinary sanction. In the event of removal from office, appeal is possible to the Court of Bosnia and Herzegovina (Court of BiH). There is also a possibility of appeal to the Constitutional Court of Bosnia and Herzegovina, against final decision of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina (HJPC)/Court of BiH, regarding possible breach of appellant's right prescribed by European Convention of Human Rights, in disciplinary proceedings. The Constitutional Court can revoke decisions of the HJPC.

Q214 (General Comment): Prosecutors may be subject to disciplinary proceedings for violations stipulated by the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina (HJPC). Disciplinary proceedings are initiated by the Office of Disciplinary Counsel of the HJPC.
The latter receives and reviews complaints concerning the conduct of prosecutors, or runs cases on its own initiative. After the Office of Disciplinary Counsel receives a complaint and reviews it, the complaint can be immediately discarded or other necessary actions can be carried out, including launching of an investigation. If the Office of Disciplinary Counsel establishes that there is reasonable ground to believe that a prosecutor has made a disciplinary offence, it will launch an investigation of the facts and circumstances.
If the investigation shows that the complaint is not founded or the allegations of the complaint cannot be verified and proven, the Office of Disciplinary Counsel will close the case and will not initiate disciplinary proceeding against a prosecutor.
If the investigation shows that there is evidence to confirm allegations of misconduct of a prosecutor, the Office of Disciplinary Counsel will launch a disciplinary proceeding before the HJPC filing a disciplinary complaint. After filing the complaint, the Office of Disciplinary Counsel may offer the accused prosecutor a joint consent agreement for establishment of disciplinary liability for the committed disciplinary offences, which will be considered and approved by the competent panel of the HJPC.
Q215 (General Comment): Prosecutors may be subject to disciplinary proceedings for violations stipulated by the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina (HJPC). The Disciplinary Panels (first-and second instance) comprising of the members of the HJPC decide in disciplinary procedures initiated by the Office of Disciplinary Counsel against a prosecutor. During the disciplinary proceeding, the Office of Disciplinary Counsel may submit a request to remove the prosecutors temporarily from any duty, until the completion of the disciplinary proceeding on the basis of which there was a temporary removal from office. Temporary removal from office of a prosecutor can be requested until completion of an initiated dismissal procedure as well as until the termination of a criminal proceeding initiated against a prosecutor, while the temporary removal from office is mandatory in case when a prosecutor is in pre-trial detainment, until pre-trial detainment ends.

Q215 (2024): Prosecutors may be subject to disciplinary proceedings for violations stipulated by the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina (HJPC). The Disciplinary Panels (first-and second instance) comprising of the members of the HJPC decide in disciplinary procedures initiated by the Office of Disciplinary Counsel against a prosecutor. During the disciplinary proceeding, the Office of Disciplinary Counsel may submit a request to remove the prosecutors temporarily from any duty, until the completion of the disciplinary proceeding on the basis of which there was a temporary removal from office. Temporary removal from office of a prosecutor can be requested until completion of an initiated dismissal procedure as well as until the termination of a criminal proceeding initiated against a prosecutor, while the temporary removal from office is mandatory in case when a prosecutor is in pre-trial detainment, until pre-trial detainment ends.

Q216 (General Comment): The Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina Article 68
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(a) the right to be duly notified of the allegations of the violation and the supporting evidence, along with the right to respond in writing or to have a verbal statement recorded in writing;
(b) the right to a fair and public hearing within a reasonable time by an independent and impartial panel established by law. The press and public may be excluded from all or part of the hearing in the interests of morals, public order or national security in a democratic society, where the interests of juveniles or the protection of the private life of the parties so require, or to the extent strictly necessary in the opinion of the panel in special circumstances where publicity would prejudice the interests of justice;
(c) the right to assert the privilege against self-incrimination and to appear at any hearing and defend against the allegations with legal counsel of choice; (d) the right that judgments shall be pronounced publicly and/or made public in some manner; and
(e) the right to appeal adverse decisions.
Q217 (2022): Some cases against prosecutors were initiated for two or more disciplinary mistakes. Such cases were counted only once in accordance with the Explanatory note. The main mistake for those disciplinary cases was determined in our best estimate.

Q219 (2025): From this reporting cycle, reporting on the suspensions of prosecutors within the data on the number of imposed disciplinary sanctions ceases because it has been concluded, contrary to previous interpretation, that suspensions should be treated as temporary measures imposed against judges within the disciplinary procedure, and not as disciplinary sanctions.
Q219 (2022): There was a difference between the number of disciplinary proceedings (13) and the number of penalties (10). This difference occurred because a disciplinary lawsuit was rejected in (3) cases.
Q221 (General Comment): Decisions of first-instance disciplinary panel can be appealed to a second-instance disciplinary panel. Decisions of second- instance disciplinary panel decisions can be appealed to the High Judicial and Prosecutorial Council, but only regarding pronounced disciplinary sanction. In the event of removal from office, appeal is possible to the Court of Bosnia and Herzegovina (Court of BiH). There is also a possibility of appeal to the Constitutional Court of Bosnia and Herzegovina, against final decision of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina (HJPC)/Court of BiH, regarding possible breach of appellant's right prescribed by European Convention of Human Rights, in disciplinary proceedings. The Constitutional Court can revoke decisions of the HJPC.

Montenegro
Q141 (2025): Law on the State Prosecutor's Office ("Official Gazette of Montenegro," Nos. 11/2015, 42/2015, 80/2017, 10/2018, 76/2020, 59/2021, 54/2024, and 92/2025), Articles 3 and 130
Q142 (2025): Two State Prosecutors and one Special Prosecutor have been suspended from performing prosecutorial duties pending the completion of criminal proceedings, while one Prosecutor has been dismissed.
Q142 (2024): One first instance court decision was made against prosecutor, so the appeal procedure is ongoing.

Q143 (2025): There is disciplinary violation if prosecutor accept gift or not submit report on incomes and assets to the Agency for fight against corruption (Law on Prosecutorial administration article 108 paragraph 1 point 9)

Q143 (2024): Integrity plans;
Law on prevention of corruption regulates prevention of conflict of interest for holders of public functions, and thus applies also to judges and prosecutors.
Prevention of conflict of interest in the exercise of public functions
Article 7
A public official shall perform his/her function in such a manner that the public interest is not subordinated to private, and without causing a conflict of interest in the exercise of public function.
The conflict of interest in the exercise of public function exists when a private interest of a public official affects or may affect the impartiality of the public official in the exercise of public function.
The Agency shall establish the existence of a conflict of interest and implement measures for prevention of conflict of interest.
Opinions about the existence of conflict of interest in the exercise of public function and restrictions in the exercise of public functions and the decisions on the violation of the provisions of this Law relating to the prevention of conflicts of interest in the exercise of public functions, restrictions in the exercise of public functions, gifts, sponsorships and donations and reports on income and property by public officials, which are issued or adopted by the Agency in accordance with this Law, shall be binding for a public official.
It shall be deemed that a public official has violated the provisions of this Law if he fails to act in accordance with the opinion of the Agency referred to in paragraph 4 of this Article and with the obligations laid down in this Law or when he/she acts in a manner that violates the prohibitions and rules prescribed by this Law and other regulations regulating the conflict of interest in areas that are regulated by these regulations.

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It shall be deemed that a public official has violated the provisions of this Law if he fails to act in accordance with the opinion of the Agency referred to in paragraph 4 of this Article and with the obligations laid down in this Law or when he/she acts in a manner that violates the prohibitions and rules prescribed by this Law and other regulations regulating the conflict of interest in areas that are regulated by these regulations.

Q149 (General Comment): X By judges and other legal professionals
X Other, please specify:
Twofold:
a) The Commission for the Ethics codex of Judges (body of the Judicial Council)
b) In accordance with article 7 of the Law on prevention of corruption, “Opinions about the existence of a conflict of interest in the exercise of public function and restrictions in the exercise of public functions and the decisions on the violation of the provisions of the present Law relating to the prevention of conflicts of interest in the exercise of public functions, restrictions in the exercise of public functions, gifts, sponsorships and donations and reports on income and assets by public officials, which are given or adopted by the Agency for prevention of corruption in accordance with the present Law, shall be binding for a public official.”
Also, the Article 4 of the same Law defines that “The tasks of prevention of conflicts of public and private interest, restrictions in the exercise of public functions, verification of the reports on income and assets by public officials, handling of whistleblower applications, whistleblower protection, as well as other activities in accordance with the present Law shall be performed by the Agency for the Prevention of Corruption, as an autonomous and independent body, established by the Parliament of Montenegro, in accordance with the present Law.”

Q149 (2025): Commission for Monitoring the Implementation of the Code of Ethics for Judges

Q150 (General Comment): The Ethic Commission could give opinion in accordance with the guidelines from December 2018 jointly developed and adopted by the Commission on Judicial Code of Ethics and the Commission for the Prosecutorial Code of Ethics, with the expert support of the Council of Europe through the "Accountability in the judicial system." There are three guidelines, namely: Guidance on the issue of permissible limits of use accounts on social networks in terms of professional ethics of judges and public prosecutors; Guidelines in relation to permitted activities which judges/state prosecutors
may perform along the with judicial/prosecutorial office; and guidelines in relation to the issue of participation of judges and public prosecutors in political activities in terms of the principle of independence and impartiality.
As regards to the Opinions of the Agency for Prevention of Corruption, such Opinions are given at the request of the public official, in this case judge or a prosecutor, and are not public.

Q150 (2024): Comments - Please describe the work of this institution / body, the frequency of guidelines and/or opinions, etc.: The Commission for the Code of Ethics for Judges consists of a president and two members elected in accordance with the Law on the Judicial Council and Judges.
Commission sessions are held as needed, at least once every 60 days.
Tasks:
- monitors the implementation of the Judges' Code of Ethics, expressing his position in the form of guidelines,
opinions and decisions;
- acts on initiatives to initiate the procedure for determining the violation of the Ethical Code
of the Code of Judges and decides whether a certain behavior of a judge constitutes a violation
Judges' Code of Ethics;
- submits to the Disciplinary Commission a proposal for determining disciplinary responsibility in
in accordance with the law;
- performs an advisory role in certain situations;
- submits a report on its work to the Judicial Council;
- initiates changes to the Code and organizational laws;
- performs other tasks determined by the law and the Code of Ethics of judges

Q150 (2023): The Ethic Commission could give opinion in accordance with the guidelines from December 2018 jointly developed and adopted by the Commission on Judicial Code of Ethics and the Commission for the Prosecutorial Code of Ethics, with the expert support of the Council of Europe through the "Accountability in the judicial system." There are four guidelines, namely: Guidance on the issue of permissible limits of use accounts on social networks in terms of professional ethics of judges and public prosecutors; Guidelines in relation to permitted activities which judges/state prosecutors may perform along the with judicial/prosecutorial office; and guidelines in relation to the issue of participation of judges and public prosecutors in political activities in terms of the principle of independence and impartiality.
Not public opinions
As regards to the Opinions of the Agency for Prevention of Corruption, such Opinions are given at the request of the public official, in this case judge or a prosecutor, and are not public.

Q150 (2022): The Ethic Commission could give opinion in accordance with the guidelines from December 2018 jointly developed and adopted by the Commission on Judicial Code of Ethics and the Commission for the Prosecutorial Code of Ethics, with the expert support of the Council of Europe through the "Accountability in the judicial system." There are four guidelines, namely: Guidance on the issue of permissible limits of use accounts on social networks in terms of professional ethics of judges and public prosecutors; Guidelines in relation to permitted activities which judges/state prosecutors may perform along the with judicial/prosecutorial office; and guidelines in relation to the issue of participation of judges and public prosecutors in political activities in terms of the principle of independence and impartiality.
Not public opinions
As regards to the Opinions of the Agency for Prevention of Corruption, such Opinions are given at the request of the public official, in this case judge or a prosecutor, and are not public.

Q153 (General Comment): The Commission for the Prosecutorial Code of Ethics has a president and two members. The President is elected from among the members of the Prosecutorial Council who is not a state prosecutor, one member is chosen by the extended session of the
Supreme State Prosecutor's Office from among state prosecutors, and the other member is the president of the Association of State
Prosecutors of Montenegro.
The Conference of State Prosecutors elects the President of the Commission for the Code of Ethics of State Prosecutors. b) Agency for Prevention of Corruption - same as for the judges:
"In accordance with article 7 of the Law on prevention of corruption, “Opinions about the existence of a conflict of interest in the exercise of public function and restrictions in the exercise of public functions and the decisions on the violation of the provisions of the present Law relating to the prevention of conflicts of interest in the exercise of public functions, restrictions in the exercise of public functions, gifts, sponsorships and donations and reports on income and assets by public officials, which are given or adopted by the Agency for prevention of corruption in accordance with the present Law, shall be binding for a public official."
Also, the Article 4 of the same Law defines that “The tasks of prevention of conflicts of public and private interest, restrictions in the
exercise of public functions, verification of the reports on income and assets by public officials, handling of whistleblower applications, whistleblower protection, as well as other activities in accordance with the present Law shall be performed by the Agency for the Prevention of Corruption, as an autonomous and independent body, established by the Parliament of Montenegro, in accordance with the present Law.”

Q153 (2025): Law on the State Prosecutor’s Office (“Official Gazette of Montenegro,” Nos. 11/2015, 42/2015, 80/2017, 10/2018, 76/2020, 59/2021, 54/2024, and 92/2025), Articles 107a, 107b, and 101.
Q154 (General Comment): As regards to the Opinions of the Agency for Prevention of Corruption, same as for the judges - such Opinions are given at the request of the public official, in this case judge or a prosecutor, and are not public.
The Commission for the Code of Ethics of prosecutors may give the opinion whether a certain behaviour of prosecutor is in line with the Code of Ethics
Q154 (2025): Law on the State Prosecutor’s Office (“Official Gazette of Montenegro,” Nos. 11/2015, 42/2015, 80/2017, 10/2018, 76/2020, 59/2021, 54/2024, and 92/2025), Article 107.
Q155 (2025): In 2025, there were no violations of the Ethical Code.
Q156 (2022): The procedure is granted in line with the law (Law on civil proceedings and Criminal Procedure Code).

Q157 (General Comment): The procedure is granted in line with the law (Law on civil proceedings and Criminal Procedure Code).

Q158 (2025): The assignment of cases to judges is carried out through an algorithm for the immediate random assignment of cases, which is an integral part of the judicial information system application, immediately after entry into the basic case data system.
A case in which a request for initiation of proceedings has already been submitted, and the request has been withdrawn, is assigned to the judge to whom it was previously assigned automatically.
A case in which a decision has been revoked is assigned to the judge of the first instance court who previously dealt with the case, unless a second instance decision has decided otherwise, in accordance with the law, which should be provided for through the algorithm, and if it is determined that another judge should judge the case, then that case is assigned through random assignment of cases.
A case that has been referred by the court acting on legal remedies to a lower instance court for the elimination of deficiencies is assigned to the same reporting judge.
A case that has been revoked, when re-referred to the court acting on legal remedies, is, as a rule, assigned to the same reporting judge.
A judge who, due to justified overload or planned long-term absence (longer than 30 days), cannot resolve the assigned cases in a timely manner may have the assignment of cases suspended for a certain period of time. In such a case, the cases shall be assigned to other judges in the court department, or legal area, on the principle of random assignment of cases through the judicial information system in accordance with Article 57 of these Rules of Procedure.
The president of the court shall decide on the suspension of the assignment of cases for a certain period of time, either alone or upon the proposal of the president of the department or a judge.
The president of the court shall issue a special decision on the reasons and duration of the suspension of the assignment of cases to a judge, which he shall submit to the administrator of the judicial information system and attach to the court's work plan.
If several procedural documents have been filed against the parties or participants in the proceedings and the court, in accordance with the rules of procedure prescribed by law, decides to merge the cases for the purpose of a single resolution, the case shall be assigned to the judge who was assigned the first case of those cases that arrived.
If the court, in accordance with the rules of procedure prescribed by law, decides to separate and conclude the proceedings against one party or participant separately, the separated case shall be assigned to the judge who decides on the case referred to in paragraph 1 of this Article. During annual leave, judges who are not on annual leave shall be assigned only urgent cases, which are determined as such by law or these Rules of Procedure.

Q162 (General Comment): Articles 60 and 61 of the Court Rule of Procedure: Article 60
To a judge who, due to justifiable overload or anticipated longer leave (longer than 30 days), is unable to resolve the assigned cases in a timely manner, the case assignment might be suspended for a limited time. In that case, the cases shall be assigned to other judges in the judicial department or legal area on the principle of the random allocation of cases through the judicial information system in accordance with Article 57 of these Rules of Procedure.
Article 61
Suspension of case assignment in accordance with Article 60 of these Rules of Procedure for a limited period shall be decided by the
President of the court alone or at the proposal of the President of the Division or a judge. The President of the Court shall make a special
decision on the reasons as well as the duration of the suspension of the assignment of the cases to the judge, which he submits to the administrator of the judicial information system and attaches it to the court work plan.

Q164 (General Comment): LAW ON COURTS
("Official Gazette of MNE", no. 11/2015 and 76/2020) Amending Annual Work Distribution Article 32
The court president may amend the annual work distribution of the court, if:
1) The number of positions for judges or the number of judges decreases or increases; or
2) The number or type of cases in court significantly increases or decreases.
The annual work distribution of the court shall be amended so that it disrupts the already established annual work distribution of the court as little as possible.
The annual work distribution of the court shall be amended in accordance with Article 31 of the present Law. Submission and Publication of Annual Work Distribution
Article 33
The court president shall submit an annual work distribution and amendments there to all judges and shall publish it on the bulletin board of the court.
4. Random Allocation of Cases
Allocation of Cases
Article 34
Cases shall be allocated to work without delay, according to the annual work distribution, through the method of random allocation of cases.
In accordance with paragraph 1 of this Article, the following cases shall also be allocated to other judges:
1) Cases that were assigned to a judge who does not perform a judicial office in that court any longer; and
2) Cases that were taken away in accordance with Article 36 of the present Law. Method of Random Allocation of Cases
Article 35
Once the basic information about a case is entered into the judicial information system, in a manner that is more closely regulated by the
Court Rules, cases shall be allocated to judges through the method of random allocation of cases. Taking Away an Allocated Case
Article 36
An allocated case shall be taken away from a judge or panel only if it is determined that they unduly fail to take actions in the case, because of the recusal of a judge or if a judge is prevented from performing the judicial office for more than three months.
Cases whose urgent nature is prescribed by law may be taken away from a judge if the judge is not able to act in these cases in a timely manner or within the statutory period due to absence or incapacity for work.
The cases shall be taken away by the court president, through a decision.
The decision on taking a case away shall be submitted to the judge or the panel from which the case was taken away.
An objection may be lodged to the president of immediately higher court against the decision on taking the case away, as well as to the
General Session of the Supreme Court against the decision of the Supreme Court, within three days of receipt of the decision. The decision on the objection shall be made within

Q165 (2025): Code of Ethics for Civil Servants and Employees

Q167 (General Comment): Law on prevention of corruption

Q167 (2025): A public official is obliged, within 30 days from the date of assuming office, in accordance with special regulations, to submit to the Agency a report on his/her property and income, as well as on the property and income of his/her spouse, common-law partner of the same sex and children if they live in a common household (hereinafter referred to as: the Report), as of the date of election, appointment, or appointment.
A public official is obliged to provide accurate and complete data in the Report.
During the performance of public office, a public official shall submit a Report:
- once a year, by the end of March of the current year for the previous year;
- in the event of changes from the Report relating to an increase in property exceeding 10,000 euros, within 30 days from the date of the change;
- at the request of the Agency in the event of initiation of the procedure referred to in Article 33, paragraph 2 of this Law, within 30 days from the date of receipt of the request, or initiation of the procedure ex officio.
In the event of termination of public office, a public official is obliged to notify the Agency thereof within 30 days of the termination of office and submit a Report.
A public official whose office has been terminated is obliged to submit a Report to the Agency once a year in the following two years after termination of office, by the end of March of the current year for the previous year.
A public official is obliged to notify the Agency thereof when transferring to another public office, as well as in the event of election, appointment, or appointment to another public office, within the meaning of Article 14, paragraphs 2 and 5 of this law, within 30 days of the change.
The obligation to submit a Report and the procedure for verifying data from the Report also applies to a civil servant who is required to submit a Report in accordance with a special law.

Q168 (General Comment): See Article 24 of the Law on prevention of corruption: "The Report shall contain:
1) Personal data of a public official and family household referred to in Art. 23, para 1 of the present Law, as follows: name and surname, Unique Master Citizen Number, permanent or temporary residence, address, education and occupation, and for the public official also the father's name, mother' name and mother's maiden surname.
2) Data about the public function exercised;
3) Data on assets and income of the public official and family household referred to in Art. 23, para 1, and especially on:
- Ownership rights over immovable assets and lease rights over immovable assets for a term exceeding one year, in the country and abroad;
- Ownership rights over movable assets whose value exceeds € 5,000, or that are required to be registered with the competent authorities
(motor vehicles, vessels, aircrafts, etc.);
- Ownership rights over the immovable and movable assets of a company, institution or other legal person owned or established by the public official;
- Deposits in banks and other financial institutions in the country and abroad;
- Stocks and shares in a legal person or other securities;
- Cash in the amount exceeding € 5,000;
- Rights arising from copyrights, patent and similar rights, intellectual and industrial property;
- Debt (principal, interest and repayment) and receivables;
- Sources and amount of income from the exercise of scientific, educational, cultural, artistic and sports activities;
- Membership in the management bodies and supervisory boards of public companies, public institutions and other legal persons with a share of capital owned by the state or municipality, as well as in scientific, educational, cultural, artistic, humanitarian, sports or similar associations.
For the purpose of verification of the data from the Report, a public official may give consent to the Agency for access to data on bank accounts and accounts of other financial institutions, in accordance with the law governing banking operations.
The consent referred to in para 2 shall refer to the period in which the obligations of a public official are valid in accordance with the present Law.
A public official shall enter the data referred to in para 1 in the Report form.
The Report form shall be established by the Agency and published on its website."

Q169 (General Comment): Article 23 of the Law on Prevention of Corruption : Submitting the Report on Income and Assets
Art. 23
A public official shall, within 30 days of assuming the function, submit the Agency with a Report on Income and Assets, as well as on assets and income of married and common-law spouse and children, if they live in the same household (hereinafter: the Report), according to the state of play on the day of election, appointment, or assignment.
A public official shall provide the accurate and complete information in the Report. During the exercise of a public function, a public official shall submit the Report:
- Once a year, by the end of March of the current year for the previous year;
- In the case of changes from the Report that relate to an increase in assets of more than € 5,000, within 30 days of the date of change;
- At the request of the Agency in the case of initiation of proceedings referred to in Art. 31, para 1 and 2, within 30 days of receipt of the request, or initiation of proceedings ex officio.
In the case of termination of public function, a public official shall, within 30 days of termination of the function, notify the Agency thereon and submit the Report.
A public official whose function has terminated shall annually, over the next two years after termination of the function, submit the
Report to the Agency, according to the state of play on the day of submitting the Report.
When moving to another public function, as well as in the case of election, appointment, or assignment to another public function, the public official shall, pursuant to Art. 12, para 2 and 4 of the present Law, notify the Agency thereon within 30 days of the change.
The obligation to submit Report and the procedure of verification of the data from the Report shall also apply to civil servants who are obliged to submit the Report in accordance with a special law.

Q170 (General Comment): Article 23 of the Law defines that the report shall include assets and income of married and common-law spouse and children, if they live in the same household.
Q170 (2025): Adult children if a part of the same household
Q175 (General Comment): www.antikorupcija.me
Q175 (2024): https://www.antikorupcija.me/me/registri/
Q175 (2023): https://www.antikorupcija.me/me/registri/
Q175 (2022): https://www.antikorupcija.me/me/registri/

Q176 (General Comment): The Agency for Prevention of Corruption (APC) brings the decision about which it informs the public authority in which public official is working, for the purposes of initiating procedure of dismissal, suspension or imposition of a disciplinary measure. The public authority acting upon the decision of the APC may initiate administrative proceedings and impose sanctions such as disciplinary sanctions. The public authority informs the Agency for prevention of corruption about the results of this proceeding, in the deadline of 60 days.
Moreover, based on its findings, the Agency for prevention of corruption has the authority to initiate misdemeanor proceedings before misdemeanor courts.
Q176 (2024): The sanction for non-declaration of assets is a sanction is related to the serious disciplinary proceedings which can result with fine in amount od 20-40 percent of monthly income from 3 to 6 months or prohibition of promotion.

Q176 (2023): The sanction for non-declaration of assets is a sanction is related to the serious disciplinary proceedings which can result with fine in amount od 20-40 percent of monthly income from 3 to 6 months or prohibition of promotion.
Q176 (2022): Other disciplinary sanction: The sanction for non-declaration of assets is a sanction is related to the serious disciplinary proceedings which can result with fine in amount of 20-40 percent of monthly income from 3 to 6 months or prohibition of promotion.
Q177 (2025): During 2025, there were no disciplinary proceedings for failure to declare or incorrect declaration of assets to the Agency for the Prevention of Corruption.
Q177 (2024): 8 misdemeanor procedures against active and former judges:
- 2 for failing to submit the regular annual report on income and assets;
- 3 for not submitting the report on income and assets 30 days after the termination of office;
- 2 for not submitting the report on income and assets one and two years after the termination of office;
- 1 for submitting a report with inaccurate and incomplete data.

2 administrative procedures against judges for submitting a report lacking accuracy and completeness.
To date, there has been 1 warning from the competent court for misdemeanors, and 2 decisions by the APC regarding violations of the LPC by judges.

Q177 (2023): -Due to the failure to submit the regular annual report on income and assets for the year 2022, two misdemeanor proceedings were initiated against judges in 2023. Both proceedings have been completed: in one case, a warning was issued, and in the other, an acquittal was issued. Source: Agency for Suppression of Corruption
Q177 (2022): Misdemeanour proceedings:
During the reporting period, 4 misdemeanor proceedings were initiated against former judges for failing to submit assets declaration 30 days after termination of office and one year after termination of office, and 3 proceedings for failing to submit regular annual asset declaration. 2 were completed, others are ongoing. The outcome of these misdemanour proceedings was 2 warnings.
Administrative proceedings:
In the reporting period, administrative proceedings were initiated against 2 judges related to the submission of reports with incorrect and incomplete data in 2021.
Data on administrative procedures initiated due to the submission of reports with incorrect and incomplete data in 2022 will be known by the first quarter of 2023.
In 2022, decisions were made that 70 judges (69 from 2021 and 1 from 2022) did not submit accurate and complete data in the regular annual report for 2020.
Authorities did not act in accordance with the Article 42 of the Law on Prevention of Corruption in none of the aforementioned decisions.

Q178 (General Comment): Law on prevention of corruption
Q178 (2025): Law on the Prevention of Corruption (“Official Gazette of Montenegro,” No. 54/2024 of 11 June 2024, effective 12 June 2024), Article 1, Article 9 – Conflict of Interest, with broader explanation in Articles 10–27.

Q179 (General Comment): Data Reported
Art. 24
The Report shall contain:
1) Personal data of a public official and family household referred to in Art. 23, para 1 of the present Law, as follows: name and surname, Unique Master Citizen Number, permanent or temporary residence, address, education and occupation, and for the public official also the father's name, mother' name and mother's maiden surname.
2) Data about the public function exercised;
3) Data on assets and income of the public official and family household referred to in Art. 23, para 1, and especially on:
- Ownership rights over immovable assets and lease rights over immovable assets for a term exceeding one year, in the country and abroad;
- Ownership rights over movable assets whose value exceeds € 5,000, or that are required to be registered with the competent authorities (motor vehicles, vessels, aircrafts, etc.);
- Ownership rights over the immovable and movable assets of a company, institution or other legal person owned or established by the public official;
- Deposits in banks and other financial institutions in the country and abroad;
- Stocks and shares in a legal person or other securities;
- Cash in the amount exceeding € 5,000;
- Rights arising from copyrights, patent and similar rights, intellectual and industrial property;
- Debt (principal, interest and repayment) and receivables;
- Sources and amount of income from the exercise of scientific, educational, cultural, artistic and sports activities;
- Membership in the management bodies and supervisory boards of public companies, public institutions and other legal persons with a share of capital owned by the state or municipality, as well as in scientific, educational, cultural, artistic, humanitarian, sports or similar associations.
For the purpose of verification of the data from the Report, a public official may give consent to the Agency for access to data on bank accounts and accounts of other financial institutions, in accordance with the law governing banking operations.
The consent referred to in para 2 shall refer to the period in which the obligations of a public official are valid in accordance with the present Law.
A public official shall enter the data referred to in para 1 in the Report form.
The Report form shall be established by the Agency and published on its website. Submission of Reports
Art. 25 A public official shall submit the Report to the Agency electronically, and in writing.

Q179 (2025): State Prosecutors declare all immovable property, income, gifts, as well as liabilities.

Q180 (General Comment): Article 23 of the Law on Prevention of Corruption : Submitting the Report on Income and Assets
Art. 23
A public official shall, within 30 days of assuming the function, submit the Agency with a Report on Income and Assets, as well as on assets and income of married and common-law spouse and children, if they live in the same household (hereinafter: the Report), according to the state of play on the day of election, appointment, or assignment.
A public official shall provide the accurate and complete information in the Report. During the exercise of a public function, a public official shall submit the Report:
- Once a year, by the end of March of the current year for the previous year;
- In the case of changes from the Report that relate to an increase in assets of more than € 5,000, within 30 days of the date of change;
- At the request of the Agency in the case of initiation of proceedings referred to in Art. 31, para 1 and 2, within 30 days of receipt of the request, or initiation of proceedings ex officio.
In the case of termination of public function, a public official shall, within 30 days of termination of the function, notify the Agency thereon and submit the Report.
A public official whose function has terminated shall annually, over the next two years after termination of the function, submit the
Report to the Agency, according to the state of play on the day of submitting the Report.
When moving to another public function, as well as in the case of election, appointment, or assignment to another public function, the public official shall, pursuant to Art. 12, para 2 and 4 of the present Law, notify the Agency thereon within 30 days of the change.
The obligation to submit Report and the procedure of verification of the data from the Report shall also apply to civil servants who are obliged to submit the Report in accordance with a special law.

Q180 (2025): Law on the Prevention of Corruption ("Official Gazette of Montenegro," No. 54/2024 of 11 June 2024, effective 12 June 2024), Article 1, Article 9 – Conflict of Interest, with further explanation in Article 25.
Q181 (General Comment): Article 23 of the Law defines that the report shall include assets and income of married and common-law spouse and children, if they live in the same household
Q181 (2025): adult children that are part of same household
Q186 (General Comment): www.antikorupcija.me
Q186 (2024): https://www.antikorupcija.me/me/registri/
Q186 (2023): https://www.antikorupcija.me/me/registri/
Q186 (2022): https://www.antikorupcija.me/me/registri/
Q187 (General Comment): The Agency for Prevention of Corruption (APC) brings the decision about which it informs the public authority in which public official is working, for the purposes of initiating procedure of dismissal, suspension or imposition of a disciplinary measure. The public authority acting upon the decision of the APC may initiate administrative proceedings and impose sanctions such as disciplinary sanctions. The public authority informs the Agency for prevention of corruption about the results of this proceeding, in the deadline of 60 days.
Moreover, based on its findings, the Agency for prevention of corruption has the authority to initiate misdemeanor proceedings before misdemeanor courts. Other disciplinary sanction: sanctions are those that can be imposed for heavy disciplinary offence: fine in amount of 20-40 percent of monthly income for the period of 3 to 6 months or prohibition of promotion.

Q187 (2025): Article 108, paragraph 3, item 9 of the Law on the State Prosecutor's Office stipulates that a serious disciplinary offense for a state prosecutor is if:
- accepts gifts or fails to submit information on assets and income in accordance with the regulations governing the prevention of conflicts of interest, if this is confirmed by a final decision of the competent court.
Pursuant to the aforementioned provision of the Law on the State Prosecutor's Office, the procedure for initiating disciplinary liability of the state prosecutor in the event of failure to submit data on assets and income in accordance with the Law on the Prevention of Corruption is possible after the court confirms the final decision of the Agency for the Prevention of Corruption.

Q187 (2024): For suspension it is not possible directly, just indirectly. No data on the actual suspension as a result of non declaration, Please see explanation in the judges section

Q187 (2023): For suspension it is not possible directly, just indirectly. No data on the actual suspension as a result of non declaration, Please see explanation in the judges section
Q188 (2025): There were no cases under review in 2025.

Q188 (2024): Decision made:
- the proposal for determining disciplinary liability is rejected as unfounded, because the proposal was submitted for an action that is not prescribed as a disciplinary offense
- the proposal to establish disciplinary liability is rejected as unfounded due to the lack of evidence that the appointee committed a disciplinary offense
Q188 (2022): Misdemeanour proceedings. In the reporting period, 2 misdemeanor proceedings were initiated against former prosecutors due to failure to submit asset declarations 30 days after termination of public office. 1 was completed, other is ongoing. The outcome of these proceedings was 1 fine in the amount of 300 euros
Administrative proceedings:
Also, in the reporting period, proceedings were initiated against 35 prosecutors related to the submission of reports with incorrect and incomplete data in 2021. Data on administrative proceedings initiated due to the submission of asset declaratios with incorrect and incomplete data in 2022 will be known by the first quarter of 2022;
Authorities did not act in accordance with the Article 42 of the Law on Prevention of Corruption in none of the aforementioned decisions.

Q192 (2022): Law on Judicial Council and judges
Opinion on other Activities
Article 102
At a request of the court president or judge, the Judicial Council shall issue an opinion on whether certain activities are deemed professional performance of activities that are incompatible with the exercise of judicial office.
A judge, who performs scientific, educational or artistic activity, as well as activities protected by copyright, shall not be deemed to professionally perform other activity within the meaning of the Constitution

Q195 (General Comment): see provisions of the Law on Prevention of Corruption in related sections
Law on Judicial Council and Judges defines disciplinary offence such as use of function for a private interests, interests of family members or closed related persons and for accepting the gifts or not providing an information on property and incomes. Disciplinary proceedings is regular procedure conducted by the Disciplinary prosecutor and before the Disciplinary Council, in accordance with the law.
Law on Misdemeanors regulates misdemeanor proceedings in general, which also applies when the proceedings initiated for the breach of Law on Prevention of Corruption
Q195 (2022): see provisions of the Law on Prevention of Corruption in related sections
Law on Judicial Council and Judges defines disciplinary offence such as use of function for a private interests, interests of family members or closed related persons and for accepting the gifts or not providing an information on property and incomes. Disciplinary proceedings is regular procedure conducted by the Disciplinary prosecutor and before the Disciplinary Council, in accordance with the law
Q196 (2022): During 2022, 37 disciplinary proceedings were conducted based on proposals for determining the disciplinary responsibility of judges.
In 35 proceedings, proposals for determining disciplinary responsibility were rejected as unfounded, bearing in mind that the proceedings were initiated due to failure to provide data on assets and income in accordance with the regulations governing the prevention of conflicts of interest.
In the remaining two cases, the procedure is ongoing.
Q197 (2025): Law on the Prevention of Corruption ("Official Gazette of Montenegro," No. 54/2024), Article 1, Article 9 – Conflict of Interest, with further explanation in Articles 10–27;
Ethical Code – Prevention of Conflicts of Interest;
Law on the State Prosecutor's Office ("Official Gazette of Montenegro," Nos. 11/2015, 42/2015, 80/2017, 10/2018, 76/2020, 59/2021, 54/2024, and 92/2025), Article 37, paragraph 1, item 9.

Q197 (2024): in accordance with the aforementioned laws, a broader explanation - Articles 9, 10-27, Law on Prevention of Corruption
Internal rules: https://sudovi.me/static/spdt/doc/TU-S_I-1_br.37-23_Knjiga_internih_procedura_SDT-a,_5.6.2023..pdf
https://sudovi.me/static//vrdt/doc/KNJIGA_INTERNIH_PROCEDURA_2022.pdf
https://sudovi.me/static/vrdt/doc/TU_583-22-10_dopuna_internih_pravila.pdf
Q197 (2022): Law on Prevention of Corruption
Law on State Prosecution Service
Code of Ethics
Q198 (2025): State Prosecutors may engage in teaching, research, and publication activities.
Q200 (2025): Law on the State Prosecutor's Office ("Official Gazette of Montenegro," Nos. 11/2015, 42/2015, 80/2017, 10/2018, 76/2020, 59/2021, 54/2024, and 92/2025), Article 101. Prosecutorial Council can give an opinion on activities upon request by head of ppo
Q202 (2024): see excerpts from the Law on Prevention of Corruption. The Law applies to judges and prosecutors as public officials.
The Law on State Prosecution Service defines as disciplinary offence "use prosecutorial function to act in their private interests and interests of their family and persons close to them"
Similar provision in the Code of Ethics. Commission for the Code of Ethics decides on the breaches of the Code.

Q202 (2023): see excerpts from the Law on Prevention of Corruption. The Law applies to judges and prosecutors as public officials.
The Law on State Prosecution Service defines as disciplinary offence "use prosecutorial function to act in their private interests and interests of their family and persons close to them"
Similar provision in the Code of Ethics. Commission for the Code of Ethics decides on the breaches of the Code.
Q202 (2022): see excerpts from the Law on Prevention of Corruption. The Law applies to judges and prosecutors as public officials.
The Law on State Prosecution Service defines as disciplinary offence "use prosecutorial function to act in their private interests and interests of their family and persons close to them"
Similar provision in the Code of Ethics. Commission for the Code of Ethics decides on the breaches of the Code.
Q203 (2024): see excerpts from the Law on Prevention of Corruption. The Law applies to judges and prosecutors as public officials.
The Law on State Prosecution Service defines as disciplinary offence "use prosecutorial function to act in their private interests and interests of their family and persons close to them"
Similar provision in the Code of Ethics. Commission for the Code of Ethics decides on the breaches of the Code.
Q203 (2023): see excerpts from the Law on Prevention of Corruption. The Law applies to judges and prosecutors as public officials.
The Law on State Prosecution Service defines as disciplinary offence "use prosecutorial function to act in their private interests and interests of their family and persons close to them"
Similar provision in the Code of Ethics. Commission for the Code of Ethics decides on the breaches of the Code.
Q203 (2022): see excerpts from the Law on Prevention of Corruption. The Law applies to judges and prosecutors as public officials.
The Law on State Prosecution Service defines as disciplinary offence "use prosecutorial function to act in their private interests and interests of their family and persons close to them"
Similar provision in the Code of Ethics. Commission for the Code of Ethics decides on the breaches of the Code.
Q204 (2025): There were no cases, nor any sanctions imposed for conflicts of interest against prosecutors in the reporting year.
Q206 (2022): Disciplinary Council. Established by the Judicial Council.
Q208 (2023): Article 108 paragraph 2 item 13 of the Law on Judicial Council and judges: publicly expresses an opinion on a case that has not become final
Q208 (2022): During 2022, 37 disciplinary proceedings were conducted based on proposals for determining the disciplinary responsibility of judges.
In 35 proceedings, proposals for determining disciplinary responsibility were rejected as unfounded, bearing in mind that the proceedings were initiated due to failure to provide data on assets and income in accordance with the regulations governing the prevention of conflicts of interest.
In the remaining two cases, the procedure is ongoing.

Q209 (2025): During 2025, six (6) disciplinary proceedings were conducted based on proposals for establishing disciplinary liability of judges. In three (3) proceedings, the proposals for establishing disciplinary liability were rejected as unfounded. Three (3) cases are unresolved and proceedings are ongoing.
Q209 (2024): in 2024. 3 cases were found unfounded and 1 was rejected. 3 cases are still ongoing
Q210 (2025): During 2025, there were no disciplinary proceedings for failure to declare or incorrect declaration of assets to the Agency for the Prevention of Corruption.
Q210 (2023): In two proceedings, proposals for determining disciplinary responsibility were rejected as unfounded, bearing in mind that the proceedings were initiated due to failure to provide complete data on assets and income in accordance with the regulations governing the prevention of conflicts of interest.

Q210 (2022): info as in section 237: 35 rejected, 2 are still ongoing
Q214 (General Comment): Article 110 par. 1 of the Law on State Prosecution Service If there is a reasonable doubt that the state prosecutor has committed disciplinary offence, the motion for establishing disciplinary liability of the state prosecutor may be filed by the head of the state prosecution office, head of an immediately higher state prosecution office, Supreme State Prosecutor, Minister of Justice and Commission for Monitoring the Application of the Code of Prosecutorial Ethics.
Q214 (2025): Comments: Law on the State Prosecutor's Office ("Official Gazette of Montenegro," Nos. 11/2015, 42/2015, 80/2017, 10/2018, 76/2020, 59/2021, 54/2024, and 92/2025), Articles 110, 111, and 112.

Q214 (2024): ARTICLE 110, paragraph 1, Law on State Prosecution "Official Gazette of Montenegro", no. 11/2015, 42/2015, 80/2017, 10/2018, 76/2020, 59/2021 and 54/2024. Also, "The Disciplinary Prosecutor can initiate an investigation to determine the disciplinary responsibility of the State Prosecutor on his own initiative." Article 112, paragraph 2
Q215 (General Comment): Authorities in Charge of Establishing Disciplinary Liability - Article 114 of the Law on State Prosecution Service. "The procedure for establishing disciplinary liability for minor and severe disciplinary offences shall be conducted before Disciplinary
Panel upon the motion to indict issued by the disciplinary plaintiff.
Disciplinary Panel shall comprise three members of the Prosecutorial Council, two of them from among the state prosecutors and one from among eminent lawyers who shall be the president of the Disciplinary Panel.
Supreme State Prosecutor may not be a member of the Disciplinary Panel.
Members of the Disciplinary Panel and their deputies shall be appointed by the Prosecutorial Council upon the proposal of the
Prosecutorial Council President.
The procedure for establishing disciplinary liability for the most severe disciplinary offences shall be conducted before Prosecutorial
Council upon the motion to indict of the Disciplinary Plaintiff."

Q215 (2025): Law on the State Prosecutor's Office, provisions from Article 108 to Article 129.
Q217 (2024): no accurate and complete data were submitted in the report on assets and income in 2020 - one case (Article 108, paragraph 3, item 8 of the Law on State Prosecution)
- Due to failure to act in cases, the statute of limitations for criminal prosecution has expired - one case (Article 108, paragraph 3, item 1 of the Law on State Prosecution)
- Proposal submitted by an unauthorized applicant - one case

Q218 (2025): one disciplinary case was initiated in 2024 and concluded in 2025, while two cases were concluded in 2025.
Q218 (2024): - 2 cases - a proposal submitted due to non-action in the cases, the statute of limitations for criminal prosecution has expired (Art. 108 para. 3 point 1 of the Law on State Prosecution)
- 2 cases - proposal submitted because accurate and complete data were not submitted in the report on assets and income in 2020 (art. 108 paragraph 3 point 8 of the Law on State Prosecution)
- 1 subject - a proposal submitted by an unauthorized applicant

Q219 (2024): One case - the proposal to establishing disciplinary liability is rejected as unfounded, because the proposal was submitted for an action that is not prescribed as a disciplinary offense
Two cases - the proposal to establish disciplinary liability is rejected as unfounded due to the lack of evidence that the appointee committed a disciplinary offense
One case - the proposal to initiate disciplinary proceedings is rejected because it was submitted by an unauthorized applicant
Q221 (2025): An appeal against the decision of the Disciplinary Council may be filed with the Supreme Court of Montenegro.

North Macedonia
Q140 (General Comment): The independence of judges in Macedonian legal system is regulated with the Constitution and the Law on courts.

Q140 (2023): Guarantees of the independence of judges are regulated in the Constitution, the Law on courts, the Law on Judicial Council of the Republic of North Macedonia, the Law on court budget and other relevant laws in the field of judiciary.
Constitution of the Republic of North Macedonia
Article 8, p.1, line 4
The fundamental values of the constitutional order of the Republic of North Macedonia are:
- the separation of state powers into legislative, executive and judicial;
4. Judiciary
Article 98
The judicial power is exercised by the courts.
The courts are autonomous and independent. The courts judge on the basis of the Constitution and laws and international agreements ratified in accordance with the Constitution.
Special courts are prohibited.
The types, competence, establishment, abolishment, organization and composition of the courts, as well as the procedure before the courts, are regulated by a law adopted by a two-thirds majority vote of the total number of representatives.
Article 99 A judge is elected without limitation of duration of the term of office.
A judge cannot be reassigned against his/her will.
The term of office of a judge terminates:
- if he/she so requests;
- if he/she permanently loses the capacity of exercising the office of a judge, which is determined by the Judicial Council of the Republic of North Macedonia;
- if he/she fulfills the conditions for an old-age pension;
- if he/she is sentenced for a crime to unconditional imprisonment of a minimum six months by an effective court decision; and
- if he/she is elected or appointed to another public office, except when his/her judicial office is in abeyance under conditions determined by a law.
A judge is dismissed:
- for committing more serious disciplinary offense which makes him/her unworthy to exercise the office of a judge prescribed by a law and

Q140 (2024): Guarantees of the independence of judges are regulated in the Constitution, the Law on courts, the Law on Judicial Council of the Republic of North Macedonia, the Law on court budget and other relevant laws in the field of judiciary.

Q140 (2023): Guarantees of the independence of judges are regulated in the Constitution, the Law on courts, the Law on Judicial Council of the Republic of North Macedonia, the Law on court budget and other relevent laws in the field of judiciary.

Q140 (2022): Guarantees of the independence of judges are regulated in the Constitution and the Law on courts.

Q141 (General Comment): The independence of prosecutors in Macedonian legal system is regulated with the Constitution and the Law on Public Prosecution office.

Q141 (2025): Guarantees of the independence of prosecutors are regulated in the Constitution, the Law on Public Prosecution office, the Law on Council of Public Prosecutors and other relevant laws in the field of judiciary.
Q141 (2024): Guarantees of the independence of prosecutors are regulated in the Constitution, the Law on Public Prosecution office, the Law on Council of Public Prosecutors and other relevant laws in the field of judiciary.
Q141 (2023): Guarantees of the independence of prosecutors are regulated in the Constitution, the Law on Public Prosecution office, the Law on Council of Public Prosecutors and other relevent laws in the field of judiciary.
Q141 (2022): Guarantees of the independence of prosecutors are regulated in the Constitution and the Law on Public Prosecution office.

Article 33
Reasons for exclusion
(1) A judge or a lay judge must not exercise his or her judicial obligations:
1) if he or she has suffered any damage as a result of the crime;
2) if the accused, his counsel, the prosecutor, the injured party, his legal counsel or attorney is his or hers marital i.e. illegitimate spouse or a blood relative according to the law regardless of the degree of kinship, a distant relative to the fourth degree and an in- law to the second degree;
3) if, with the accused, his counsel, the plaintiff or with the injured party he or she has a relationship of a guardian, a person under guardianship, one who adopts, an adopted child, foster parent or a foster child;
4) if, in the same criminal case he or she participated as a judge of the preliminary procedure, participated in the examination of the indictment before the main trial or participated in the procedure as a plaintiff, defense counsel, legal counsel or authorized representative for the injured party, i.e. the plaintiff, or was examined in the capacity of a witness or as an expert witness;
5) if, in the same case, he or she participated in the decision making process of the lower court, or if, in the same court, he or she participated in the bringing of the decision that is annulled with the appeal;
(2) Apart from the situations as referred to in paragraph 1 of this Article, a judge or a lay judge may also be excluded from performing his or her judicial obligations if there are any circumstances that would cause any doubts regarding his or her impartiality. Article 34
Exclusion procedure
As soon as he or she establishes the existence of any of the reasons for exclusion as referred to in Article 33, paragraph 1 of this Law, the judge or lay judge shall be obliged to stop working on that case and inform the President of the Court thereby, who shall appoint a substitute judge. If the exclusion is for the President of the Court, he or she shall appoint his or her own substitute judge amongst the judges from the same court, and if that is not possible, he shall ask the President of the immediate higher court to appoint the substitute.
Article 35
Exclusion upon request by the parties
(1) The parties may also ask for exclusion.
(2) The parties may submit a motion for exclusion prior to the beginning of the main hearing and if they have found out the reasons for the exclusion as referred to in paragraph 1 of Article 33 later, they shall submit the exclusion motion immediately after they have been informed about them.
(3) The party may include the exclusion motion for a judge of the higher instance court in the appeal or in the response to the appeal.
(4) The party may demand exclusion only of an individual judge or a lay judge, who proceeds in the case i.e. a judge from the higher court.

Q160 (General Comment): Court Rules of procedure
Automatic Redistribution of Cases
Article 177
The cases allocated to the judge may be reallocated to another judge, after the decision of the president of the court registered in the SU register has been passed, and the reason for the redistribution of case can be: a request for a judge to be exempted (submitted by the parties, the judge, by a decision of a higher instance court, etc.), the judge no longer works on a certain type of case, new judge for a certain type of case has been assigned, absence of a judge for an urgent matter that does not endure postponement of the procedure.
Article 178
After the request for exemption of a judge to whom the case is allocated, the president of the court, after the decision on exemption of the judge, shall adopt a decision for automatic redistribution of the case (in this case, the judges who were excluded in this case do not participate in the automatic distribution).
Upon a request for exemption or sudden absence of a judge, a member of council, the president of the court, by a decision on exemption of that judge, recorded in the register for exemption, shall appoint a judge who will replace the judge who is exempted.
Q160 (2025): Court Rules of procedure
Automatic Redistribution of Cases
Article 177
The cases allocated to the judge may be reallocated to another judge, after the decision of the president of the court registered in the SU register has been passed, and the reason for the redistribution of case can be: a request for a judge to be exempted (submitted by the parties, the judge, by a decision of a higher instance court, etc.), the judge no longer works on a certain type of case, new judge for a certain type of case has been assigned, absence of a judge for an urgent matter that does not endure postponement of the procedure.
Article 178
After the request for exemption of a judge to whom the case is allocated, the president of the court, after the decision on exemption of the judge, shall adopt a decision for automatic redistribution of the case (in this case, the judges who were excluded in this case do not participate in the automatic distribution).
Upon a request for exemption or sudden absence of a judge, a member of council, the president of the court, by a decision on exemption of that judge, recorded in the register for exemption, shall appoint a judge who will replace the judge who is exempted.

Q161 (2025): Data for conflict of interest declared by the judge or by the parties are already calculated in recusal of the judge or requested by the parties, because conflict of interest is ground for recusal of the judge. Other*: retirement of a judge, return of judges who were delegated in other courts, return of a judge who was a member of the Judicial council, dismissed judge, change in the annual schedule, delegated judges, merging of cases
According to our legislation, conflict of interest is a ground for recusal of the judge or requested by the parties, because of this, the data overlaps and cannot be separated.

Q163 (General Comment): Yes, with exception. Please see article 179, p.2
Court Rules of procedure
Article 179
In cases when the judge no longer works with a certain type of cases (dismissed, assigned to another department, assigned to another type of cases, longer absence), the court president shall adopt amendments and supplements to the Annual work schedule of the court.
The reallocation of cases in the case under paragraph 1 of this Article may be conducted by awarding all cases to a particular judge (usually a newly elected or rotated judge in that department, a type of case) or if a judge is not appointed, it shall be performed through automatic redistribution of all cases from the judge to all judges in the department who work with this type of cases.
Q164 (General Comment): All court cases should be assigned electronically according to the provisions on the Law on case flow management in the courts.
According to the provisions of the Court Rules of procedure, please see the rules for redistribution of cases
3. Automatic Redistribution of Cases
Article 177
The cases allocated to the judge may be reallocated to another judge, after the decision of the president of the court registered in the SU register has been passed, and the reason for the redistribution of case can be: a request for a judge to be exempted (submitted by the parties, the judge, by a decision of a higher instance court, etc.), the judge no longer works on a certain type of case, new judge for a certain type of case has been assigned, absence of a judge for an urgent matter that does not endure postponement of the procedure.
Article 178
After the request for exemption of a judge to whom the case is allocated, the president of the court, after the decision on exemption of the judge, shall adopt a decision for automatic redistribution of the case (in this case, the judges who were excluded in this case do not participate in the automatic distribution).
Upon a request for exemption or sudden absence of a judge, a member of council, the president of the court, by a decision on exemption of that judge, recorded in the register for exemption, shall appoint a judge who will replace the judge who is exempted.
Article 179
In cases when the judge no longer works with a certain type of cases (dismissed, assigned to another department, assigned to another type of cases, longer absence), the court president shall adopt amendments and supplements to the Annual work schedule of the court.
The reallocation of cases in the case under paragraph 1 of this Article may be conducted by awarding all cases to a particular judge (usually a newly elected or rotated judge in that department, a type of case) or if a judge is not appointed, it shall be performed through automatic redistribution of all cases from the judge to all judges in the department who work with this type of cases.
Article 180
Cases recorded in a register for which only one judge is in charge of shall be allocated to the judge with the recording itself.
According to the Law on courts, president of a court shall be dismissed from the office of a president, if in a procedure, the Judicial Council of the Republic of Macedonia establishes the following bases:
failure to apply the provisions regarding the case management and distribution,
- violation of the provisions regarding the adoption and amendment of the Annual schedule for Judges.

Q167 (2025): Law on prevention of corruption and conflict of interest Article 82
(1) An elected or appointed person, responsible person in a public enterprise, public institution or other legal entity disposing with state capital, notary, enforcement agent, administrative officer of category A determined by law or a person employed in the cabinet of the President of the Republic of Macedonia, the President and the Vice-Presidents of the Assembly of the Republic of Macedonia, the President of the Government of the Republic of Macedonia, the Deputy Prime Ministers of the Government of the Republic of Macedonia, the Ministers and the Secretary General of the Government with aim to carry out tasks of a special adviser, in the selection, appointment, designation or employment, and no later than 30 days after the election, appointment, designation or employment shall submit a declaration of assets and interests.
(2) The declaration referred to in paragraph (1) of this Article shall contain:
- a detailed inventory of real estate, movables with a value exceeding the amount of twenty average net salaries in the previous three-month period, securities, receivables and debts, as well as other property in his/her possession, or ownership of the members of his/her family, stating the basis for acquiring the declared property;
- a statement of interest for him/her and his/her family members, which contains information on jobs and membership in management boards, membership in associations and foundations, and other data required by the prescribed form.
(3) The person referred to in paragraph (1) of this Article shall be obliged to submit a declaration of assets and interests and within 30 days from the day of termination of the function or employment.
(4) The person referred to in paragraph (1) of this Article shall submit the declaration of assets and interests to the State Commission.
(5) The person referred to in paragraph (1) of this Article shall submit the declaration of assets and interests in electronic form, and shall also submit a printed copy to the State Commission.
Article 85
(1) An elected or appointed person and a responsible person in a public enterprise or other legal entity disposing of state capital, notary, enforcement agent or administrative officer of category A determined by law or a person employed in the cabinet of the President of the Republic of Macedonia, the President of the Assembly of the Republic of the Republic Macedonia, the Vice-Presidents of the Assembly of the Republic of Macedonia, the President of the Government of the Republic of Macedonia, the Deputy Prime Ministers of the Government of the Republic of Macedonia, the Ministers and the Secretary General of the Government for the performance of tasks of a special adviser, shall be obliged within 30 days to report any increase in his/her property i.e. the property of a member of his/her family, in a value that exceeds the amount of twenty average net salaries in the Republic of Macedonia the previous three-month period, as well as change of interests (hereinafter: reporting changes in the assets and interests).
(2) The obligation referred to in paragraph (1) of this Article shall also apply to the persons referred to in Article 83 of this Law.
(3) An agreement or other document that is the basis for the change shall be attached to the report referred to in paragraph (1) of this Article.
(4) The persons referred to in paragraph (1) of this Article shall report the changes in the assets and interests by electronic submission of a form on changes in property situation and interests to the State Commission. A printed copy of the electronically filed form shall be submitted to the State Commission.
(5) The persons referred to in paragraph (2) of this Article shall report changes in their assets and interests by submitting a printed form for declaration of property situation and
Q167 (2024): Law on prevention of corruption and conflict of interest (Official Gazette No 12/2019)
Q167 (2023): Law on prevention of corruption and conflict of interest (Official Gazette No 12/2019)
Q167 (2022): Law on prevention of corruption and conflict of interest (Official Gazette No 12/2019)
Q168 (2025): Other - Items in value exceeding the amount of twenty average net salaries in the previous three-month period, securities, receivables and debts, as well as other property in his/her possession, or ownership of the members of his/her family, stating the basis for acquiring the declared property; and information on jobs and membership in management boards, membership in associations and foundations, and other data required by the prescribed form of the declaration.

Q169 (General Comment): Law on prevention of corruption and conflict of interests (2019)
Reporting changes in assets and interests
Article 85
(1) An elected or appointed person and a responsible person in a public enterprise or other legal entity disposing of state capital, notary, enforcement agent or administrative officer of category A determined by law or a person employed in the cabinet of the President of the Republic of Macedonia, the President of the Assembly of the Republic of the Republic Macedonia, the Vice-Presidents of the Assembly of the Republic of Macedonia, the President of the Government of the Republic of Macedonia, the Deputy Prime Ministers of the Government of the Republic of Macedonia, the Ministers and the Secretary General of the Government for the performance of tasks of a special adviser, shall be obliged within 30 days to report any increase in his/her property i.e. the property of a member of his/her family, in a value that exceeds the amount of twenty average net salaries in the Republic of Macedonia the previous three-month period, as well as change of interests (hereinafter: reporting changes in the assets and interests). (2) The obligation referred to in paragraph (1) of this Article shall also apply to the persons referred to in Article 83 of this Law.
(3) An agreement or other document that is the basis for the change shall be attached to the report referred to in paragraph (1) of this Article.
(4) The persons referred to in paragraph (1) of this Article shall report the changes in the assets and interests by electronic submission of a form on changes in property situation and interests to the State Commission. A printed copy of the electronically filed form shall be submitted to the State Commission.
(5) The persons referred to in paragraph (2) of this Article shall report changes in their assets and interests by submitting a printed form for declaration of property situation and interests to the authorities in which they are employed.

Q170 (General Comment): Article 82, paragraph 2 from the Law on prevention of corruption and conflict of interests
(2) The declaration referred to in paragraph (1) of this Article shall contain:
- a detailed inventory of real estate, movables with a value exceeding the amount of twenty average net salaries in the previous three-month period, securities, receivables and debts, as well as other property in his/her possession, or ownership of the members of his/her family, stating the basis for acquiring the declared property;
- a statement of interest for him/her and his/her family members, which contains information on jobs and membership in management boards, membership in associations and foundations, and other data required by the prescribed form.

Q171 (General Comment): There is not separate declaration form for the family members, the data for the family members are declared in the same declaration form.
Q174 (2023): http://www.dksk.org.mk/imoti_2/
Q174 (2022): http://www.dksk.org.mk/imoti_2/
Q175 (General Comment): http://www.dksk.org.mk/imoti_2/
Q175 (2024): https://registar.dksk.mk/submission-forms?page=0&rowsPerPage=5&naming=true
Q175 (2023): http://www.dksk.org.mk/imoti_2/
Q175 (2022): http://www.dksk.org.mk/imoti_2/

Article 75
(1) A more severe disciplinary violation for which a procedure for establishing a judge's responsibility is instituted shall be considered as:
1) severe violation of public order and peace and other more serious forms of misconduct that violates the reputation of the court and his/her reputation;
2) gross influence and interference in the performance of the judicial function of another judge;
3) if he refuses to file a statement of assets and interests according to law or if his statement contains gross inaccuracies or
4) manifestly violation of the rules for exemption in situations in which the judge knew or should have known about the existence of one of the grounds for exemption provided for by law.
Dismissal of a judge
Article 74 (1) The judge shall be dismissed from the judicial office:
- due to a more serious disciplinary violation that makes him unfit for
performance of the judicial function prescribed by law and
- due to unprofessional and negligent performance of the judicial function under conditions
established by law.
The judge is dismissed from the judicial position according to the grounds
provided for in paragraph (1) of this article, if:
- the violation was committed with intent or obvious negligence due to the judge's fault
without justifiable reasons and
- the injury caused serious consequences.
In the case of a lighter form of violation of the grounds from paragraph (1) hereof
article, the judge may be subject to a disciplinary measure.
In accordance with Article 78 of the Law on Courts On the established responsibility of a judge, the Council can pronounce one of
the following disciplinary measures:
- written warning,
- public reprimand,
- salary reduction in the amount of 15% to 30% of the monthly salary
judge for one to six months.

Q178 (2025): Law on prevention of corruption and conflict of interest
Article 82
(1) An elected or appointed person, responsible person in a public enterprise, public institution or other legal entity disposing with state capital, notary, enforcement agent, administrative officer of category A determined by law or a person employed in the cabinet of the President of the Republic of Macedonia, the President and the Vice-Presidents of the Assembly of the Republic of Macedonia, the President of the Government of the Republic of Macedonia, the Deputy Prime Ministers of the Government of the Republic of Macedonia, the Ministers and the Secretary General of the Government with aim to carry out tasks of a special adviser, in the selection, appointment, designation or employment, and no later than 30 days after the election, appointment, designation or employment shall submit a declaration of assets and interests.
(2) The declaration referred to in paragraph (1) of this Article shall contain:
- a detailed inventory of real estate, movables with a value exceeding the amount of twenty average net salaries in the previous three-month period, securities, receivables and debts, as well as other property in his/her possession, or ownership of the members of his/her family, stating the basis for acquiring the declared property;
- a statement of interest for him/her and his/her family members, which contains information on jobs and membership in management boards, membership in associations and foundations, and other data required by the prescribed form.
(3) The person referred to in paragraph (1) of this Article shall be obliged to submit a declaration of assets and interests and within 30 days from the day of termination of the function or employment.
(4) The person referred to in paragraph (1) of this Article shall submit the declaration of assets and interests to the State Commission.
(5) The person referred to in paragraph (1) of this Article shall submit the declaration of assets and interests in electronic form, and shall also submit a printed copy to the State Commission.
Article 85
(1) An elected or appointed person and a responsible person in a public enterprise or other legal entity disposing of state capital, notary, enforcement agent or administrative officer of category A determined by law or a person employed in the cabinet of the President of the Republic of Macedonia, the President of the Assembly of the Republic of the Republic Macedonia, the Vice-Presidents of the Assembly of the Republic of Macedonia, the President of the Government of the Republic of Macedonia, the Deputy Prime Ministers of the Government of the Republic of Macedonia, the Ministers and the Secretary General of the Government for the performance of tasks of a special adviser, shall be obliged within 30 days to report any increase in his/her property i.e. the property of a member of his/her family, in a value that exceeds the amount of twenty average net salaries in the Republic of Macedonia the previous three-month period, as well as change of interests (hereinafter: reporting changes in the assets and interests).
(2) The obligation referred to in paragraph (1) of this Article shall also apply to the persons referred to in Article 83 of this Law.
(3) An agreement or other document that is the basis for the change shall be attached to the report referred to in paragraph (1) of this Article.
(4) The persons referred to in paragraph (1) of this Article shall report the changes in the assets and interests by electronic submission of a form on changes in property situation and interests to the State Commission. A printed copy of the electronically filed form shall be submitted to the State Commission.
Q178 (2024): Law on prevention of corruption and conflict of interest (Official Gazette of North Macedonia No. 12/2019)
Q178 (2023): Law on prevention of corruption and conflict of interest (Official Gazette of North Macedonia No. 12/2019)
Q178 (2022): Law on prevention of corruption and conflict of interest (Official Gazette of North Macedonia No. 12/2019)
Q179 (2025): Other - Items in value exceeding the amount of twenty average net salaries in the previous three-month period, securities, receivables and debts, as well as other property in his/her possession, or ownership of the members of his/her family, stating the basis for acquiring the declared property; and information on jobs and membership in management boards, membership in associations and foundations, and other data required by the prescribed form of the declaration.

Q180 (General Comment): Law on prevention of corruption and conflict of interests (2019)
Reporting changes in assets and interests
Article 85
(1) An elected or appointed person and a responsible person in a public enterprise or other legal entity disposing of state capital, notary, enforcement agent or administrative officer of category A determined by law or a person employed in the cabinet of the President of the Republic of Macedonia, the President of the Assembly of the Republic of the Republic Macedonia, the Vice-Presidents of the Assembly of the Republic of Macedonia, the President of the Government of the Republic of Macedonia, the Deputy Prime Ministers of the Government of the Republic of Macedonia, the Ministers and the Secretary General of the Government for the performance of tasks of a special adviser, shall be obliged within 30 days to report any increase in his/her property i.e. the property of a member of his/her family, in a value that exceeds the amount of twenty average net salaries in the Republic of Macedonia the previous three-month period, as well as change of interests (hereinafter: reporting changes in the assets and interests). (2) The obligation referred to in paragraph (1) of this Article shall also apply to the persons referred to in Article 83 of this Law.
(3) An agreement or other document that is the basis for the change shall be attached to the report referred to in paragraph (1) of this Article.
(4) The persons referred to in paragraph (1) of this Article shall report the changes in the assets and interests by electronic submission of a form on changes in property situation and interests to the State Commission. A printed copy of the electronically filed form shall be submitted to the State Commission.
(5) The persons referred to in paragraph (2) of this Article shall report changes in their assets and interests by submitting a printed form for declaration of property situation and interests to the authorities in which they are employed.

Q182 (General Comment): There is not separate declaration form for the family members, the data for the family members are declared in the same declaration form.
Q185 (2025): https://registar.dksk.mk/submission-forms?page=0&rowsPerPage=5&naming=true
Q185 (2024): https://registar.dksk.mk/submission-forms?page=0&rowsPerPage=5&naming=true
Q185 (2023): http://www.dksk.org.mk/imoti_2/
Q185 (2022): http://www.dksk.org.mk/imoti_2/
Q186 (General Comment): http://www.dksk.org.mk/imoti_2/
Q186 (2024): https://registar.dksk.mk/submission-forms?page=0&rowsPerPage=5&naming=true
Q186 (2023): http://www.dksk.org.mk/imoti_2/
Q186 (2022): http://www.dksk.org.mk/imoti_2/
Q187 (General Comment): Article 91 from the new Law on Public Prosecution office prescribed that, non submission on declaration of assets is a serious disciplinary violation. According to article 95 from the same law, when this type of violation is established, one of the following disciplinary measures may be imposed:
- salary reduction in the amount of 15% to 30% of the monthly salary of the public prosecutor for a period of one to six months, and
- a dismissal.

Q255 (**General comment**): Regulation on reporting a potential conflict of interest

Law on prevention of corruption and conflict of interest Procedure before the State Commission for Determining of a Conflict of Interest

Article 76

(1) In cases when there is reasonable doubt that indicates a conflict of interest, the State Commission shall initiate a procedure for determining of conflict of interests.

(2) The procedure referred to in paragraph (1) of this Article shall be initiated:

- ex officio;
- at the request of an official person;
- upon a report of another person;
- at a request of the head of the body or institution where the official person performs functions, public authorisations or official duties; and
- upon anonymous report.

(3) In the procedure referred to in paragraph (1) of this Article, for the purpose of determining the factual situation in the case, the State Commission shall collect documents, data and information from natural and legal persons, as well as from the official person.

(4) The persons referred to in paragraph (3) of this Article, shall be obliged to submit the documents, data and information available to them within 15 days from the day of receiving the request from the State Commission.

(5) If the persons referred to paragraph (3) of this Article do not respond within the deadline stipulated in paragraph (4) of this Article, the State Commission shall check the allegations of existence of a conflict of interest ex officio.

(6) The State Commission shall be obliged to render a decision on the existence or non-existence of a conflict of interests within 30 days after the responses of the persons referred to in paragraph (3) of this Article i.e. after the verification of the allegations.

Article 77

(1) If the State Commission determines the existence of a conflict of interests, it shall be obliged to inform the official person and to request from him/her, within 15 days from the delivery of the decision, to remove the conflict of interests.

(2) If the official acts upon the request referred to in paragraph (1) of this Article, the State Commission shall stop the procedure and shall inform the official person and the applicant of the report thereof.

(3) If the official person does not act upon request referred to in paragraph (1) of this Article and does not notify the State Commission thereof within the stipulated deadline, the State Commission shall without delay:

- with demand to initiate a disciplinary procedure if the official person is not appointed or elected person;
- instigate an initiative to the competent authority for dismissal / termination of performance of public competences or duties, if the official person is appointed or elected person; or

Q190 (General Comment): The Law on the courts
Article 52
(1) The judicial office is incompatible with the office of a member of the parliament, that is, member of a council in the municipality, that is, the City of Skopje, and the offices in state bodies, the municipality and the City of Skopje, expect for cases provided by law.
(2) The judge cannot hold any other public office or practice a profession, except an office determined by law which is not contrary to his/her independence and autonomy in the exercise of the judicial office.
(3) The judge cannot be a member of a managing or supervisory board of a trade company or another legal entity established for the purpose of gaining profit.
(4) The judge may be an educator or may deliver lectures in the Academy for Judges and Public Prosecutors and in a higher education institution and may participate in scientific projects.
(5) The judge for the period while teaching as an educator at the Academy for Judges and Public Prosecutors, may perform the judicial function in a reduced amount, in accordance with the law.
(6) The Judge must not use his office or the reputation of the court to accomplish his personal interests.
(7) The judge cannot be a member or hold a political office within a political party or carry out political or party activity.
Law on prevention of corruption and conflict of interest – Article 44 paragraph 6 "(6) Official person may earn income from scientific, teaching, cultural, artistic and sporting activities and from copyrights, patents and similar rights, intellectual and industrial property, unless otherwise stipulated by law."
Q194 (General Comment): In our country the full name of the Law is Law on prevention of corruption and conflict of interests.
Q194 (2025): Law on prevention of corruption and conflict of interest
Q194 (2024): Law on prevention of corruption and conflict of interests.
Q194 (2023): Law on prevention of corruption and conflict of interests.
Q194 (2022): Law on prevention of corruption and conflict of interests.
Q195 (General Comment): In our country the full name of the Law is Law on prevention of corruption and conflict of interests.
Q195 (2024): Law on prevention of corruption and conflict of interests.
Q195 (2023): Law on prevention of corruption and conflict of interests.
Q195 (2022): Law on prevention of corruption and conflict of interests.
Q196 (2025): Both cases ended with a recommendation
Q196 (2024): A judge has been issued a misdemeanor sanction and an initiative to determine liability

Q197 (General comment): Regulation on reporting a potential conflict of interest

Law on prevention of corruption and conflict of interest Procedure before the State Commission for Determining of a Conflict of Interest

Article 76

(1) In cases when there is reasonable doubt that indicates a conflict of interest, the State Commission shall initiate a procedure for determining of conflict of interests.

(2) The procedure referred to in paragraph (1) of this Article shall be initiated:

- ex officio;
- at the request of an official person;
- upon a report of another person;
- at a request of the head of the body or institution where the official person performs functions, public authorisations or official duties; and
- upon anonymous report.

(3) In the procedure referred to in paragraph (1) of this Article, for the purpose of determining the factual situation in the case, the State Commission shall collect documents, data and information from natural and legal persons, as well as from the official person.

(4) The persons referred to in paragraph (3) of this Article, shall be obliged to submit the documents, data and information available to them within 15 days from the day of receiving the request from the State Commission.

(5) If the persons referred to paragraph (3) of this Article do not respond within the deadline stipulated in paragraph (4) of this Article, the State Commission shall check the allegations of existence of a conflict of interest ex officio.

(6) The State Commission shall be obliged to render a decision on the existence or non-existence of a conflict of interests within 30 days after the responses of the persons referred to in paragraph (3) of this Article i.e. after the verification of the allegations.

Article 77

(1) If the State Commission determines the existence of a conflict of interests, it shall be obliged to inform the official person and to request from him/her, within 15 days from the delivery of the decision, to remove the conflict of interests.

(2) If the official acts upon the request referred to in paragraph (1) of this Article, the State Commission shall stop the procedure and shall inform the official person and the applicant of the report thereof.

(3) If the official person does not act upon request referred to in paragraph (1) of this Article and does not notify the State Commission thereof within the stipulated deadline, the State Commission shall without delay:

- with demand to initiate a disciplinary procedure if the official person is not appointed or elected person;
- instigate an initiative to the competent authority for dismissal / termination of performance of public competences or duties, if the official person is appointed or elected person; or

Q197 (2022): Please, see general comment.

Q198 (General Comment): Law on Public prosecution office
Article 49
(1) A public prosecutor may be an educator or hold lectures at the Academy for Training of Judges and Public Prosecutors, teach at the higher education institutions in the public prosecutorial field and participate in scientific and professional projects in that area.
(2) A public prosecutor may teach at the higher education institutions in the public prosecutorial field and participate in scientific and professional projects in that area, only after a prior accord provided by the Public Prosecutor's Council of the Republic of Macedonia.
Q202 (General Comment): In our country the full name of the law is Law on prevention of corruption and conflict of interests.
Q202 (2025): Law on prevention of corruption and conflict of interest
Q202 (2024): Law on prevention of corruption and conflict of interest
Q202 (2023): Law on prevention of corruption and conflict of interest
Q202 (2022): Law on prevention of corruption and conflict of interest
Q203 (General Comment): In our country the full name of the law is Law on prevention of corruption and conflict of interests.
Q203 (2025): Law on prevention of corruption and conflict of interest
Q203 (2024): Law on prevention of corruption and conflict of interest
Q203 (2023): Law on prevention of corruption and conflict of interest
Q203 (2022): Law on prevention of corruption and conflict of interest.

Q205 (General Comment): Law on Judicial Council (2019)
A request for initiation of a procedure for determination of liability of a judge or a president of a court Article 62
(1) The reasoned request for initiation of a procedure for determination of liability of a judge or a president of a court (hereinafter: the request) shall be submitted to the Council and shall contain: name and surname of the judge or the president of the court, address and place of residence, in which court he exercises the office, description of the violation, legal term for the violation by stating the provisions of the Law on Courts, and proposed evidence that have to be exhibited at the discussion.
Q205 (2025): Please, see the general comment.
Q205 (2024): Please, see the general comment.
Q205 (2023): Please, see the general comment.
Q205 (2022): Please, see the general comment.

Dismissal of a judge
Article 74
(1) The judge shall be dismissed from the judicial office: - due to serious disciplinary offence that makes him/her discreditable to exercise the judicial office prescribed by law and
- due to unprofessional and neglectful exercise of the judicial office under the conditions defined by law.
(2) Decision on dismissal of the judge shall be adopted by the Judicial Council of the Republic of Macedonia.
(3) The judge shall be dismissed from the judicial office in accordance with the grounds stipulated in paragraph (1) of this Article if the violation is committed:
- with the intention or apparent negligence by the fault of the judge without justified reasons and
- the injury caused severe consequences.
(4) In case of an easier form of violation of the grounds referred to in paragraph (1) of this Article, a disciplinary measure may be imposed on the judge.
(5) As of the day of entry into force of the decision on dismissal of the judge by the Judicial Council of the Republic of Macedonia on the grounds referred to in paragraph (1) of this Article, the judge's right to salary shall cease.
Serious disciplinary offence
Article 75
(1) A more severe disciplinary violation for which a procedure for establishing a judge's responsibility is instituted shall be considered as:
1) severe violation of public order and peace and other more serious forms of misconduct that violates the reputation of the court and his/her reputation;
2) gross influence and interference in the performance of the judicial function of another judge;
3) if he refuses to file a statement of assets and interests according to law or if his statement contains gross inaccuracies or
4) manifestly violation of the rules for exemption in situations in which the judge knew or should have known about the existence of one of the grounds for exemption provided for by law.
(2) For the disciplinary violation referred to in paragraph (1) of this Article, the president of the court shall notify the Judicial Council of the Republic of Macedonia in writing within a period of eight days from the day of recognizing the committed violation, but not longer than three months from the committed violation.
(3) In cases of disciplinary violation of paragraph (1) line 1 of this Article, when there was a final judicial decision, the court that had adopted the decision has to immediately after obtaining decision's effectiveness, to inform the Judicial Council of the Republic of Macedonia and the president of the court where the judge is performing the judicial function about it.
(4) The procedure for establishing responsibility of judges in the case of paragraph 1 point 1 of this Article, may be initiated even when there is no previously adopted effective judicial decision.
Unprofessional and unethical performance of the judicial function
Q206 (2025): Please, see the general comment.
Q206 (2024): Please, see the general comment.
Q206 (2023): Please, see the general comment.
Q206 (2022): Please, see the general comment.

Q208 (General comment): Unprofessional and unethical performance of the judicial function according to the Law on courts implies unconscientiousness, diligence or unconscientiousness of the judge that affects the quality and promptness of the work, as follows:

1) if in two consecutive assessments the judge does not fulfill the criteria for successful work, by his fault without justifying reasons, for which he has received two negative grades, in procedure established by the Law on Judicial Council in of the Republic of Macedonia;

2) if he was convicted by a final court verdict, with punishment lower than that determined in the Art. 73, paragraph(1) point 5 from the Law on courts which is a direct result of acting in the performance of the judicial office, deliberately or with conscious negligence; (art. 73, p.1, point 5-Conviction for a crime by a legally valid court verdict to an unconditional imprisonment sentence of minimum six months).

3) is publishing unauthorized classified information, i.e. provided information and data on court cases that violates the obligation to protect the secrecy of the procedure established by law and when the public is excluded in accordance with the law;

4) without justified reasons, does not schedule the hearings in the cases assigned to him or otherwise delay the procedure;

5) does not take the matter into consideration because of which expiration of a criminal prosecution or statute of limitations on the execution of a criminal sanction for a crime occur;

6) takes on a case that has not been allocated to him through the automatic computer system for conducting of court cases in the courts; ;

7) intentionally and inexcusably makes gross professional mistake, while differences in interpretation of law and facts cannot be taken as ground for determination of judges' responsibility. After submission on a request for determination of the responsibility of the judge or president of the court is received, the Council shall establish a Commission of Rapporteurs from the members with a right to vote by lot, which is composed of three members, two of which are from among the members elected by the judges, and one is from among the members elected by the Assembly of the Republic of North Macedonia. The president of the Commission is elected by lot from among the members of the Commission. If a submitter of the request is a member of the Council, he/she cannot be a member of this Commission.

The Commission will reject the request for determining responsibility of the judge or president of the court if the request:

- is not timely,
- is not complete, or
- clearly unmeritorious, i.e. it revokes on facts that were already a case for examination by a higher court in a procedure after a legal remedy or could have been a case for examination by a higher court but have not been commenced with a legal remedy.

In this cases, the procedure for determining responsibility of the judge or president of the court finishes with the decision of the Commission. If the Commission does not reject the request for determining the responsibility of a judge or president of a court, it shall notify the Council of the established factual situation, which is obliged to decide within seven days from the day of the notification of stopping or continuation of the procedure.

If the Council decides to continue the procedure, the Commission shall be obliged to collect all necessary information and to prepare a report within a period of three months from the day of receipt of the request.

Q208 (2025): In total, 161 requests for accountability were submitted against judges, of which 119 were preliminary dismissed by the Reporting Commission. With this, the Judicial Council acted on 42 requests for accountability of judges.

Q208 (2024): In total, 214 requests for accountability were submitted against judges, of which 135 were preliminary dismissed by the Reporting Commission. With this, the Judicial Council acted on 79 requests for accountability of judges.

Q209 (2025): In 2025, 90 requests for initiation of disciplinary proceedings were filed against 161 judges. In the same year, 144 of the proceedings against 161 judges were completed, and we do not have data on how many requests were completed, and therefore the number does not correspond to the total.

Q209 (2024): In 2024, 98 requests for initiation of disciplinary proceedings were filed against 214 judges. In the same year, 192 of the proceedings against 214 judges were completed, and we do not have data on how many requests were completed, and therefore the number does not correspond to the total.
Q209 (2022): The total number of completed cases in 2022 includes cases that were initiated in 2020, 2021 and 2022.

Right to appeal
Article 72
(1) The right to appeal to the Council for deciding upon an appeal to the Supreme Court of the Republic of North Macedonia (hereinafter: the Appeals Council) against the decision of the Council, is only the judge or the president of the court for whom the procedure for determining liability, within eight days from the date of receipt of the decision.
(2) The Appeal Council is composed of nine members, of which three judges of the Supreme Court of the Republic of Northern Macedonia, one judge from the appellate courts and two judges from the court from which the judge against whom the procedure is conducted is. The members shall be chosen publicly by system of drawings at a general session of the Supreme Court of the Republic of North Macedonia, that is, a session of all judges of the respective court, no later than 10 days from the day of receiving the appeal.
(3) The Board of Appeal shall decide at the latest within 30 days from its establishment upon the appeal, appreciating the legality of the procedure.
(4) In the cases referred to in paragraph (3) of this Article, the Appeals Chamber may confirm or revoke the decision of the Council in the event of a gross violation of the provisions on the procedure for the responsibility of a judge or president of a court.
(5) If the Council of Appeal abolishes the decision, the Council shall repeat the procedure, obligatory in compliance with the guidelines of the Appeals Council and shall take a decision and publish it publicly on its website.
(6) An appeal or a lawsuit shall not be allowed against the decision referred to in paragraph (5).
(7) The President of the Supreme Court of the Republic of North Macedonia and a judge or a president of a court, a participant in the procedure before the Council, may not be members of the Appeals Chamber referred to in paragraph (2) of this Article.
Re-opening of the procedure on a final judgment of the European Court of Human Rights in Strasbourg
Article 73
(1) When the European Court of Human Rights finds a violation of a human right or fundamental freedoms envisaged under the European Convention for the Protection of Human Rights and Fundamental Freedoms and its Additional Protocols, which the Republic of North Macedonia has ratified, in accordance with the Constitution of the Republic of North Macedonia, in a proceedings before the Council and the Supreme Court of the Republic of North Macedonia, the judge or the president of the court whose right has been violated in the proceedings may, within a period of 30 days but within three years at the latest from the date the judgment of the European Court becomes final, apply to the Council for reopening of the proceedings. (2) The Council shall inform the Inter-Ministerial Commission for execution of the decisions of the European Court of Human Rights of the application filed, in accordance with the Law on Execution of the Decisions of the European Court of Human Rights. (3) The Council is obliged in the reopened procedure to comply with the legal positions stated in the final judgment of the European Court of Human Rights finding the violation of the human rights and fundamental freedoms. (4) The Council may, in accordance with Article 25 of the Law on Execution of the Decisions of the European Court of Human Rights, reopen the proceedings to eliminate the violation and the consequences arising from the violation. (5) The Council shall, from its composition, set up within 15 days a Commission of a chairman and three members to act on the filed application for reopening of the proceedings in which the members of the Council who are members of the Inter-Ministerial Commission for Execution of the Decisions of the

Q212 (General Comment): The Appeal Council in the Supreme Court of the Republic of North Macedonia is composed of nine members, of which three judges of the Supreme Court of the Republic of North Macedonia, one judge from the appellate courts and two judges from the court from which the judge against whom the procedure is conducted. The members shall be chosen publicly by system of drawings at a general session of the Supreme Court of the Republic of North Macedonia, that is, a session of all judges of the respective court, no later than 10 days from the day of receiving the appeal.
The Board of Appeal shall decide at the latest within 30 days from its establishment upon the appeal, appreciating the legality of the procedure.
In the cases referred above, the Appeals Chamber may confirm or revoke the decision of the Council in the event of a gross violation of the provisions on the procedure for the responsibility of a judge or president of a court.
If the Council of Appeal abolishes the decision, the Council shall repeat the procedure, obligatory in compliance with the guidelines of the Appeals Council and shall take a decision and publish it publicly on its website.
An appeal or a lawsuit shall not be allowed against the decision of the Appeals Chamber.
Q212 (2022): Please, see the general comment.

Q213 (General Comment): The law on the Courts
Article 39
(1) The judge shall exercise the judicial function in the court where he/she is elected.
(2) As a rule, the judge shall be elected to try in specific areas.
(3) The judge cannot be transferred from one to another court against his/her will.
(4) The assignment of judges shall be made by an annual work schedule defined by the president of the court upon a previously obtained opinion from the session of judges, that is, from the general session of the Supreme Court, taking into consideration the decision of the judge for specialization in criminal, civil, commercial, administrative or another legal area.
(5) The length of judicial service and the results from the work shall be taken into consideration when appointing presidents of specialized departments and divisions.
(6) The judge cannot be transferred from one to another court division against his/her will. (7) The judge may require transfer from one to another division.
(8) As an exception, the judge may be transferred to another court division against his/her will by a written, explained decision of the president of the court, upon previously obtained opinion from the general session of the Supreme Court of the Republic of Macedonia, when it is required by the increased workload and the subject of work of the court, but for a period of one year at the most and not more than once in five years. After expiring of the time for temporary transfer of the judge in another court division, he/she must be returned to the division from which he/she was transferred.
(9) As an exception, the judge of a court of appeal and a basic court may be temporarily, and at the most for a period of one year, transferred to another court in the same or lower instance or from one to another specialized division when due to prevention or recusal of a judge, or due to significantly increased workload, reduced efficiency, or due to the complexity of the cases the day- to-day operation of the court comes into question, but not more than once in five years. In the case of temporary transfer, the salary if the judge cannot be reduced. After expiring of the time for temporary transfer of the judge in another court or specialized division, he/she must be returned to the court, i.e. division from which he/she was transferred. (10) The temporary transfer of a judge referred to in paragraph (9) of this Article shall be made by the Judicial Council by a written, explained decision and it shall immediately notify the president of the court from which the judge is transferred and the president of the court to which the judge is temporary transferred.
(11) The judge may file a complaint against the decision referred to in paragraphs (4), (7) and (9) of this Article within a period of three days to the general session of the Supreme Court, which is obliged to decide upon the complaint within a period of seven days.
(12) The judge may file a complaint against the decisions referred to in paragraphs (8) of this Article within a period of three days to the Judicial Council , which shall be obliged to decide upon the complaint within a period of seven days. The decision of the Judicial Council shall be final

Q213 (2022): Please, see the general comment.

Q214 (General Comment): Law on Public Prosecution office Article 93
(1) The proceedings for establishment of liability of public prosecutors for committed disciplinary infringement shall be conducted upon annotated proposal of the Chief Public Prosecutor of the Republic of North Macedonia for all public prosecutors, and upon annotated proposal of a Higher Public Prosecutor of a Higher Public Prosecutor's Office for public prosecutors in a Higher Public Prosecutor's Office, or the Basic Public Prosecutor of the Basic Public Prosecutor's Office for public prosecutor in a basic public prosecutor's office, ex officio or after obtained information on committed infringement. The applicant shall submit proofs for committed disciplinary infringement accompanying the proposal for initiation of disciplinary proceeding. Proceeding for establishment of public prosecutors' liability for committed disciplinary infringement shall be initiated within six months as from the day of becoming aware of the committed infringement, but no later than three years from the day when the infringement was committed.
Q214 (2022): Please, see the general comment.

Q215 (General Comment): Law on Public Prosecution office Article 93
(2) The proceedings for establishment of the public prosecutor's liability for committed disciplinary infringement in the exertion of the public prosecutorial office shall be led by a committee, composed of five members or their deputies, one of each higher public prosecutor's offices and one member from the PPO of the Republic of North Macedonia, elected by the college in the respective prosecutor's offices. A member or a deputy member of the committee shall be exempt if they are the applicants of the proposal.
(3) Prior to initiating a proceeding, the committee, after the receipt of the application, without any delays, shall request from the public prosecutor against which the proposal for initiating a proceeding has been submitted, to state their comments on the allegations in the proposal, in a written form, within five days of the notification.
(4) If the committee finds that there are no reasonable doubts for committed disciplinary infringement by the public prosecutor, it shall conclude that no proceeding will be initiated.
(5) If the committee finds that the proposal is grounded, it shall adopt a decision for initiation of a disciplinary proceeding.
(6) The public prosecutor against whom disciplinary proceeding is initiated shall be entitled to be heard before the Committee for establishing disciplinary responsibilities in a presence of a defense attorney, as well as to propose proofs in their own favour.
(7) If the Committee, with a majority of votes from the total number of its members, finds that disciplinary infringements has been committed, it shall adopt a decision and impose one of the prescribed sanction in Article 95 paragraph (1) indents 1 and 2, and paragraph (2) indent 1 of this Law.
(8) Committee members shall start voting form the more serious to milder ones when they vote on the type of disciplinary measures.
(9) The voting shall stop when a decision to impose disciplinary measure has been adopted.
(10) In the event when after the voting on each disciplinary measure no decision has been adopted with a majority of the total number of Committee members, the voting shall not be repeated, unless a total number of members submitted a proposal to repeat the voting for one of the measures, at the same session.
(11) If the majority of the Committee members consider that evidence for the existence of grounds for dismissal of a public prosecutor has been presented during the procedure, then, they may propose such dismissal to the Council of the Public Prosecutors of the Republic of North Macedonia, and the proposal shall also be submitted to the public prosecutor against whom the proceeding is initiated. Public prosecutor shall be entitled to an appeal against the proposal for their dismissal to the Council of the Public Prosecutors of the Republic of North Macedonia, within seven days from the submission of the proposal.

Q215 (2025): Please, see the general comment.

Q215 (2024): Please, see the general comment.
Q215 (2023): Please, see the general comment.
Q215 (2022): Please, see the general comment.
Q218 (2024): The cases were closed due to lack of evidence
Q219 (2025): In one case a disciplinary measure was imposed - a temporary reduction in the monthly salary and in two cases a disciplinary measure was imposed - a proposal for dismissal of the public prosecutors, but in the both cases, before the final decision of the Council of Public Prosecutors following the submitted proposal for dismissal, they resigned on their own.

Q221 (General Comment): Law on Public Prosecution office Article 94
(1) The Committee shall impose a disciplinary measure as referred to in Article 95 indents 1 and 2 and paragraph (2) indent 1 of this Law. The Council of the Public Prosecutors of the Republic of North Macedonia shall decide upon the appeal against the Committee's decision and upon appeal submitted against the proposal for dismissal, or upon the expiry of a deadline when no appeal was filed, and it may overrule, reverse or confirm the Committee's decision, or accept or refuse the dismissal proposal.
(2) The Council of the Public Prosecutors of the Republic of North Macedonia shall adopt a decision for dismissal of a public prosecutor in a procedure set by law.
(3) The Council of the Public Prosecutors of the Republic of North Macedonia shall adopt the decision for dismissal of a public prosecutor as referred to in paragraph (2) of this Article with a majority of votes of the total number of members.
(4) A decision for dismissal of the Basic Public Prosecutor of the Basic Public Prosecutor's Office for prosecution of organised crime and corruption shall be adopted by two-thirds majority of the total number of members of the Council of Public Prosecutors of the Republic of North Macedonia.
(5) The public prosecutor shall be entitled to initiate a dispute before the competent court against the decision made by the Council of Public Prosecutors of the Republic of North Macedonia. (6) The Council of Public Prosecutors of the Republic of North Macedonia shall enact a Rulebook on the procedure for establishment of liability of public prosecutors upon the proposal of the Chief Public Prosecutor of the Republic of North Macedonia. 22. DISCIPLINARY MEASURES Article 95
(1) When a mild disciplinary infringement by a public prosecutor is established, one of the following disciplinary measures may be imposed: - a written warning, - salary reduction in the amount of up to 15% of the monthly salary of the public prosecutor for a period of one to six months. (2) When a serious disciplinary infringement by a public prosecutor is established, one of the following disciplinary measures may be imposed:
- salary reduction in the amount of 15% to 30% of the monthly salary of the public prosecutor for a period of one to six months, and
- a dismissal.

Q221 (2022): Please, see the general comment.

Serbia
Q140 (General Comment): Constitution of the Republic of Serbia
Law on Judges;
Law on organization of courts;
Law on High Judicial Council ;
Rules of procedure of the High Judicial Council

Q140 (2023): Law on Judges („Official Gazette of the Republic of Serbia”, No. 10/23), Law on Organization of Courts („Official Gazette of the Republic of Serbia”, No. 10/23)
Law on High Judicial Council („Official Gazette of the Republic of Serbia”, No. 10/23) -Rules of procedure of the High Judicaial Council („Official Gazette of the Republic of Serbia”, No. 110/23)
-Rulebook on the protection of judges and courts from undue influence („Official Gazette of the Republic of Serbia”, No. 110/23)
-Rulebook on the work of the Ethics Committee of the High Judicial Council („Official Gazette of the Republic of Serbia”, No. 110/23)
-Rulebook on the procedure for the election of a judge and court presidents („Official Gazette of the Republic of Serbia”, No. 34/24)
-Rulebook on the evaluation of the work of judges and court presidents („Official Gazette of the Republic of Serbia”, No. 34/24) Constitution of the Republic of Serbia („Official Gazette of the Republic of Serbia”, No. 98/2006 and 115/2021)
Independence of Judges
Article 144
A judge shall be independent and adjudicate on the basis of the Constitution, ratified international treaties, laws, generally accepted rules of international law and other general acts, adopted in accordance with the law.
Any undue influence on a judge in the exercise of judicial office shall be prohibited.
Law on Judges („Official Gazette of the Republic of Serbia”, No. 10/23)
Independence Article 2
A judge is independent in his actions and decision taking. A judge adjudicates on the basis of the Constitution, ratified international treaty, laws, generally accepted rules of international law and other general acts adopted in accordance with the law.
Ethical principles of performing judicial functions
Article 4
The ethical principles of performing judicial functions are: independence, impartiality, responsibility and dignity.
A judge is required to preserve confidence in his independence and impartiality at all times. All public authorities and public officials are required to preserve, with their actions and behaviour, the confidence in independence and impartiality of judges and courts.
A judge is required to conduct the proceedings impartially according to his conscience, in accordance with his own assessment of facts and interpretation of the law, ensuring fair trial and compliance with procedural rights of parties guaranteed by the Constitution, ratified international treaties, laws, and the generally accepted rules of international law.
In order to improve the ethical principles of the performance of judicial functions, the High Judicial Council shall adopt a Code of Ethics to regulate the ethical principles of judicial performance. Judge are obliged to adhere on every occasion to the Code of Ethics. Services, jobs and activities incompatible with the judge’s function are determined by law.
Financial Independence Article 5
A judge is entitled to a salary and pension commensurate with the dignity of the judicial function and the degree of the judge's responsibility. The amount of the judge's salary and
Q140 (2024): CONSTITUTION OF THE REPUBLIC OF SERBIA ("Official Gazette of RS", no. 98/2006 and 115/2021)
LAW ABOUT JUDGES ("Official Gazette of RS", No. 10/2023)

Q140 (2023): CONSTITUTION OF THE REPUBLIC OF SERBIA
("Official Gazette of RS", no. 98/2006 and 115/2021)
the LAW
ABOUT JUDGES
("Official Gazette of RS", No. 10/2023)
Q140 (2022): Law on Judges;
Law on organization of courts;
Law on High Judicial Council ;
Rules of procedure of the High Judicial Council
Q141 (General Comment): Constitution of the Republic of Serbia
Law on Public Prosecutor's office;
Law on High Prosecutorial Council ;
Rules of procedure of the State Prosecutorial Council
Q141 (2025): The Public Prosecutor's Office is a unique and independent state body that prosecutes perpetrators of criminal and other punishable acts and performs other responsibilities that protect the public interest determined by law. The Public Prosecutor's Office exercises its powers on the basis of the Constitution, confirmed international treaties, laws, generally accepted rules of international law and other general acts adopted in accordance with the law. No one outside the Public Prosecutor's Office can influence the Public Prosecutor's Office and the holders of the Public Prosecutor's office in handling and deciding on a particular case. The establishment, termination, organization and jurisdiction of the public prosecutor's office are regulated by law.

8. Public prosecutions

Position

Article 155

The Public Prosecutor's Office is a unique and independent state body that prosecutes perpetrators of criminal and other punishable acts and performs other responsibilities that protect the public interest determined by law.

The Public Prosecutor's Office exercises its powers on the basis of the Constitution, confirmed international treaties, laws, generally accepted rules of international law and other general acts adopted in accordance with the law.

No one outside the Public Prosecutor's Office can influence the Public Prosecutor's Office and the holders of the Public Prosecutor's office in handling and deciding on a particular case.

The establishment, termination, organization and jurisdiction of the public prosecutor's office are regulated by law.

The highest public prosecution in the Republic of Serbia is the Supreme Public Prosecutor's Office, which is headed by the Supreme Public Prosecutor.

The function of public prosecution is performed by the Supreme Public Prosecutor, Chief Public Prosecutors and Public Prosecutors. The supreme public prosecutor and the chief public prosecutor in the management of public prosecutions have hierarchical powers in relation to the actions of lower chief public prosecutors and public prosecutors in a specific case.

Hierarchical powers and legal remedies against them are more closely regulated by law.

THE LAW ON THE PUBLIC PROSECUTOR'S OFFICE ("Official Gazette of RS", No. 10/2023)

Prohibition of undue influence Article 6.

In order to preserve the authority and impartiality of the public prosecutor's office, inappropriate influence on the holder of the public prosecutor's office in the performance of the public prosecutor's office is prohibited, especially any form of threat and coercion against the holder of the public prosecutor's office, the use of public positions, the media and public speaking, which influence the actions of the public prosecutor's office. Any other inappropriate influence on the public prosecutor's office, as well as pressure on the participant in the proceedings before the public prosecutor's office, is prohibited.

The use of legally prescribed rights of participants in the proceedings, reporting on the work of the public prosecution in accordance with the regulations governing public information, as well as expert analysis of the actions of the public prosecution, cannot be considered under undue influence from paragraph 1 of this article.

The Supreme Public Prosecutor, the Chief Public Prosecutor and the Public Prosecutor are obliged to reject any action that represents an undue influence on the independence of the Public Prosecutor's Office, as well as to report such influence to the High Council of the Prosecutor's Office.

The holder of the office of public prosecutor may submit a request for protection against undue influence to the High Council of Prosecutors.

The method of submitting and the procedure for requesting protection from undue influence shall be prescribed by an act of the High Prosecutorial Council.

Q141 (2022): CONSTITUTION OF THE REPUBLIC OF SERBIA
("Official Gazette of RS", no. 98/2006 and 115/2021)
8. Public prosecutions
Position
Article 155
The Public Prosecutor's Office is a unique and independent state body that prosecutes perpetrators of criminal and other punishable acts and performs other responsibilities that protect the public interest determined by law.
The Public Prosecutor's Office exercises its powers on the basis of the Constitution, confirmed international treaties, laws, generally accepted rules of international law and other general acts adopted in accordance with the law.
No one outside the Public Prosecutor's Office can influence the Public Prosecutor's Office and the holders of the Public Prosecutor's office in handling and deciding on a particular case.
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The highest public prosecution in the Republic of Serbia is the Supreme Public Prosecutor's Office, which is headed by the Supreme Public Prosecutor.
The function of public prosecution is performed by the Supreme Public Prosecutor, Chief Public Prosecutors and Public Prosecutors.
The supreme public prosecutor and the chief public prosecutor in the management of public prosecutions have hierarchical powers in relation to the actions of lower chief public prosecutors and public prosecutors in a specific case.
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THE LAW
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The use of legally prescribed rights of participants in the proceedings, reporting on the work of the public prosecution in accordance with the regulations governing public information, as well as expert analysis of the actions of the public prosecution, cannot be considered under undue influence from paragraph 1 of this article.
The Supreme Public Prosecutor, the Chief Public Prosecutor and the Public Prosecutor are obliged to reject any action that represents an undue influence on the independence of
Q141 (2022): Constitution of the Republic of Serbia
Law on Public Prosecutor's office;
Law on State Prosecutorial Council ;
Rules of procedure of the State Prosecutorial Council

Q149 (General Comment): The Rulebook of the High Judicial Council's Board of Ethics stipulates that the Board of Ethics shall have 7 members. A judge and a retired judge may be elected members of the Board of Ethics, but a court president, a member of the Council and a member of the permanent working body of the Council cannot be appointed members of the Board of Ethics.
The president and the deputy president of the Board of Ethics shall be elected from among the members of the Board of Ethics for a period of one year by a majority vote of the Board of Ethics' members and may be re-elected.

Q149 (2025): The Law on the High Judicial Council (RS Official Gazette, No. 10/23) sets out that the Ethics Committee is to have five members appointed by the Council from among the judges for a period of five years, without the possibility of reappointment. The competences of the Ethics Committee are prescribed by the Law on Judges ("Official Gazette of the Republic of Serbia", No. 10/2023) and the Law on the High Judicial Council ("Official Gazette of the Republic of Serbia", No. 10/2023), which entered into force on 10.5.2023, and the Rulebook on the work of the Ethics Committee of the High Judicial Council ("Official Gazette of the Republic of Serbia", No. 116/2023), adopted by the High Council of the Judiciary, which entered into force on 2.1.2024.
The Ethics Committee is competent to:
- provide opinions in principle on whether certain conduct of judges is in accordance with the Code of Ethics for Judges (upon an initiative that can be submitted by anyone);
- give opinions in principle on whether a certain behavior of a judge constitutes a significant violation of the provisions of the Code of Ethics for Judges (at the request of the Disciplinary Prosecutor of the High Judicial Council);
- decide whether certain functions, jobs or private interests of a judge are contrary to the dignity and independence of a judge and are detrimental to the reputation of the court, based on the Code of Ethics for Judges (at the request of the High Judicial Council);
- whether certain functions, jobs or private interests of a member of the Council are contrary to the dignity and independence of a member of the High Judicial Council or are detrimental to the reputation of the High Judicial Council, based on the Code of Ethics for Members of the High Judicial Council (at the request of the High Judicial Council);
- issue guidelines for the behavior of judges in certain situations (at its own initiative).
The Ethics Committee appoints one or more confidential counsellors from among its members. A judge may address a confidential counsellor for advice or for clarification regarding the application of the Code of Ethics for Judges.
In 2025, there were no request that would require the confidential counsellor to act.
Q149 (2024): The Rulebook of the High Judicial Council's Board of Ethics ("Official Gazette of RS" No. 68/22) stipulates that the Board of Ethics shall have 7 members. A judge and a retired judge may be elected members of the Board of Ethics, but a court president, a member of the Council and a member of the permanent working body of the Council cannot be appointed members of the Board of Ethics. The president and the deputy president of the Board of Ethics shall be elected from among the members of the Board of Ethics for a period of one year by a majority vote of the Board of Ethics' members and may be re-elected.
During 2023, the Board of Ethics acted according to the Rulebook of the High Judicial Council's Board of Ethics ("Official Gazette of RS" No. 68/22), which was applied until 2nd January 2024, when the new Rulebook of the High Judicial Council's Board of Ethics ("Official Gazette of RS" No.116/23)

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The president and the deputy president of the Board of Ethics shall be elected from among the members of the Board of Ethics for a period of one year by a majority vote of the Board of Ethics' members and may be re-elected.

Q150 (2025): The transparency of the work of the Ethics Committee is ensured by publishing the opinions in principle, announcements, work reports, guidelines and other decisions and acts that are available on the Council's website.
In the reference year, the Ethics Committee of the High Judicial Council held 8 sessions and 39 decisions were made, of which 7 were opinions in principle. On the website of the High Judicial Council, only one opinion of the Ethics Committee was published. The reason is that opinions on the same issues had already been made available to the public.

Q150 (2024): The Rulebook of the High Judicial Council's Board of Ethics stipulates that the Board of Ethics issued general opinions on whether the conduct of individual judges complies with the Code of Ethics for Judges, i.e. whether the conduct of a member of the Council complies with the Code of Ethics for the members of the High Judicial Council. Anyone may submit an initiative, and the Board of Ethics may issue a general opinion or decide not to consider the submitted initiative.
The transparency of the work of the Board of Ethics is ensured by publishing announcements, reports, general opinions, guidelines and other decisions and acts on the Council's website.
The Board of Ethics adopts decisions at its sessions. The sessions are convened when needed, but at least four times per year.

Q150 (2023): The Rulebook of the High Judicial Council's Board of Ethics stipulates that the Board of Ethics issued general opinions on whether the conduct of individual judges complies with the Code of Ethics for Judges, i.e. whether the conduct of a member of the Council complies with the Code of Ethics for the members of the High Judicial Council. Anyone may submit an initiative, and the Board of Ethics may issue a general opinion or decide not to consider the submitted initiative.
The transparency of the work of the Board of Ethics is ensured by publishing announcements, reports, general opinions, guidelines and other decisions and acts on the Council's website.
The Board of Ethics adopts decisions at its sessions. The sessions are convened when needed, but at least four times per year. In 2023 five sessions of the Board of Ethics were held.
During 2023, the Board of Ethics issued eight general opinions that were published on the website of the High Judicial Council and are available to all judges, six decisions regarding the request of the Disciplinary Prosecutor and the Deputy Disciplinary Prosecutor of the High Judicial Council for determination of major violations of provisions of the Code of Ethics, and decided not to consider ten initiatives.
The Confidential counsellor is a member of the Board of Ethics appointed by the Board of Ethics from among its members, with whom the judges may consult when they have doubts regarding the implementation of the Code of Ethics in specific situations in which they find themselves. When providing an opinion, the confidential counsellor is guided by the Code of Ethics, the adopted positions of the Board of Ethics, while preserving the identity of the initiator of confidential counselling.
His contact phone number and email address are published on the Council's website and are available to judges.
During 2023, there were no requests for the confidential advisor.
The Law on Judges ("Official Gazette of the RS", No. 10/2023) and the Law on the High Judicial Council ("Official Gazette of the RS", No. 10/2023), which came into force on 10th May 2023, prescribed three new responsibilities of the Board of Ethics.
The first of the new competences is related to determining the incompatibility of the judicial function with other functions, jobs and private interests, the second is related to the determination of the incompatibility of the function of a member of the High Judicial Council with other functions, jobs and private interests, and the third is related to the procedure for determining disciplinary responsibilities of judges.

Q150 (2022): The Board of Ethics is a permanent working body of the High Judicial Council.
The Board of Ethics promotes ethical principles stipulated by the Code of Ethics for Judges and the Code of Ethics for the Members of the High Judicial Council and monitors their implementation to raise the awareness of the judges, the presidents of the courts and the members of the Council about the importance of ethical principles and rules of conduct in the performance of their duties, public engagement and private lives in order to raise the reputation of the judiciary and strengthen the citizen's trust in the work of judges and courts.
The Rulebook of the High Judicial Council's Board of Ethics stipulates that the Board of Ethics issued general opinions on whether the judge's conduct is in accordance with the Judges' Code of Ethics, i.e. whether the behavior of a member of the Council is in accordance with the Code of Ethics of the members of the High Judicial Council. The Board of Ethics adopts decisions at its sessions. The sessions are convened when needed, but at least four times per year. In 2022 five sessions of the Board of Ethics were held.
During 2022, the Board of Ethics issued 12 general opinions that were published on the website of the High Judicial Council and are available to all judges.
The Confidential counsellor is a member of the Board of Ethics appointed by the Board of Ethics from among its members, with whom the judges may consult when they have doubts regarding the implementation of the Code of Ethics in specific situations in which they find themselves.
His contact phone number and email address are published on the Council's website and are available to judges.
During 2022, sixteen requests were submitted and acted upon by the confidential advisor.
When providing an opinion, the confidential counsellor is guided by the Code of Ethics, the adopted positions of the Board of Ethics, while preserving the identity of the initiator of confidential counselling.

Q151 (2025): Ethical principles: Dignity, Loyalty to the principles of the Code of Ethics, Professionality and responsibility, Impartiality, Independence and Principle of dedication.

Q152 (2022): The Rulebook on the work of the Ethics Committee of the State Prosecutorial Council, Article 2:
The Ethics Committee is an occasional working body of the State Prosecutorial Council(hereinafter: the Council).
The ethics committee has a chairman, a deputy chairman and three members.
The members, at a special session, elect a president and a deputy president among themselves.
The Council appoints members of the Ethics Committee for a period of three years.
Q153 (General Comment): The Ethics Committee has five members, one of which is an elective Council member, three are prosecutorial position holders, and one is a person, who publicly affirmed itself as defender of ethical values (for example, professor of ethics on the School of Philosophy)

Q154 (2025): The Ethics Committee of the High Prosecutorial Council operates through formal sessions chaired by its President, with a quorum of at least three members, and adopts decisions by a majority of all members.
A request for an opinion on whether a public prosecutor's conduct complies with the Code of Ethics may be submitted by a Council member, an Ethics Committee member, a disciplinary authority, or a public prosecutor. The prosecutor concerned is given the proposal and may respond within 15 days, while the Committee must issue its opinion within 60 days. Any person may also submit an initiative (including anonymous ones, though clearly unfounded or malicious anonymous submissions are generally not considered). Upon the Council's proposal, the Ethics Committee further issues opinions on whether other functions, jobs, or private interests are incompatible with the dignity, independence, and reputation of a public prosecutor or a Council member. In disciplinary matters concerning serious breaches of the Code of Ethics, the Committee provides an opinion including the explanation at the request of the Disciplinary Prosecutor within 90 days, based on a description of the conduct and the circumstances in which it occurred. The Ethics Committee had 25 requests to give its opinion in the reference year. No breach of the code of ethics was found in these cases.
Q154 (2024): https://vst.jt.rs/category/saopstenja-za-javnost/
Q154 (2023): https://vst.jt.rs/saopstenja/
Q156 (2025): According to the Artice 39 of the Criminal Procedure Code ("Official Gazette of RS", No. 72/11…62/21), the request for the recusal can be submitted by parties and the legal representative of the defendant. In civil proceedings parties can request the recusal of the judge according to Article 69 of the Law on Civil Procedure ("Official Gazette of RS", No. 72/11, 18/20, … 10/23).
Q156 (2023): According to the Art. 39 of the Law on Criminal Procedure the request for the recusal can be submitted by parties and the legal representative of the defendant. In civil proceedings parties can request the recusal of the judge according to Article 69 of the Law on Civil Procedure.

Q157 (General Comment): Civil Procedure Code: Article 66
The judge is obliged to refrain from judging if there are reasons that cast doubt on his impartiality.
Article 67
A judge cannot perform his duties as a judge if:
1) is the party himself, the legal representative or attorney of the party, if he is with the party in the relationship of co-authorizer, co-obligor or recourse oblige or if he is heard as a witness or expert in the same case;
2) is, as a shareholder, the owner of more than 3% of the shares in the total capital of a legal entity, a member of a company or a member of a cooperative if one of the parties is his creditor or debtor;
3) the party or the party's legal representative or attorney is related by blood in the direct line, and in the collateral line up to the fourth degree, or his spouse, i.e. common-law partner, is a relative by in-laws up to the second degree, regardless of whether the marriage has ended or not;
4) is the guardian, adopter or adoptee of the party, its legal representative or attorney or if there is a joint household between him and the party, its legal representative or attorney;
5) some other litigation is ongoing between the judge and the party;
6) in the same case, he participated in the mediation procedure or in the conclusion of a court settlement that is disputed in the litigation, or he made a decision that is disputed, or he represented the party as a lawyer;
7) in the bankruptcy proceedings, as a bankruptcy judge or a member of the bankruptcy panel, he made a decision that led to a dispute.
A judge can be exempted if there are circumstances that cast doubt on his impartiality .
Criminal Procedure Code, Article 37:
A judge or lay judge shall be exempted from judicial duty in a specific case:
1) if he was damaged by a criminal act;
2) if the defendant, his counsel, prosecutor, injured party, their legal representative or attorney, spouse or person with whom he lives in an extramarital or other permanent union of life, or a blood relative in the direct line to any degree, in the collateral line up to fourth degree, and by in-laws up to the second degree;
3) if he is with the defendant, his defense counsel, the prosecutor or the injured party in the relationship of guardian, ward, adopter, adoptee, foster parent or foster parent;
4) if in the same case he acted as a judge for preliminary proceedings or decided on the confirmation of the indictment or participated in making a decision on the merits of the charge that is disputed by an appeal or an extraordinary legal remedy or participated in the proceedings as a prosecutor, defense attorney, legal representative or attorney the injured party, i.e. the plaintiff, is either heard as a witness or as an expert, if this Code does not prescribe otherwise.
A judge or lay judge may be exempted from judicial duty in a particular case if there are circumstances that raise doubts about his impartiality.
Q157 (2025): We are currently in the possession of data concerning the Supreme Court. In the Supreme Court, in the course of 2025, a total of 98 motions for recusal were submitted, of which 68 were upheld.
Q157 (2024): According to the Art. 39 of the Law on Criminal Procedure the request for the recusal can be submitted by parties and the legal representative of the defendant. In civil proceedings parties can request the recusal of the judge according to Article 69 of the Law on Civil Procedure.
Q157 (2022): The president of the court decides on the request for exemption from Article 39 of Criminal Procedure Code/ Article 66 of Civil Procedure Code. An appeal is not allowed against the decision rejecting or accepting the request for exemption. Court rules of procedure does not prescribe special register of these cases.

Q158 (2025): Law on Judges („Official Gazette of the Republic of Serbia", No. 10/23)
Random Allocation of Cases Article 24
Cases are allocated to a judge according to a schedule that is independent of the personality of parties and circumstances of the legal matter.
Cases are allocated to a judge on the basis of the annual court schedule of tasks, taking into account the complexity of the case, pursuant to the Court Rules of Procedure, according to the order determined in advance for each calendar year, exclusively on the basis of the designation and the number of the case file.
No one has the right to establish panels of judges and allocate cases by bypassing the work schedule and the order of admission of cases.

Q158 (2022): Case management systems of court (AVP and SAPS) have implemented functionality for random distribution of court cases. The algorithm for automatic random distribution cases contains the formula for evaluating cases by weight in basic, higher, and commercial courts.
Case management systems of courts (AVP and SAPS) have functionality for excluding judges from allocation by system administrator manual commanding in case of sick leave, vacations, etc.
Q160 (2025): Law on Judges („Official Gazette of the Republic of Serbia", No. 10/23)
Deviation
Article 25 Deviation from the order of admission of cases is only possible in cases stipulated by the law, as well as in case of overburdening or justified preclusion of a judge, pursuant to the Court Rules of Procedure. In accordance with the Court Rules of Procedure, a case may be subtracted from a judge: when due to his/her prolonged absence it is necessary to deliberate on cases that are urgent under the law or its essence, if efficient work of the court is jeopardised, if the judge was issued a final disciplinary sanction due to a disciplinary offence for unjustified delay of a proceeding, as well as in other cases stipulated by the law. A subtracted case from the judge, as referred to in Paragraph 2 of this Article , shall be allocated to another judge in accordance with the Court Rules of Procedure.

Q166 (General Comment): LAW on Civil Servants ("Official Gazette of the Republic of Serbia", no. 79 of September 23, 2005, 81 of September 29, 2005 - correction, 83 of September 30, 2005 - correction, 64 of July 13, 2007, 67 of July 20, 2007 - correction, 116 of December 22, 2008, 104 of December 16, 2009, 99 of September 11, 2014, 94 of October 19, 2017, 95 of December 8, 2018, 157 of December 28, 2020, 142 of December 27, 2022, 13 of February 14, 2025 - US, 19 of March 6, 2025, 109 of December 4, 2025.

Chapter Nine

LIABILITY OF CIVIL SERVANTS

I. DISCIPLINARY LIABILITY

1. Definition. Types of violations of employment duties

Article 107

A civil servant shall be disciplinaryly liable for violations of employment duties.

Liability for a criminal offense or misdemeanor does not exclude disciplinary liability.

Violations of employment duties may be minor or serious.

2. Minor violations

Article 108

Miscellaneous violations of employment duties are:

1) frequent lateness, unjustified absence during working hours or early departure from work;

2) negligent storage of official documents or data;

3) unjustified absence from work for one working day;

4) unjustified failure to inform the immediate superior of the reasons for being unable to come to work within 24 hours of the occurrence of the reason;

4a) failure to inform or untimely notify a state body of a gift of lesser value received;

4b) failure to inform or untimely notify the manager of additional work that does not require the manager's consent;

5) violation of the code of conduct for civil servants that is not covered by any of the violations of employment duties provided for in this or a separate law.

3. Serious violations

Article 109.

Serious violations of employment duties are:

1) failure to perform or unconscientiously, untimely or negligently perform tasks or orders of a superior;

2) illegal work or omission of actions for which a civil servant is authorized to prevent illegality or damage;

3) abuse of rights arising from employment;

4) violation of the principle of impartiality or political neutrality or expression and representation of political beliefs at work;

Q167 (General Comment): THE LAW ON THE PREVENTION OF CORRUPTION ("Official Gazette of RS", no. 35/2019, 88/2019, 11/2021 - authentic interpretation, 94/2021 and 14/2022)

A judge is a public official within the meaning of the law governing the prevention of corruption and is subject to the obligations of public officials established by that law.

Q167 (2024): THE LAW ON THE PREVENTION OF CORRUPTION ("Official Gazette of RS", no. 35/2019, 88/2019, 11/2021 - authentic interpretation, 94/2021 and 14/2022)
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Q167 (2022): Law on the Corruption Prevention

Q168 (General Comment): Note: A public official and a family member cannot receive a gift in relation to discharging public office, except for protocol or another appropriate gift. These gifts are not being declared in the Report. The reporting on received gifts is regulated in accordance with Article 62 of the Law on the Corruption Prevention through compulsory reporting and maintaining of gift records. Detailed explanation is in the answers for the Indicator 8.4 Conflicts of interests (question 217)
Q168 (2025): The Report shall contain the following data: According to the Law on the Corruption Prevention: Content of the Report Article 71 1) name and surname; 2) public office; 3) unique personal identification number; 4) place of residence and temporary place of residence; 5) telephone number and electronic mail address; 6) other job, activity and membership in bodies of associations; 7) source and amount of the net income of a public official that he/she receives for holding public office and the source and amount of other net incomes that he/she receives from the budget and other public sources; 8) source and amount of net income from another job or activity; 9) net incomes from scientific and research, educational, cultural and artistic, humanitarian and sporting activity; 10) property rights; incomes deriving from copyrights, patents and other intellectual 11) source and amount of other net income; 12) right of use of the apartment for official purposes; 13) right of use or right of lease over immovable; right of ownership or right of lease over movables which are subject to registration; 15) deposits in banks and other financial institutions bearing the name of a bank or a financial institution, type and account number and the amount of funds on such accounts; 16) lease of safe deposit boxes in banks; 17) receivables and debts (principle amount, interest, repayment periods and date of maturity); 18 shares and interest in a legal entity; 19) data on the legal entity in which the legal entity from item 18) hereof has more than 3% of shares and interest; 20) financial instruments; 21) entrepreneurial activity; 22) Cash, digital property and valuables, as well as other movable property whose value exceeds EUR 5,000, in RSD equivalent based on the middle exchange rate of the National Bank of Serbia.
Q169 (2025): According to the Law on the Corruption Prevention:
In accordance with Article 69 - the person whose public office has terminated shall be bound, two years after the termination of public office, file the Report according to the state on 31 December of the previous year, and prior to the expiry of the deadline for filing the annual tax return, at the latest, for determining the citizen’s income tax, under the condition that such property and income have change significantly, compared to the previous year.
A significant change exists when there has been an increase or decrease in the assets or income which, according to the preceding Report, exceed the average annual salary without taxes and contributions in the Republic of Serbia, or when there is a change to the structure of said assets.

Q169 (2024): In accordance to Article 69 - the person whose public office has terminated shall be bound, two years after the termination of public office, file the Report according to the state on 31 December of the previous year, and prior to the expiry of the deadline for filing the annual tax return, at the latest, for determining the citizen's income tax, under the condition that such property and income have change significantly, compared to the previous year.
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Q170 (2025): According to the Law on the Corruption Prevention:
In accordance with Article 68 a public official is obligated to submit to the Agency the report on his/her property and income and the property and income of the spouse or common-law partner, as well as of the minors if living in the same household. *Note: According to the Article 76 of the new Law on the Corruption Prevention the Agency may request from the associated persons to directly submit data on their properties and incomes, if in the procedure of verification of property status of the certain officials it is suspected that they conceal the real value of their property.
Q170 (2024): In accordance with Article 68 a public official is obligated to submit to the Agency the report on his/her property and income and the property and income of the spouse or common-law partner, as well as of the minors if living in the same household. *Note: According to the Article 76 of the new Law on the Corruption Prevention the Agency may request from the associated persons to directly submit data on their properties and incomes, if in the procedure of verification of property status of the certain officials it is suspected that they conceal the real value of their property.
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Q173 (2025): Only for declarations of assets in Annual plan for checking reports on assets and incomes of officials and for declarations of assets in an Extraordinary check.
According to the Law on the Coruption Preventon:
In accordance with Article 75, the Agency shall verify the accuracy and completeness of data contained in the Report, as well as the timeliness of submission of the Report, according to the annual plan of verification, issued by the Director. The Annual Verification Plan shall be rendered based on the previous analysis of the Agency, whereby particular attention shall be paid
to the category of public officials, the amount of their earnings and the amount of the financial funds from the budget that bodies of public authority have available, in which public officials are holding public office. The Agency shall extraordinarily Verify the accuracy and the completeness of data from.the Report, if doubting that accurate and complete dat a were reported
in the Report.
In accordance to Article 76 in the course of procedure of verification of property status, the Agency shall assess whether there lies a discrepancy in-between the data from the Report and the actual state of affairs or discrepancy in-between the increase value of the property and the reported incomes In case of discrepancy, the Agency shall summon a public official or a person from Article 68, paragraph 1 of this Law, to state on the reasons for discrepancy, within 15 days. lf, during Verification of the Report, there is doubt that a public official is concealing the actual value of his/her property or income, the Agency may request from the associated persons to directly file data on their property and incomes, within 30 days from the date of reception of the request In case a discrepancy is determined, the Agency shall notify the competent body, for the
purpose of undertaking measures within its purview. The body from paragraph 4 hereof, shall be bound, within three months from the date of reception of the notification, to familiarize the Agency with the undertaken measures.
Annual Verfication Plan: According to the new Law on the Corruption Prevention, the Agency, when drafting the Annual Verification Plan, will take into account the category of public officials, the amount of their receipts and the amount of funds from the budget of the authority in which they perform the function, thus defining criteria that will be applied in the preparation
of the Annual Verification Plan. This will contribute to higher level of transparency in the selection of officials whose reports will be subject to verification procedure. In addition, in 2022 the Agency_adopted Guidelines for Drafting Annual Verification Plan.

Q173 (2024): In accordance with Article 75 the Agency shall verify the accuracy and completeness of data contained in the Report, as well as the timeliness of submission of the Report, according to the annual plan of verification, issued by the Director. The Annual Verification Plan shall be rendered based on the previous analysis of the Agency, whereby particular attention shall be paid to the category of public officials, the amount of their earnings and the amount of the financial funds from the budget that bodies of public authority have available, in which public officials are holding public office. The Agency shall extraordinarily verify the accuracy and the completeness of data from the Report, if doubting that accurate and complete data were reported in the Report.
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Q173 (2022): financial discrepancies (unusual change in assets, liabilities, income, etc.) *Note: Only for declarations of assets in Annual plan for checking reports on assets and incomes of officials and for declarations of assets in Extraordinary check.
Q175 (2024): https://publicacas.acas.rs/#/acas/obrazacZaPrijavuImovineIPrihoda
Q175 (2023): https://publicacas.acas.rs/#/acas/obrazacZaPrijavuImovineIPrihoda

Q176 (2025): Types of Measures Article 82
A public official may be pronounced a measure of reprimand or a measure of public announcement of recommendation of dismissal from public office. Notwithstanding paragraph 1 of this Article, a public official elected directly by citizens, as well as a person whose public office has terminated, may be pronounced a measure of reprimand or a measure of public announcement of the decision on violation of this Law.
When pronouncing measures, all circumstances of the case shall be considered, and in particular the weight and the consequences of violation of this Law as well as the possibility of eliminating the violations, as well as whether the public official has acted upon the previously imposed measure of reprimand until the expiry of the time limit that was set in the decision.
Requirements for Pronouncing Measures
Article 83
Measure of reprimand shall be pronounced in case a public official committed a minor violation of this Law. A minor violation of this Law shall be the kind of violation that did not affect the impartial discharge of public office. The measure of public announcement of recommendation for dismissal from public office and the measure of public announcement of the decision on violation of this Law, shall be pronounced due to severe violation of this Law. A severe violation of this Law shall be the violation that affected the impartial discharge of public office, as well as the reputation and the trust of citizens shown to the public official and the public office, he/she is discharging.
According to the Law on the Corruption Prevention:
According to article 103 paragraph 17 – a public official shall be fined from 100,000 to 150,000 RSD for the failure to report assets and income or submit a notification within the prescribed time limit, i.e. submits an incorrect or incomplete report on assets and income (articles 68 and 69).
According to article 101 a public official who, contrary to the provisions of this Law, fails to report assets and income to the Agency, or provides false information on assets and income in order to conceal information on assets and income, shall be punished by a prison term of six months to five years.

Q176 (2024): A public official may be pronounced a measure of reprimand or a measure of public announcement of recommendation of dismissal from public office.
Notwithstanding paragraph 1 of this Article, a public official elected directly by citizens, as well as a person whose public office has terminated, may be pronounced a measure of reprimand or a measure of public announcement of the decision on violation of this Law.
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Measure of reprimand shall be pronounced in case a public official committed a minor violation of this Law. A minor violation of this Law shall be the kind of violation that did not affect the impartial discharge of public office. The measure of public announcement of recommendation for dismissal from public office and the measure of public announcement of the decision on violation of this Law, shall be pronounced due to severe violation of this Law. A severe violation of this Law shall be the violation that affected the impartial discharge of public office, as well as the reputation and the trust of citizens shown to the public official and the public office, he/she is discharging.
According to the Law on the Corruption Prevention:
According to article 103 paragraph 17 – a public official shall be fined from 100,000 to 150,000 RSD for the failure to report assets and income or submit a notification within the prescribed time limit, i.e. submits an incorrect or incomplete report on assets and income (articles 68 and 69).According to article 101 a public official who, contrary to the provisions of this Law, fails to report assets and income to the Agency, or provides false information on assets and income in order to conceal information on assets and income, shall be punished by a prison term of six months to five years.

Q177 (2025): Number of proceedings conducted by the Agency - 17 cases initiated, 43 cases completed and 22 pronounced sanctions
Number of proceedings conducted by the the misdemeanour courts - 6 cases initiated, 2 cases completed and 2 pronounced sanctions
Number of proceedings conducted by the the criminal courts - 1 cases initiated, 0 cases completed and 0 pronounced sanctions
In the table we have entered the Number of cases against judges due to violations/discrepancies in their declaration of assets by the Agency.
Q177 (2024): The entered data refers to the number of proceedings conducted by the Agency, when we talk about the number of proceedings conducted by the misdemeanor courts, the number of cases initiated is 6, the number of completed cases is 5 (2 cases from 2022, 1 case from 2023, and 2 cases from 2024), and when it comes to the number of sanctions imposed the total is 5 (3 measures of reprimands and 2 monetary fines of 15.000,00 and 20.000,00 RSD)
Q177 (2023): Q202. Number of proceedings against judges due to violations/discrepancies in their declaration of assets:
Number of cases initiated Number of cases completed Number of sanctions pronounced
Number of proceedings conducted by the Agency 36 (2 from 2023
4 from 2022) 5 (4 measures of reprimand 1 measure public announcement of decision on the violation of the law (3-2022 and 2-2023)
Number of proceedings conducted by the misdemeanour courts 4 (from 2022) 3 measures of reprimands and 1 monetary fine 30.000,00 Serbian dinars

Q177 (2022): 57 measures of reprimand and 1 fine of 30000 RSD

Q178 (General Comment): According to the Law on the Corruption Prevention:
VII. PROPERTY DISCLOSURE REPORT
Regular property disclosure report
Article 68
A public official shall, within 30 days from the date of election, appointment or nomination, submit to the Agency the report on his/her property and income (hereinafter referred to as: the Report), the property and income of the spouse or common-law partner, as well as of the minors if living in the same household, according to the state on the date of election, appointment or nomination.
A public official, who, upon termination of public office is immediately re-elected, reappointed or renominated, shall not file the Report again, if there are no changes to the data provided in the previous Report, but shall be bound to inform the Agency thereof, within 30 days from the date of re-election, reappointment or renomination.
The Report shall also be filed by a person whose public office terminated, within 30 days from the date of termination of public office, according to the state on the date of termination of public office.
Extraordinary property disclosure report
Article 69
If the property or income of a public official significantly change in the previous year, the public official shall file the Report to the Agency according to the state on 31 December, of the previous year, and prior to the expiry of deadline for the filing of the annual tax return for determining taxes to citizens' income.
Significant change shall exist if property or income were increased or decreased, according to the prior Report, or if exceeding the average annual salary without taxes and contributions in the Republic of Serbia or if the structure of such property has changed.
The person whose public office has terminated shall be bound, two years after the termination of public office, file the Report according to the state on 31 December of the previous year, and prior to the expiry of the deadline for filing the annual tax return, at the latest, for determining the citizen's income tax, under the condition that such property and income have change significantly, compared to the previous year.

Q178 (2023): THE LAW ON THE PREVENTION OF CORRUPTION ("Official Gazette of RS", no. 35/2019, 88/2019, 11/2021 - authentic interpretation, 94/2021 and 14/2022)
Q178 (2022): Law on the Corruption Prevention

Article 71

1) name and surname;
2) public office;
3) unique personal identification number;
4) place of residence and temporary place of residence;
5) telephone number and electronic mail address;
6) other job, activity and membership in bodies of associations;
7) source and amount of the net income of a public official that he/she receives for holding public office and the source and amount of other net incomes that he/she receives from the budget and other public sources;
8) source and amount of net income from another job or activity;
9) net incomes from scientific and research, educational, cultural and
artistic, humanitarian and sporting activity;
10) property rights; incomes deriving from copyrights, patents and other intellectual
11) source and amount of other net income;
12) right of use of the apartment for official purposes;
13) right of use or right of lease over immovables; right of ownership or right of lease over movables which are subject to registration;
15) deposits in banks and other financial institutions bearing the name of a bank or a financial institution, type and account number and the amount of funds on such accounts;
16) lease of safe deposit boxes in banks;
17) receivables and debts (principle amount, interest, repayment periods and date of maturity);
18 shares and interest in a legal entity;
19) data on the legal entity in which the legal entity from item 18) hereof has more than 3% of shares and interest;
20) financial instruments;
21) entrepreneurial activity;
22) Cash, digital property and valuables, as well as other movable property whose value exceeds EUR 5,000, in RSD equivalent based on the middle exchange rate of the National Bank of Serbia.

* Note: A public official and a family member cannot receive a gift in relation to discharging public office, except for protocol or another appropriate gift. These gifts are not being declared in the Report. The reporting on received gifts is regulated in accordance with Article 62 of the Law on the Corruption Prevention through compulsory reporting and

Q1.3 (2023): According to the law on the corruption Prevention:
Content of the Report
Article 71
1) name and surname;
2) public office;
3) unique personal identification number;
4) place of residence and temporary place of residence;
5) telephone number and electronic mail address;
6) other job, activity and membership in bodies of associations;
7) source and amount of the net income of a public official that he/she receives for holding public office and the source and amount of other net incomes that he/she receives from the budget and other public sources;
8) source and amount of net income from another job or activity;
9) net incomes from scientific and research, educational, cultural and
artistic, humanitarian and sporting activity;
10) property rights; incomes deriving from copyrights, patents and other intellectual
11) source and amount of other net income;
12) right of use of the apartment for official purposes;
13) right of use or right of lease over immovables; right of ownership or right of lease over movables which are subject to registration;
14) deposits in banks and other financial institutions bearing the name of a bank or a financial institution, type and account number and the amount of funds on such accounts;
15) lease of safe deposit boxes in banks;
16) receivables and debts (principle amount, interest, repayment periods and date of maturity);
17) shares and interest in a legal entity;
18) data on the legal entity in which the legal entity from item 18) hereof has more than 3% of shares and interest;
19) financial instruments;
20) entrepreneurial activity;
21) Cash, digital property and valuables, as well as other movable property whose value exceeds EUR 5,000, in RSD equivalent based on the middle exchange rate of the National Bank of Serbia.
* Note: A public official and a family member cannot receive a gift in relation to discharging public office, except for protocol or another appropriate gift. These gifts are not being

Q179 (2024): Comments According to the Law on the Corruption Prevention:
Content of the Report
Article 71
1) name and surname;
2) public office;
3) unique personal identification number;
4) place of residence and temporary place of residence;
5) telephone number and electronic mail address;
6) other job, activity and membership in bodies of associations;
7) source and amount of the net income of a public official that he/she receives for holding public office and the source and amount ofother net incomes that he/she receives from the budget and other public sources;
8) source and amount of net income from another job or activity;9) net incomes from scientific and research, educational, cultural and artistic, humanitarian and sporting activity;
10) property rights; incomes deriving from copyrights, patents and other intellectual
11) source and amount of other net income;
12) right of use of the apartment for official purposes;
13) right of use or right of lease over immovables; right of ownership or right of lease over movables which are subject to registration;
14) deposits in banks and other financial institutions bearing the name of a bank or a financial institution, type and account number and the amount of funds on such accounts; 15) lease of safe deposit boxes in banks;
16) receivables and debts (principle amount, interest, repayment periods and date of maturity); 17) shares and interest in a legal entity;
18) data on the legal entity in which the legal entity from item 18) hereof has more than 3% of shares and interest; 19) financial instruments;
20) entrepreneurial activity;
21) Cash, digital property and valuables, as well as other movable property whose value exceeds EUR 5,000, in RSD equivalent based on the middle exchange rate of the National Bank of Serbia.
* Note: A public official and a family member cannot receive a gift in relation to discharging public office, except for protocol or another appropriate gift. These gifts are not being declared in the Report. The reporting on received gifts is regulated in accordance with Article 62 of the Law on the Corruption Prevention through compulsory reporting and maintaining of gift records. Detailed explanation is in the answers for the Indicator 8.4 Conflicts of interests (question 217).

Q178 (2022): According to the Law on the Corruption Prevention:
Content of the Report
Article 71
1) name and surname;
2) public office;
3) unique personal identification number;
4) place of residence and temporary place of residence;
5) telephone number and electronic mail address;
6) other job, activity and membership in bodies of associations;
7) source and amount of the net income of a public official that he/she receives for holding public office and the source and amount of other net incomes that he/she receives from the budget and other public sources;
8) source and amount of net income from another job or activity;
9) net incomes from scientific and research, educational, cultural and
artistic, humanitarian and sporting activity;
10) property rights; incomes deriving from copyrights, patents and other intellectual
11) source and amount of other net income;
12) right of use of the apartment for official purposes;
13) right of use or right of lease over immovables; right of ownership or right of lease over movables which are subject to registration;
14) deposits in banks and other financial institutions bearing the name of a bank or a financial institution, type and account number and the amount of funds on such accounts;
15) lease of safe deposit boxes in banks;
16) receivables and debts (principle amount, interest, repayment periods and date of maturity);
17) shares and interest in a legal entity;
18) data on the legal entity in which the legal entity from item 18) hereof has more than 3% of shares and interest;
19) financial instruments;
20) entrepreneurial activity;
21) Cash, digital property and valuables, as well as other movable property whose value exceeds EUR 5,000, in RSD equivalent based on the middle exchange rate of the National Bank of Serbia.
* Note: A public official and a family member cannot receive a gift in relation to discharging public office, except for protocol or another appropriate gift. These gifts are not being
Q179 (2022): gift form added to the previous questionnaire
Q180 (General Comment): According to the Law on the Corruption Prevention:
In accordance to Article 69 - the person whose public office has terminated shall be bound, two years after the termination of public office, file the Report according to the state on 31 December of the previous year, and prior to the expiry of the deadline for filing the annual tax return, at the latest, for determining the citizen’s income tax, under the condition that such property and income have change significantly, compared to the previous year.

Q180 (2025): According to the Law on the Corruption Prevention:
In accordance to Article 69 - the person whose public office has terminated shall be bound, two years after the termination of public office, file the Report according to the state on 31 December of the previous year, and prior to the expiry of the deadline for filing the annual tax return, at the latest, for determining the citizen's income tax, under the condition that such property and income have change significantly, compared to the previous year.
A significant change exists when there has been an increase or decrease in the assets or income which, according to the preceding Report, exceed the average annual salary without taxes and contributions in the Republic of Serbia, or when there is a change to the structure of said assets.
Q180 (2024): According to the Law on the Corruption Prevention:
In accordance with Article 69 - the person whose public office has terminated shall be bound, two years after the termination of public office, file the Report according to the state on 31 December of the previous year, and prior to the expiry of the deadline for filing the annual tax return, at the latest, for determining the citizen's income tax, under the condition that such property and income have change significantly, compared to the previous year.
A significant change exists when there has been an increase or decrease in the assets or income which, according to the preceding Report, exceed the average annual salary without taxes and contributions in the Republic of Serbia, or when there is a change to the structure of said assets.
Q180 (2023): According to the Law on the Corruption Prevention:
In accordance with Article 69 - the person whose public office has terminated shall be bound, two years after the termination of public office, file the Report according to the state on 31 December of the previous year, and prior to the expiry of the deadline for filing the annual tax return, at the latest, for determining the citizen's income tax, under the condition that such property and income have change significantly, compared to the previous year.
A significant change exists when there has been an increase or decrease in the assets or income which, according to the preceding Report, exceed the average annual salary without taxes and contributions in the Republic of Serbia, or when there is a change to the structure of said assets.

Q181 (General Comment): According to the Law on the Corruption Prevention:
In accordance with Article 68 a public official is obligated to submit to the Agency the report on his/her property and income and the property and income of the spouse or common-law partner, as well as of the minors if living in the same household. * According to the article 76 of the new Law on the Corruption Prevention the Agency may request from the associated persons to directly submit data on their properties and incomes, if in the procedure of verification of property status of the certain officials it is suspected that they conceal the real value of their property. According to the current law, the Agency could request only from the officials to submit data on the assets of associated persons.

Q181 (2025): According to the Law on the Corruption Prevention:
In accordance with Article 68 a public official is obligated to submit to the Agency the report on his/her property and income and the property and income of the spouse or common-law partner, as well as of the minors if living in the same household. * According to the article 76 of the new Law on the Corruption Prevention the Agency may request from the associated persons to directly submit data on their properties and incomes, if in the procedure of verification of property status of the certain officials it is suspected that they conceal the real value of their property.

Q181 (2024): In accordance with Article 68 a public official is obligated to submit to the Agency the report on his/her property and income and the property and income of the spouse or common-law partner, as well as of the minors if living in the same household. *Note: According to the Article 76 of the new Law on the Corruption Prevention the Agency may request from the associated persons to directly submit data on their properties and incomes, if in the procedure of verification of property status of the certain officials it is suspected that they conceal the real value of their property.
Q181 (2023): According to the Law on the Corruption Prevention:
In accordance with Article 68 a public official is obligated to submit to the Agency the report on his/her property and income and the property and income of the spouse or common-law partner, as well as of the minors if living in the same household. *Note: According to the Article 76 of the new Law on the Corruption Prevention the Agency may request from the associated persons to directly submit data on their properties and incomes, if in the procedure of verification of property status of the certain officials it is suspected that they conceal the real value of their property.

Q183 (General Comment): The Agency for Prevention of Corruption of the Republic of Serbia. The Agency is an autonomous and independent state authority, operational since 2010, with preventive, control and supervisory competencies. The bodies of the Agency are the Director and the Council of the Agency. Following a public competition announced by the Ministry in charge of judicial affairs, the Director shall be elected by the National Assembly, by a majority vote of all deputies. A member of the Council of the Agency shall be also elected by the National Assembly, by a majority vote of all deputies, following a public competition announced by the Ministry in charge of judicial affairs.
Q184 (General Comment): According to the Law on the Corruption Prevention:
In accordance with Article 75 the Agency shall verify the accuracy and completeness of data contained in the Report, as well as the timeliness of submission of the Report, according to the annual plan of verification, issued by the Director. The Annual Verification Plan shall be rendered based on the previous analysis of the Agency, whereby particular attention shall be paid to the category of public officials, the amount of their earnings and the amount of the financial funds from the budget that bodies of public authority have available, in which public officials are holding public office.The Agency shall extraordinarily verify the accuracy and the completeness of data from the Report, if doubting that accurate and complete data were reported in the Report.
In accordance with Article 76 in the course of procedure of verification of property status, the Agency shall assess whether there lies a discrepancy in-between the data from the Report and the actual state of affairs or discrepancy in-between the increase value of the property and the reported incomes In case of discrepancy, the Agency shall summon a public official or a person from Article 68, paragraph 1 of this Law, to state on the reasons for discrepancy, within 15 days. If, in the course of verification of the Report, there is doubt that a public official is concealing the actual value of his/her property or income, the Agency may request from the associated persons to directly file data on their property and incomes, within 30 days from the date of reception of the request. In case a discrepancy is determined, the Agency shall notify the competent body, for the purpose of undertaking measures within its purview. The body from paragraph 4 hereof, shall be bound, within three months from the date of reception of the notification, to familiarize the Agency with the undertaken measures.
* Annual Verification Plan: According to the new Law on the Corruption Prevention, the Agency, when drafting the Annual Verification Plan, will take into account the category of public officials, the amount of their receipts and the amount of funds from the budget of the authority in which they perform the function, thus defining criteria that will be applied in the preparation of the Annual Verification Plan. This will contribute to the higher level of transparency in the selection of officials whose reports will be subject to verification procedure.

Q184 (2025): Note: Only for declarations of assets in Annual plan for checking reports on assets and incomes of officials and for declarations of assets in Extraordinary check.
According to the Law on the Corruption Prevention:
In accordance with Article 75 the Agency shall verify the accuracy and completeness of data contained in the Report, as well as the timeliness of submission of the Report, according to the annual plan of verification, issued by the Director. The Annual Verification Plan shall be rendered based on the previous analysis of the Agency, whereby particular attention shall be paid to the category of public officials, the amount of their earnings and the amount of the financial funds from the budget that bodies of public authority have available, in which public officials are holding public office.The Agency shall extraordinarily verify the accuracy and the completeness of data from the Report, if doubting that accurate and complete data were reported in the Report.
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*Annual Verification Plan: According to the new Law on the Corruption Prevention, the Agency, when drafting the Annual Verification Plan, will take into account the category of public officials, the amount of their receipts and the amount of funds from the budget of the authority in which they perform the function, thus defining criteria that will be applied in the preparation of the Annual Verification Plan. This will contribute to higher level of transparency in the selection of officials whose reports will be subject to verification procedure. In addition, in 2022 the Agency adopted Guidelines for Drafting the Annual Verification Plan.

Q184 (2024): According to the Law on the Corruption Prevention:
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*Annual Verification Plan: According to the new Law on the Corruption Prevention, the Agency, when drafting the Annual Verification Plan, will take into account the category of public officials, the amount of their receipts and the amount of funds from the budget of the authority in which they perform the function, thus defining criteria that will be applied in the preparation of the Annual Verification Plan. This will contribute to higher level of transparency in the selection of officials whose reports will be subject to verification procedure. In addition, in 2022 the Agency adopted Guidelines for Drafting the Annual Verification Plan.

Q186 (2024): https://publicacas.acas.rs/#/acas/obrazacZaPrijavuImovineIPrihoda
Q186 (2023): https://publicacas.acas.rs/#/acas/obrazacZaPrijavuImovineIPrihoda
Q186 (2022): https://publicacas.acas.rs/#/acas/obrazacZaPrijavuImovineIPrihoda

Q187 (General Comment): Types of Measures Article 82
A public official may be pronounced a measure of reprimand or measure of public announcement of recommendation of dismissal from public office. Notwithstanding paragraph 1 of this Article, a public official elected directly by citizens, as well as a person whose public office has terminated, may be pronounced a measure of reprimand or a measure of public announcement of the decision on violation of this Law.
When pronouncing measures, all circumstances of the case shall be considered, and in particular the weight and the consequences of violation of this Law as well as the possibility of eliminating the violations, as well as whether the public official has acted upon the previously imposed measure of reprimand until the expiry of the time limit that was set in the decision.
Requirements for Pronouncing Measures
Article 83
Measure of reprimand shall be pronounced in case a public official committed a minor violation of this Law. A minor violation of this Law shall be the kind of violation that did not affect the impartial discharge of public office. The measure of public announcement of recommendation for dismissal from public office and the measure of public announcement of the decision on violation of this Law, shall be pronounced due to severe violation of this Law. A severe violation of this Law shall be the violation that affected the impartial discharge of public office, as well as the reputation and the trust of citizens shown to the public official and the public office, he/she is discharging.
According to the Law on the Corruption Prevention:
According to article 103 paragraph 17 – a public official shall be fined from 100,000 to 150,000 RSD for the failure to report assets and income or submit a notification within the prescribed time limit, i.e. submits an incorrect or incomplete report on assets and income (articles 68 and 69).
According to the Law on the Corruption Prevention:
According to article 101 a public official who, contrary to the provisions of this Law, fails to report assets and income to the Agency, or provides false information on assets and income in order to conceal information on assets and income, shall be punished by a prison term of six months to five years.

Q187 (2025): Types of Measures Article 82
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When pronouncing measures, all circumstances of the case shall be considered, and in particular the weight and the consequences of violation of this Law as well as the possibility of eliminating the violations, as well as whether the public official has acted upon the previously imposed measure of reprimand until the expiry of the time limit that was set in the decision.
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According to article 103 paragraph 17 – a public official shall be fined from 100,000 to 150,000 RSD for the failure to report assets and income or submit a notification within the prescribed time limit, i.e. submits an incorrect or incomplete report on assets and income (articles 68 and 69).

Q187 (2024): Types of Measures Article 82
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1 Fine
According to the Law on the Corruption Prevention:
According to article 103 paragraph 17 – a public official shall be fined from 100,000 to 150,000 RSD for the failure to report assets and income or submit a notification within the prescribed time limit, i.e. submits an incorrect or incomplete report on assets and income (articles 68 and 69).

Q187 (2023): Types of Measures Article 82
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1 Fine
According to the Law on the Corruption Prevention:
According to article 103 paragraph 17 – a public official shall be fined from 100,000 to 150,000 RSD for the failure to report assets and income or submit a notification within the prescribed time limit, i.e. submits an incorrect or incomplete report on assets and income (articles 68 and 69).

Q188 (2025): Number of proceedings conducted by the Agency - 6 cases initiated, 18 cases completed and 8 pronounced sanctions
Number of proceedings conducted by the misdemeanour courts - 14 cases initiated, 18 cases completed (out of which 1 is acquittal) and 17 pronounced sanctions (out of which 12 are warnings and 5 are fines)
In the table we have entered the Number of cases against prosecutors due to violations/discrepancies in their declaration of assets by the Agency.

Q188 (2024): The entered data refers to the number of proceedings conducted by the Agency, when we talk about the number of proceedings conducted by the misdemeanor courts, the number of cases initiated is 18, the number of completed cases is 3, and when it comes to the number of sanctions imposed, 2 measures of reprimands and 1 acquittal. The reason for the increased number of initiated and completed proceedings is the Annual Plan for the Verification of Assets and Income for 2024, which, in addition to other public officials, significantly includes public officials from the judiciary. This covers chief public prosecutors of basic public prosecutor's offices in the Republic of Serbia, judges of the Administrative Court, and judges of the Commercial Appellate Court.
A detailed overview of the Annual Plan for the Verification of Assets and Income is published on the Agency's website: https://www.acas.rs/cyr/page_with_sidebar/plan_provere.

Q188 (2023): 3 measures of reprimand (from 2022)

Q188 (2022): 7 measures of reprimand

Law on civil procedure Articles 66-69, Law on criminal procedure code 37-40

Law on prevention of corruption Articles 57, 58 and 66

According to Law on judges (“Official Gazette of RS", No. 10/2023) a judge may not hold function in other authority of the Republic of Serbia, authority of autonomous province, local units of self-government, city municipality or public authorities, if a law doesn’t prescribe otherwise, may not be a member of a political party or act politically in some other manner, engage in any paid public or private work, nor extend legal services or advice for compensation. Exceptionaly, a judge may be a member of the Managing Board and the Program Council of the Judicial Academy, in accordance with the law governing the Judicial Academy.

Incompatible with judicial function is also other function, a job or a private interest, which is contrary to the dignity, reputation and independence of a judge.

The Ethics Committee decides which job or a private interest is contrary to the dignity and independence of a judge and damaging to the reputation of the judicial function, on the basis of the Code of Ethics. A judge may, outside of working hours, be engaged in teaching, scientific and artistic activities and be a member of a body for the verification of competencies, for a fee, without special approval. In a case stipulated by the law, a judge may be engaged in teaching and scientific activities in a Judicial Academy during working hours. During working hour, upon the approval of the president of the court, a judge may participate in the work of professional bodies established in accordance with special regulations and working groups for the preparation of laws and other acts. A judge is required to notify the High Judicial Council, in writing, of another function, a job or a private interest that may be deemed incompatible with judicial function. The notification may be submitted to the High Judicial Council by any person. The High Judicial Council initiates and leads the decision-making process on the incompatibility of the judicial function with other function , a job or a private interest in accordance with the act of the High Judicial Council. The High Judicial Council shall notify the judge, the president of the court and the president of the immediately superior court about the existence of incompatibility of a function, a job or a private interest with the judicial function.

Law on prevention of corruption ("Official Gazette 35/2019, 88/2019, 11/2021 - autentic interpretation, 94/2021, 14/2022)

Notifying the Agency

Article 42

A public official shall be bound to, when assuming duty or in the course of discharging the public office, without delay and within five days, notify in written form, both the direct superior and the Agency, in case of doubt over a conflict of interest or a conflict of interest that he/she or an associated person therewith, might have.

A public official shall be bound to terminate action in a case in which there is doubt over a conflict of interest, unless the threat of delay exists.

The Agency shall give its opinion as to whether there is a conflict of interest, within 15 days from the date of reception of notification for the public official.

Should the public official seek opinion on the existence of conflict of interest in the course of public procurements, the Agency shall provide opinion thereof, within eight days.

The Agency may summon a public official and request from him/her to deliver the required data, for the purpose of obtaining information on the existence of conflict of interest from paragraph 1 and 4 of this Article. Should the Agency determine that there is a conflict of interest as set forth in paragraph1 and 4 of this Article, it shall notify the official and body in which he/she is discharging the public office and shall propose measures for the removal of conflict of interest.

Q155 (2024): According to Law on judges ("Official Gazette of RS", No. 10, 2023), judge may not hold function in other authority of the Republic of Serbia, autonomous province, local units of self-government, city municipality or public authorities, if a law doesn't prescribe otherwise, may not be a member of a political party or act politically in some other manner, engage in any paid public or private work, nor extend legal services or advice for compensation. Exceptionaly, a judge may be a member of the Managing Board and the Program Council of the Judicial Academy, in accordance with the law governing the Judicial Academy.
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Law on prevention of corruption ("Official Gazette 35/2019, 88/2019, 11/2021 - autentic interpretation, 94/2021, 14/2022)
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Article 42
A public official shall be bound to, when assuming duty or in the course of discharging the public office, without delay and within five days, notify in written form, both the direct superior and the Agency, in case of doubt over a conflict of interest or a conflict of interest that he/she or an associated person therewith, might have.
A public official shall be bound to terminate action in a case in which there is doubt over a conflict of interest, unless the threat of delay exists.
The Agency shall give its opinion as to whether there is a conflict of interest, within 15 days from the date of reception of notification for the public official.
Should the public official seek opinion on the existence of conflict of interest in the course of public procurements, the Agency shall provide opinion thereof, within eight days.
The Agency may summon a public official and request from him/her to deliver the required data, for the purpose of obtaining information on the existence of conflict of interest from paragraph 1 and 4 of this Article. Should the Agency determine that there is a conflict of interest as set forth in paragraph1 and 4 of this Article, it shall notify the official and body in which he/she is discharging the public office and shall propose measures for the removal of conflict of interest.
Provisions of paragraph 1 and 6 hereof do not exclude the application of provisions on exclusion prescribed by other laws.
Article 43.
Initiation of the procedure for deciding on the existence of a conflict of interest Article 43.

Q155 (2023): According to Law on judges ("Official Gazette of RS", No. 10, 2023), a judge may not hold function in state authority, of the Republic of Serbia, authority of autonomous province, local units of self-government, city municipality or public authorities, if a law doesn't prescribe otherwise, may not be a member of a political party or act politically in some other manner, engage in any paid public or private work, nor extend legal services or advice for compensation. Exceptionaly, a judge may be a member of the Managing Board and the Program Council of the Judicial Academy, in accordance with the law governing the Judicial Academy.
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Law on prevention of corruption ("Official Gazette 35/2019, 88/2019, 11/2021 - autentic interpretation, 94/2021, 14/2022)
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A public official shall be bound to terminate action in a case in which there is doubt over a conflict of interest, unless the threat of delay exists.
The Agency shall give its opinion as to whether there is a conflict of interest, within 15 days from the date of reception of notification for the public official.
Should the public official seek opinion on the existence of conflict of interest in the course of public procurements, the Agency shall provide opinion thereof, within eight days.
The Agency may summon a public official and request from him/her to deliver the required data, for the purpose of obtaining information on the existence of conflict of interest from paragraph 1 and 4 of this Article. Should the Agency determine that there is a conflict of interest as set forth in paragraph1 and 4 of this Article, it shall notify the official and body in which he/she is discharging the public office and shall propose measures for the removal of conflict of interest.
Provisions of paragraph 1 and 6 hereof do not exclude the application of provisions on exclusion prescribed by other laws.
Article 43.
Initiation of the procedure for deciding on the existence of a conflict of interest

Q189 (2022): Notifying the Agency

Article 42

A public official shall be bound to, when assuming duty or in the course of discharging the public office, without delay and within five days, notify in written form, both the direct superior and the Agency, in case of doubt over a conflict of interest or a conflict of interest that he/she or an associated person therewith, might have.

A public official shall be bound to terminate action in a case in which there is doubt over a conflict of interest, unless the threat of delay exists.

The Agency shall give its opinion as to whether there is a conflict of interest, within 15 days from the date of reception of notification for the public official.

Should the public official seek opinion on the existence of conflict of interest in the course of public procurements, the Agency shall provide opinion thereof, within eight days.

The Agency may summon a public official and request from him/her to deliver the required data, for the purpose of obtaining information on the existence of conflict of interest from paragraph 1 and 4 of this Article. Should the Agency determine that there is a conflict of interest as set forth in paragraph1 and 4 of this Article, it shall notify the official and body in which he/she is discharging the public office and shall propose measures for the removal of conflict of interest.

Provisions of paragraph 1 and 6 hereof do not exclude the application of provisions on exclusion prescribed by other laws.

VI GIFTS

Term of Gifts

Article 57

A gift shall be an item, right or service, given or made without the appropriate remuneration, i.e. benefit or advantage caused to a public official or a family member.

Prohibition of Receiving a Gift

Article 58

A public official and a family member cannot receive a gift in relation to discharging public office, except for protocol or another appropriate gift.

A Catalogue of Gifts

Article 66

Using the data from the record of gifts, the Agency shall publish a Catalogue of Gifts on its website.

The Catalogue of Gifts shall be published by 1 June of the current year for the previous calendar year.

Q190 (General Comment): According to Law on judges (“Official Gazette of RS", No. 10/2023) a judge may not hold function in other authority of the Republic of Serbia, authority of autonomous province, local units of self-government, city municipality or public authorities, if a law doesn’t prescribe otherwise, may not be a member of a political party or act politically in some other manner, engage in any paid public or private work, nor extend legal services or advice for compensation. Exceptionaly, a judge may be a member of the Managing Board and the Program Council of the Judicial Academy, in accordance with the law governing the Judicial Academy.
Incompatible with judicial function is also other function, a job or a private interest, which is contrary to the dignity, reputation and independence of a judge.
The Ethics Committee decides which job or a private interest is contrary to the dignity and independence of a judge and damaging to the reputation of the judicial function, on the basis of the Code of Ethics. A judge may, outside of working hours, be engaged in teaching, scientific and artistic activities and be a member of a body for the verification of competencies, for a fee, without special approval. In a case stipulated by the law, a judge may be engaged in teaching and scientific activities in a Judicial Academy during working hours. During working hour, upon the approval of the president of the court, a judge may participate in the work of professional bodies established in accordance with special regulations and working groups for the preparation of laws and other acts. A judge is required to notify the High Judicial Council, in writing, of another function, a job or a private interest that may be deemed incompatible with judicial function. The notification may be submitted to the High Judicial Council by any person. The High Judicial Council initiates and leads the decision-making process on the incompatibility of the judicial function with other function , a job or a private interest in accordance with the act of the High Judicial Council. The High Judicial Council shall notify the judge, the president of the court and the president of the immediately superior court about the existence of incompatibility of a function, a job or a private interest with the judicial function.

Q190 (2025): Comment by HJC:
According to Law on judges (“Official Gazette of RS", No. 10/2023) a judge may not hold function in other authority of the Republic of Serbia, authority of autonomous province, local units of self-government, city municipality or public authorities, if a law doesn’t prescribe otherwise, may not be a member of a political party or act politically in some other manner, engage in any paid public or private work, nor extend legal services or advice for compensation. Exceptionaly, a judge may be a member of the Managing Board and the Program Council of the Judicial Academy, in accordance with the law governing the Judicial Academy.
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Comment by Agency for Prevention of Corruption:
Scientific activity and cultural activities with and without remuneration
About this question, an official (judge) may conduct scientific study, teaching, cultural, artistic, humanitarian and sports activities, in compliance with the provisions of Article 46 of the Law on the Prevention of Corruption, without the consent of the Agency, unless it jeopardizes the impartial performance and prestige of the public office and if it is forbidden by laws and other regulations that regulate his/her work. Revenues from this work, i.e., activities, shall be submitted to the Agency by the official. An official (judge) is obliged to submit a request for consent in accordance with the provisions of Article 49 in conjunction with Article 45 paragraph 1 if it is a function within a body of cultural and other associations (except professional). In connection with research, publications, i.e., mediation, an official (judge, public prosecutor, deputy prosecutor) is obliged to submit a request for consent in accordance with the provisions of Article 46, paragraph 4. In the case of payments, when deciding on an application for the permission of officials to carry out other work or operations, the Agency does not consider whether it is with or without compensation.

Q190 (2024): Law on Mediation in Dispute Resolution ("Official Gazette of RS", No. 55/2014) Judges can mediate exclusively outside of working hours and without compensation.
Law on Judges (“Official Gazette of RS", No. 10/2023) Article 31. position 5-7. A judge can, outside of working hours, engage in teaching, scientific and artistic activities without special approval and be a member of a body for checking expertise, for a fee. In the case specified by law, a judge may, during working hours, perform teaching and scientific activities at the Judicial Academy. During working hours, with the approval of the president of the court, a judge can participate in the work of an expert body formed in accordance with a special regulation and a working group for the drafting of laws and other acts.
Exceptionaly, a judge may be a member of the Managing Board and the Program Council of the Judicial Academy, in accordance with the law governing the Judicial Academy.
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Judges are public officials in the sense of the law that regulates the prevention of corruption and have all the obligations imposed on public officials as stipulated by such a law.

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During working hours, with the approval of the president of the court, a judge can participate in the work of an expert body formed in accordance with a special regulation and a working group for the drafting of laws and other acts.

Q190 (2022): Scientific activity and cultural activities with and without remuneration
About this question, an official (judge) may conduct scientific study, teaching, cultural, artistic, humanitarian and sports activities, in compliance with the provisions of Article 46 of the Law on the Prevention of Corruption, without the consent of the Agency, unless it jeopardizes the impartial performance and prestige of the public office and if it is forbidden by laws and other regulations that regulate his/her work. Revenues from this work, i.e., activities, shall be submitted to the Agency by the official. An official (public prosecutor, deputy prosecutor) is obliged to submit a request for consent in accordance with the provisions of Article 49 in conjunction with Article 45 paragraph 1 if it is a function within a body of cultural and other associations (except professional). In connection with research, publications, i.e., mediation, an official (judge, public prosecutor, deputy prosecutor) is obliged to submit a request for consent in accordance with the provisions of Article 46, paragraph 4. In the case of payments, when deciding on an application for the permission of officials to carry out other work or operations, the Agency does not consider whether it is with or without compensation.
Q191 (General Comment): Yes, by the High Judicial Council and Agency on prevention od corruption
Q192 (2024): Agency for prevention on corruption
Q192 (2023): Agency for prevention on corruption
Q194 (General Comment): The Law on judges
The Law on the prevention of corruption
The Civil procedure Law
The Criminal procedure Law
Q194 (2024): The law on prevention of conflict of interest in the Serbian legal framework is the Law on prevention of corruption ("Official Gazette 35/2019, 88/2019, 11/2021 - authentic interpretation, 94/2021, 14/2022)
Other marked laws (in addition to the Law on the prevention of corruption) are the one that regulates recusals.
According to the Law on Judges (“Official Gazette of RS", No. 10/2023) article 97. Disciplinary offenses, among others, are:
1) violation of the principle of impartiality;
2) failure of the judge to ask for exemption in cases where there is an obvious reason for exemption, that is, exclusion provided for bylaw;
9) accepting a gift contrary to the regulation governing conflict of interest;
12) performance of another function, job or private interest that is incompatible with the function of a judge; The consequence of the above-mentioned disciplinary violations may be the dismissal of the judge.
The Law on Judges (“Official Gazette of RS", No. 10/2023) further regulates initiation of the procedure to determine the reasons for the judge's dismissal Article 99.
If in the disciplinary procedure it is determined by a final decision that the judge has committed a serious disciplinary offense, the High Council of the Judiciary, i.e. the Disciplinary Commission can initiate a procedure to determine the reasons for the judge's dismissal. In the procedure for determining the reason for the dismissal of a judge from paragraph 1 of this article, the High Council of the Judiciary assesses whether the committed disciplinary offense seriously damages the reputation of the judicial function or the public's trust in the judiciary.

Q194 (2023): The law on prevention of conflict of interest in the Serbian legal framework is the Law on prevention of corruption ("Official Gazette 35/2019, 88/2019, 11/2021 - authentic interpretation, 94/2021, 14/2022)
Other marked laws (in addition to the Law on the prevention of corruption)are the one that regulates recusals.
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12) performance of another function, job or private interest that is incompatible with the function of a judge;
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In the procedure for determining the reason for the dismissal of a judge from paragraph 1 of this article, the High Council of the Judiciary assesses whether the committed disciplinary offense seriously damages the reputation of the judicial function or the public's trust in the judiciary.

Q195 (General Comment): In accordance with articles 40-56 of the Law on the Corruption Prevention, the Agency aims to eliminate causes of corruption through procedures for resolving conflict of interest, decumulation of public officers, and decision on other legal violations. In accordance with articles 78, 80 and 82-85 of this Law, should it be determined, after the procedure, that a violation of the Law has taken place, measures stipulated by the law shall be issued. The aim of these measures is to eliminate such violations as far as this is possible. Thus, the cases which have led or may lead to corruption are eliminated. The measures and decisions of the Agency are measures of public announcement of recommendation for dismissal from a public office and decisions which impose the termination of second public office by force of law.
The law on prevention of conflict of interest in the Serbian legal framework is the Law on prevention of corruption ("Official Gazette 35/2019, 88/2019, 11/2021 - authentic interpretation, 94/2021, 14/2022)
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In the procedure for determining the reason for the dismissal of a judge from paragraph 1 of this article, the High Council of the Judiciary assesses whether the committed disciplinary offense seriously damages the reputation of the judicial function or the public's trust in the judiciary.

Q195 (2025): Law on judges prescribed that judges are public officials in the sense of the law that regulates the prevention of corruption and have all the obligations imposed on public officials as stipulated by such a law.
In accordance with articles 40-56 of the Law on the Corruption Prevention, the Agency aims to eliminate causes of corruption through procedures for resolving conflict of interest, decumulation of public officers, and decision on other legal violations. In accordance with articles 78, 80 and 82-85 of this Law, should it be determined, after the procedure, that a violation of the Law has taken place, measures stipulated by the law shall be issued. The aim of these measures is to eliminate such violations as far as this is possible. Thus, the cases which have led or may lead to corruption are eliminated. The measures and decisions of the Agency are measures of public announcement of recommendation for dismissal from a public office and decisions which impose the termination of second public office by force of law.

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Q195 (2022): In accordance with articles 40-56 of the Law on the Corruption Prevention, the Agency aims to eliminate causes of corruption through procedures for resolving conflict of interest, decumulation of public officers, and decision on other legal violations. In accordance with articles 78, 80 and 82-85 of this Law, should it be determined, after the procedure, that a violation of the Law has taken place, measures stipulated by the law shall be issued. The aim of these measures is to eliminate such violations as far as this is possible. Thus, the cases which have led or may lead to corruption are eliminated. The measures and decisions of the Agency are measures of public announcement of recommendation for dismissal from a public office and decisions which impose the termination of second public office by force of law.
Q196 (2025): Number of proceedings conducted by the Agency
Number of cases initiated: 4Number of cases completed: 4 (In 2 proceedings the complainant was notified; in 2 proceedings an official note was made that there are no grounds to conduct proceedings to decide on the existence of a violation of the Law)Number of sanctions pronounced: 0

Q196 (2024): According to data from the Anti-Corruption Agency, the number of cases initiated is 2, the number of cases completed is 1, and the number of sanctions pronounced is 1, as a measure of reprimand. Proceedings conducted by the misdemeanor courts are 0 for all three fields.
Q196 (2023): 1 measure - public announcement of the recommendation for dismissal from the public office. The entered data are the one related to the proceedings for conflict of interesd counducted by the Agency for prevention of corruption.
Please consider additional data regarding procedures conducted by the High Judicial Council in 2023 2023- 6 decisions - not incompatible with the function of a judge
Q196 (2022): 2 measures of reprimand

Q197 (General comment): Law on the Prevention of Corruption articles 40-43, Law on Public Prosecutors articles 37, and 71-73, and Law on Criminal Procedure Code articles 37-40 and 42

Law on prevention of corruption ("Official Gazette 35/2019, 88/2019, 11/2021 - autentic interpretation, 94/2021, 14/2022)

Notifying the Agency

Article 42

A public official shall be bound to, when assuming duty or in the course of discharging the public office, without delay and within five days, notify in written form, both the direct superior and the Agency, in case of doubt over a conflict of interest or a conflict of interest that he/she or an associated person therewith, might have.

A public official shall be bound to terminate action in a case in which there is doubt over a conflict of interest, unless the threat of delay exists.

The Agency shall give its opinion as to whether there is a conflict of interest, within 15 days from the date of reception of notification for the public official.

Should the public official seek opinion on the existence of conflict of interest in the course of public procurements, the Agency shall provide opinion thereof, within eight days.

The Agency may summon a public official and request from him/her to deliver the required data, for the purpose of obtaining information on the existence of conflict of interest from paragraph 1 and 4 of this Article. Should the Agency determine that there is a conflict of interest as set forth in paragraph1 and 4 of this Article, it shall notify the official and body in which he/she is discharging the public office and shall propose measures for the removal of conflict of interest.

Provisions of paragraph 1 and 6 hereof do not exclude the application of provisions on exclusion prescribed by other laws.

Article 43.

Initiation of the procedure for deciding on the existence of a conflict of interest

Article 43.

The Agency initiates ex officio a procedure in which it decides on the existence of a conflict of interest, within two years from the day of learning about the existence of the action or inaction of a public official that caused suspicion of a conflict of interest.

The procedure referred to in paragraph 1 of this article cannot be initiated or terminated if five years have passed since the action or inaction of the public official that caused the suspicion of a conflict of interest.

The Agency can also initiate proceedings upon the application of a natural or legal person.

VI GIFTS

Term of Gifts

Article 57

A gift shall be an item, right or service, given or made without the appropriate remuneration, i.e. benefit or advantage caused to a public official or a family member.

Prohibition of Receiving a Gift

Article 58

Q197 (2023): Law on the Prevention of Corruption articles 40-43, Law on Public Prosecutors articles 37, and 71-73, and Law on Criminal Procedure Code articles 37-40 and 42

5. Incompatibility of the public prosecutor's function with another function, job or private interest
The relationship of another function, work or private interest with the public prosecutor's function
Article 71
The holder of the public prosecutor's office cannot hold office in another body of the Republic of Serbia, body of an autonomous province, local self-government unit, city municipality or public service, public company or other legal entity whose founder or member is the Republic of Serbia, autonomous province, local self-government unit or city municipality, unless otherwise determined by law, engage in public or private paid work, nor provide legal services or give legal advice for a fee.
Any other function, job or private interest that is contrary to the reputation and independence of the public prosecutor's office is also incompatible with the public prosecutor's office.
The Ethics Committee decides which function, job or private interest is in conflict with the dignity and independence of the holder of the public prosecutor's office and harms the reputation of the public prosecutor's office, based on the Code of Ethics.
The holder of the public prosecutor's office may, outside of working hours, engage in artistic, teaching and scientific activities, for a fee, without special approval.
In the case specified by law, the holder of the public prosecutor's office can, during working hours, perform teaching and scientific activities at the Judicial Academy.
During working hours, the public prosecutor may, with the approval of the Supreme Public Prosecutor or the Chief Public Prosecutor, participate in the work of an expert body formed in accordance with a special regulation and a working group for the drafting of a law or other act.
Procedure for deciding on incompatibility
Article 72
The holder of the office of public prosecutor is obliged to inform the High Council of Prosecutors in writing about another office, job or private interest that may be incompatible with the office of public prosecutor.
The notice referred to in paragraph 1 of this article can be submitted to the High Council of the Prosecution by any other person.
The High Prosecution Council initiates and leads the decision-making process on the incompatibility of the public prosecutor's function with another function, job or private interest, in accordance with the act of the High Prosecution Council.
The High Council of the Prosecutor's Office informs the holder of the public prosecutor's office, the chief public prosecutor and the immediately senior chief public prosecutor, about the existence of incompatibility of function, job or private interest with the public prosecutor's office.
Application of another regulation
Article 73
The holder of the office of public prosecutor is a public official in the sense of the law governing the prevention of corruption and is subject to the obligations of a public official established by that law.

5. Incompatibility of the public prosecutor's function with another function, job or private interest
The relationship of another function, work or private interest with the public prosecutor's function
Article 71
The holder of the public prosecutor's office cannot hold office in another body of the Republic of Serbia, body of an autonomous province, local self-government unit, city municipality or public service, public company or other legal entity whose founder or member is the Republic of Serbia, autonomous province, local self-government unit or city municipality, unless otherwise determined by law, engage in public or private paid work, nor provide legal services or give legal advice for a fee.
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The High Council of the Prosecutor's Office informs the holder of the public prosecutor's office, the chief public prosecutor and the immediately senior chief public prosecutor, about the existence of incompatibility of function, job or private interest with the public prosecutor's office.
Application of another regulation
Article 73
The holder of the office of public prosecutor is a public official in the sense of the law governing the prevention of corruption and is subject to the obligations of a public official established by that law.

The relationship of another function, work or private interest with the public prosecutor's function

Article 71

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In the case specified by law, the holder of the public prosecutor's office can, during working hours, perform teaching and scientific activities at the Judicial Academy.

During working hours, the public prosecutor may, with the approval of the Supreme Public Prosecutor or the Chief Public Prosecutor, participate in the work of an expert body formed in accordance with a special regulation and a working group for the drafting of a law or other act.

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The notice referred to in paragraph 1 of this article can be submitted to the High Council of the Prosecution by any other person.

The High Prosecution Council initiates and leads the decision-making process on the incompatibility of the public prosecutor's function with another function, job or private interest, in accordance with the act of the High Prosecution Council.

The High Council of the Prosecutor's Office informs the holder of the public prosecutor's office, the chief public prosecutor and the immediately senior chief public prosecutor, about the existence of incompatibility of function, job or private interest with the public prosecutor's office.

Application of another regulation

Article 73

The holder of the office of public prosecutor is a public official in the sense of the law governing the prevention of corruption and is subject to the obligations of a public official established by that law.

Q198 (General Comment): Law on public prosecutors (Official Gazette 10, 2023)
5. Incompatibility of the public prosecutor's function with another function, job or private interest
The relationship of another function, work or private interest with the public prosecutor's function
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Q199 (2025): „The Agency for the Prevention of Corruption, in accordance with the provisions of Article 46 of the Law on the Prevention of Corruption, decides on the requests and notifications of public prosecutors as public officials for performing another job, or activity“.
Q200 (2025): The Agency for the Prevention of Corruption, in accordance with the provisions of Article 46 of the Law on the Prevention of Corruption, decides on the requests and notifications of public prosecutors as public officials for performing another job, or activity“.

Q201 (General comment): In Serbian legal framework law that regulates prevention of conflict of interest is the Law on prevention of corruption ("Official Gazette RS", 35/2019, 88/2019, 11/2021 - autentic interpretation, 94/2021, 14/2022) articles 77-86.
Law on criminal procedure code Corresponding application of exemption provisions
Article 42
The provisions on the exemption of judges and lay judges shall accordingly apply to public prosecutors and persons authorized by law to replace the public prosecutor in the proceedings, recorders, translators, interpreters and experts, as well as to experts, unless otherwise specified by this Code. (Article 116).
The public prosecutor decides on the exemption of persons who, based on the law, are authorized to replace him in the proceedings. The immediately superior prosecutor decides on the disqualification of the public prosecutor. The State Council of Prosecutors decides on the disqualification of the Public Prosecutor of the Republic based on the received opinion of the Collegium of the Public Prosecutor's Office of the Republic.
The public prosecutor or the court decides on the exemption of recorders, translators, interpreters, experts and experts.
When authorized police officials undertake evidentiary actions based on this code, the public prosecutor decides on their exemption. If a recorder participates in undertaking these actions, the authorized police official who undertakes the action decides on his exemption.Law on criminal procedure code ("Official Gazette of RS", no. 72/2011, 101/2011, 121/2012, 32/2013, 45/2013, 55/2014, 35/2019, 27/2021 - decision US and 62/2021 - decision US)
EXEMPTIONS
Reasons for exemption
Article 37
A judge or lay judge shall be exempted from judicial duty in a specific case:
1) if he was damaged by a criminal act;
2) if the defendant, his counsel, prosecutor, injured party, their legal representative or attorney, spouse or person with whom he lives in an extramarital or other permanent union of life, or a relative by blood in the direct line to any degree, in the collateral line up to fourth degree, and by in-laws up to the second degree;
3) if he is with the defendant, his defense counsel, the prosecutor or the injured party in the relationship of guardian, ward, adopter, adoptee, foster parent or foster parent;
4) if in the same case he acted as a judge for preliminary proceedings or decided on the confirmation of the indictment or participated in making a decision on the merits of the charge that is disputed by an appeal or an extraordinary legal remedy or participated in the proceedings as a prosecutor, defense attorney, legal representative or attorney the injured party, i.e. the plaintiff, is either heard as a witness or as an expert, if this code does not prescribe otherwise.
A judge or lay judge may be exempted from judicial duty in a particular case if there are circumstances that raise doubts about his impartiality.
The judge's action when he learns of the reason for the disqualification
Article 38
As soon as a judge or judge-juror finds out that there is a reason for his dismissal (Article 37, paragraph 1), he is obliged to stop all work on that case and to inform the president of

Q202 (2025): In accordance with articles 40-56 of the Law on Corruption Prevention, the Agency aims to eliminate causes of corruption through procedures for resolving conflict of interest, decumulation of public officers, and decision on other legal violations. In accordance with articles 78, 80 and 82-85 of this Law, should it be determined, after the procedure, that a violation of the Law has taken place, measures stipulated by the law shall be issued. The aim of these measures is to eliminate such violations as far as possible. Thus, the cases which have led or may lead to corruption are eliminated. The measures and decisions of the Agency are measures of public announcement of recommendation for dismissal from a public office and decisions which impose the termination of second public office by force of law.

Q252 (2024): In Serbian legal framework law that regulates prevention of conflict of interest is the Law on prevention of corruption ("Official Gazette RS", no. 35/2019, 88/2019, 11/2021 autentic interpretation, 94/2021, 14/2022) articles 77-86.

Law on criminal procedure code Corresponding application of exemption provisions Article 42

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The public prosecutor or the court decides on the exemption of recorders, translators, interpreters, experts and experts.

When authorized police officials undertake evidentiary actions based on this code, the public prosecutor decides on their exemption. If a recorder participates in undertaking these actions, the authorized police official who undertakes the action decides on his exemption.

Law on criminal procedure code ("Official Gazette of RS", no. 72/2011, 101/2011, 121/2012, 32/2013, 45/2013, 55/2014, 35/2019, 27/2021 decision US and 62/2021 - decision US)

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1) if he was damaged by a criminal act;

2) if the defendant, his counsel, prosecutor, injured party, their legal representative or attorney, spouse or person with whom he lives in anextramarital or other permanent union of life, or a relative by blood in the direct line to any degree, in the collateral line up to fourth degree, and by in-laws up to the second degree;

3) if he is with the defendant, his defense counsel, the prosecutor or the injured party in the relationship of guardian, ward, adopter,adoptee, foster parent or foster parent;

4) if in the same case he acted as a judge for preliminary proceedings or decided on the confirmation of the indictment or participated inmaking a decision on the merits of the charge that is disputed by an appeal or an extraordinary legal remedy or participated in the proceedings as a prosecutor, defense attorney, legal representative or attorney the injured party, i.e. the plaintiff, is either heard as a witness or as an expert, if this code does not prescribe otherwise.

A judge or lay judge may be exempted from judicial duty in a particular case if there are circumstances that raise doubts about his impartiality.

The judge's action when he learns of the reason for the disqualification

Article 38

As soon as a judge or judge-juror finds out that there is a reason for his dismissal (Article 37, paragraph 1), he is obliged to stop all work
on that case and to inform the president of the court about it, who will dismiss him by decision and order that assign the case to another judge in order.

Q152 (2020): In Serbian legal framework law that regulates prevention of conflict of interest is the Law on prevention of corruption ("Official Gazette RS", no. 35/2019, 88/2019, 11/2021 autentic interpretation, 94/2021, 14/2022) articles 77-86.
Law on criminal procedure code Corresponding application of exemption provisions
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3) if he is with the defendant, his defense counsel, the prosecutor or the injured party in the relationship of guardian, ward, adopter, adoptee, foster parent or foster parent;
4) if in the same case he acted as a judge for preliminary proceedings or decided on the confirmation of the indictment or participated in making a decision on the merits of the charge that is disputed by an appeal or an extraordinary legal remedy or participated in the proceedings as a prosecutor, defense attorney, legal representative or attorney the injured party, i.e. the plaintiff, is either heard as a witness or as an expert, if this code does not prescribe otherwise.
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Q155 (General Comment): In Serbian legal framework law that regulates prevention of conflict of interest is the Law on prevention of corruption ("Official Gazette RS", no. 88/2019, 11/2021 - autentic interpretation, 94/2021, 14/2022) articles 77-86.
Law on criminal procedure code Corresponding application of exemption provisions
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Q203 (2025): In Serbian legal framework law that regulates prevention of conflict of interest is the Law on prevention of corruption ("Official Gazette RS", no. 35/2019, 88/2019, 11/2021 autentic interpretation, 94/2021, 14/2022) articles 77-86.
Law on criminal procedure code Corresponding application of exemption provisions
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Q204 (2025): In the table we put the number of proceedings conducted by the Agency.
When it comes to number of cases completed, in 4 proceedings, the complainant was notified that there are no grounds to conduct proceedings to decide on the existence of a violation of the Law (one initiated in 2024)
Q204 (2023): 1 measure for reprimand
Q205 (2025): Disciplinary proceedings against judges are initiated by the Disciplinary Prosecutor of the High Judicial Council, who submits a proposal for conducting disciplinary proceedings to the Disciplinary Commission of the High Judicial Council.

Q205 (2024): According to the RULES ON THE PROCEDURE FOR DETERMINING THE DISCIPLINARY RESPONSIBILITY OF JUDGES AND COURT PRESIDENTS ("Official Gazette of RS", No. 24/2024) Disciplinary report

Article 24

Any person can file a disciplinary complaint against a judge, that is, the president of the court, to the Disciplinary Prosecutor.

The disciplinary report is submitted in writing.

A disciplinary report can also be submitted electronically, if the applicant has an electronic signature.

The disciplinary report must contain the name and surname of the judge and the name of the court in which he performs the function of judge, i.e. the name and surname of the president of the court and the name of the court in which he performs the function of president of the court, a brief description of the actions of the judge, i.e. the president of the court, the name and surname of the applicant, his address and signature.

If the disciplinary report is incomprehensible or does not contain all the information to be able to act on it (paragraph 3), the Disciplinary Prosecutor will return the report to the applicant, set a deadline of eight days for the correction or amendment of the disciplinary report and warn of the consequences of failure.

The disciplinary prosecutor will reject the disciplinary report if the applicant does not make corrections, i.e. additions, or if he does not make them within the time limit referred to in paragraph 5 of this article.

Initiation of disciplinary proceedings

Article 31

Disciplinary proceedings are initiated when the Disciplinary Prosecutor submits a proposal for conducting disciplinary proceedings to the Disciplinary Commission.

The proposal for conducting disciplinary proceedings contains:

1) personal data of the judge (name and surname, date of birth and address) and the court in which he performs the function of judge, that is, personal data of the president of the court (name and surname, date of birth and address) and the court in which he performs the function of the president of the court;

2) factual description and legal qualification of the disciplinary offense;

3) a proposal on the evidence to be presented at the disciplinary hearing and a proposal for a disciplinary measure.

It is not allowed to submit a new proposal for conducting disciplinary proceedings based on the same facts.

Q205 (2025): According to the Law on Judges ("Official Gazette of RS", No. 10/2023), article 102 regulates that any person can file a disciplinary complaint against a judge or the president of the court, to the Disciplinary Prosecutor.
The proposal for conducting disciplinary proceedings is submitted by the Disciplinary Prosecutor based on a disciplinary report or ex officio.
Disciplinary proceedings are conducted by the Disciplinary Commission on the proposal of the Disciplinary Prosecutor. The Disciplinary Commission cannot decide beyond the proposal of the Disciplinary Prosecutor.
During the disciplinary proceedings, the Disciplinary Prosecutor may amend or expand the proposal for conducting disciplinary proceedings, if the presented evidence indicates a change in the factual situation in relation to the submitted proposal or if the judge whose disciplinary responsibility is being determined committed another disciplinary offense.
Disciplinary proceedings are urgent, conducted with all guarantees of a fair trial, without the presence of the public, unless the judge against whom the disciplinary proceedings are conducted requires that the proceedings be public.
The disciplinary procedure is regulated in more detail by an act of the High Council of the Judiciary.
Conduct of disciplinary proceedings expires three years after the day when the disciplinary offense was committed, and does not expire during the duration of the administrative dispute, i.e. court proceedings related to the initiated disciplinary proceedings and executed disciplinary measures.
THE LAW
ON THE ARRANGEMENT OF THE COURTS
("Official Gazette of RS", No. 10/2023)
This Law regulates the jurisdiction of the Ministry of Justice and the High Judicial Council in terms of supervision of the implementation of the Court Rulebook. The Ministry of Justice has limited power over the questions regulated by the Court Rulebook (Court rules of procedure) regarding supervision. If the deficiencies are not eliminated within the set deadlines, the supervising authority, in this case the Ministry of Justice, will file a disciplinary report against the president of the supervised court.
Supervision over the implementation of the Rules of Court
Article 77
The implementation of the Court Rules of Procedure is supervised by the High Council of the Judiciary and the Ministry responsible for the judiciary.
The High Council of the Judiciary supervises the application of the Rules of Procedure of the Court in connection with the tasks referred to in Article 76, paragraph 1, point. 1)-9), 14), 15) and 17) of this law, and the ministry responsible for justice in connection with the affairs from Article 76, paragraph 1, item 10) and 16) of this law.
The High Council of the Judiciary and the Ministry responsible for the judiciary jointly supervise the implementation of the Rules of Court in connection with the tasks prescribed in Article 76, paragraph 1, point. 11)-13) of this law.
In the event that supervision is carried out on the basis of a submitted complaint, the competence of the authority for conducting supervision is determined depending on the violation of the Rules of Court that the complainant indicates.
The complaint form is an integral part of the Court Rules of Procedure.
Q205 (2022): Anyone may file a complaint based on which disciplinary proceedings are formaly initiated bu the HJC disciplinary prosecutor
Q206 (2025): The Disciplinary Prosecutor initiates disciplinary proceedings by submitting a proposal for conducting disciplinary proceedings to the Disciplinary Commission of the High Judicial Council. After the procedure, the Disciplinary Commission of the High Judicial Council issues a decision against which the judge against whom the proceedings are being conducted can appeal to the High Judicial Council. After the decision of the High Judicial Council, the judge can appeal to the Administrative Court. If a judge is declared responsible for a serious disciplinary offense after the decision of the Administrative Court, the High Judicial Council makes a decision to dismiss the judge, which decision the judge has the right to appeal to the Constitutional Court.

Q206 (2024): According to the RULES ON THE PROCEDURE FOR DETERMINING THE DISCIPLINARY RESPONSIBILITY OF JUDGES AND PRESIDENTS OF COURTS ("Official Gazette of RS", No. 24/2024) Submitting a request to the Ethics Committee

Article 30

If he does not reject the disciplinary report, the Disciplinary Prosecutor, before submitting a proposal for conducting disciplinary proceedings due to a disciplinary offense from Article 97, paragraph 1, point 20 of the Law on Judges ("Official Gazette of the RS", number 10/23), submits a request to the Ethics Committee to establish a significant violation of the provisions of the Code of Ethics.

In the request for establishing a significant violation of the provisions of the Code of Ethics, the Disciplinary Prosecutor states a factual description of the behavior of the judge, that is, the president of the court and the circumstances in which it was manifested, without specifying the personal data of the judge, that is, the president of the court.

The Ethics Committee is obliged to decide on a significant violation of the provisions of the Code of Ethics within 90 days from the date of receipt of the Disciplinary Prosecutor's request and to submit an opinion on the submitted request to the Disciplinary Prosecutor.

Decision of the Disciplinary Commission

Article 40

The Disciplinary Commission makes a decision in the form of a resolution.

Disciplinary commission by decision:

- rejects the Disciplinary Prosecutor's proposal for conducting disciplinary proceedings;
- approves the Disciplinary Prosecutor's proposal for conducting disciplinary proceedings, declares the judge, that is, the president of the court responsible for a disciplinary offense and imposes the appropriate disciplinary measure on him.

The Disciplinary Commission will suspend the procedure by decision if:

- Disciplinary prosecutor in the course of the procedure abandons the proposal for conducting the disciplinary procedure;
- the judge, that is, the president of the court against whom the proceedings are being conducted, ceases to be a judge;
- the disciplinary procedure became obsolete;
- the properly summoned Disciplinary Prosecutor does not attend the hearing without a valid reason (Article 34, paragraph 2).

Q206 (2022): The Law on Judges ("Official Gazette of RS", No. 10, 2023), Disciplinary action
Article 101
Any person can file a disciplinary complaint against a judge, that is, the president of the court, to the Disciplinary Prosecutor.
The proposal for conducting disciplinary proceedings is submitted by the Disciplinary Prosecutor on the basis of a disciplinary report or ex officio.
Disciplinary proceedings are conducted by the Disciplinary Commission on the proposal of the Disciplinary Prosecutor. The Disciplinary Commission cannot decide beyond the proposal of the Disciplinary Prosecutor.
During the disciplinary proceedings, the Disciplinary Prosecutor may amend or expand the proposal for conducting disciplinary proceedings, if the presented evidence indicates a change in the factual situation in relation to the submitted proposal or if the judge whose disciplinary responsibility is being determined committed another disciplinary offense.
Disciplinary proceedings are urgent, conducted with all guarantees of a fair trial, without the presence of the public, unless the judge against whom the disciplinary proceedings are conducted requires that the proceedings be public.
The disciplinary procedure is regulated in more detail by an act of the High Council of the Judiciary.
Conduct of disciplinary proceedings expires three years after the day when the disciplinary offense was committed, and does not expire during the duration of the administrative dispute, i.e. court proceedings related to the initiated disciplinary proceedings and executed disciplinary measures.
Decisions of the disciplinary prosecutor
Article 102
The disciplinary prosecutor can reject the disciplinary report or accept it and submit a proposal for conducting disciplinary proceedings.
The position of the judge in the disciplinary procedure
Article 103
The judge has the right to be immediately presented with a proposal for conducting disciplinary proceedings, to familiarize himself with the case and the evidence, and to provide an explanation and evidence for his allegations himself or through a proxy.
The judge has the right to present his allegations orally before the Disciplinary Commission.
Decisions of the Disciplinary Commission
Article 104
After the disciplinary procedure has been carried out, the Disciplinary Commission can reject the proposal for conducting the disciplinary procedure or adopt the proposal and impose a disciplinary measure.
The decision of the Disciplinary Commission from paragraph 1 of this article must be explained.
Against the decision of the Disciplinary Commission, the Disciplinary Prosecutor and the judge against whom the disciplinary proceedings are being conducted, may appeal to the High Council of the Judiciary, within eight days from the date of delivery of the decision.
Q206 (2022): Disciplinary commission of the HJC and the Disciplinary Prosecutor of the HJC
Q207 (2025): After the Disciplinary Commission submits to the judge a proposal for conducting disciplinary proceedings, the judge has the right to express his opinion on the proposal and the attached evidence, as well as to provide an explanation and propose evidence for his allegations, as well as during the proceedings.

Q207 (2024): According to the RULES ON THE PROCEDURE FOR DETERMINING THE DISCIPLINARY RESPONSIBILITY OF JUDGES AND COURT PRESIDENTS ("Official Gazette of the RS", No. 24/2024) The right to a statement on the proposal for conducting disciplinary proceedings

Article 32

The judge, that is, the president of the court, has the right to have the Disciplinary Commission immediately submit to him a proposal for conducting disciplinary proceedings with attached evidence.

Along with the proposal for conducting disciplinary proceedings, the disciplinary commission informs the judge, i.e. the president of the court, that it has the right to hire an attorney, to declare itself or through an attorney about the proposal and the attached evidence, as well as to provide an explanation and propose evidence for its allegations, within eight days of receiving the notification.

Rights of the judge, that is, the president of the court at the disciplinary hearing

Article 37

The president of the Disciplinary Commission will warn the judge, i.e. the president of the court against whom disciplinary proceedings are being conducted, that he has the right not to say anything, to withhold an answer to a particular question, to verbally state his allegations, admit or not admit responsibility for a disciplinary offense, to make a statement himself or through a proxy, and in particular about the right to present facts and propose evidence in support of his allegations, ask questions of other participants in the proceedings, make objections and give explanations in connection with the presented evidence.

Q207 (2025): The Law on Judges ("Official Gazette of RS", No. 10, 2025)
Disciplinary action
Article 101
Any person can file a disciplinary complaint against a judge, that is, the president of the court, to the Disciplinary Prosecutor.
The proposal for conducting disciplinary proceedings is submitted by the Disciplinary Prosecutor on the basis of a disciplinary report or ex officio.
Disciplinary proceedings are conducted by the Disciplinary Commission on the proposal of the Disciplinary Prosecutor. The Disciplinary Commission cannot decide beyond the proposal of the Disciplinary Prosecutor.
During the disciplinary proceedings, the Disciplinary Prosecutor may amend or expand the proposal for conducting disciplinary proceedings, if the presented evidence indicates a change in the factual situation in relation to the submitted proposal or if the judge whose disciplinary responsibility is being determined committed another disciplinary offense.
Disciplinary proceedings are urgent, conducted with all guarantees of a fair trial, without the presence of the public, unless the judge against whom the disciplinary proceedings are conducted requires that the proceedings be public.
The disciplinary procedure is regulated in more detail by an act of the High Council of the Judiciary.
Conduct of disciplinary proceedings expires three years after the day when the disciplinary offense was committed, and does not expire during the duration of the administrative dispute, i.e. court proceedings related to the initiated disciplinary proceedings and executed disciplinary measures.
Decisions of the disciplinary prosecutor
Article 102
The disciplinary prosecutor can reject the disciplinary report or accept it and submit a proposal for conducting disciplinary proceedings.
The position of the judge in the disciplinary procedure
Article 103
The judge has the right to be immediately presented with a proposal for conducting disciplinary proceedings, to familiarize himself with the case and the evidence, and to provide an explanation and evidence for his allegations himself or through a proxy.
The judge has the right to present his allegations orally before the Disciplinary Commission.
Decisions of the Disciplinary Commission
Article 104
After the disciplinary procedure has been carried out, the Disciplinary Commission can reject the proposal for conducting the disciplinary procedure or adopt the proposal and impose a disciplinary measure.
The decision of the Disciplinary Commission from paragraph 1 of this article must be explained.
Against the decision of the Disciplinary Commission, the Disciplinary Prosecutor and the judge against whom the disciplinary proceedings are being conducted, may appeal to the

Q207 (2022): Article 23 and 32 of the Rulebook on the procedure for determining the disciplinary responsibility of judges and presidents of courts

Q208 (2025): The Disciplinary Prosecutor submitted 5 proposals for initiating disciplinary proceedings, against 5 judges for disciplinary offenses: a major violation of the provisions of the Code of Ethics as determined by the Ethics Committee, failure of a judge to request exemption in cases where there are obvious reason for exemption, i.e. exclusion provided for by law and unjustified failure to notify the president of the court about the case with prolonged proceedings

Q208 (2022): Disciplinary offenses in accordance with Article 90 of the Law on Judges: Paragraph 1 –a violation of the principle of independence.

Q209 (2025): One completed case in the reference year is a case from 2024, and based on submitted proposals from 2025 and those that are in the process from 2024 and which have not been acted because the procedure for appointing disciplinary bodies - the President and two deputy members of the Disciplinary Commission and the Deputy Disciplinary Prosecutor- is ongoing.
Q210 (2022): Other: ban on promotion for a period of three years

24/2024) Decision of the Disciplinary Commission
Article 40
The Disciplinary Commission makes a decision in the form of a resolution.
Disciplinary commission by decision:
- rejects the Disciplinary Prosecutor's proposal for conducting disciplinary proceedings;
- approves the Disciplinary Prosecutor's proposal for conducting disciplinary proceedings, declares the judge, i.e. the president of the court responsible for a disciplinary offense and imposes an appropriate disciplinary measure on him.
The Disciplinary Commission will suspend the procedure by decision if:
- Disciplinary prosecutor in the course of the procedure abandons the proposal for conducting the disciplinary procedure;
- the judge, that is, the president of the court against whom the proceedings are being conducted, ceases to be a judge;
- the disciplinary procedure became obsolete;
- the properly summoned Disciplinary Prosecutor does not attend the hearing without a valid reason (Article 34, paragraph 2).
Content of the decision of the Disciplinary Commission
Article 41
The decision of the Disciplinary Commission from Article 40 of this rulebook contains:
1) name and surname of the president and members of the Disciplinary Commission and recorder;
2) names of parties to the proceedings and attorneys;
3) date and place of decision making;
4) the decision to reject the proposal for conducting disciplinary proceedings, i.e. the decision declaring the judge, i.e. the president of the court responsible for the disciplinary offense committed, the factual description and legal qualification of the disciplinary offense and the disciplinary measure imposed on him or the decision suspending the proceedings;
5) explanation;
6) decision on the costs of the procedure;
7) signature of the president of the Disciplinary Commission;
8) instruction on legal remedy.
Within eight days from the date of publication of the decision, the Disciplinary Commission prepares a written copy of the decision and delivers it to the Disciplinary Prosecutor, the judge and his attorney, that is, the president of the court and his attorney.Appeal against the decision of the Disciplinary Commission

Q212 (2025): The Rulebook on the Procedure for Determining Disciplinary Responsibilities of Judges and Court Presidents (“Official Gazette of the Republic of Serbia”, no. 24/24 of March 22nd, 2024) stipulates that the High Judicial Council has to decide on appeal within 15 days from the date of receipt of the file. The decision is final and it can be contested in an administrative litigation. No extraordinary legal remedies or repetition are allowed in the disciplinary procedure.

24/2024) Article 42

Against the decision of the Disciplinary Commission, the Disciplinary prosecutor, the judge and his attorney, that is, the president of the court and his attorney, may file an appeal with the Council within eight days from the date of delivery of the decision.

A complaint can be filed:

1) due to violations of procedural rules that could have an impact on the adoption of a legal and proper solution;

2) due to wrongly or incompletely established factual situation;

3) due to incorrect application of substantive law;

4) due to the decision on the pronounced disciplinary measure.

Content of the complaint

Article 43

The complaint must contain:

1) designation of the decision against which the appeal is filed;

2) a statement that the decision is disputed in its entirety or in a certain part;

3) the reason for the appeal;

4) signature of the person making the complaint.

In the appeal, new facts and new evidence may be presented only if the appellant makes it probable that he could not present them, or propose them during the first instance disciplinary proceedings, through no fault of his own.

Response to the appeal

Article 44

The complaint with attachments is submitted to the opposing party, who can submit an answer to the complaint within three days of receiving the complaint. An untimely response to the appeal will not be taken into consideration.

The Disciplinary Commission shall deliver the case file to the Council immediately upon receipt of the response to the appeal or the expiration of the deadline for providing the response to the appeal.

Second degree disciplinary proceedings before the Council

Article 45

The council decides on the appeal, as a rule, without discussion. The President of the Council appoints a reporter from among the elected members of the Council. The reporter gives a brief description of the procedure and facts without stating the merits of the appeal, after which the Council makes a decision. The Council can invite the judge, or the

Q212 (2023): The Law on Judges ("Official Gazette of RS", No. 10/2023)
Decisions of the Disciplinary Commission
Article 104
After the disciplinary procedure has been carried out, the Disciplinary Commission can reject the proposal for conducting the disciplinary procedure or adopt the proposal and impose a disciplinary measure.
The decision of the Disciplinary Commission from paragraph 1 of this article must be explained.
Against the decision of the Disciplinary Commission, the Disciplinary Prosecutor and the judge against whom the disciplinary proceedings are being conducted may appeal to the High Council of the Judiciary, within eight days from the date of delivery of the decision.
Q212 (2022): Article 36 of the Rulebook on determining the disciplinary responsibility of judges and presidents of courts

Q213 (2025): Irremovability of judges is one of the basic principles proclaimed by the Law on Judges ("Official Gazette of RS", 10/23). Article 3 of the Law on Judges provides that a judge may not be permanently transferred or temporary assigned to another court without his consent, except in cases provided for by the Constitution and this Law.

2. Immovability of the judge
A term
Article 18
A judge has the right to perform judicial function permanently in the court for which he was elected, except in the case prescribed by the Constitution and this law.
Only with his consent can a judge be permanently transferred or temporarily referred from one court to another, or referred to the High
Council of the Judiciary, the ministry responsible for justice, the Judicial Academy or an international organization in the field of justice.
Consent is given in written form and must precede the adoption of a decision on permanent transfer, temporary assignment or assignment.
Permanent relocation
Article 19
A judge may, with his written consent, be permanently transferred to another court of the same type and of the same or lower degree, if there is a need to urgently fill a vacant judge position, which cannot be solved by the election or temporary assignment of a judge, with the consent of the president of both courts.
As an exception to paragraph 1 of this article, a judge may be permanently transferred to another court without his written consent in the event of the abolition of the court or the abolition of the majority of the jurisdiction of the court for which he was elected.
The majority of the court's jurisdiction is revoked if the necessary number of judges in the court is reduced due to a change in the substantive jurisdiction of the court, the establishment of a new court or a change in the area in which the court exercises jurisdiction. In the case referred to in paragraph 2 of this article, a judge may be permanently transferred only to a court of the same level that takes over the jurisdiction of a court that has been abolished or to which the majority of its jurisdiction has been abolished.
If the jurisdiction of the abolished court was taken over by two or more courts, i.e. the predominant jurisdiction of the court was taken over by one or more courts, when making a decision on the permanent transfer of a judge, the High Council of the Judiciary takes into account the residence of the judge, the length of the judge's service and the type of work that the judge performed.
The judge permanently continues to perform the function of judge in the court to which he was transferred.
The decision on permanent transfer is made by the High Council of the Judiciary.
Against the decision on permanent transfer, the judge can file an appeal with the Constitutional Court, which excludes the right to submit a constitutional appeal, within 30 days from the date of receipt of the decision. Temporary referral to another court
Article 20
A judge is temporarily referred to another court where the lack, impediment, exclusion of judges or other reasons make the work of the court difficult.
A judge may be temporarily assigned only to another court of the same type and of the same or immediately lower level, for a maximum of one year, without the possibility of temporary assignment to the same court again.

2. Immovability of the judge
A term
Article 18
A judge has the right to perform judicial function permanently in the court for which he was elected, except in the case prescribed by the Constitution and this law.
Only with his consent can a judge be permanently transferred or temporarily referred from one court to another, or referred to the High Council of the Judiciary, the ministry responsible for justice, the Judicial Academy or an international organization in the field of justice.
Consent is given in written form and must precede the adoption of a decision on permanent transfer, temporary assignment or assignment.
Permanent relocation
Article 19
A judge may, with his written consent, be permanently transferred to another court of the same type and of the same or lower degree, if there is a need to urgently fill a vacant judge position, which cannot be solved by the election or temporary assignment of a judge, with the consent of the president of both courts.
As an exception to paragraph 1 of this article, a judge may be permanently transferred to another court without his written consent in the event of the abolition of the court or the abolition of the majority of the jurisdiction of the court for which he was elected.
The majority of the court's jurisdiction is revoked if the necessary number of judges in the court is reduced due to a change in the substantive jurisdiction of the court, the establishment of a new court or a change in the area in which the court exercises jurisdiction.
In the case referred to in paragraph 2 of this article, a judge may be permanently transferred only to a court of the same level that takes over the jurisdiction of a court that has been abolished or to which the majority of its jurisdiction has been abolished.
If the jurisdiction of the abolished court was taken over by two or more courts, i.e. the predominant jurisdiction of the court was taken over by one or more courts, when making a decision on the permanent transfer of a judge, the High Council of the Judiciary takes into account the residence of the judge, the length of the judge's service and the type of work that the judge performed.
The judge permanently continues to perform the function of judge in the court to which he was transferred.
The decision on permanent transfer is made by the High Council of the Judiciary.
Against the decision on permanent transfer, the judge can file an appeal with the Constitutional Court, which excludes the right to submit a constitutional appeal, within 30 days from the date of receipt of the decision.
Temporary referral to another court
Article 20
A judge is temporarily referred to another court where the lack, impediment, exclusion of judges or other reasons make the work of the court difficult.

ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
This Law regulates the jurisdiction of the Ministry of Justice and the High Prosecutorial Council in terms of Supervision over the implementation of the Act on Administration in the Public Prosecutor's Office. The Ministry of Justice has limited power over the questions regulated by the Act on Administration in the Public Prosecutor's Office regarding supervision. If the deficiencies are not eliminated within the set deadlines, the supervising authority, in this case, the Ministry of Justice, will file a disciplinary report against the chief public prosecutor of the supervised public prosecution.
Disciplinary action
Article 119
Any person may file a disciplinary report against the holder of the public prosecutor's office to the Disciplinary Prosecutor.
The proposal for conducting disciplinary proceedings is submitted by the Disciplinary Prosecutor on the basis of a disciplinary report or ex officio.
Disciplinary proceedings are conducted by the Disciplinary Commission on the proposal of the Disciplinary Prosecutor. The Disciplinary Commission cannot decide beyond the proposal of the Disciplinary Prosecutor.
During the disciplinary proceedings, the Disciplinary Prosecutor may amend or expand the proposal for conducting the disciplinary proceedings, if the presented evidence indicates a change in the factual situation in relation to the submitted proposal or if the holder of the public prosecutor's office whose disciplinary responsibility is determined has committed another disciplinary offense. Disciplinary proceedings are urgent, they are conducted with all the guarantees of a fair trial, without the presence of the public, unless the holder of the public prosecutor's office in relation to whom the disciplinary proceedings are conducted requires that it be public.
Disciplinary proceedings are regulated in more detail by an act of the High Council of the Prosecutor's Office.
Conduct of disciplinary proceedings expires three years after the day when the disciplinary offense was committed and does not expire during the duration of the administrative dispute, i.e. court proceedings related to the initiated disciplinary proceedings and pronounced disciplinary measure.
Supervision over the implementation of the Act on Administration in the Public Prosecutor's Office
Article 46
Supervision over the implementation of the act on administration in the public prosecutor's office is carried out by the High Council of Prosecutors and the ministry responsible for justice.
The High Council of the Prosecution supervises the implementation of the Act on Administration in the Public Prosecution in connection with the tasks referred to in Article 45, paragraph 1, point. 1)-6) and 13), of this law, and the ministry responsible for justice in connection with the affairs from Article 45, paragraph 1, point. 8), 10) and 14) of this law.
The High Prosecution Council and the Ministry responsible for justice jointly supervise the implementation of the Act on Administration in the Public Prosecutor's Office in connection with the tasks referred to in Article 45, paragraph 1, point. 7), 9), 11), 12) and 15) of this law.

Q214 (2024): According to the RULES ON DISCIPLINARY BODIES OF THE HIGH PROSECUTOR'S COUNCIL AND DISCIPLINARY PROCEEDINGS ("Official Gazette of the Republic of Serbia", No. 33/2024), the initiation and conduct of disciplinary proceedings is provided for in Article 26 and stipulates that
Disciplinary proceedings are initiated by the Disciplinary Prosecutor by submitting a proposal for conducting disciplinary proceedings (hereinafter: Proposal) to the Commission, based on a submitted disciplinary report or ex officio.
The Disciplinary Prosecutor may withdraw the Proposal until the Commission has made a decision.
The Disciplinary Prosecutor may not submit a new Proposal based on the same facts.
The Disciplinary Commission may not decide outside the Proposal of the Disciplinary Prosecutor.
Disciplinary proceedings are urgent, conducted with all guarantees of a fair trial, without the presence of the public, unless the holder of the public prosecutor's office against whom the disciplinary proceedings are being conducted requests that the proceedings be public.
Disciplinary proceedings do not constitute an obstacle to conducting other proceedings against the holder of the public prosecutor's office.

ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
This Law regulates the jurisdiction of the Ministry of Justice and the High Prosecutorial Council in terms of Supervision over the implementation of the Act on Administration in the Public Prosecutor's Office. The Ministry of Justice has limited power over the questions regulated by the Act on Administration in the Public Prosecutor's Office regarding supervision. If the deficiencies are not eliminated within the set deadlines, the supervising authority, in this case, the Ministry of Justice, will file a disciplinary report against the chief public prosecutor of the supervised public prosecution.
Disciplinary action
Article 119
Any person may file a disciplinary report against the holder of the public prosecutor's office to the Disciplinary Prosecutor.
The proposal for conducting disciplinary proceedings is submitted by the Disciplinary Prosecutor on the basis of a disciplinary report or ex officio.
Disciplinary proceedings are conducted by the Disciplinary Commission on the proposal of the Disciplinary Prosecutor. The Disciplinary Commission cannot decide beyond the proposal of the Disciplinary Prosecutor.
During the disciplinary proceedings, the Disciplinary Prosecutor may amend or expand the proposal for conducting the disciplinary proceedings, if the presented evidence indicates a change in the factual situation in relation to the submitted proposal or if the holder of the public prosecutor's office whose disciplinary responsibility is determined has committed another disciplinary offense. Disciplinary proceedings are urgent, they are conducted with all the guarantees of a fair trial, without the presence of the public, unless the holder of the public prosecutor's office in relation to whom the disciplinary proceedings are conducted requires that it be public.
Disciplinary proceedings are regulated in more detail by an act of the High Council of the Prosecutor's Office.
Conduct of disciplinary proceedings expires three years after the day when the disciplinary offense was committed, and does not expire during the duration of the administrative dispute, i.e. court proceedings related to the initiated disciplinary proceedings and pronounced disciplinary measure.
Supervision over the implementation of the Act on Administration in the Public Prosecutor's Office
Article 46
Supervision over the implementation of the act on administration in the public prosecutor's office is carried out by the High Council of Prosecutors and the ministry responsible for justice.
The High Council of the Prosecution supervises the implementation of the Act on Administration in the Public Prosecution in connection with the tasks referred to in Article 45, paragraph 1, point. 1)-6) and 13), of this law, and the ministry responsible for justice in connection with the affairs from Article 45, paragraph 1, point. 8), 10) and 14) of this law.
The High Prosecution Council and the Ministry responsible for justice jointly supervise the implementation of the Act on Administration in the Public Prosecutor's Office in connection with the tasks referred to in Article 45, paragraph 1, point. 7), 9), 11), 12) and 15) of this law.
Q214 (2022): Anyone may file a complaint based on which disciplinary proceedings are formally initiated by the SPC disciplinary prosecutor

Q215 (General Comment): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
Disciplinary action
Article 119
Any person may file a disciplinary report against the holder of the public prosecutor's office to the Disciplinary Prosecutor.
The proposal for conducting disciplinary proceedings is submitted by the Disciplinary Prosecutor on the basis of a disciplinary report or ex officio.
Disciplinary proceedings are conducted by the Disciplinary Commission on the proposal of the Disciplinary Prosecutor. The Disciplinary Commission cannot decide beyond the proposal of the Disciplinary Prosecutor.
During the disciplinary proceedings, the Disciplinary Prosecutor may amend or expand the proposal for conducting the disciplinary proceedings, if the presented evidence indicates a change in the factual situation in relation to the submitted proposal or if the holder of the public prosecutor's office whose disciplinary responsibility is determined has committed another disciplinary offense. Disciplinary proceedings are urgent, they are conducted with all the guarantees of a fair trial, without the presence of the public, unless the holder of the public prosecutor's office in relation to whom the disciplinary proceedings are conducted requires that it be public.
Disciplinary proceedings are regulated in more detail by an act of the High Council of the Prosecutor's Office.
Conduct of disciplinary proceedings expires three years after the day when the disciplinary offense was committed, and does not expire during the duration of the administrative dispute, i.e. court proceedings related to the initiated disciplinary proceedings and pronounced disciplinary measure.

Q215 (2025): Disciplinary proceedings against a public prosecutor may be initiated by a written complaint from any person to the Disciplinary Prosecutor, who must examine every complaint, collect evidence, access official files, and, where relevant, seek an opinion from the Ethics Committee. Proceedings are formally opened when the Disciplinary Prosecutor submits a proposal to the Disciplinary Commission, either based on a complaint or ex officio. The procedure is urgent, ensures fair-trial guarantees, and is closed to the public unless the accused prosecutor requests otherwise. The prosecutor concerned has full rights, including access to the file, the right to respond, legal representation, and the right to appeal. If the Disciplinary Prosecutor finds that disciplinary action is needed, he gives his recommendation to the Disciplinary Commission to do so. The Commission holds a hearing, examines evidence, and may request further clarification. It may dismiss the proposal, establish disciplinary responsibility and impose a sanction, or discontinue the case if the proposal is withdrawn, the prosecutor’s function ends, or limitation periods expire. Decisions are reasoned, adopted by majority vote, recorded in the prosecutor’s official file once final, and proceedings are subject to a three-year limitation period, suspended during related court or administrative disputes.
In the second-instance disciplinary procedure, both the Disciplinary Prosecutor and the public prosecutor concerned may file an appeal to the Council within eight days of receiving the first-instance decision. The appeal must specify the challenged decision, grounds and reasons, scope of challenge, and include a signature; the other party may respond within three days. Decisions may be challenged due to procedural violations, incorrect or incomplete establishment of facts, misapplication of substantive law, or the disciplinary sanction imposed. The Council may dismiss the appeal as inadmissible or late, uphold the Commission’s decision, or amend it. A rapporteur from among Council members elected from prosecutors is appointed, decisions are adopted by the prescribed majority, the Minister of Justice does not vote, and the Supreme Public Prosecutor is excluded when his or her responsibility is concerned. The Council must decide within 30 days, issue a decision, and its ruling is final, subject only to an administrative court dispute. Final disciplinary sanctions are recorded in the prosecutor’s personal file and removed after three years, and extraordinary legal remedies are not permitted.

Serbia", No. 33/2024) Powers of the Disciplinary Commission
Article 31
In the procedure for determining the disciplinary liability of the holder of the public prosecutorial function, the Commission may:
1) reject the Proposal as unfounded;
2) adopt the Proposal, declare the holder of the public prosecutorial function responsible for the committed disciplinary offense and impose a disciplinary measure on him/her;
3) suspend the procedure if:
- The disciplinary prosecutor withdraws the Proposal during the procedure;
- the public prosecutorial function of the holder of the public prosecutorial function against whom the procedure is being conducted ceases or
- the statute of limitations for conducting disciplinary proceedings has expired.
The Commission shall make a decision within 15 days of the conclusion of the hearing and shall submit it to the Disciplinary Prosecutor and the holder of the public prosecutorial function whose disciplinary liability is being determined, or to his or her authorized representative.
The Commission shall submit a final decision to the Council for entry in the personal file of the holder of the public prosecutorial function.
If the Commission decides not to initiate proceedings to determine the reasons for the dismissal of the holder of the public prosecutorial function who has been declared liable for a serious disciplinary offence by the Commission's decision, it shall notify the Council of that decision.
Decision-making method of the Disciplinary Commission
Article 32
Decisions of the Commission shall be made by a majority vote of the members of the Commission, of which a special record shall be drawn up and signed by all members of the Commission.
Decisions of the Commission shall be drawn up in the form of a resolution, within 15 days of the date of adoption.
A dissenting opinion of a member of the Commission shall be noted in the minutes of deliberation and voting.
The decision establishing that the holder of the public prosecutor's office is liable for a disciplinary offence shall contain:
1) an introduction, which shall include: the composition of the Commission, the names of the parties and their attorneys, the subject matter of the proceedings and the date of the decision;
2) a factual description of the disciplinary offence;
3) the provisions of the Law and other laws and regulations applied in the disciplinary proceedings, as well as the legal qualification of the disciplinary offence;
4) the disciplinary measure imposed;
5) a decision on the costs of the disciplinary proceedings;

Q215 (2023): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
Disciplinary action
Article 119
Any person may file a disciplinary report against the holder of the public prosecutor's office to the Disciplinary Prosecutor.
The proposal for conducting disciplinary proceedings is submitted by the Disciplinary Prosecutor on the basis of a disciplinary report or ex officio.
Disciplinary proceedings are conducted by the Disciplinary Commission on the proposal of the Disciplinary Prosecutor. The Disciplinary Commission cannot decide beyond the proposal of the Disciplinary Prosecutor.
During the disciplinary proceedings, the Disciplinary Prosecutor may amend or expand the proposal for conducting the disciplinary proceedings, if the presented evidence indicates a change in the factual situation in relation to the submitted proposal or if the holder of the public prosecutor's office whose disciplinary responsibility is determined has committed another disciplinary offense. Disciplinary proceedings are urgent, they are conducted with all the guarantees of a fair trial, without the presence of the public, unless the holder of the public prosecutor's office in relation to whom the disciplinary proceedings are conducted requires that it be public.
Disciplinary proceedings are regulated in more detail by an act of the High Council of the Prosecutor's Office.
Conduct of disciplinary proceedings expires three years after the day when the disciplinary offense was committed, and does not expire during the duration of the administrative dispute, i.e. court proceedings related to the initiated disciplinary proceedings and pronounced disciplinary measure.

Q215 (2022): A disciplinary body at the first instance, and the State Prosecutorial Council at the second instance.

Q216 (General Comment): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
The position of the holder of the public prosecutor's office in disciplinary proceedings
Article 121
The holder of the public prosecutor's office has the right to be immediately presented with a proposal for conducting disciplinary proceedings, to familiarize himself with the case and the evidence, and to provide an explanation and evidence for his allegations himself or through an attorney.
The holder of the office of public prosecutor has the right to present his allegations orally before the Disciplinary Commission.
Rulebook on disciplinary procedure and disciplinary responsibility of public prosecutors and deputy public prosecutors, Article 22, Line 6: The prosecutor whose disciplinary liability is determined has the right to present his allegations orally before the Disciplinary Commission.
Article 24: The prosecutor whose disciplinary liability is determined has the right to:
- be informed about the reasons for initiating the procedure after checking the allegations of the disciplinary report by the Disciplinary Prosecutor;
- become familiar with the subject and accompanying documentation;
- to make a statement about the submitted and expanded Proposal;
- has a representative in all stages of the disciplinary procedure;
- requires that the discussion be public;

Q216 (2024): According to the RULES ON DISCIPLINARY BODIES OF THE HIGH PROSECUTORIAL COUNCIL AND DISCIPLINARY PROCEEDINGS ("Official Gazette of the Republic of Serbia", No. 33/2024) Rights of the holder of the public prosecutorial function whose disciplinary liability is being determined
Article 30
The holder of the public prosecutorial function whose disciplinary liability is being determined has the right to:
1) be informed of the reasons for initiating the procedure;
2) be familiarized with the case and evidence and to provide explanations and evidence for his allegations;
3) state his opinion on the submitted, amended or expanded Proposal;
4) have a proxy at all stages of the disciplinary procedure;
5) request that the hearing be public;
6) appeal the decision of the Disciplinary Commission.

Q216 (2023): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
The position of the holder of the public prosecutor's office in disciplinary proceedings
Article 121
The holder of the public prosecutor's office has the right to be immediately presented with a proposal for conducting disciplinary proceedings, to familiarize himself with the case and the evidence, and to provide an explanation and evidence for his allegations himself or through an attorney.
The holder of the office of public prosecutor has the right to present his allegations orally before the Disciplinary Commission.
Q217 (General Comment): “Professional inadequacy” means if the Public Prosecutor or Deputy Public Prosecutor commits a disciplinary offense if:
- does not make public prosecutorial decisions and does not file regular and extraordinary legal remedies within the prescribed period;
- often misses or is late to scheduled hearings, hearings and other procedural actions in cases assigned to him;
- refuses to perform the tasks and tasks entrusted to him; etc.

Q217 (2025): Three cases were brought to the Disciplinary Prosecutor as violations of Article 114, paragraph 1, point 11 of the Law on Public Prosecutors Office, i.e. as violations of the principle of impartiality and endangerment citizens’ trust in the public prosecutor’s office.
One case was brought to the Disciplinary Prosecutor as a violation of Article 114, paragraph 1, point 8 of the Law on Public Prosecutors Office, i.e. a clear violation of the obligations of proper treatment towards judges in the proceedings, parties, their legal representatives, witnesses, staff or colleagues.
One case was brought to the Disciplinary Prosecutor as a violation of Article 114, paragraph 1, point 8 of the Law on Public Prosecutors Office, i.e. One case was brought to the Disciplinary Prosecutor as a violation of Article 114, paragraph 1, point 14 of the Law on Public Prosecutors Office, i.e. unjustifiable and frequent disrespect of working hours

Q219 (2025): In this reporting period, based on the recommendations from the Disciplinary Prosecutor, the Disciplinary Commission adopted the measure of prohibition of election to the higher prosecutor's office for 3 years in 1 case.
Q219 (2022): Other: ban on promotion for period of 3 years
Q220 (General Comment): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
Decision of the Disciplinary Commission
Article 122
After the disciplinary procedure has been carried out, the Disciplinary Commission can reject the proposal for conducting the disciplinary procedure or adopt the proposal and impose a disciplinary measure.
The decision of the Disciplinary Commission from paragraph 1 of this article must be explained.
Against the decision of the Disciplinary Commission, the Disciplinary Prosecutor and the holder of the public prosecutor's office against whom disciplinary proceedings are being conducted may file an appeal with the High Council of Prosecution, within eight days from the date of delivery of the decision.

Q221 (General Comment): High prosecutorial Concil

Serbia", No. 33/2024) Appeal

Article 34

Against the decision of the Commission, the Disciplinary Prosecutor and the holder of the public prosecutor's office against whom disciplinary proceedings are being conducted may file an appeal with the Council, within eight days from the date of delivery of the decision.

The appeal shall contain:

1) the number and date of the Commission's decision against which the appeal is being filed;

2) the grounds and reasons for the appeal;

3) a statement as to whether the decision is being contested in whole or in part;

4) signature.

The Commission shall submit the appeal together with the attachments to the other party in the proceedings for a response.

The party may, within three days from the date of receipt of the appeal, submit a response to the appeal to the Council.

Grounds for appeal

Article 35

A decision of the Commission may be challenged:

1) due to violations of procedural rules that could have affected the adoption of a lawful and correct decision;

2) due to erroneous or incomplete determination of the factual situation;

3) due to erroneous application of substantive law;

4) due to a decision on a disciplinary measure imposed.

Decisions of the Council upon appeal

Article 36

When deciding upon an appeal, the Council may reject the appeal as untimely, inadmissible or filed by an unauthorized person, confirm the first-instance decision of the Commission or modify the decision.

Method of decision-making by the Council

Article 37

After receiving the appeal, the President of the Council shall appoint a rapporteur from among the members of the Council who are elected from among the public prosecutors.

Decisions of the Council shall be made by a majority vote as prescribed in Article 20, paragraphs 2 and 3 of the Law on the High Prosecutorial Council.

The Minister responsible for justice may not vote in the appeal procedure.

Q221 (2023): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
Decision of the Disciplinary Commission
Article 122
After the disciplinary procedure has been carried out, the Disciplinary Commission can reject the proposal for conducting the disciplinary procedure or adopt the proposal and impose a disciplinary measure.
The decision of the Disciplinary Commission from paragraph 1 of this article must be explained.
Against the decision of the Disciplinary Commission, the Disciplinary Prosecutor and the holder of the public prosecutor's office against whom disciplinary proceedings are being conducted may file an appeal with the High Council of Prosecution, within eight days from the date of delivery of the decision.
Q221 (2022): Appeal can be filed to the State Prosecutorial Council exclusively.

Kosovo*

Q140 (General Comment): The independence of judges is guaranteed in the Constitution of Kosovo, Article 102 [General Principles of the Judicial System]. It stipulates: The judicial power is unique, independent, fair, apolitical and impartial and ensures equal access to the courts. Also fourth paragraph ascertains that judges shall be independent and impartial in exercising their functions. The Law on Courts, Article 4: "Independence and Impartiality of the Courts" 1. The Courts established by this Law shall adjudicate in accordance with the Constitution of the Republic of Kosovo and the applicable Laws in the Republic of Kosovo.
2. Judges while exercising their function and taking decisions shall be independent, impartial, uninfluenced in any way by any natural or legal person, including public bodies.
Q140 (2025): Article 102, paragraphs 2 and 4 of the Constitution of Kosovo stipulate that:
2. The judiciary is unique, independent, fair, apolitical, and impartial, and ensures equal access to courts.
4. Judges, in the exercise of their functions, must be independent and impartial.
Furthermore, based on Article 4, paragraphs 1 and 2 of Law 06/L-054 on Courts, it is established that:
1. Courts established under this law adjudicate in accordance with the Constitution of the Republic of Kosovo and the laws in force in the Republic of Kosovo.
2. Judges, in the exercise of their functions and in making decisions, are independent, impartial, and not influenced in any way by any natural or legal person, including public authorities.
Q140 (2024): Article 102, paragraphs 2 and 4 of the Constitution of Kosovo state that:
The judicial power is unified, independent, fair, apolitical, and impartial, ensuring equal access to the courts.
Judges, in the exercise of their functions, must be independent and impartial.
Additionally, according to Article 4, paragraphs 1 and 2 of Law No. 06/L-054 on Courts:
The courts established under this law adjudicate in accordance with the Constitution of the Republic of Kosovo and the laws in force in the Republic of Kosovo.
Judges, in the exercise of their functions and in making decisions, shall be independent, impartial, and free from any influence by any natural or legal person, including public authorities.

Q140 (2022): The independence of judges is guaranteed in the Constitution of Kosovo, Article 102 [General Principles of the Judicial System]. It stipulates: The judicial power is unique, independent, fair, apolitical and impartial and ensures equal access to the courts. Also fourth paragraph ascertains that judges shall be independent and impartial in exercising their functions. The Law on Courts, Article 4: "Independence and Impartiality of the Courts" 1. The Courts established by this Law shall adjudicate in accordance with the Constitution of the Republic of Kosovo and the applicable Laws in the Republic of Kosovo.
2. Judges while exercising their function and taking decisions shall be independent, impartial, uninfluenced in any way by any natural or legal person, including public bodies.

Q141 (2025): Article 109 of Constitution [State Prosecutor]
1. The State Prosecutor is an independent institution with authority and responsibility for the prosecution of persons charged with committing criminal acts and other acts specified by law. 2. The State Prosecutor is an impartial institution and acts in accordance with the Constitution and the law. 3. The organization, competencies and duties of the State Prosecutor shall be defined by law. 4. The State Prosecutor shall reflect the multiethnic composition of the Republic of Kosovo and shall respect the principles of gender equality. 5. The mandate for prosecutors shall be three years. The reappointment mandate is permanent until the retirement age as determined by law or unless removed in accordance with law. 6. Prosecutors may be removed from office upon conviction of a serious criminal offense or for serious neglect of duties. 7. The Chief State Prosecutor shall be appointed and dismissed by the President of the Republic of Kosovo upon the proposal of the Kosovo Prosecutorial Council. The mandate of the Chief State Prosecutor is seven (7) years, without the possibility of reappointment.
Article 110 of Constitution [Kosovo Prosecutorial Council]
The Kosovo Prosecutorial Council is a fully independent institution in the performance of its functions in accordance with law. The Kosovo Prosecutorial Council shall ensure that all persons have equal access to justice. The Kosovo Prosecutorial Council shall ensure that the State Prosecutor is independent, professional and impartial and reflects the multiethnic nature of Kosovo and the principles of gender equality. 2. The Kosovo Prosecutorial Council shall recruit, propose, promote, transfer, reappoint and discipline prosecutors in a manner provided by law. The Council shall give preference for appointment as prosecutors to members of underrepresented Communities as provided by law. All candidates shall fulfill the selection criteria as provided by law. 3. Proposals for appointments of prosecutors must be made on the basis of an open appointment process, on the basis of the merit of the candidates, and the proposals shall reflect principles of gender equality and the ethnic composition of the relevant territorial jurisdiction. 4. The composition of Kosovo Prosecutorial Council, as well as provisions regarding appointment, removal, term of office, organizational structure and rules of procedure, shall be determined by law. Article 4 of Law on State Prosecutor
Independence and Impartiality of State Prosecutor
1. The State Prosecutor is an independent institution that exercises its functions in an impartial manner.
2. The State Prosecutor and each prosecutor ensures equal, objective and unbiased treatment for all persons before the law, without any discrimination, by respecting the fundamental human rights and freedoms determined by the Constitution, legislation into force and international conventions.
3. It shall be unlawful for any natural or legal person to interfere with, obstruct, influence or attempt to interfere with or influence the State Prosecutor in the performance of its prosecutorial functions related to any individual investigation, proceeding or case.
Q149 (2025): The KJC has established the Advisory Committee on Judicial Ethics, where all judges have the right to request opinions on matters related to ethics.
Q149 (2024): The KJC has established the Advisory Committee on Judicial Ethics, where all judges have the right to seek opinions on issues related to ethics.
Q149 (2022): KJC has approved the Code of Ethics for Judges, which contains guidelines and rules of conduct for judges

Q150 (2025): The Advisory Committee on Judicial Ethics – refers to the group composed of judges selected by the Council, who provide guidance on how to handle situations or future behaviours that may be considered contrary to the Code of Professional Ethics for Judges.
Q150 (2024): This Committee will assist judges by providing information and advice on ethical questions or issues identified for interpretation in relation to the Code of Professional Ethics for Judges and the Law on Disciplinary Procedure for Judges and Prosecutors.
The Committee will serve as a platform where judges can seek guidance on how to handle future situations or behaviors that may be considered contrary to the Code of Professional Ethics for Judges.
The work of the Committee and the disciplinary process are separate and independent from each other. The opinions of the Advisory Committee on Judicial Ethics are given regarding future situations or behaviors that may be considered contrary to the Code of Professional Ethics for Judges, as opposed to the disciplinary process, which involves investigations and possible hearings to review and resolve complaints about alleged unethical conduct of judges in the past.
Q151 (2025): During 2025, the Committee issued two opinions:
1. The party that submitted the request for an advisory opinion for judges regarding the prioritization of court cases related to the rights and obligations associated with individuals with disabilities was the Executive Director of the NGO HENDIKOS.
In this case, the Committee clarified that it has the mandate to provide advice and opinions only for judges and does not have the mandate to issue opinions for other entities outside the judiciary, as was the case here.
2. The request was submitted by a judge, who asked for an advisory opinion regarding the question: “Is the rule of case processing in order of arrival violated for a non-priority case if such a case is sent to mediation proceedings based on the parties’ proposal?”
In this case, the Committee responded by stating that there was no need to issue an opinion, as this matter is already regulated by law.
Q152 (2025): During 2024 KPC has established an Advisory Committee on Ethics Issues.

Q152 (2024): During 2024 KPC has established an Advisory Committee on Ethics Issues.
1. The Commission is tasked with providing consistent opinions to prosecutors on ethical questions or dilemmas.
2. The work of the Commission and the disciplinary process are separate and independent from each other. The Commission's opinions are given regarding future situations or conduct that may be considered contrary to the Code of Ethics, as opposed to the disciplinary process, which includes investigations and possible hearings that review and resolve complaints about alleged unethical conduct of prosecutors in the past.
3. The Commission's opinions are not binding, but may be taken into account in determining the degree of responsibility for ethical violations.
1. The prosecutors who will serve on the Commission shall be elected by the Council.
2. The Commission shall consist of three (3) members, two (2) of whom shall be proposed by the Office of Chief State Prosecutor and one (1) member shall be proposed by the Appellate Prosecutor's Office, while the two reserve members shall be proposed: one (1) by the Office of Chief State Prosecutor and one (1) by the Appellate Prosecutor's Office.
5. Members to serve on this Commission must meet the following criteria:
5.1. have a high professional reputation;
5.2. have high moral integrity and professional ethics;
5.3. not be currently the subject of a disciplinary investigation; and
5.4. not have been subject to a disciplinary sanction within the last five (5) years.
Their mandate in this Commission is 3 years with a possibility for re-election for 1 more term.

Q153 (2025): Prosecutors who will serve in the Commission are elected by the Council.
The commission consists of three (3) members, two (2) of whom are elected by the Office of the Chief State Prosecutor (OCSP) and one (1) member from the Appellate Prosecution, while the two reserve members are elected: one (1) by the OCSP and one (1)) from the Appellate Prosecution. The Chairman of the Commission is appointed by the decision of the Council, from among the prosecutors of the OCSP.
Members to serve in this Commission must meet the following criteria:
- Have a high professional reputation;
- Have high moral integrity and professional ethics;
- Not currently be subject to a disciplinary investigation and
- Not to have a disciplinary sanction imposed during the last five (5) years.

The mandate of the members of this Commission is three (3) years with the possibility of re-election for another term

Q154 (2025): The work of this commission is regulated by Regulation no. 01/2023 on the Advisory committee on ethics issues for prosecutors. The Commission is tasked with providing consistent opinions to prosecutors regarding ethical questions or dilemmas.
The work of the Commission and the disciplinary process are separate and independent from each other. The Commission's opinions are given regarding future situations or behaviours that may be considered contrary to the Code of Ethics, as opposed to the disciplinary process, which includes investigations and possible hearings that examine and resolve complaints about the alleged unethical behaviours of prosecutors in the past.
The Commission's opinions are not obligatory, but may be taken into account for determining the degree of responsibility for ethical violations.
Requests for opinions regarding situations or behaviours that may be considered contrary to the Code of Ethics may be addressed to the Commission , as follows, by: 1. 1. The Prosecutorial Council and its bodies;
1.2. Chief prosecutors and
1.3. Prosecutors of all levels of prosecutions.
The procedure for giving the opinion
The Commission may reject the request for the provision of an advisory opinion if it finds that:
1.1. The request is unfounded;
1.2. The request was submitted in relation to the alleged unethical behaviour of prosecutors, which is dealt with under the Law on Disciplinary Responsibility for Judges and Prosecutors.
The Commission may request additional information and clarifications from the applicant, if the same is incomplete or unclear, and the applicant is obliged to act within the period of 5 (five) days from the notification.
If the applicant does not act within the deadline defined in paragraph 2 of this article, the Commission rejects the applicant's request.
The Commission issues an opinion no later than 30 days from the day of receipt of the request.
The Commission can issue advisory opinions on its own initiative on matters of general interest for ethics for prosecutors.
The publication of the opinion is done in accordance with the Regulation on Access to Public Documents, while the applicant's file is confidential.
Q154 (2024): There are no opinions published yet because this is a newly established body and there are no opinions provided yet. However, such opinions, when offered, will be published.
Q155 (2025): No opinions are yet published or issued.
Q156 (2022): According to the Code of Criminal Procedure of Kosovo, party can request the dismissal of the judge as soon as he has learned about the existence of reasons for dismissal, and this request can be exercised directly in a court session or through a complaint, in cases where the judge may have a family relationship with any party in the procedure or when he suspects that the same cannot be impartial in the exercise of his function.
Q157 (General Comment): In civil procedure, this matter is regulated by Article 68.1 of the Law on Contested Procedure, which states that a party must submit a request for the disqualification of a judge as soon as they become aware of any grounds for disqualification, but no later than the conclusion of the hearing on the case. If no hearing has taken place, the request must be submitted before the issuance of the meritorious decision.
In criminal procedure, this is regulated by Articles 39 and 40 of the Criminal Procedure Code. Article 39 stipulates that a judge must submit a request to the President of the Court if they determine that grounds for disqualification exist. Article 40 outlines the parties' right to request the disqualification of judges.

Q157 (2025): : In civil proceedings, this matter is regulated under Article 68.1 of the Law on Contested Procedure, according to which a party submits a request for the disqualification of a judge as soon as it becomes aware that any of the grounds for disqualification exist, but no later than the conclusion of the case examination; if no examination has taken place, then by the moment of the issuance of the final decision.
In criminal proceedings, it is regulated under Articles 39 and 40 of the Code of Criminal Procedure, where Article 39 provides for a judge's request to the president of the court if they determine that grounds for disqualification exist, while Article 40 regulates the parties' requests for the disqualification of judges.
Q157 (2024): In civil procedure, this matter is regulated by Article 68.1 of the Law on Contested Procedure, which states that a party must submit a request for the disqualification of a judge as soon as they become aware of any grounds for disqualification, but no later than the conclusion of the hearing on the case. If no hearing has taken place, the request must be submitted before the issuance of the meritorious decision.
In criminal procedure, this is regulated by Articles 39 and 40 of the Criminal Procedure Code. Article 39 stipulates that a judge must submit a request to the President of the Court if they determine that grounds for disqualification exist. Article 40 outlines the parties' right to request the disqualification of judges.
The number provided includes cases which the party, or the judge has requested recusal of the judge from the case.
Q159 (2025): The system records every action undertaken within the system.
Q160 (2025): Specific circumstances may include:
1. The judge to whom the case has been assigned has been suspended from duty due to the imposition of a disciplinary measure or is under criminal prosecution;
2. The judge to whom the case has been assigned is unavailable and urgent action is required in that case;
2. Other circumstances that ensure the interests of justice.
Q161 (2025): Judge on long leave / judge no longer works at the court: 1947
Retirement of the judge : 632
Suspension of the judge : 4
Assignment / distribution of cases to a new judge: 13 795
Other: 10 575, In this category of reassignment are cases reassigned with the KJC decision for the old cases. The KJC has approved a strategy for reducing backlogs. Part of the strategy plan was to reassign backlogs to judges, with the aim of equally burdening judges with backlogs and giving them priority for resolution.
Q162 (2025): The President of the court, in a decision on the assignment or reassignment made based on the specific circumstances referred to in Question 160, shall provide the reasoning for the reassignment.

Q165 (2025): Regarding the disciplinary aspect, violations and measures are specified in Articles 8 and 9 of the relevant KJC regulation, attached via the link: https://www.gjyqesori-rks.org/wp-content/uploads/lgsl/42751_KGJK_Rregullore_Nr_03_2024_per_Proceduren_Disiplinore_per_Nenpunesit_ne_Administraten_Sistemit_Gjyqesor.pdf Other acts for the judicial administration include: Administrative Instruction No. 01/2024 on protocol in the judicial system of Kosovo, as well as the Code of Dress and Presentation in the workplace in the judicial system of Kosovo
LAW NO. 06/L-011 ON THE PREVENTION OF CONFLICTS OF INTEREST IN THE EXERCISE OF PUBLIC FUNCTIONS

Q168 (General Comment): Other items as described in the form of Declaration of Assets
Others mean: any other function that the Judge might be engaged; and his/her financial debt to any legal or natural person. Law on declaration, origin and control of assets and gifts, Articles 6 and 25.

Q168 (2025): For further reference, see Article 6 of the Law No. 08/L-108 on the Declaration, Origin, and Control of Property and Gifts.
Q168 (2024): Further elaboration can be found in the Law on declaration, origin and control of assets and gifts, Articles 6 and Article 25.
Q168 (2023): Further elaboration can be found in the Law on declaration, origin and control of assets and gifts, Articles 6 and Article 25.
Q168 (2022): Further elaboration can be found in the Law on declaration, origin and control of assets and gifts, Articles 6 and Article 25.

Q169 (General Comment): According to the Article 7 of the Law on declaration of assets:
The declaration of assets by the declaring entities is made in the following cases:
1.1. declaration upon assumption of duty;
1.2. regular annual declaration;
1.3. declaration after termination or dismissal from public office.
2. In cases where the declaring subject moves from one declaring position to another declaring position, there is no obligation to make the declaration upon taking office. The same should only make the declaration regular annual as provided by this law.
Other: at the request by the Anti-Corruption Agency
Q169 (2024): According to the Article 7 of the Law on declaration of assets:
The declaration of assets by the declaring entities is made in the following cases:
1.1. declaration upon assumption of duty;
1.2. regular annual declaration;
1.3. declaration after termination or dismissal from public office.
2. In cases where the declaring subject moves from one declaring position to another declaring position, there is no obligation to make the declaration upon taking office. The same should only make the declaration regular annual as provided by this law.
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1.1. declaration upon assumption of duty;
1.2. regular annual declaration;
1.3. declaration after termination or dismissal from public office.
2. In cases where the declaring subject moves from one declaring position to another declaring position,
there is no obligation to make the declaration upon taking office. The same should only make the declaration
regular annual as provided by this law.
Q170 (General Comment): According to Article 14 of the Law on Declaration of Assets:
Declaring subjects are obliged to declare the assets of the family members with whom he lives in a family community.
2.The family members for whom the declaring entity declares the assets, are as follows:
2.1. spouse;
2.2. extramarital spouse;
2.3. parents; and
2.4. children.
Other family members: parents who live in the same household
Regarding children, the declaration concerns children with whom he/she lives in the same household
Q170 (2025): In accordance to the Law No. 08/L-108, Article 14, on the Declaration, Origin, and Control of Property and Gifts, this declaration concerns family members, including spouses, extramarital partners, parents and children so long as they live in the same household.
Q170 (2024): According to Article 14 of the Law on Declaration of Assets:
Declaring subjects are obliged to declare the assets of the family members with whom he lives in a family community.
2.The family members for whom the declaring entity declares the assets, are as follows:
2.1. spouse;
2.2. extramarital spouse;
2.3. parents; and
2.4. children.
Q170 (2023): According to Article 14 of the Law on Declaration of Assets:
Declaring subjects are obliged to declare the assets of the family members with whom he lives in a family community.
2.The family members for whom the declaring entity declares the assets, are as follows:
2.1. spouse;
2.2. extramarital spouse;
2.3. parents; and
2.4. children.

Q170 (2022): According to Article 14 of the Law on Declaration of Assets:
Declaring subjects are obliged to declare the assets of the family members with whom he lives in a family community.
2.The family members for whom the declaring entity declares the assets, are as follows:
2.1. spouse;
2.2. extramarital spouse;
2.3. parents; and
2.4. children.
Q173 (General Comment): The Agency verifies the content of each asset declaration. "Unexplained financial discrepancies ": article 18 § 11 of the Law on declaration, origin and control of assets and gifts refers to the control of discrepancies in the data of the assets from the previous year. Besides, § 2 of article 18 specifies that the control of the declarations implies also checking data against information from previous forms.
Q174 (2025): Yes. A register of asset declarations is established and maintained through an electronic asset declaration system, in accordance with Article 11 of Law No. 08/L-108 on Asset Declaration.

Q174 (2024): In the Agency for Prevention of Corruption
Q175 (General Comment): It is published on the Website of the Anti-Corruption Agency and in the internal database of the Agency

Q176 (General Comment): According to the Law on declaration, origin and control of assets and gifts, Article 28:
The Agency is competent to impose punitive measure against the declaring entities in the following cases:
1.1. failure to file the regular annual declaration of assets upon appointment under Article 8 of this Law;
1.2. failure to file the regular annual declaration of assets under Article 9 of this Law;
1.3. failure to file the regular annual declaration of assets upon termination of the mandate
under Article 10 of this Law;
1.4. failure to comply with the request of the Agency for providing information or other supporting documents, under Article 19 of this Law.
2. The Agency shall impose, after the expiration of the term, a fine on each declaring entity who fails to fulfil their duties under sub-paragraphs 1.1 to 1.4 of this Article.
3. The fine imposed pursuant to paragraph 2 of this Article shall be imposed in the rate of up to thirty percent (30%) of the net monthly salary of the declaring entity, but in no case shall this amount exceed the threshold of five hundred (500) Euro.
4. In case the declaring entity does not fulfil the obligation, even after the imposition of the fine, but not later than fifteen (15) calendar days from the day when they had to fulfil the obligation under paragraphs 1.1 to 1.4 of this Article, then the Agency shall file a criminal report with the relevant prosecution office.
5. The court, in case of sanctioning the declaring entity in criminal proceedings, shall take into consideration the fine imposed by the Agency. According to Criminal Code:
Article 430
Failure to report or falsely reporting property, revenue/income, gifts, other material benefits or financial obligations
1. Any person, obligated by law to file a declaration of property, income, gifts, other material benefits or financial obligations, who fails to do so, shall be punished by a fine or by imprisonment of up to three (3) years. The offense in paragraph 1. of this Article is deemed committed when the deadline for filing the declaration has passed and no report has been filed.
2. Any person, obligated by law to file a declaration of property, income, gifts, other material benefits or financial obligations, who falsifies or omits data or required information on the required declaration shall be punished by a fine and imprisonment of six (6) months to five (5) years. Fines imposed under this Article may be daily and may be imposed until the perpetrator complies with the final order, ruling, decision or judgment that is the subject of the action.
3. The value of the non-reported or the falsely reported property, income, gifts, or other material benefits shall be confiscated.
Q176 (2025): After the expiration of the legally prescribed deadline, the Agency shall impose a fine on each declaring entity that fails to fulfil its obligations within the time frame provided by law. If the obligated person continues to fail to submit the asset declaration after the fine has been imposed, the Agency shall file a criminal complaint with the competent prosecution office.
Q176 (2024): For a delay in declaration, a fine of 30% of the payment is imposed.
For inaccuracies up to 3,000 euros, a warning is issued.
For inaccuracies exceeding 3,000 euros, a criminal complaint is prepared.

Q176 (2023): According to the Law on declaration, origin and control of assets and gifts, Article 28:
The Agency is competent to impose punitive measure against the declaring entities in the following cases:
1.1. failure to file the regular annual declaration of assets upon appointment under Article 8 of this Law;
1.2. failure to file the regular annual declaration of assets under Article 9 of this Law;
1.3. failure to file the regular annual declaration of assets upon termination of the mandate
under Article 10 of this Law;
1.4. failure to comply with the request of the Agency for providing information or other supporting documents, under Article 19 of this Law.
2. The Agency shall impose, after the expiration of the term, a fine on each declaring entity who fails to fulfil their duties under sub-paragraphs 1.1 to 1.4 of this Article.
3. The fine imposed pursuant to paragraph 2 of this Article shall be imposed in the rate of up to thirty percent (30%) of the net monthly salary of the declaring entity, but in no case shall this amount exceed the threshold of five hundred (500) Euro.
4. In case the declaring entity does not fulfil the obligation, even after the imposition of the fine, but not later than fifteen (15) calendar days from the day when they had to fulfil the obligation under paragraphs 1.1 to 1.4 of this Article, then the Agency shall file a criminal report with the relevant prosecution office.
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2. Any person, obligated by law to file a declaration of property, income, gifts, other material benefits or financial obligations, who falsifies or omits data or required information on the required declaration shall be punished by a fine and imprisonment of six (6) months to five (5) years. Fines imposed under this Article may be daily and may be imposed until the perpetrator complies with the final order, ruling, decision or judgment that is the subject of the action.
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The Agency is competent to impose punitive measure against the declaring entities in the following cases:
1.1. failure to file the regular annual declaration of assets upon appointment under Article 8 of this Law;
1.2. failure to file the regular annual declaration of assets under Article 9 of this Law;
1.3. failure to file the regular annual declaration of assets upon termination of the mandate
under Article 10 of this Law;
1.4. failure to comply with the request of the Agency for providing information or other supporting documents, under Article 19 of this Law.
2. The Agency shall impose, after the expiration of the term, a fine on each declaring entity who fails to fulfil their duties under sub-paragraphs 1.1 to 1.4 of this Article.
3. The fine imposed pursuant to paragraph 2 of this Article shall be imposed in the rate of up to thirty percent (30%) of the net monthly salary of the declaring entity, but in no case shall this amount exceed the threshold of five hundred (500) Euro.
4. In case the declaring entity does not fulfil the obligation, even after the imposition of the fine, but not later than fifteen (15) calendar days from the day when they had to fulfil the obligation under paragraphs 1.1 to 1.4 of this Article, then the Agency shall file a criminal report with the relevant prosecution office.
5. The court, in case of sanctioning the declaring entity in criminal proceedings, shall take into consideration the fine imposed by the Agency. According to Criminal Code:
Article 430
Failure to report or falsely reporting property, revenue/income, gifts, other material benefits or financial obligations
1. Any person, obligated by law to file a declaration of property, income, gifts, other material benefits or financial obligations, who fails to do so, shall be punished by a fine or by imprisonment of up to three (3) years. The offense in paragraph 1. of this Article is deemed committed when the deadline for filing the declaration has passed and no report has been filed.
2. Any person, obligated by law to file a declaration of property, income, gifts, other material benefits or financial obligations, who falsifies or omits data or required information on the required declaration shall be punished by a fine and imprisonment of six (6) months to five (5) years. Fines imposed under this Article may be daily and may be imposed until the perpetrator complies with the final order, ruling, decision or judgment that is the subject of the action.
3. The value of the non-reported or the falsely reported property, income, gifts, or other material benefits shall be confiscated.
Q177 (2025): During the reporting period of 2025, 133 judges were randomly selected for full verification of their asset declarations through the electronic system. 30 cases have been completed with no violations found and therefore no sanctions imposed. Three cases are still under verification, and the outcome or potential sanctions are not yet determined.

Q177 (2024): There has been only one case where a judge was sanctioned with a fine for delayed reporting.
Q179 (General Comment): Article 6 of the Law on declaration, origin and control of assets and gifts.
Q179 (2025): For further reference, see Article 6 of the Law No. 08/L-108 on the Declaration, Origin, and Control of Property and Gifts.
Q179 (2023): Article 6 of the Law on declaration, origin and control of assets and gifts

Q180 (General Comment): Article 7 of the Law on declaration, origin and control of assets and gifts.
"Other": Annual declarations of assets, declarations of assets at the request of the Anti-Corruption Agency, declarations of assets after the end of the mandate or dismissal.

Q180 (2024): The declaration of assets by the declaring entities shall be made on the occasion as follows:
1.1. declaration when taking office;
1.2. regular annual declaration;
1.3. declaration after termination or dismissal from public office
Q180 (2023): The declaration of assets by the declaring entities shall be made on the occasion as follows:
1.1. declaration when taking office;
1.2. regular annual declaration;
1.3. declaration after termination or dismissal from public office

Q181 (General Comment): Article 14 of the Law on declaration, origin and control of assets and gifts.
Other family members:
Parents who live in the same household
Adult children who live in the same household
Q181 (2025): In accordance to Law No. 08/L-108, Article 14, on the Declaration, Origin, and Control of Property and Gifts, this declaration concerns family members, including spouses, extramarital partners, parents and children so long as they live in the same household.
Q186 (General Comment): It is published on the website of the Anti-Corruption Agency and also in the internal database of the Agency
Q186 (2024): In the webpage of the Agency for Prevention of Corruption
Q187 (General Comment): According to Article 430 of the Criminal Code “Failure to report or falsely report assets, income, gifts, other material benefits or financial obligations 1. Any person who by law is obliged to declare assets, income, gifts, other property benefit or financial obligations, and who does not do so, is punished by a fine or by imprisonment of up to three (3) years. The criminal offense from paragraph 1. of this Article is considered to have been committed when the statement is not submitted within the deadline for submission of the statement. "

Q187 (2022): According to Article 430 of the Criminal Code “Failure to report or falsely report assets, income, gifts, other material benefits or financial obligations 1. Any person who by law is obliged to declare assets, income, gifts, other property benefit or financial obligations, and who does not do so, is punished by a fine or by imprisonment of up to three (3) years. The criminal offense from paragraph 1. of this Article is considered to have been committed when the statement is not submitted within the deadline for submission of the statement. "
Q188 (2025): In 2025, 54 prosecutors were randomly selected for full verification of their asset declaration through the electronic system. All cases have been completed with no violations detected and no sanctions imposed.
Q189 (General Comment): According to Law No. 06/L-011 on Prevention of Conflict of Interest in Discharge of a Public Function, the Agency for Prevention of Corruption is the central authority and responsible for supervising the implementation of the provision of this law. The law itself regulates the whole procedures of conflict of interest, the identification of conflict of interest and the source of information, the obligation for prevention and resolutions of conflict of interest, restrictions on high officials in the exercise of other activities in addition to a public function, Incompatibility with the discharge of public functions etc. Article 20, par. 3 of the Law on Prevention of Conflict of Interest in Discharge of a Public Function stipulates that: Institutions within their internal regulations, prescribe and implement specific rules in order to prevent conflict of interest, depending on the field of activity of such institution.

Q189 (2025): Law No. 06/L – 057 on Disciplinary Responsibility of Judges and Prosecutors, in Article 5, paragraph 1, point 1.3, also defines as a disciplinary violation the cases when a judge fails to perform his duties intentionally or due to gross negligence. In point 2.6, a violation of this nature is foreseen in cases where a judge does not report potential recusal situations as required by law. Furthermore, the procedures regarding complaints, investigations, and disciplinary proceedings are regulated by Chapter III of Law No. 06/L – 057 on the Disciplinary Responsibility of Judges and Prosecutors.

Q189 (2024): According to Law No. 06/L-011 on Prevention of Conflict of Interest in Discharge of a Public Function, the Agency for Prevention of Corruption is the central authority and responsible for supervising the implementation of the provision of this law. The law itself regulates the whole procedures of conflict of interest, the identification of conflict of interest and the source of information, the obligation for prevention and resolutions of conflict of interest, restrictions on high officials in the exercise of other activities in addition to a public function, Incompatibility with the discharge of public functions etc. In violation of Article 20 par. 3 of the Law on Prevention of Conflict of Interest in Discharge of a Public Function, institutions within their internal regulations, prescribe and implement specific rules in order to prevent conflict of interest, depending on the field of activity of such institution.
Additionally, this law in Article 5, paragraph 1, point 1.3, defines as a disciplinary violation cases where a judge breaches their duties, whether committed intentionally or through gross negligence. Furthermore, point 2.6 classifies as a violation of this nature the failure of a judge to report possible disqualification cases from a procedure when required by law. Additionally, the procedures related to complaints, investigations, and disciplinary proceedings are regulated under Chapter III of Law No. 06/L-057 on the Disciplinary Responsibility of Judges and Prosecutors.
For more details, you can access the law through the following link: https://gzk.rks-gov.net/ActDetail.aspx?ActID=18336.
Q189 (2023): According to Law No. 06/L-011 on Prevention of Conflict of Interest in Discharge of a Public Function, the Anti-Corruption Agency is the central authority and responsible for supervising the implementation of the provision of this law. The law itself regulates the whole procedures of conflict of interest, the identification of conflict of interest and the source of information, the obligation for prevention and resolutions of conflict of interest, restrictions on high officials in the exercise of other activities in addition to a public function, Incompatibility with the discharge of public functions etc. In violation of Article 20 par. 3 of the Law on Prevention of Conflict of Interest in Discharge of a Public Function, institutions within their internal regulations, prescribe and implement specific rules in order to prevent conflict of interest, depending on the field of activity of such institution.
Q190 (2025): Pursuant to Law No. 06/L-054 on Courts:
1. Judges, with prior approval from the Council, are entitled to participate in professional organizations and scientific meetings that promote judicial independence and safeguard the professional interests of judges.
2. Judges, with the approval of the Presidents of Courts, and Presidents, with the approval of the Council, may engage in such activities only outside of official working hours, provided that the activities comply with the Code of Ethics and Professional Conduct for judges.
3. In accordance with the Code of Ethics and Professional Conduct, judges may undertake professional and scientific writing; however, they are prohibited from publishing content derived from judicial files during or after their tenure, unless expressly authorized by law or by a sub-legal act issued by the Council.
4. Judges may receive remuneration for the activities described in this article, which shall not exceed twenty-five percent (25%) of their base salary. Judges must notify the President of their Court regarding such remuneration, while Court Presidents must notify the Council.

Q190 (2024): Based on Law No. 06/L-054 on Courts:
Judges, with prior approval from the Council, have the right to participate in professional organizations and scientific meetings that promote judicial independence and protect the professional interests of judges.
Judges, with the approval of Court Presidents, and Court Presidents with the approval of the Council, may participate in activities outside of working hours, provided these activities comply with the Code of Ethics and Professional Conduct for Judges.
In accordance with the provisions of the Code of Ethics and Professional Conduct for Judges, judges may engage in professional and scientific writing. However, they are not permitted to publish the relevant content of judicial case files during or after their judicial tenure unless expressly allowed by law or a bylaw issued by the Council.
For the activities outlined in this article, judges may receive compensation, which must not exceed twenty-five percent (25%) of their base salary. Judges must notify the Court President of such compensation, while Court Presidents must inform the Council.
Q192 (2025): For judges, the approval of the President of the respective Court is required, whereas for the President of the Court, the approval of the High Judicial Council (HJC) is required.

Q192 (2024): For a judge, the approval of the respective Court President is required, whereas for the Court President, the approval of the KJC (Kosovo Judicial Council) is needed.

Administrative Procedures of the Agency in Cases of Conflict of Interest

1. The procedure shall begin at the Agency:

1.1. ex officio;

1.2. at the request of a senior official;

1.3. at the request of the official and following the approval by the employing institution;

1.4. at the request of the institution;

1.5. on basis of reporting by another person or on basis of anonymous information.

2. The procedure on conflict of interest in the Agency cannot be initiated if two (2) years have passed from the date the act has taken place, unless otherwise provided by law.

3. The Agency shall notify the reporting person within a period of fifteen (15) days for further processing of the information.

4. In case of based suspicion on existence of a conflict of interest, the Agency shall immediately initiate the procedure to establish whether there is a conflict of interest and its consequences.

5. The Agency shall inform the senior official and the official person in cases defined under Article 21, paragraph 1., sub-paragraph 1.5. of the present law, about the initiation of administrative procedure and upon his request shall notify him about the facts held by the Agency.

6. The Agency procedure is confidential. The Agency shall only make known the final results of the conducted procedure.

7. If after selection, appointment, or after the confirmation of mandate, the official continues to exercise an activity or a function which in accordance with this law is not compatible with the new function, the Agency shall inform the official and the employing institution that he must either quit this activity or resign from the function within seven (7) days.

8. In case the official continues to exercise activities or functions that are incompatible in accordance with this law, regardless of warnings by the Agency, the Agency shall request the employing institution to initiate a procedure for dismissing the official.

9. The institution, where the official continues to exercise a function or an activity, which is incompatible in accordance with the present law, shall initiate the procedure for dismissal from function upon the request of the Agency.

10. When a Member of the Assembly exercises activities that are incompatible in accordance with the present Law, the Agency shall notify the Chairman of the Assembly and shall request initiation of legal procedures against him.

11. The competent authorities shall notify the Agency of the action undertaken by them within fifteen (15) days of receiving notice.

12. All decisions issued by the Agency regarding a conflict of interest in discharge of public office and breach of the provisions of this law, including prohibited or restricted acts during the exercise of public functions, the exercise of other activities, incompatibilities in the exercise of public function, shall be respected by officials and relevant institutions. They shall be published on the official website of the Agency.

Q196 (2022): The procedure is regulated in Article 22 of the Law on prevention of conflict of interest. Article 22
Administrative Procedures of the Agency in Cases of Conflict of Interest
1. The procedure shall begin at the Agency:
1.1. ex officio;
1.2. at the request of a senior official;
1.3. at the request of the official and following the approval by the employing institution;
1.4. at the request of the institution;
1.5. on basis of reporting by another person or on basis of anonymous information.
2. The procedure on conflict of interest in the Agency cannot be initiated if two (2) years have passed from the date the act has taken place, unless otherwise provided by law.
3. The Agency shall notify the reporting person within a period of fifteen (15) days for further processing of the information.
4. In case of based suspicion on existence of a conflict of interest, the Agency shall immediately initiate the procedure to establish whether there is a conflict of interest and its consequences.
5. The Agency shall inform the senior official and the official person in cases defined under Article 21, paragraph 1., sub-paragraph 1.5. of the present law, about the initiation of administrative procedure and upon his request shall notify him about the facts held by the Agency.
6. The Agency procedure is confidential. The Agency shall only make known the final results of the conducted procedure.
7. If after selection, appointment, or after the confirmation of mandate, the official continues to exercise an activity or a function which in accordance with this law is not compatible with the new function, the Agency shall inform the official and the employing institution that he must either quit this activity or resign from the function within seven (7) days.
8. In case the official continues to exercise activities or functions that are incompatible in accordance with this law, regardless of warnings by the Agency, the Agency shall request the employing institution to initiate a procedure for dismissing the official.
9. The institution, where the official continues to exercise a function or an activity, which is incompatible in accordance with the present law, shall initiate the procedure for dismissal from function upon the request of the Agency.
10. When a Member of the Assembly exercises activities that are incompatible in accordance with the present Law, the Agency shall notify the Chairman of the Assembly and shall request initiation of legal procedures against him.
11. The competent authorities shall notify the Agency of the action undertaken by them within fifteen (15) days of receiving notice.
12. All decisions issued by the Agency regarding a conflict of interest in discharge of public office and breach of the provisions of this law, including prohibited or restricted acts during the exercise of public functions, the exercise of other activities, incompatibilities in the exercise of public function, shall be respected by officials and relevant institutions. They shall be published on the official website of the Agency.
Q197 (General Comment): 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
Criminal Procedure Code
Law no. 06/L-011 ON PREVENTION OF CONFLICT OF INTEREST IN DISCHARGE OF A PUBLIC FUNCTION

Q197 (2025): Articles 9, 10, 11, 12, 13 dhe 14 of the Law no. 06/L-011 ON PREVENTION OF CONFLICT OF INTEREST IN DISCHARGE OF A PUBLIC FUNCTION (https://gzk.rks-gov.net/ActDetail.aspx?ActID=16314) Article 43 paragraph 1, sub paragraph 1.5 of the Code no. 08/L-032 of Criminal Procedure (https://gzk.rks-gov.net/ActDetail.aspx?ActID=2861)
Article 37 of Law on State Prosecutor https://gzk.rks-gov.net/ActDetail.aspx?ActID=74943 Chapter 1 titled Independence and Chapter 3 titled Integrity in the Code of Ethics and professional conduct https://prokuroria-rks.org/wp-content/uploads/2024/02/Kodi-i-Etikes-dhe-Sjelljes-Profesionale-per-Prokurore.pdf
LAW NO. 08/L-108 ON DECLARATION, ORIGIN AND CONTROL OF ASSETS AND GIFTS https://gzk.rks-gov.net/ActDetail.aspx?ActID=61304
Q197 (2024): LAW NO. 08/L-108 ON DECLARATION, ORIGIN AND CONTROL OF ASSETS AND GIFTS https://gzk.rks-gov.net/ActDetail.aspx?ActID=61304 Criminal Procedure Code https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=61759
Law no. 06/L-011 ON PREVENTION OF CONFLICT OF INTEREST IN DISCHARGE OF A PUBLIC FUNCTION
LAW NO. 08/L-108 ON DECLARATION, ORIGIN AND CONTROL OF ASSETS AND GIFTS
This Law aims to define the system of declaration of assets, including the ways and procedures of declaration of assets and gifts, the origin and control of declared assets and gifts, as well as declaring entities, in order to prevent corruption, conflict of interest and to strengthen the integrity of public institutions, including sanctioning.
Criminal procedure Code:
DISQUALIFICATION OF STATE PROSECUTORS
Article 43
Bases for Disqualification of State Prosecutors
1. A state prosecutor shall be disqualified from a particular case:
1.5. If a conflict of interest exists as defined by relevant legislation.
LAW NO. 06/L-011 ON PREVENTION OF CONFLICT OF INTEREST IN DISCHARGE OF A PUBLIC FUNCTION
The purpose of this law is to strengthen the integrity of the public sector as well as guaranty the discharge of public duties in an objective, impartial and transparent manner in service of public interest through identification, prevention, management and resolution of conflict of interests of officials.
The provisions in this law define the principles, rules and procedures of permitted and prohibited activities of officials in the performance of public duties as well as the measures foreseen for violation of provisions defined in this law. This law regulates also the procedures for reporting obligations, measures for prevention, identification, management and resolution of conflict of public and private interest during and after discharge of official public duties and the duties and responsibilities of competent authorities.

Q197 (2023): LAW NO. 08/L-108 ON DECLARATION, ORIGIN AND CONTROL OF ASSETS AND GIFTS https://gzk.rks-gov.net/ActDetail.aspx?ActID=61304 Criminal Procedure Code Law no. 06/L-011 ON PREVENTION OF CONFLICT OF INTEREST IN DISCHARGE OF A PUBLIC FUNCTION

Q197 (2022): 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 Criminal Procedure Code
Law no. 06/L-011 ON PREVENTION OF CONFLICT OF INTEREST IN DISCHARGE OF A PUBLIC FUNCTION

Q198 (General Comment): Based on the article 3 of the LAW ON STATE PROSECUTOR " 3. In accordance with the Provisions of the Code of Ethics and Professional Conduct of Prosecutors, prosecutors may engage in professional and scientific writings but cannot publish relevant content of prosecution case files during or after the mandate serving as prosecutors, unless expressively permitted by Law or sub-legal act issued by the Council. 4. Prosecutors and Chief Prosecutors, for the activities foreseen in this Article receive remuneration which cannot exceed the value of twenty-five percent (25%) of the basic salary, and for this remuneration the prosecutors shall notify the Chief Prosecutor and the Chief Prosecutors shall notify the Council ".
And of course, they can conduct these activities without remuneration, if they wish.
Prosecutors may also engage in activities in the fields of science, sports, education, culture and humanitarian activities. The prosecutor can benefit based on copyright, patents, intellectual and industrial property rights as well as similar rights.

Q198 (2025): Law No. 08/L-167 on State Prosecutor
Article 37 Professional activities 1. The prosecutor with the prior approval of the Chief Prosecutor of the Prosecution Office, while the Chief Prosecutors of Prosecution Offices with the prior approval of the Council, have the right to participate in professional organizations or scientific meetings which promote the independence and protection of professional interests of prosecutors. 2. The Prosecutor with the approval of the Chief Prosecutor of the Prosecution Office and the Chief Prosecutors of Prosecution Offices with the approval of the Council participate in activities which are in accordance with the Code of Ethics and professional conduct of prosecutors after their working hours only. 3. In accordance with the provisions of the Code of Ethics and Professional Conduct of Prosecutors, prosecutors may engage in professional and scientific writing, but may not publish the relevant content of prosecutorial files during or after the termination of the prosecutorial function, unless expressly permitted by applicable legislation. 4. Prosecutors and Chief Prosecutors, for the activities provided in this Article, receive a remuneration, which may not exceed the value of twenty-five (25%) percent of the basic salary, and for this remuneration the prosecutors notify the Chief Prosecutor, while the Chief Prosecutors notify the Council.

Q198 (2024): Law No. 08/L-167 on State Prosecutor
Article 37 Professional activities 1. The prosecutor with the prior approval of the Chief Prosecutor of the Prosecution Office, while the Chief Prosecutors of Prosecution Offices with the prior approval of the Council, have the right to participate in professional organizations or scientific meetings which promote the independence and protection of professional interests of prosecutors. 2. The Prosecutor with the approval of the Chief Prosecutor of the Prosecution Office and the Chief Prosecutors of Prosecution Offices with the approval of the Council participate in activities which are in accordance with the Code of Ethics and professional conduct of prosecutors after their working hours only. 3. In accordance with the provisions of the Code of Ethics and Professional Conduct of Prosecutors, prosecutors may engage in professional and scientific writing, but may not publish the relevant content of prosecutorial files during or after the termination of the prosecutorial function, unless expressly permitted by applicable legislation. 4. Prosecutors and Chief Prosecutors, for the activities provided in this Article, receive a remuneration, which may not exceed the value of twenty-five (25%) percent of the basic salary, and for this remuneration the prosecutors notify the Chief Prosecutor, while the Chief Prosecutors notify the Council.

Q198 (2023): Law on State Prosecutor
Article 37 Professional activities 1. The prosecutor with the prior approval of the Chief Prosecutor of the Prosecution Office, while the Chief Prosecutors of Prosecution Offices with the prior approval of the Council, have the right to participate in professional organizations or scientific meetings which promote the independence and protection of professional interests of prosecutors. 2. The Prosecutor with the approval of the Chief Prosecutor of the Prosecution Office and the Chief Prosecutors of Prosecution Offices with the approval of the Council participate in activities which are in accordance with the Code of Ethics and professional conduct of prosecutors after their working hours only. 3. In accordance with the provisions of the Code of Ethics and Professional Conduct of Prosecutors, prosecutors may engage in professional and scientific writing, but may not publish the relevant content of prosecutorial files during or after the termination of the prosecutorial function, unless expressly permitted by applicable legislation. 4. Prosecutors and Chief Prosecutors, for the activities provided in this Article, receive a remuneration, which may not exceed the value of twenty-five (25%) percent of the basic salary, and for this remuneration the prosecutors notify the Chief Prosecutor, while the Chief Prosecutors notify the Council.

Q198 (2022): Prosecutors may engage in activities in the fields of science, sports, education, culture and humanitarian activities. The prosecutor can benefit based on copyright, patents, intellectual and industrial property rights as well as similar rights.
Q199 (2025): The Prosecutor with the approval of the Chief Prosecutor of the Prosecution Office and the Chief Prosecutors of Prosecution Offices with the approval of the Council participate in activities which are in accordance with the Code of Ethics and professional conduct of prosecutors after their working hours only.
Q200 (2025): The Prosecutor with the approval of the Chief Prosecutor of the Prosecution Office and the Chief Prosecutors of Prosecution Offices with the approval of the Council participate in activities which are in accordance with the Code of Ethics and professional conduct of prosecutors after their working hours only.

Q200 (2024): The Prosecutor with the approval of the Chief Prosecutor of the Prosecution Office and the Chief Prosecutors of Prosecution Offices with the approval of the Council participate in activities which are in accordance with the Code of Ethics and professional conduct of prosecutors after their working hours only.
Q200 (2023): 2. The Prosecutor with the approval of the Chief Prosecutor of the Prosecution Office and the Chief Prosecutors of Prosecution Offices with the approval of the Council participate in activities which are in accordance with the Code of Ethics and professional conduct of prosecutors after their working hours only.

Q152 (**Judicial Council**): The procedure is regulated in Article 22 of the Law on prevention of conflict of interest Article 22
Administrative Procedures of the Agency in Cases of Conflict of Interest
1. The procedure shall begin at the Agency:
1.1. ex officio;
1.2. at the request of a senior official;
1.3. at the request of the official and following the approval by the employing institution;
1.4. at the request of the institution;
1.5. on basis of reporting by another person or on basis of anonymous information.
2. The procedure on conflict of interest in the Agency cannot be initiated if two (2) years have passed from the date the act has taken place, unless otherwise provided by law.
3. The Agency shall notify the reporting person within a period of fifteen (15) days for further processing of the information.
4. In case of based suspicion on existence of a conflict of interest, the Agency shall immediately initiate the procedure to establish whether there is a conflict of interest and its consequences.
5. The Agency shall inform the senior official and the official person in cases defined under Article 21, paragraph 1., sub-paragraph 1.5. of the present law, about the initiation of administrative procedure and upon his request shall notify him about the facts held by the Agency.
6. The Agency procedure is confidential. The Agency shall only make known the final results of the conducted procedure.
7. If after selection, appointment, or after the confirmation of mandate, the official continues to exercise an activity or a function which in accordance with this law is not compatible with the new function, the Agency shall inform the official and the employing institution that he must either quit this activity or resign from the function within seven (7) days.
8. In case the official continues to exercise activities or functions that are incompatible in accordance with this law, regardless of warnings by the Agency, the Agency shall request the employing institution to initiate a procedure for dismissing the official.
9. The institution, where the official continues to exercise a function or an activity, which is incompatible in accordance with the present law, shall initiate the procedure for dismissal from function upon the request of the Agency.
10. When a Member of the Assembly exercises activities that are incompatible in accordance with the present Law, the Agency shall notify the Chairman of the Assembly and shall request initiation of legal procedures against him.
11. The competent authorities shall notify the Agency of the action undertaken by them within fifteen (15) days of receiving notice.
12. All decisions issued by the Agency regarding a conflict of interest in discharge of public office and breach of the provisions of this law, including prohibited or restricted acts during the exercise of public functions, the exercise of other activities, incompatibilities in the exercise of public function, shall be respected by officials and relevant institutions. They shall be published on the official website of the Agency.

Q202 (2022): The procedure is regulated in Article 22 of the Law on prevention of conflict of interest. Article 22
Administrative Procedures of the Agency in Cases of Conflict of Interest
1. The procedure shall begin at the Agency:
1.1. ex officio;
1.2. at the request of a senior official;
1.3. at the request of the official and following the approval by the employing institution;
1.4. at the request of the institution;
1.5. on basis of reporting by another person or on basis of anonymous information.
2. The procedure on conflict of interest in the Agency cannot be initiated if two (2) years have passed from the date the act has taken place, unless otherwise provided by law.
3. The Agency shall notify the reporting person within a period of fifteen (15) days for further processing of the information.
4. In case of based suspicion on existence of a conflict of interest, the Agency shall immediately initiate the procedure to establish whether there is a conflict of interest and its consequences.
5. The Agency shall inform the senior official and the official person in cases defined under Article 21, paragraph 1., sub-paragraph 1.5. of the present law, about the initiation of administrative procedure and upon his request shall notify him about the facts held by the Agency.
6. The Agency procedure is confidential. The Agency shall only make known the final results of the conducted procedure.
7. If after selection, appointment, or after the confirmation of mandate, the official continues to exercise an activity or a function which in accordance with this law is not compatible with the new function, the Agency shall inform the official and the employing institution that he must either quit this activity or resign from the function within seven (7) days.
8. In case the official continues to exercise activities or functions that are incompatible in accordance with this law, regardless of warnings by the Agency, the Agency shall request the employing institution to initiate a procedure for dismissing the official.
9. The institution, where the official continues to exercise a function or an activity, which is incompatible in accordance with the present law, shall initiate the procedure for dismissal from function upon the request of the Agency.
10. When a Member of the Assembly exercises activities that are incompatible in accordance with the present Law, the Agency shall notify the Chairman of the Assembly and shall request initiation of legal procedures against him.
11. The competent authorities shall notify the Agency of the action undertaken by them within fifteen (15) days of receiving notice.
12. All decisions issued by the Agency regarding a conflict of interest in discharge of public office and breach of the provisions of this law, including prohibited or restricted acts during the exercise of public functions, the exercise of other activities, incompatibilities in the exercise of public function, shall be respected by officials and relevant institutions. They shall be published on the official website of the Agency.
Q203 (General Comment): When a prosecutor is concludes or has reasons to believe that he/she has breached the rules on conflict of interest, he/she is obliged to inform his/her supervisor. He/she should immediately suspend all activities related to that particular issue. In case his/her supervisor is not convinced or is in doubt whether the prosecutor has breached the rules on conflict of interest, he/she shall refer the case to the Anti-Corruption Agency. In case when there exist reasons to believe that a prosecutor has breached this rules, the disciplinary case is initiated by the chief prosecutor of that particular prosecution service. If the prosecutor is aware that he/she has committed such breach of rules, and he/she does not inform his supervisor, a disciplinary procedure is initiated accordingly with the actual Law.
Q204 (2025): There were 13 cases completed against 17 persons. 1 case with 1 person termination of investigation, 12 cases with 16 persons dismissal of criminal reports.

Q205 (General Comment): According to the article 12 of the Law on DISCIPLINARY LIABILITY OF JUDGES AND PROSECUTORS, Kosovo Judicial Council shall initiate disciplinary procedures based on a request submitted pursuant to Article 9, paragraph 1 of the same Law.
Q206 (General Comment): According to article 14 of the Law on disciplinary liability of judges and prosecutors, at the investigation stage the Kosovo Judicial Council establishes a panel of three judges ther the alleged disciplinary offence has been committed and imposes the disciplinary sanction (§3). o gather evidence, analyze the facts and prepare a report. The Council, sole, decides whet
Q206 (2024): The party/judge, under the conditions set out in Article 15 of Law No. 06/L-057 on the Disciplinary Responsibility of Judges and Prosecutors, has the right to appeal the disciplinary decision of the Kosovo Judicial Council to the Supreme Court of Kosovo, whose decision is final.
Q208 (General Comment): According to article 4 of the Law on disciplinary liability of judges and prosecutors, judges and prosecutors shall be subject to disciplinary liability for disciplinary offences, in accordance with procedures set forth in this law. Article 5 enumerates the disciplinary offences in respect of judges.
Q208 (2024): Other violations as defined by Law No. 06/L-057 on the Disciplinary Responsibility of Judges and Prosecutors.
10 cases, 4 of which are still in procedure in 2025. The five cases reported in the breach of the professional ethics are violations as stipulated by the Code of Ethics.
Q208 (2022): Article 5 of the Law on disciplinary liability of judges and prosecutors.
Q209 (2024): There are 3 cases found responsible for disciplinary violations, as follows:
1 case – Article 5, paragraph 1, in connection with Article 2.15 of Law No. 06/L-057;
2 cases – Article 5, paragraph 2, subparagraph 2.7 of Law No. 06/L-057.
Meanwhile, 3 cases were not found responsible for disciplinary violations, as follows:
1 case – Article 5, paragraph 2, subparagraphs 2.6 and 2.8 of Law No. 06/L-057, and Article 4, points 4.1 and 4.2 of the Code of Professional Ethics for Judges;
2 cases – Article 5, paragraph 2, point 2.7 of Law No. 06/L-057.
Q210 (2025): Public written notice
Q210 (2024): 1 – Non-public written notice
2 – Public written notice
Q212 (General Comment): According to article 15 of the Law on DISCIPLINARY LIABILITY OF JUDGES AND PROSECUTORS, parties shall have the right to appeal against the disciplinary decisions of the Council, directly to the Supreme Court of Kosovo, within fifteen (15) days from the day of receipt of the decision.
Other courts in Kosovo shall not have the competence to review and decide on the disciplinary procedure against judges and prosecutors.
Q213 (General Comment): According to the Law on Kosovo Judicial Council, the judges can not be transferred to any other court against their will, except when it is necessary to ensure efficient functioning of the judiciary or to sentence a disciplinary measure.
Q214 (General Comment): The Council shall initiate disciplinary procedures based on a request submitted pursuant to Article 9, paragraph 1 of the Law on DISCIPLINARY LIABILITY OF JUDGES AND PROSECUTORS
Any natural or legal person can submit a complaint to the respective head of the prosecution office where the prosecutor is employed. When the complaint is sent to the non-competent authority, such authority transfers the complaint to the competent authority. Put differently, citizens can file complaints to the Council and the Ombudsman can request the Council to initiate disciplinary investigations, but the Council is the sole competent authority to formally start disciplinary proceedings.

Q214 (2025): The disciplinary procedures against prosecutors are based on the Law on Disciplinary liability of judges and prosecutors and Regulation for disciplinary procedures against prosecutors.
Natural and legal persons may submit complaints against a judge or prosecutor concerning
an allegation of a disciplinary offense to the following authorities (hereinafter the “Competent
Authority”):
- The Chief State Prosecutor concerning alleged disciplinary offences of Chief Prosecutors;
- The Chief Prosecutor concerning alleged disciplinary offences of prosecutors employed at the prosecution office for which the Chief Prosecutor is responsible;
- The Kosovo Prosecutorial Council concerning alleged disciplinary offenses of the Chief State Prosecutor.

The competent authority shall request the Council to initiate disciplinary procedures against a prosecutor also ex-officio when it has reasonable grounds to believe that a prosecutor has committed a disciplinary offence.
Natural and legal persons may also submit complaints against a judge or prosecutor to the
Ombudsperson. In case the Ombudsperson receives a complaint, it shall forward the complaint
within five (5) working days to the Competent Authority. The Ombudsperson may request the Council to initiate disciplinary investigations against a Court President or the Chief Prosecutor if they have reasons to believe that they have committed a disciplinary offense pursuant to Article 9, paragraph 7 of this Law. The Ombudsperson may also request the Council to initiate disciplinary investigations against a judge or prosecutor if they consider that a Competent Authority has decided to dismiss a complaint against such judge or prosecutor in contradiction with Article 9, paragraph 5 of the law, in which case they shall provide a reasoning why the complaint should not have been dismissed.
Q214 (2024): Law on disciplinary liability of judges and prosecutors: Article 9: Natural and legal persons may submit complaints against a judge or prosecutor concerning an allegation of a disciplinary offense to the Competent Authorities.

Q214 (2023): Natural and legal persons may submit complaints against a judge or prosecutor concerning an allegation of a disciplinary offense to the Competent Authorities
Q215 (General Comment): In the initial phases in order to treat the complaint received the role of each body is as follows:
1.4. the Chief State Prosecutor concerning alleged disciplinary offences of Chief Prosecutors; 1.5. the Chief Prosecutor concerning alleged disciplinary offences of prosecutors employed at the prosecution office for which the Chief Prosecutor is responsible; 1.6. the Kosovo Prosecutorial Council concerning alleged disciplinary offenses of the Chief State Prosecutor.

Q215 (2025): The Council shall initiate disciplinary procedures based on a request submitted by the Competent Authority.
Within fifteen (15) working days from the receipt of the request to initiate disciplinary investigations, the Council shall establish an investigation panel to conduct the investigation. Or, the Council may dismiss the request without forming the investigating panel, if it is considered with no value prima facie or not of a serious importance it is not substantial and it does not have any kind of relation with the disciplinary offence or falls under the status of limitations.
The investigation panel concerning a prosecutor, respectively chief prosecutor for prosecutors, shall be composed of three (3) prosecutors of a different prosecutorial body. The Council shall determine the chairperson of the investigation panel from among the members of the investigation panel. The members of the investigative panels are chosen ad-hoc per case and are selected through a secret ballot from a list of 30 prosecutors which list is priory approved by the Council and it consists of prosecutors with high professional reputation, high integrity and professional ethics, prosecutor with permanent mandate, no disciplinary measures and not be convicted of a criminal offense.
The investigation panel shall establish the facts and collect evidence related to the alleged disciplinary offense. The prosecutor under investigation and the authority which has requested the initiation of investigation procedures may suggest witnesses, submit evidence, as well as request the submission of documents and the evidence held by other persons or institutions.
The investigation panel shall complete the investigation within three (3) months from the day it was established by the Council. In exceptional circumstances, the Council may extend the investigation for an additional period of up to two (2) months. Upon completion of the investigation, the investigation panel shall submit to the Council, the prosecutor under investigation and the Competent Authority which has requested the initiation of disciplinary investigations, a written report on all collected facts and evidence. Upon the submission of the report, the investigation panel shall cease its function at the moment when the case becomes final.
Upon receiving of the written report on the investigation on the prosecutor, or upon receiving of the agreement based on the Article 13 of this Law, respective Council shall hold a session in the time frame of thirty (30) days. The Council may choose to hold additional sessions if the necessity derives out of the complexity of the case. Parties to the procedure shall be invited to take part in the session of the Council.
The prosecutor against who the disciplinary procedure has been initiated, has a right of defending him/herself or hire a defense lawyer. The Council shall be obliged to provide access to all the evidence collected as well as in all the dossiers of the case.
The Council shall decide whether the alleged disciplinary offense has been committed and, if it finds that the prosecutor has committed the alleged disciplinary offense, impose the disciplinary sanction according to the provisions of this Law.
The Council shall reach its decision within two (2) months from the receipt of the report of the investigation panel.
Q215 (2024): In the initial phases in order to treat the complaint received the role of each body is as follows:
1.4. the Chief State Prosecutor concerning alleged disciplinary offences of Chief Prosecutors; 1.5. the Chief Prosecutor concerning alleged disciplinary offences of prosecutors employed at the prosecution office for which the Chief Prosecutor is responsible; 1.6. the Kosovo Prosecutorial Council concerning alleged disciplinary offenses of the Chief State Prosecutor.
Q215 (2023): In the initial phases in order to treat the complaint received the role of each body is as follows:
1.4. the Chief State Prosecutor concerning alleged disciplinary offences of Chief Prosecutors; 1.5. the Chief Prosecutor concerning alleged disciplinary offences of prosecutors employed at the prosecution office for which the Chief Prosecutor is responsible; 1.6. the Kosovo Prosecutorial Council concerning alleged disciplinary offenses of the Chief State Prosecutor

Q217 (2025): During 2025, the Council received 10 requests for initiation of disciplinary procedures against prosecutors by the Competent Authorities. For 5 of those requests, the Council established the investigative panels, 2 requests were rejected by the Council and 3 requests were dismissed by the Council.
The legal bases or grounds on which the ten (10) requests for initiation of disciplinary proceedings were initiated are:
1. Article 6, of the Law on Disciplinary Liability of Judges and Prosecutors, paragraph 1, subparagraph 1.2 “A prosecutor commits a disciplinary offense if he or she violates the law“;
2. Article 6, of the Law on Disciplinary Liability of Judges and Prosecutors; paragraph 2, subparagraphs 2.8 (provides false or misleading information in matters related to disciplinary proceedings and prosecution related administrative procedures, including promotion and transfers, except if otherwise provided by Law); and 2.10 (engages in behaviour while on duty or in private which harms the honour and dignity of the State Prosecutor or which may harm public confidence in the impartiality or credibility of the State Prosecutor); 3. Article 6, of the Law on Disciplinary Liability of Judges and Prosecutors, paragraph 2, subparagraph 2.1 “continuously, fails to take any prosecutorial action required by the Law into force or fails to exercise prosecutorial within the deadlines foreseen by Law, except when the seriousness of failure to act or the level of the offense serves as a basis for initiation of the disciplinary procedures for a single violation“
4. Article 6, of the Law on Disciplinary Liability of Judges and Prosecutors paragraph 2, subparagraph 2.10 (engages in behaviour while on duty or in private which harms the honour and dignity of the State Prosecutor or which may harm public confidence in the impartiality or credibility of the State Prosecutor);
5. Article 6, of the Law on Disciplinary Liability of Judges and Prosecutors paragraph 1, subparagraph 1.2, in conjunction with paragraph 2, subparagraph 2.1 “continuously, fails to take any prosecutorial action required by the Law into force or fails to exercise prosecutorial within the deadlines foreseen by Law, except when the seriousness of failure to act or the level of the offense serves as a basis for initiation of the disciplinary procedures for a single violation;”
6. Article 6, of the Law on Disciplinary Liability of Judges and Prosecutors paragraph 2, subparagraph 2.1 “continuously, fails to take any prosecutorial action required by the Law into force or fails to exercise prosecutorial within the deadlines foreseen by Law, except when the seriousness of failure to act or the level of the offense serves as a basis for initiation of the disciplinary procedures for a single violation”
7. Article 6, of the Law on Disciplinary Liability of Judges and Prosecutors paragraph 2, subparagraph 2.10 “engages in behaviour while on duty or in private which harms the honour and dignity of the State Prosecutor or which may harm public confidence in the impartiality or credibility of the State Prosecutor”;
8. Article 6, of the Law on Disciplinary Liability of Judges and Prosecutors paragraph 2, subparagraph 2.1 “continuously, fails to take any prosecutorial action required by the Law into force or fails to exercise prosecutorial within the deadlines foreseen by Law, except when the seriousness of failure to act or the level of the offense serves as a basis for initiation of the disciplinary procedures for a single violation”;
9. Violation of the Code of Conduct and Professional Ethics, point C and point I;
10. On a request from the Ombudsman, the legal basis for the alleged disciplinary violations was not determined.
Q217 (2024): Clarification: In table above, there are (6) disciplinary cases initiated in the year – 2024, six of them (all of them) are professional violations, while (4) of them are professional and ethical violations. However to avoid duplication only two cases are reported in the "professional inadequacy" box.
Q217 (2023): During 2023, KPC received 8 new cases of requests for initiating the disciplinary procedures against prosecutors. There were 2 prosecutor for whom we received 2 separate cases for each so the cases were joined. As a result, in total, there were 6 cases treated.
Q218 (2025): 4 of the 5 cases completed are the cases which were received in 2025, and 1 of the completed cases was received in 2024. 1 of the 5 cases received in 2025 is still ongoing.
Q218 (2024): Clarification: four disciplinary cases (all of them) are professional violations, while (2) two cases are professional and ethical violations. However to avoid duplication only two cases are reported in the "professional inadequacy" box.

Q218 (2023): Of the 8 cases received, 3 cases are still unfinished (1 is in the Supreme Court, 1 is being treated in the KPC and 1 is still being treated in the investigative panel)

Article 7

Disciplinary sanctions

1. One or more of the following disciplinary sanctions may be imposed by the Councils on judges and prosecutors for a disciplinary offense:

1.1. non-public written reprimand;

1.2. public written reprimand;

1.3. temporary wage reduction up to fifty percent (50%) for a period of up to one (1) year;

1.4. temporary or permanent transfer to a lower level court or prosecution office;

1.5. proposal for dismissal.

2. Disciplinary sanctions shall be imposed only in compliance with the principle of proportionality and taking into account:

2.1. the number and seriousness of the disciplinary offenses committed by a judge or prosecutor;

2.2. the consequences of a disciplinary offense;

2.3. the circumstances under which the disciplinary offense was committed;

2.4. the overall performance and behaviour of the judge or prosecutor;

2.5. the behaviour and level of cooperation of the judge or prosecutor during the disciplinary proceedings.

3. A decision on the disciplinary liability of a judge or prosecutor shall be issued also in cases when a judge or prosecutor has after the initiation of disciplinary procedures resigned from duty or whose function as a judge or prosecutor was terminated in any other manner.

4. With the exception of the non-public reprimand, all final decisions on disciplinary sanctions shall be published without delay, but not later than fifteen (15) days, by the respective Councils on their web-site.

5. The Council shall maintain a disciplinary evidence record which shall register all disciplinary investigations and sanctions against a judge or prosecutor. Records on a disciplinary

Q219 (2024): The number of decisions for disciplinary procedures includes cases that started in 2023 and some of 2024. Of the 4 cases with “Reprimand” for 1 there is a “Written non-public reprimand”, for 4 prosecutors there is a “Written public reprimand”.

Q219 (2023): Of the 4 cases with disciplinary sanction “Reprimand” 2 are “Written non public reprimands” and 2 are “Written public reprimands” out of which 1 is with and agreement.

Q219 (2022): During 2022 KPC received 9 requests for initiating disciplinary procedures against prosecutors. Based on these, KPC established 8 investigative panels, and dismissed 1 request for initiation disciplinary procedures.
9 cases were transferred from 2021 and as such in total KPC took 15 disciplinary decisions and 2 other cases are still ongoing.
Q221 (2025): Parties shall have the right to appeal against the disciplinary decisions of the Council, directly to the Supreme Court of Kosovo, within fifteen (15) days from the day of receipt of the decision.

Indicator 8 - Accountability and processes affecting public trust

by question No.

Question 140. What are the legal provisions in the hierarchy of norms, which guarantee the independence of judges? (Please indicate the articles and copy the relevant legal provisions in English)
Question 141. What are the legal provisions in the hierarchy of norms, which guarantee the independence of prosecutors? (Please indicate the articles and copy the relevant legal provisions in English)
Question 142. Number of criminal cases against judges or prosecutors
Question 143. Are specific measures to prevent corruption in place?
Question 144. Is there a code of ethics applicable to all judges? Please provide the link.
Question 145. Does the Code of Ethics contain principles on:
Question 146. Is there a code of ethics applicable to all prosecutors? Please provide the link.
Question 147. Does the Code of Ethics contain principles on:
Question 148. Is there in your country an institution / body giving guidelines and/or opinions on ethical questions of the conduct of judges (e.g. involvement in political life, use of social media by judges, etc.)
Question 149. If yes, who are the members of this institution / body?
Question 150. Are the guidelines and/or opinions of this institution/body publicly available?
Question 151. How many guidelines and/or opinions were given during the reference year?
Question 152. Is there in your country an institution / body giving guidelines and/or opinions on ethical questions of the conduct of prosecutors (e.g. involvement in political life, use of social media by prosecutors, etc.)
Question 153. If yes, who are the members of this institution / body ?
Question 154. Are the guidelines and/or opinions of this institution/body publicly available?
Question 155. How many guidelines and/opinions were given during the reference year?
Question 156. Is there a procedure to effectively challenge a judge (recusal), if a party considers that the judge is not impartial?
Question 157. If yes, what are:
Question 158. How is distribution of court cases organized in your system?
Question 159. Are all interventions in distribution (assignments and reassignments) of court cases irreversibly logged/registered?
Question 160. What are the different possible reasons for reassigning a case?
Question 161. How many reassignments of cases were processed in the reference year?
Question 162. Does the reassignment of cases have to be reasoned?
Question 163. Are all reassignments of cases processed through the computerised distribution of cases?
Question 164. If yes, how are reassignments of cases processed?
Question 165. Which breaches of integrity are provided for by legislation in respect of court staff?

Question 167. Which law(s) and regulation(s) require a declaration of assets by judges? (Please indicate the articles and copy the relevant legal provisions in English)
Question 168. What items are to be declared?
Question 169. What is the moment of the declaration of assets of judges?
Question 170. Does this declaration concern the members of the family?
Question 171. Is the declaration for family members the same as for the judge (in terms of items to be declared, moment of declaration etc.)?
Question 172. Which authority receives and verifies the declaration? Please specify the status and nature of this authority (is it an independent body, what is the procedure for appointing members etc.)
Question 173. Are these declarations of assets verified as regards:
Question 174. Is there a register of declaration of assets?
Question 175. Where is the declaration published?
Question 176. What is the sanction in case of non-declaration of assets (including non-submission of declaration)?
Question 177. Number of proceedings against judges due to violations/discrepancies in their declaration of assets

Question 178. Which law(s) and regulation(s) require a declaration of assets by prosecutors? (Please indicate the articles and copy the relevant legal provisions in English)
Question 179. What items are to be declared?
Question 180. What is the moment of the declaration of assets of prosecutors?
Question 181. Does this declaration concern the members of the family?
Question 182. Is the declaration for family members the same as for the prosecutor (in terms of items to be declared, moment of declaration, etc.)?
Question 183. Which authority receives and verifies the declaration? Please specify the status and nature of this authority (is it an independent body, what is the procedure for appointing members etc.):
Question 184. Are these declarations of assets verified as regards:
Question 185. Is there a register of declaration of assets?
Question 186. Where is the declaration published?
Question 187. What is the sanction in case of non-declaration of assets (including non-submission of declaration)?
Question 188. Number of cases against prosecutors due to violations/discrepancies in their declaration of assets
Question 189. Select and describe the procedures/mechanisms for managing (potential) conflicts of interest of judges
Question 190. Can judges combine their work with any of the following other functions/activities?
Question 191. Is an authorisation needed to perform these accessory activities for judges?
Question 192. If yes, who is giving authorisation for these accessory activities for judges?
Question 193. If not, does the judge have to inform his or her hierarchy about these accessory activities?
Question 194. Under which law/regulation are proceedings for breaches of rules on conflicts of interest in respect of judges regulated?
Question 195. In which law are the sanctions for breaches of the rules on conflicts of interest in respect of judges provided:
Question 196. Number of cases initiated/completed/sanctions pronounced for breaches of the rules on conflicts of interest in respect of judges in the reference year
Question 197. Select and describe the procedures/mechanisms for managing (potential) conflicts of interest of prosecutors:

Question 198. Can public prosecutors combine their work with any of the following other functions/activities?
Question 199. Is an authorisation needed to perform these accessory activities for public prosecutors?
Question 200. If yes, who is giving authorisation for these accessory activities for public prosecutors?
Question 201. If not, does the prosecutor have to inform his or her hierarchy about these accessory activities?
Question 202. Under which law/regulation are proceedings for breaches of rules on conflicts of interest in respect of prosecutors regulated?
Question 203. In which law are the sanction for breaches of the rules on conflicts of interest in respect of prosecutors provided:
Question 204. Number of cases initiated/completed/sanctions pronounced for conflicts of interests against prosecutors in the reference year
Question 205. Who is authorised to initiate disciplinary proceedings against judges (multiple replies possible)?
Question 206. Which authority has disciplinary power over judges? (multiple replies possible)
Question 207. What are the possibilities for the judge to present an argumentation? (multiple replies possible)
Question 208. Number of disciplinary cases (total) initiated during the reference year against judges
Question 209. Number of cases completed in the reference year against judges
Question 210. Number of sanctions pronounced during the reference year against judges
Question 211. Can a disciplinary decision be appealed?
Question 212. If yes, what body is competent to decide on appeal?
Question 213. Can a judge be transferred to another court without his/her consent:
Question 214. Who is authorised to initiate disciplinary proceedings against public prosecutors (multiple replies possible):
Question 215. Which authority has disciplinary power over public prosecutors? (multiple replies possible)
Question 216. What are the possibilities for prosecutors to present an argumentation (multiple replies possible):
Question 217. Number of disciplinary cases (total) initiated during the reference year against public prosecutors
Question 218. Number of cases completed in the reference year against public prosecutors
Question 219. Number of sanctions pronounced during the reference year against public prosecutors.
Question 220. Can the disciplinary decision be appealed?
Question 221. If yes, what body is competent to decide on appeal?

Question 140

Albania

(General Comment): Article 3 of Law No. 96/2016, as amended: A magistrate shall exercise the function independently, on the basis of assessment of facts and interpretation of the law, in accordance with his intrinsic conviction, free of any extraneous influences, direct or indirect, from any side or for any reason

(2025): Article 3 of Law No. 96/2016, as amended: A magistrate shall exercise the function independently, on the basis of assessment of facts and interpretation of the law, in accordance with his intrinsic conviction, free of any extraneous influences, direct or indirect, from any side or for any reason

(2022): The judges' independence is guaranteed by the constitution, by special law, by Procedural Codes both civil and penal as well as bylaws (e.g. Code of ethics)

Bosnia and Herzegovina

(General comment): Constitution:
Constitutions are adopted at different levels of government in Bosnia and Herzegovina (i.e. state, entities, cantons), whereas the Brčko District of Bosnia and Herzegovina, which is a single administrative unit of local self-government existing under the sovereignty of Bosnia and Herzegovina, has enacted its Statute.
In the Constitution of Bosnia and Herzegovina, there are no provisions that explicitly mention the independence of the courts. However, as Article II of the Constitution stipulates that the rights and freedoms guaranteed by the European Convention for the Protection of Human Rights and fundamental freedoms and its Protocols shall be directly applied in Bosnia and Herzegovina, and that the Convention and its Protocols shall have priority over all other laws, this way, indirectly, through the Convention Provisions, the independence of the courts is introduced as a constitutional principle. In parallel to the Constitution of Bosnia and Herzegovina, the Constitution of the Federation of Bosnia and Herzegovina and the Republika Srpska Constitution, the constitutions of all cantons that exist within the Federation of Bosnia and Herzegovina as well as the Statute of the Brcko District of Bosnia and Herzegovina introduce the independence of the courts as a constitutional principle, based on the principle of the division of power between the legislative, executive and judicial branches. Furthermore, the Constitution of the Federation of BiH the Republika Srpska Constitution the constitutions of all cantons that exist within the Federation of Bosnia and Herzegovina, as well as the Statute of the Brcko District of Bosnia and Herzegovina contain certain mechanisms for the protection of judicial independence in the form of: the permanence of judicial function, material guarantees in the form of prohibition of salary reduction and other compensations during the performance of judicial practice, immunity from criminal and civic liability for any opinion expressed in the decision-making process and the prohibition of performing public functions that are incompatible with judicial office.
Special law: Additionally, besides the provisions on courts in the above-mentioned constitutions, special laws on courts are adopted at different levels of government in Bosnia and Herzegovina (i.e., state, entities, and the Brčko District of Bosnia and Herzegovina). Laws on courts regulate the organization, jurisdiction, and functioning of courts at the respective level of government. According to the laws on courts, courts are independent and autonomous from the legislative and executive authorities. No one may influence the independence and impartiality of a judge in deciding cases assigned to them for work.
Finally, separate state level law has established the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. The High Judicial and Prosecutorial Council of Bosnia and Herzegovina is independent and autonomous body, with the task of ensuring the maintenance of an independent, impartial and professional judiciary. It has an array of competencies concerning all judges in Bosnia and Herzegovina as follows:
Courts are autonomous and independent of the legislative and executive authorities. No one may influence the independence and impartiality of a judge in deciding the cases assigned to them.
Finally, the High Judicial and Prosecutorial Council of Bosnia and Herzegovina has been established by separate state level law. The High Judicial and Prosecutorial Council of Bosnia and Herzegovina is independent and autonomous body, with the task of ensuring the maintenance of an independent, impartial and professional judiciary. It has an array of competencies with regards to all judges in Bosnia and Herzegovina as follows: appointing court presidents and judges, receiving complaints against judges, conducting disciplinary proceedings, determining
disciplinary liability, and imposing disciplinary measures on judges; deciding upon appeals in disciplinary proceedings; deciding

North Macedonia
(General Comment): The independence of judges in Macedonian legal system is regulated with the Constitution and the Law on courts.

(2023): Guarantees of the independence of judges are regulated in the Constitution, the Law on courts, the Law on Judicial Council of the Republic of North Macedonia, the Law on court budget and other relevant laws in the field of judiciary.
Constitution of the Republic of North Macedonia
Article 8, p.1, line 4
The fundamental values of the constitutional order of the Republic of North Macedonia are:
- the separation of state powers into legislative, executive and judicial;
4. Judiciary
Article 98
The judicial power is exercised by the courts.
The courts are autonomous and independent. The courts judge on the basis of the Constitution and laws and international agreements ratified in accordance with the Constitution.
Special courts are prohibited.
The types, competence, establishment, abolishment, organization and composition of the courts, as well as the procedure before the courts, are regulated by a law adopted by a two-thirds majority vote of the total number of representatives.
Article 99 A judge is elected without limitation of duration of the term of office.
A judge cannot be reassigned against his/her will.
The term of office of a judge terminates:
- if he/she so requests;
- if he/she permanently loses the capacity of exercising the office of a judge, which is determined by the Judicial Council of the Republic of North Macedonia;
- if he/she fulfills the conditions for an old-age pension;
- if he/she is sentenced for a crime to unconditional imprisonment of a minimum six months by an effective court decision; and
- if he/she is elected or appointed to another public office, except when his/her judicial office is in abeyance under conditions determined by a law.
A judge is dismissed:
- for committing more serious disciplinary offense which makes him/her unworthy to exercise the office of a judge prescribed by a law and

(2024): Guarantees of the independence of judges are regulated in the Constitution, the Law on courts, the Law on Judicial Council of the Republic of North Macedonia, the Law on court budget and other relevant laws in the field of judiciary.

(2023): Guarantees of the independence of judges are regulated in the Constitution, the Law on courts, the Law on Judicial Council of the Republic of North Macedonia, the Law on court budget and other relevent laws in the field of judiciary.

(2022): Guarantees of the independence of judges are regulated in the Constitution and the Law on courts.

Serbia

(General Comment): Constitution of the Republic of Serbia
Law on Judges;
Law on organization of courts;
Law on High Judicial Council ;
Rules of procedure of the High Judicial Council

(2023): Law on Judges („Official Gazette of the Republic of Serbia”, No. 10/23), Law on Organization of Courts („Official Gazette of the Republic of Serbia”, No. 10/23),
Law on High Judicial Council („Official Gazette of the Republic of Serbia”, No. 10/23) -Rules of procedure of the High Judicaial Council („Official Gazette of the Republic of Serbia”, No. 110/23)
-Rulebook on the protection of judges and courts from undue influence („Official Gazette of the Republic of Serbia”, No. 110/23)
-Rulebook on the work of the Ethics Committee of the High Judicial Council („Official Gazette of the Republic of Serbia”, No. 110/23)
-Rulebook on the procedure for the election of a judge and court presidents („Official Gazette of the Republic of Serbia”, No. 34/24)
-Rulebook on the evaluation of the work of judges and court presidents („Official Gazette of the Republic of Serbia”, No. 34/24) Constitution of the Republic of Serbia („Official Gazette of the Republic of Serbia”, No. 98/2006 and 115/2021)
Independence of Judges
Article 144
A judge shall be independent and adjudicate on the basis of the Constitution, ratified international treaties, laws, generally accepted rules of international law and other general acts, adopted in accordance with the law.
Any undue influence on a judge in the exercise of judicial office shall be prohibited.
Law on Judges („Official Gazette of the Republic of Serbia”, No. 10/23)
Independence Article 2
A judge is independent in his actions and decision taking. A judge adjudicates on the basis of the Constitution, ratified international treaty, laws, generally accepted rules of international law and other general acts adopted in accordance with the law.
Ethical principles of performing judicial functions
Article 4
The ethical principles of performing judicial functions are: independence, impartiality, responsibility and dignity.
A judge is required to preserve confidence in his independence and impartiality at all times. All public authorities and public officials are required to preserve, with their actions and behaviour, the confidence in independence and impartiality of judges and courts.
A judge is required to conduct the proceedings impartially according to his conscience, in accordance with his own assessment of facts and interpretation of the law, ensuring fair trial and compliance with procedural rights of parties guaranteed by the Constitution, ratified international treaties, laws, and the generally accepted rules of international law.
In order to improve the ethical principles of the performance of judicial functions, the High Judicial Council shall adopt a Code of Ethics to regulate the ethical principles of judicial performance. Judge are obliged to adhere on every occasion to the Code of Ethics. Services, jobs and activities incompatible with the judge’s function are determined by law.
Financial Independence Article 5
A judge is entitled to a salary and pension commensurate with the dignity of the judicial function and the degree of the judge's responsibility. The amount of the judge's salary and

(2024): CONSTITUTION OF THE REPUBLIC OF SERBIA ("Official Gazette of RS", no. 98/2006 and 115/2021)
LAW ABOUT JUDGES ("Official Gazette of RS", No. 10/2023)

(2023): CONSTITUTION OF THE REPUBLIC OF SERBIA
("Official Gazette of RS", no. 98/2006 and 115/2021)
the LAW
ABOUT JUDGES
("Official Gazette of RS", No. 10/2023)

(2022): Law on Judges;
Law on organization of courts;
Law on High Judicial Council ;
Rules of procedure of the High Judicial Council

Kosovo*

(General Comment): The independence of judges is guaranteed in the Constitution of Kosovo, Article 102 [General Principles of the Judicial System]. It stipulates: The judicial power is unique, independent, fair, apolitical and impartial and ensures equal access to the courts. Also fourth paragraph ascertains that judges shall be independent and impartial in exercising their functions. The Law on Courts, Article 4: "Independence and Impartiality of the Courts" 1. The Courts established by this Law shall adjudicate in accordance with the Constitution of the Republic of Kosovo and the applicable Laws in the Republic of Kosovo.
2. Judges while exercising their function and taking decisions shall be independent, impartial, uninfluenced in any way by any natural or legal person, including public bodies.

(2025): Article 102, paragraphs 2 and 4 of the Constitution of Kosovo stipulate that:
2. The judiciary is unique, independent, fair, apolitical, and impartial, and ensures equal access to courts.
4. Judges, in the exercise of their functions, must be independent and impartial.
Furthermore, based on Article 4, paragraphs 1 and 2 of Law 06/L-054 on Courts, it is established that:
1. Courts established under this law adjudicate in accordance with the Constitution of the Republic of Kosovo and the laws in force in the Republic of Kosovo.
2. Judges, in the exercise of their functions and in making decisions, are independent, impartial, and not influenced in any way by any natural or legal person, including public authorities.

(2024): Article 102, paragraphs 2 and 4 of the Constitution of Kosovo state that:
The judicial power is unified, independent, fair, apolitical, and impartial, ensuring equal access to the courts.
Judges, in the exercise of their functions, must be independent and impartial.
Additionally, according to Article 4, paragraphs 1 and 2 of Law No. 06/L-054 on Courts:
The courts established under this law adjudicate in accordance with the Constitution of the Republic of Kosovo and the laws in force in the Republic of Kosovo.
Judges, in the exercise of their functions and in making decisions, shall be independent, impartial, and free from any influence by any natural or legal person, including public authorities.

(2022): The independence of judges is guaranteed in the Constitution of Kosovo, Article 102 [General Principles of the Judicial System]. It stipulates: The judicial power is unique, independent, fair, apolitical and impartial and ensures equal access to the courts. Also fourth paragraph ascertains that judges shall be independent and impartial in exercising their functions. The Law on Courts, Article 4: "Independence and Impartiality of the Courts" 1. The Courts established by this Law shall adjudicate in accordance with the Constitution of the Republic of Kosovo and the applicable Laws in the Republic of Kosovo.
2. Judges while exercising their function and taking decisions shall be independent, impartial, uninfluenced in any way by any natural or legal person, including public bodies.

Question 141

Albania

(General Comment): Based on the article 149 of the Constitution, The High Prosecutorial Council guarantees the independence, accountability, discipline, status and career of the prosecutors of the Republic of Albania.Article 3 of Law No. 96/2016, as amended: A magistrate shall exercise the function independently, on the basis of assessment of facts and interpretation of the law, in accordance with his intrinsic conviction, free of any extraneous influences, direct or indirect, from any side or for any reason

(2025): Based on the article 149 of the Constitution, The High Prosecutorial Council guarantees the independence, accountability, discipline, status and career of the prosecutors of the Republic of Albania.Article 3 of Law No. 96/2016, as amended: A magistrate shall exercise the function independently, on the basis of assessment of facts and interpretation of the law, in accordance with his intrinsic conviction, free of any extraneous influences, direct or indirect, from any side or for any reason

Bosnia and Herzegovina

(General comment): Constitution

Constitutions are adopted at different levels of government in Bosnia and Herzegovina (i.e. state, entities, and cantons), whereas the Brčko District of Bosnia and Herzegovina which is a single administrative unit of local self-government existing under the sovereignty of Bosnia and Herzegovina has enacted its Statute.

The Constitution of the Republic of Srpska and the Statute of the Brčko District of Bosnia and Herzegovina provide that prosecutor's offices are independent institutions that prosecute perpetrators of criminal and other legally punishable acts and take legal actions to protect legality, as well as that the establishment, organization, and competencies of the prosecutor's office are regulated by law.

The other constitutions (that is, the Constitution of Bosnia and Herzegovina, the Constitution of the Federation of Bosnia and Herzegovina, the constitutions of the cantons) do not contain provisions on prosecutor's offices.

Special law: Additionally, besides the provisions on the prosecutors' offices in the above-mentioned constitutions, special laws on the prosecutors' offices are adopted at different levels of government in Bosnia and Herzegovina (i.e., state, entities, cantons and the Brčko District of Bosnia and Herzegovina). Laws on the prosecutors' offices regulate the organization, jurisdiction, and functioning of courts at the respective level of government. According to the prosecutors' offices, the prosecutors' offices are independent and autonomous from the legislative and executive authorities. Pursuant to the specific legislation regulating the legal status of prosecutors' offices in Bosnia and Herzegovina, they constitute independent authorities which prosecute perpetrators of criminal offenses and file legal expedients for the purpose of protecting legality and constitutionality. Public prosecution offices shall perform their functions on the basis of the constitution and the law. No one shall have the right to influence the public prosecutor's office in the execution of its constitutional and legal functions. The Chief Prosecutor shall have the right and duty to give mandatory instructions to the public prosecutor regarding his/her work, and may, apart from that: take certain actions which are in the competence of the public prosecutor; authorize a different public prosecutor to process individual cases that are within the competence of the public prosecutor; authorize a public prosecutor to perform individual activities that are within the competence of another public prosecutor. The Chief Prosecutor may perform criminal prosecution within the competence of a public prosecutor, and in doing so, s/he may: undertake necessary measures related to detection of crimes and identification of perpetrators with the purpose of directing preceding criminal proceedings; request investigation conduct; bring and represent indictment, i.e. indictment proposals and other proposals before competent court; file appeals against unlawful court decisions, i.e. withdraw already filed appeals.

Finally, separate state level law has established the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. The High Judicial and Prosecutorial Council of Bosnia and Herzegovina is independent and autonomous body, with the task of ensuring the maintenance of an independent, impartial and professional judiciary. It has an array of competencies concerning all prosecutors in Bosnia and Herzegovina as follows:

appointing chief prosecutors and prosecutors, receiving complaints against prosecutors, conducting disciplinary proceedings, determining disciplinary liability, and imposing disciplinary measures on prosecutors; deciding upon appeals in disciplinary proceedings; deciding upon suspensions of prosecutors; deciding upon issues of incompatibility of other functions performed by prosecutors; deciding upon the temporary assignment or transfer of prosecutors to another prosecution office; supervising the advanced professional training of prosecutors and advising the Centers for Judicial and Prosecutorial Training in their adoption of programs of advanced professiona training for prosecutors; determining the minimum amount of advanced professional training to be undertaken by every prosecutor each year; determining the induction training for candidates chosen for and

Montenegro

(2025): Law on the State Prosecutor's Office ("Official Gazette of Montenegro," Nos. 11/2015, 42/2015, 80/2017, 10/2018, 76/2020, 59/2021, 54/2024, and 92/2025), Articles 3 and 130

North Macedonia

(General Comment): The independence of prosecutors in Macedonian legal system is regulated with the Constitution and the Law on Public Prosecution office.

(2025): Guarantees of the independence of prosecutors are regulated in the Constitution, the Law on Public Prosecution office, the Law on Council of Public Prosecutors and other relevant laws in the field of judiciary.

(2024): Guarantees of the independence of prosecutors are regulated in the Constitution, the Law on Public Prosecution office, the Law on Council of Public Prosecutors and other relevant laws in the field of judiciary.

(2023): Guarantees of the independence of prosecutors are regulated in the Constitution, the Law on Public Prosecution office, the Law on Council of Public Prosecutors and other relevent laws in the field of judiciary.

(2022): Guarantees of the independence of prosecutors are regulated in the Constitution and the Law on Public Prosecution office.

Serbia

(General Comment): Constitution of the Republic of Serbia
Law on Public Prosecutor's office;
Law on High Prosecutorial Council ;
Rules of procedure of the State Prosecutorial Council

(2025): The Public Prosecutor's Office is a unique and independent state body that prosecutes perpetrators of criminal and other punishable acts and performs other responsibilities that protect the public interest determined by law. The Public Prosecutor's Office exercises its powers on the basis of the Constitution, confirmed international treaties, laws, generally accepted rules of international law and other general acts adopted in accordance with the law. No one outside the Public Prosecutor's Office can influence the Public Prosecutor's Office and the holders of the Public Prosecutor's office in handling and deciding on a particular case. The establishment, termination, organization and jurisdiction of the public prosecutor's office are regulated by law.

(2014), CONSTITUTION OF THE REPUBLIC OF SERBIA ("Official Gazette of RS", no. 98/06, 2006 and 115, 2021)

8. Public prosecutions

Position

Article 155

The Public Prosecutor's Office is a unique and independent state body that prosecutes perpetrators of criminal and other punishable acts and performs other responsibilities that protect the public interest determined by law.

The Public Prosecutor's Office exercises its powers on the basis of the Constitution, confirmed international treaties, laws, generally accepted rules of international law and other general acts adopted in accordance with the law.

No one outside the Public Prosecutor's Office can influence the Public Prosecutor's Office and the holders of the Public Prosecutor's office in handling and deciding on a particular case.

The establishment, termination, organization and jurisdiction of the public prosecutor's office are regulated by law.

The highest public prosecution in the Republic of Serbia is the Supreme Public Prosecutor's Office, which is headed by the Supreme Public Prosecutor.

The function of public prosecution is performed by the Supreme Public Prosecutor, Chief Public Prosecutors and Public Prosecutors. The supreme public prosecutor and the chief public prosecutor in the management of public prosecutions have hierarchical powers in relation to the actions of lower chief public prosecutors and public prosecutors in a specific case.

Hierarchical powers and legal remedies against them are more closely regulated by law.

THE LAW ON THE PUBLIC PROSECUTOR'S OFFICE ("Official Gazette of RS", No. 10/2023)

Prohibition of undue influence Article 6.

In order to preserve the authority and impartiality of the public prosecutor's office, inappropriate influence on the holder of the public prosecutor's office in the performance of the public prosecutor's office is prohibited, especially any form of threat and coercion against the holder of the public prosecutor's office, the use of public positions, the media and public speaking, which influence the actions of the public prosecutor's office. Any other inappropriate influence on the public prosecutor's office, as well as pressure on the participant in the proceedings before the public prosecutor's office, is prohibited.

The use of legally prescribed rights of participants in the proceedings, reporting on the work of the public prosecution in accordance with the regulations governing public information, as well as expert analysis of the actions of the public prosecution, cannot be considered under undue influence from paragraph 1 of this article.

The Supreme Public Prosecutor, the Chief Public Prosecutor and the Public Prosecutor are obliged to reject any action that represents an undue influence on the independence of the Public Prosecutor's Office, as well as to report such influence to the High Council of the Prosecutor's Office.

The holder of the office of public prosecutor may submit a request for protection against undue influence to the High Council of Prosecutors.

The method of submitting and the procedure for requesting protection from undue influence shall be prescribed by an act of the High Prosecutorial Council.

(2022): CONSTITUTION OF THE REPUBLIC OF SERBIA
("Official Gazette of RS", no. 98/2006 and 115/2021)
8. Public prosecutions
Position
Article 155
The Public Prosecutor's Office is a unique and independent state body that prosecutes perpetrators of criminal and other punishable acts and performs other responsibilities that protect the public interest determined by law.
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The supreme public prosecutor and the chief public prosecutor in the management of public prosecutions have hierarchical powers in relation to the actions of lower chief public prosecutors and public prosecutors in a specific case.
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THE LAW
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(2022): Constitution of the Republic of Serbia
Law on Public Prosecutor's office;
Law on State Prosecutorial Council ;
Rules of procedure of the State Prosecutorial Council

Kosovo*

(2025): Article 109 of Constitution [State Prosecutor]

1. The State Prosecutor is an independent institution with authority and responsibility for the prosecution of persons charged with committing criminal acts and other acts specified by law. 2. The State Prosecutor is an impartial institution and acts in accordance with the Constitution and the law. 3. The organization, competencies and duties of the State Prosecutor shall be defined by law. 4. The State Prosecutor shall reflect the multiethnic composition of the Republic of Kosovo and shall respect the principles of gender equality. 5. The mandate for prosecutors shall be three years. The reappointment mandate is permanent until the retirement age as determined by law or unless removed in accordance with law. 6. Prosecutors may be removed from office upon conviction of a serious criminal offense or for serious neglect of duties. 7. The Chief State Prosecutor shall be appointed and dismissed by the President of the Republic of Kosovo upon the proposal of the Kosovo Prosecutorial Council. The mandate of the Chief State Prosecutor is seven (7) years, without the possibility of reappointment.

Article 110 of Constitution [Kosovo Prosecutorial Council]

The Kosovo Prosecutorial Council is a fully independent institution in the performance of its functions in accordance with law. The Kosovo Prosecutorial Council shall ensure that all persons have equal access to justice. The Kosovo Prosecutorial Council shall ensure that the State Prosecutor is independent, professional and impartial and reflects the multiethnic nature of Kosovo and the principles of gender equality. 2. The Kosovo Prosecutorial Council shall recruit, propose, promote, transfer, reappoint and discipline prosecutors in a manner provided by law. The Council shall give preference for appointment as prosecutors to members of underrepresented Communities as provided by law. All candidates shall fulfill the selection criteria as provided by law. 3. Proposals for appointments of prosecutors must be made on the basis of an open appointment process, on the basis of the merit of the candidates, and the proposals shall reflect principles of gender equality and the ethnic composition of the relevant territorial jurisdiction. 4. The composition of Kosovo Prosecutorial Council, as well as provisions regarding appointment, removal, term of office, organizational structure and rules of procedure, shall be determined by law. Article 4 of Law on State Prosecutor

Independence and Impartiality of State Prosecutor

1. The State Prosecutor is an independent institution that exercises its functions in an impartial manner.
2. The State Prosecutor and each prosecutor ensures equal, objective and unbiased treatment for all persons before the law, without any discrimination, by respecting the fundamental human rights and freedoms determined by the Constitution, legislation into force and international conventions.
3. It shall be unlawful for any natural or legal person to interfere with, obstruct, influence or attempt to interfere with or influence the State Prosecutor in the performance of its prosecutorial functions related to any individual investigation, proceeding or case.

Question 142

Bosnia and Herzegovina

(2025): In 2025, an indictment was confirmed against one judge whereas there were no new confirmed indictments against prosecutors. As for completed cases, there were no verdicts in criminal trials that had been instituted against judges before the reporting year; in addition, two prosecutors were acquitted in 2025 following criminal trials that had been initiated before the reporting year.

(2024): One judge received suspended sentence for domestic violence, which led to termination of his mandate. Other case for another judge is was ongoing at the end of the reporting year. In addition, the criminal case which had started during the reporting year against one of the prosecutors was closed after he died in 2024.

(2023): Although no judges or prosecutors were indicted in 2023, two criminal investigations were initiated by prosecutor's office – one against court president and one against prosecutor but indictments have not been confirmed by the competent courts yet. It should also be noted that judicial institutions are not formally obliged to inform HJPC regarding criminal proceedings against judges or prosecutors whose mandate was ceased (e.g. resignation or retirement).

(2022): ODC was informed about three investigations initiated against two judges and one prosecutor. ODC wasn't informed about end of the investigations.
One judge was sentenced to one-year prison sentence for corruptive criminal offence, in proceeding initiated last year.

Montenegro

(2025): Two State Prosecutors and one Special Prosecutor have been suspended from performing prosecutorial duties pending the completion of criminal proceedings, while one Prosecutor has been dismissed.

(2024): One first instance court decision was made against prosecutor, so the appeal procedure is ongoing.

Question 143

Albania

(2025): High Inspectorate for Declaration and Control of Assets and Conflict of Interest periodic declarations.

(2024): - HIDAACI periodic declarations.
- There are procedures in place stipulated by the law on whistleblowers, regulations on gifts, as well as specific trainings by the School of Magistrates on corruption, the Judge of Ethics also plays an important role on specific matters, HIDAACI and the vetting process controls assets, the HIJC controls assets of new appointed magistrates. The mandatory rotation of judges is not a measure, that should be inadvertent. https://klgj.al/wp-content/uploads/2021/04/VENDIM-NR.-171-DAT%c3%8b-22.04.2021-P%c3%8bR-MIRATIMIN-E-%e2%80%9cKODI-I-ETIK%c3%8bS-GJYQ%c3%8bSORE%e2%80%9d.pdf
- The school of magistrate is in charge for trainings.

(2022): There are procedures in place stipulated by the law on whistleblowers, regulations on gifts, as well as specific trainings by the School of Magistrates on corruption, the Judge of Ethics also plays an important role on specific matters, HIDAACI and the vetting process controls assets, the HIJC controls assets of new appointed magistrates. The mandatory rotation of judges is not a measure, that should be inadvertent. https://klgj.al/wp-content/uploads/2021/04/VENDIM-NR.-171-DAT%c3%8b-22.04.2021-P%c3%8bR-MIRATIMIN-E-%e2%80%9cKODI-I-ETIK%c3%8bS-GJYQ%c3%8bSORE%e2%80%9d.pdf

Bosnia and Herzegovina

(General Comment): The High Judicial and Prosecutorial Council of Bosnia and Herzegovina adopted the Guidelines for the prevention of conflicts of interest in the judiciary (July 2016), covering a) incompatibilities; b) reporting on property, income, obligations and interests; c) gifts and other benefits; d) contacts with third persons and abuse of confidential information; e) nepotism; and f) education and awareness-raising. The Guidelines elaborate the existing legislation and code of ethics and go into further detail with practical “do’s and don’ts” in a variety of situations.

There is an automated case assignment system in place, where cases are randomly assigned to judges, according to predetermined criteria.

In a situation where the judge to whom a case is assigned must, as required by law, be disqualified or recused from further proceedings, the case will be reassigned to another judge by the Court President or his deputy.

Disqualification of judges is governed by the civil procedure codes in Bosnia and Herzegovina (Law on Civil Procedure before the Court of BiH and civil procedure codes of the BiH Federation, Republika Srpska and Brcko District of BiH), which stipulate that:

a) the judge may be disqualified if circumstances exist that cast doubt to his impartiality (disqualification); b) the motion for disqualification of a judge shall be decided by Court President, and the motion for disqualification of Court President shall be decided by the court in plenary session; c) the provisions on disqualification of judges shall apply, mutatis mutandis, to record keepers. The criminal procedure codes of BiH, BiH Federation, Republika Srpska and Brcko District of BiH stipulate that:

a) the provisions on disqualification of a judge shall accordingly be applied to prosecutors and persons authorised to represent the prosecutor in the proceedings, record keepers, court interpreters and other staff members; b) the prosecutor shall decide the disqualification of persons authorised to represent him in criminal proceedings, and the Collegium of the Prosecutor’s Office shall decide the disqualification of the prosecutor. c) the panel, presiding judge or judge shall decide the disqualification of record keepers, court interpreters and other staff member, and, until the indictment is filed, it shall be decided by the prosecutor. In a situation where the judge to whom a case is assigned must be disqualified or recused from the case, the case will be reassigned to another judge. The same rule applies to prosecutors.

Case reassignment is governed by the books of rules on the case management systems in courts and prosecutor's offices (the Book of Rules on CMS and the Book of Rules on TCMS).

The case is reassigned to another judge by the Court President or a person authorised by him, who must state the grounds for reassignment.

The case is reassigned to another prosecutor by the Chief Prosecutor, who must state the grounds for reassignment.

Montenegro

(2025): There is disciplinary violation if prosecutor accept gift or not submit report on incomes and assets to the Agency for fight against corruption (Law on Prosecutorial administration article 108 paragraph 1 point 9)

(2024): Integrity plans;
Law on prevention of corruption regulates prevention of conflict of interest for holders of public functions, and thus applies also to judges and prosecutors.
Prevention of conflict of interest in the exercise of public functions
Article 7
A public official shall perform his/her function in such a manner that the public interest is not subordinated to private, and without causing a conflict of interest in the exercise of public function.
The conflict of interest in the exercise of public function exists when a private interest of a public official affects or may affect the impartiality of the public official in the exercise of public function.
The Agency shall establish the existence of a conflict of interest and implement measures for prevention of conflict of interest.
Opinions about the existence of conflict of interest in the exercise of public function and restrictions in the exercise of public functions and the decisions on the violation of the provisions of this Law relating to the prevention of conflicts of interest in the exercise of public functions, restrictions in the exercise of public functions, gifts, sponsorships and donations and reports on income and property by public officials, which are issued or adopted by the Agency in accordance with this Law, shall be binding for a public official.
It shall be deemed that a public official has violated the provisions of this Law if he fails to act in accordance with the opinion of the Agency referred to in paragraph 4 of this Article and with the obligations laid down in this Law or when he/she acts in a manner that violates the prohibitions and rules prescribed by this Law and other regulations regulating the conflict of interest in areas that are regulated by these regulations.

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Question 144

Bosnia and Herzegovina
(General Comment): https://vstv.pravosudje.ba/vstvfo/E/141/kategorije-vijesti/1198/1178/1359

Question 145

Albania
(2025): The principle of impartiality
gj) he must not accept gifts, favors or benefits, for himself or his relatives, such as may call into question his impartiality. The principle of integrity
e) he does not ask for or accept gifts, loans or favors for himself or his family members, which come to him due to the exercise of his duties. f) may receive symbolic gifts, prizes or benefits, as the case may be, provided that the gift, prize or benefit is not perceived by a reasonable observer as a cause of bias or as an intention to influence the judge in the exercise of his duties.

(2024): The principle of impartiality
gj) he must not accept gifts, favors or benefits, for himself or his relatives, such as may call into question his impartiality. The principle of integrity
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Question 146

Bosnia and Herzegovina
(General Comment): https://vstv.pravosudje.ba/vstvfo/E/141/kategorije-vijesti/1198/1178/1359

Question 148

Bosnia and Herzegovina
(General Comment): The Standing Committee on Ethics, Integrity and Accountability of Judges and Prosecutors is a committee established by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. It is authorized to give binding opinions on ethical and incompatibility questions raised by judges and prosecutors. Only the members of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina are eligible to be appointed the members of the Committee. Currently, the members of the Committee have the following background: 2 judges, 1 prosecutor, 1 lawyer, and 1 law professor who has been appointed as the member of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina by the Parliamentary Assembly of Bosnia and Herzegovina.

Question 149

Albania
(2025): Ethics Advisor exercises the duty of a judge, so the final answer is "Only judges"

(2022): According to art 83 of the law no 115/2016, The judge of ethics, (which is a single judge, appointed by HJC) gives opinions on ethic related aspects while the HJC is the responsible body that sets the code of ethics.

Bosnia and Herzegovina

(General Comment): The Standing Committee on Ethics, Integrity and Accountability of Judges and Prosecutors is a committee established by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. It is authorized to give binding opinions on ethical and incompatibility questions raised by judges and prosecutors. Only the members of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina are eligible to be appointed the members of the Committee. Currently, the members of the Committee have the following background: 2 judges, 1 prosecutor, 1 lawyer, and 1 law professor who has been appointed as the member of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina by the Parliamentary Assembly of Bosnia and Herzegovina.

Montenegro

(General Comment): X By judges and other legal professionals
X Other, please specify:
Twofold:
a) The Commission for the Ethics codex of Judges (body of the Judicial Council)
b) In accordance with article 7 of the Law on prevention of corruption, "Opinions about the existence of a conflict of interest in the exercise of public function and restrictions in the exercise of public functions and the decisions on the violation of the provisions of the present Law relating to the prevention of conflicts of interest in the exercise of public functions, restrictions in the exercise of public functions, gifts, sponsorships and donations and reports on income and assets by public officials, which are given or adopted by the Agency for prevention of corruption in accordance with the present Law, shall be binding for a public official."
Also, the Article 4 of the same Law defines that "The tasks of prevention of conflicts of public and private interest, restrictions in the exercise of public functions, verification of the reports on income and assets by public officials, handling of whistleblower applications, whistleblower protection, as well as other activities in accordance with the present Law shall be performed by the Agency for the Prevention of Corruption, as an autonomous and independent body, established by the Parliament of Montenegro, in accordance with the present Law."

(2025): Commission for Monitoring the Implementation of the Code of Ethics for Judges

Serbia

(General Comment): The Rulebook of the High Judicial Council's Board of Ethics stipulates that the Board of Ethics shall have 7 members. A judge and a retired judge may be elected members of the Board of Ethics, but a court president, a member of the Council and a member of the permanent working body of the Council cannot be appointed members of the Board of Ethics.
The president and the deputy president of the Board of Ethics shall be elected from among the members of the Board of Ethics for a period of one year by a majority vote of the Board of Ethics' members and may be re-elected.

(2025): The Law on the High Judicial Council (RS Official Gazette, No. 10/23) sets out that the Ethics Committee is to have five members appointed by the Council from among the judges for a period of five years, without the possibility of reappointment. The competences of the Ethics Committee are prescribed by the Law on Judges ("Official Gazette of the Republic of Serbia", No. 10/2023) and the Law on the High Judicial Council ("Official Gazette of the Republic of Serbia", No. 10/2023), which entered into force on 10.5.2023, and the Rulebook on the work of the Ethics Committee of the High Judicial Council ("Official Gazette of the Republic of Serbia", No. 116/2023), adopted by the High Council of the Judiciary, which entered into force on 2.1.2024.
The Ethics Committee is competent to:
- provide opinions in principle on whether certain conduct of judges is in accordance with the Code of Ethics for Judges (upon an initiative that can be submitted by anyone);
- give opinions in principle on whether a certain behavior of a judge constitutes a significant violation of the provisions of the Code of Ethics for Judges (at the request of the Disciplinary Prosecutor of the High Judicial Council);
- decide whether certain functions, jobs or private interests of a judge are contrary to the dignity and independence of a judge and are detrimental to the reputation of the court, based on the Code of Ethics for Judges (at the request of the High Judicial Council);
- whether certain functions, jobs or private interests of a member of the Council are contrary to the dignity and independence of a member of the High Judicial Council or are detrimental to the reputation of the High Judicial Council, based on the Code of Ethics for Members of the High Judicial Council (at the request of the High Judicial Council);
- issue guidelines for the behavior of judges in certain situations (at its own initiative).
The Ethics Committee appoints one or more confidential counsellors from among its members. A judge may address a confidential counsellor for advice or for clarification regarding the application of the Code of Ethics for Judges.
In 2025, there were no request that would require the confidential counsellor to act.

(2024): The Rulebook of the High Judicial Council's Board of Ethics ("Official Gazette of RS" No. 68/22) stipulates that the Board of Ethics shall have 7 members. A judge and a retired judge may be elected members of the Board of Ethics, but a court president, a member of the Council and a member of the permanent working body of the Council cannot be appointed members of the Board of Ethics. The president and the deputy president of the Board of Ethics shall be elected from among the members of the Board of Ethics for a period of one year by a majority vote of the Board of Ethics' members and may be re-elected.
During 2023, the Board of Ethics acted according to the Rulebook of the High Judicial Council's Board of Ethics ("Official Gazette of RS" No. 68/22), which was applied until 2nd January 2024, when the new Rulebook of the High Judicial Council's Board of Ethics ("Official Gazette of RS" No.116/23)

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The president and the deputy president of the Board of Ethics shall be elected from among the members of the Board of Ethics for a period of one year by a majority vote of the Board of Ethics' members and may be re-elected.

Kosovo*
(2025): The KJC has established the Advisory Committee on Judicial Ethics, where all judges have the right to request opinions on matters related to ethics.

(2024): The KJC has established the Advisory Committee on Judicial Ethics, where all judges have the right to seek opinions on issues related to ethics.

(2022): KJC has approved the Code of Ethics for Judges, which contains guidelines and rules of conduct for judges

Question 150

Albania

(2025): The Council shall assign one Ethics Advisor from the ranks of judges who meet legal requirements to be a member of the High Court and who has the experience and knowledge on ethics matters. The Ethics Advisor shall serve for a 5-years period, with the right to only one reappointment.
The Ethics Advisor shall perform the following tasks:
a) give advice, upon the request of any judge on the most appropriate behavior in and outside of the court, in the event of ethical uncertainties;
b) may ask for the opinion of the Council on certain issues relating to the conduct of judges in general, but not in relation to specific persons;
c) elaborate, publish, and continuously update an informative manual, which shall reflect questions and answers relating to ethical questions, based on the best international standards and practices, relevant decisions of the Council;
ç) ensure, in collaboration with the School of Magistrates, the initial and continuous training on issues of ethics;
d) report in writing, not less than once a year, before the Council in relation with his/her activity.

(2024): The Council shall assign one Ethics Advisor from the ranks of judges who meet legal requirements to be a member of the High Court and who has the experience and knowledge on ethics matters. The Ethics Advisor shall serve for a 5-years period, with the right to only one reappointment.
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ç) ensure, in collaboration with the School of Magistrates, the initial and continuous training on issues of ethics;
d) report in writing, not less than once a year, before the Council in relation with his/her activity.

Bosnia and Herzegovina

(2024): The High Judicial and Prosecutorial Council of BiH gives opinions and decides on the issues of judicial ethics and compatibility of additional activities with the judicial function through its Standing Committee on Ethics, Integrity and Accountability of Judges and prosecutors, which is competent for examination of submitted requests for opinions. In matters that have already been decided and where ethical practice has already been established, the Standing Committee is authorized to act autonomously on the submitted request, while the decision on contested ethical issues is considered only by the High Judicial and Prosecutorial Council of BiH. According to the analysis of the past practice, 45-50 responses on requests for opinions are submitted annually. The High Judicial and Prosecutorial Council of BiH started publishing in 2022 on its website the above-mentioned opinions in shortened form, as well as answers to the most frequent questions submitted by prosecutors and judges with regards to ethics, integrity and compatibility of other activities with the performance of judicial function.

(2023): The High Judicial and Prosecutorial Council of BiH gives opinions and decides on the issues of judicial ethics and compatibility of additional activities with the judicial function through its Standing Committee on Ethics, Integrity and Accountability of Judges and prosecutors, which is competent for examination of submitted requests for opinions. In matters that have already been decided and where ethical practice has already been established, the Standing Committee is authorized to act autonomously on the submitted request, while the decision on contested ethical issues is considered only by the High Judicial and Prosecutorial Council of BiH. According to the analysis of the past practice, 45-50 responses on requests for opinions are submitted annually. The High Judicial and Prosecutorial Council of BiH started publishing in 2022 on its website the above-mentioned opinions in shortened form, as well as answers to the most frequent questions submitted by prosecutors and judges with regards to ethics, integrity and compatibility of other activities with the performance of judicial function.

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Montenegro

(General Comment): The Ethic Commission could give opinion in accordance with the guidelines from December 2018 jointly developed and adopted by the Commission on Judicial Code of Ethics and the Commission for the Prosecutorial Code of Ethics, with the expert support of the Council of Europe through the "Accountability in the judicial system." There are three guidelines, namely: Guidance on the issue of permissible limits of use accounts on social networks in terms of professional ethics of judges and public prosecutors; Guidelines in relation to permitted activities which judges/state prosecutors
may perform along the with judicial/prosecutorial office; and guidelines in relation to the issue of participation of judges and public prosecutors in political activities in terms of the principle of independence and impartiality.
As regards to the Opinions of the Agency for Prevention of Corruption, such Opinions are given at the request of the public official, in this case judge or a prosecutor, and are not public.

(2024): Comments - Please describe the work of this institution / body, the frequency of guidelines and/or opinions, etc.: The Commission for the Code of Ethics for Judges consists of a president and two members elected in accordance with the Law on the Judicial Council and Judges.
Commission sessions are held as needed, at least once every 60 days.
Tasks:
- monitors the implementation of the Judges' Code of Ethics, expressing his position in the form of guidelines,
opinions and decisions;
- acts on initiatives to initiate the procedure for determining the violation of the Ethical Code
of the Code of Judges and decides whether a certain behavior of a judge constitutes a violation
Judges' Code of Ethics;
- submits to the Disciplinary Commission a proposal for determining disciplinary responsibility in
in accordance with the law;
- performs an advisory role in certain situations;
- submits a report on its work to the Judicial Council;
- initiates changes to the Code and organizational laws;
- performs other tasks determined by the law and the Code of Ethics of judges

(2023): The Ethic Commission could give opinion in accordance with the guidelines from December 2018 jointly developed and adopted by the Commission on Judicial Code of Ethics and the Commission for the Prosecutorial Code of Ethics, with the expert support of the Council of Europe through the "Accountability in the judicial system." There are four guidelines, namely: Guidance on the issue of permissible limits of use accounts on social networks in terms of professional ethics of judges and public prosecutors; Guidelines in relation to permitted activities which judges/state prosecutors may perform along the with judicial/prosecutorial office; and guidelines in relation to the issue of participation of judges and public prosecutors in political activities in terms of the principle of independence and impartiality.
Not public opinions
As regards to the Opinions of the Agency for Prevention of Corruption, such Opinions are given at the request of the public official, in this case judge or a prosecutor, and are not public.

(2022): The Ethic Commission could give opinion in accordance with the guidelines from December 2018 jointly developed and adopted by the Commission on Judicial Code of Ethics and the Commission for the Prosecutorial Code of Ethics, with the expert support of the Council of Europe through the "Accountability in the judicial system." There are four guidelines, namely: Guidance on the issue of permissible limits of use accounts on social networks in terms of professional ethics of judges and public prosecutors; Guidelines in relation to permitted activities which judges/state prosecutors may perform along the with judicial/prosecutorial office; and guidelines in relation to the issue of participation of judges and public prosecutors in political activities in terms of the principle of independence and impartiality.
Not public opinions
As regards to the Opinions of the Agency for Prevention of Corruption, such Opinions are given at the request of the public official, in this case judge or a prosecutor, and are not public.

Serbia

(2025): The transparency of the work of the Ethics Committee is ensured by publishing the opinions in principle, announcements, work reports, guidelines and other decisions and acts that are available on the Council's website.
In the reference year, the Ethics Committee of the High Judicial Council held 8 sessions and 39 decisions were made, of which 7 were opinions in principle. On the website of the High Judicial Council, only one opinion of the Ethics Committee was published. The reason is that opinions on the same issues had already been made available to the public.

(2024): The Rulebook of the High Judicial Council's Board of Ethics stipulates that the Board of Ethics issued general opinions on whether the conduct of individual judges complies with the Code of Ethics for Judges, i.e. whether the conduct of a member of the Council complies with the Code of Ethics for the members of the High Judicial Council. Anyone may submit an initiative, and the Board of Ethics may issue a general opinion or decide not to consider the submitted initiative.
The transparency of the work of the Board of Ethics is ensured by publishing announcements, reports, general opinions, guidelines and other decisions and acts on the Council's website.
The Board of Ethics adopts decisions at its sessions. The sessions are convened when needed, but at least four times per year.

(2023): The Rulebook of the High Judicial Council's Board of Ethics stipulates that the Board of Ethics issued general opinions on whether the conduct of individual judges complies with the Code of Ethics for Judges, i.e. whether the conduct of a member of the Council complies with the Code of Ethics for the members of the High Judicial Council. Anyone may submit an initiative, and the Board of Ethics may issue a general opinion or decide not to consider the submitted initiative.
The transparency of the work of the Board of Ethics is ensured by publishing announcements, reports, general opinions, guidelines and other decisions and acts on the Council's website.
The Board of Ethics adopts decisions at its sessions. The sessions are convened when needed, but at least four times per year. In 2023 five sessions of the Board of Ethics were held.
During 2023, the Board of Ethics issued eight general opinions that were published on the website of the High Judicial Council and are available to all judges, six decisions regarding the request of the Disciplinary Prosecutor and the Deputy Disciplinary Prosecutor of the High Judicial Council for determination of major violations of provisions of the Code of Ethics, and decided not to consider ten initiatives.
The Confidential counsellor is a member of the Board of Ethics appointed by the Board of Ethics from among its members, with whom the judges may consult when they have doubts regarding the implementation of the Code of Ethics in specific situations in which they find themselves. When providing an opinion, the confidential counsellor is guided by the Code of Ethics, the adopted positions of the Board of Ethics, while preserving the identity of the initiator of confidential counselling.
His contact phone number and email address are published on the Council's website and are available to judges.
During 2023, there were no requests for the confidential advisor.
The Law on Judges ("Official Gazette of the RS", No. 10/2023) and the Law on the High Judicial Council ("Official Gazette of the RS", No. 10/2023), which came into force on 10th May 2023, prescribed three new responsibilities of the Board of Ethics.
The first of the new competences is related to determining the incompatibility of the judicial function with other functions, jobs and private interests, the second is related to the determination of the incompatibility of the function of a member of the High Judicial Council with other functions, jobs and private interests, and the third is related to the procedure for determining disciplinary responsibilities of judges.

(2022): The Board of Ethics is a permanent working body of the High Judicial Council.
The Board of Ethics promotes ethical principles stipulated by the Code of Ethics for Judges and the Code of Ethics for the Members of the High Judicial Council and monitors their implementation to raise the awareness of the judges, the presidents of the courts and the members of the Council about the importance of ethical principles and rules of conduct in the performance of their duties, public engagement and private lives in order to raise the reputation of the judiciary and strengthen the citizen's trust in the work of judges and courts.
The Rulebook of the High Judicial Council's Board of Ethics stipulates that the Board of Ethics issued general opinions on whether the judge's conduct is in accordance with the Judges' Code of Ethics, i.e. whether the behavior of a member of the Council is in accordance with the Code of Ethics of the members of the High Judicial Council. The Board of Ethics adopts decisions at its sessions. The sessions are convened when needed, but at least four times per year. In 2022 five sessions of the Board of Ethics were held.
During 2022, the Board of Ethics issued 12 general opinions that were published on the website of the High Judicial Council and are available to all judges.
The Confidential counsellor is a member of the Board of Ethics appointed by the Board of Ethics from among its members, with whom the judges may consult when they have doubts regarding the implementation of the Code of Ethics in specific situations in which they find themselves.
His contact phone number and email address are published on the Council's website and are available to judges.
During 2022, sixteen requests were submitted and acted upon by the confidential advisor.
When providing an opinion, the confidential counsellor is guided by the Code of Ethics, the adopted positions of the Board of Ethics, while preserving the identity of the initiator of confidential counselling.

Kosovo*
(2025): The Advisory Committee on Judicial Ethics – refers to the group composed of judges selected by the Council, who provide guidance on how to handle situations or future behaviours that may be considered contrary to the Code of Professional Ethics for Judges.

(2024): This Committee will assist judges by providing information and advice on ethical questions or issues identified for interpretation in relation to the Code of Professional Ethics for Judges and the Law on Disciplinary Procedure for Judges and Prosecutors.
The Committee will serve as a platform where judges can seek guidance on how to handle future situations or behaviors that may be considered contrary to the Code of Professional Ethics for Judges.
The work of the Committee and the disciplinary process are separate and independent from each other. The opinions of the Advisory Committee on Judicial Ethics are given regarding future situations or behaviors that may be considered contrary to the Code of Professional Ethics for Judges, as opposed to the disciplinary process, which involves investigations and possible hearings to review and resolve complaints about alleged unethical conduct of judges in the past.

Question 151

Albania

(2025): The Ethics Advisor has prepared a manual on ethical dilemmas regarding the conduct of judges during and outside of their duties.

Bosnia and Herzegovina

(General Comment): The High Judicial and Prosecutorial Council of BiH gives opinions and decides on the issues of judicial ethics and compatibility of additional activities with the judicial function through its Standing Committee on Ethics, Integrity and Accountability of Judges and Prosecutors, which is competent for examination of submitted requests for opinions. Additional activities of judges which are usually subject of opinions are activities such as being paid as lecturers at conferences and seminars, experts on legal reform projects or commissions for the drafting of legal regulations, members in bar or state exam panels etc.

(2025): The High Judicial and Prosecutorial Council of BiH gives opinions and decides on the issues of judicial ethics and compatibility of additional activities with the judicial function through its Standing Committee on Ethics, Integrity and Accountability of Judges and Prosecutors, which is competent for examination of submitted requests for opinions. Additional activities of judges which are usually subject of opinions are activities such as being paid as lecturers at conferences and seminars, experts on legal reform projects or commissions for the drafting of legal regulations, members in bar or state exam panels etc.

Serbia

(2025): Ethical principles: Dignity, Loyalty to the principles of the Code of Ethics, Professionality and responsibility, Impartiality, Independence and Principle of dedication.

Kosovo*

(2025): During 2025, the Committee issued two opinions:

1. The party that submitted the request for an advisory opinion for judges regarding the prioritization of court cases related to the rights and obligations associated with individuals with disabilities was the Executive Director of the NGO HENDIKOS.
In this case, the Committee clarified that it has the mandate to provide advice and opinions only for judges and does not have the mandate to issue opinions for other entities outside the judiciary, as was the case here.
2. The request was submitted by a judge, who asked for an advisory opinion regarding the question: “Is the rule of case processing in order of arrival violated for a non-priority case if such a case is sent to mediation proceedings based on the parties’ proposal?”
In this case, the Committee responded by stating that there was no need to issue an opinion, as this matter is already regulated by law.

Question 152

Bosnia and Herzegovina

(General Comment): The Standing Committee on Ethics, Integrity and Accountability of Judges and Prosecutors is a committee established by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. It is authorized to give binding opinions on ethical and incompatibility questions raised by judges and prosecutors. Only the members of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina are eligible to be appointed the members of the Committee. Currently, the members of the Committee have the following background: 2 judges, 1 prosecutor, 1 lawyer, and 1 law professor who has been appointed as the member of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina by the Parliamentary Assembly of Bosnia and Herzegovina.

Serbia

(2022): The Rulebook on the work of the Ethics Committee of the State Prosecutorial Council, Article 2:
The Ethics Committee is an occasional working body of the State Prosecutorial Council(hereinafter: the Council).
The ethics committee has a chairman, a deputy chairman and three members.
The members, at a special session, elect a president and a deputy president among themselves.
The Council appoints members of the Ethics Committee for a period of three years.

Kosovo*

(2025): During 2024 KPC has established an Advisory Committee on Ethics Issues.

(2024): During 2024 KPC has established an Advisory Committee on Ethics Issues.
1. The Commission is tasked with providing consistent opinions to prosecutors on ethical questions or dilemmas.
2. The work of the Commission and the disciplinary process are separate and independent from each other. The Commission's opinions are given regarding future situations or conduct that may be considered contrary to the Code of Ethics, as opposed to the disciplinary process, which includes investigations and possible hearings that review and resolve complaints about alleged unethical conduct of prosecutors in the past.
3. The Commission's opinions are not binding, but may be taken into account in determining the degree of responsibility for ethical violations.
1. The prosecutors who will serve on the Commission shall be elected by the Council.
2. The Commission shall consist of three (3) members, two (2) of whom shall be proposed by the Office of Chief State Prosecutor and one (1) member shall be proposed by the Appellate Prosecutor's Office, while the two reserve members shall be proposed: one (1) by the Office of Chief State Prosecutor and one (1) by the Appellate Prosecutor's Office.
5. Members to serve on this Commission must meet the following criteria:
5.1. have a high professional reputation;
5.2. have high moral integrity and professional ethics;
5.3. not be currently the subject of a disciplinary investigation; and
5.4. not have been subject to a disciplinary sanction within the last five (5) years.
Their mandate in this Commission is 3 years with a possibility for re-election for 1 more term.

Question 153

Albania

(2025): According to Article 182, of the Law no. 115/2016, "On the governance institutions of the justice system", as amended, the High Prosecutorial Council appoints an Ethics Advisor from among the prosecutors who meet the legal requirements to be a prosecutor of the General Prosecutor's office and who has experience and knowledge on ethics issues. The Ethics Advisor serves for a period of 5 years, with the right to re-election only once.

(2024): According to Article 182, of the Law no. 115/2016, "On the governance institutions of the justice system", as amended, the High Prosecutorial Council appoints an Ethics Advisor from among the prosecutors who meet the legal requirements to be a prosecutor of the General Prosecutor's office and who has experience and knowledge on ethics issues. The Ethics Advisor serves for a period of 5 years, with the right to re-election only once.

Bosnia and Herzegovina

(General Comment): The Standing Committee on Ethics, Integrity and Accountability of Judges and Prosecutors is a committee established by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. It is authorized to give binding opinions on ethical and incompatibility questions raised by judges and prosecutors. Only the members of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina are eligible to be appointed the members of the Committee. Currently, the members of the Committee have the following background: 2 judges, 1 prosecutor, 1 lawyer, and 1 law professor who has been appointed as the member of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina by the Parliamentary Assembly of Bosnia and Herzegovina.

Montenegro

(General Comment): The Commission for the Prosecutorial Code of Ethics has a president and two members. The President is elected from among the members of the Prosecutorial Council who is not a state prosecutor, one member is chosen by the extended session of the
Supreme State Prosecutor's Office from among state prosecutors, and the other member is the president of the Association of State
Prosecutors of Montenegro.
The Conference of State Prosecutors elects the President of the Commission for the Code of Ethics of State Prosecutors. b) Agency for Prevention of Corruption - same as for the judges:
"In accordance with article 7 of the Law on prevention of corruption, “Opinions about the existence of a conflict of interest in the exercise of public function and restrictions in the exercise of public functions and the decisions on the violation of the provisions of the present Law relating to the prevention of conflicts of interest in the exercise of public functions, restrictions in the exercise of public functions, gifts, sponsorships and donations and reports on income and assets by public officials, which are given or adopted by the Agency for prevention of corruption in accordance with the present Law, shall be binding for a public official."
Also, the Article 4 of the same Law defines that “The tasks of prevention of conflicts of public and private interest, restrictions in the
exercise of public functions, verification of the reports on income and assets by public officials, handling of whistleblower applications, whistleblower protection, as well as other activities in accordance with the present Law shall be performed by the Agency for the Prevention of Corruption, as an autonomous and independent body, established by the Parliament of Montenegro, in accordance with the present Law.”

(2025): Law on the State Prosecutor’s Office (“Official Gazette of Montenegro,” Nos. 11/2015, 42/2015, 80/2017, 10/2018, 76/2020, 59/2021, 54/2024, and 92/2025), Articles 107a, 107b, and 101.

Serbia

(General Comment): The Ethics Committee has five members, one of which is an elective Council member, three are prosecutorial position holders, and one is a person, who publicly affirmed itself as defender of ethical values (for example, professor of ethics on the School of Philosophy)

Kosovo*

(2025): Prosecutors who will serve in the Commission are elected by the Council.
The commission consists of three (3) members, two (2) of whom are elected by the Office of the Chief State Prosecutor (OCSP) and one (1) member from the Appellate Prosecution, while the two reserve members are elected: one (1) by the OCSP and one (1)) from the Appellate Prosecution. The Chairman of the Commission is appointed by the decision of the Council, from among the prosecutors of the OCSP.
Members to serve in this Commission must meet the following criteria:
- have a high professional reputation;
- have high moral integrity and professional ethics;
- not currently be subject to a disciplinary investigation and
- Not to have a disciplinary sanction imposed during the last five (5) years.

The mandate of the members of this Commission is three (3) years with the possibility of re-election for another term

Question 154

Albania

(2025): The Ethics Advisor performs the following tasks:
a) gives advice, at the request of any prosecutor, on the most appropriate behaviour, inside and outside the prosecutor's office or the court, on controversial issues of ethics;
b) may request the opinion of the Council on certain issues related to the conduct of prosecutors in general, but not related to specific persons;
c) designs, publishes and continuously updates an informative manual, which contains questions and answers on ethical dilemmas, based on international standards and best practices and relevant decisions of the Council;
d) takes care, in cooperation with the School of Magistracy, for the initial and ongoing training on ethics issues;
e) reports in writing, no less than once a year, before the Council regarding its activity.

The Ethics Advisor has the obligation to maintain confidentiality, not providing any information to the structures of the governing bodies of the prosecution that exercise inspection and evaluation powers

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a) gives advice, at the request of any prosecutor, on the most appropriate behaviour, inside and outside the prosecutor's office or the court, on controversial issues of ethics;
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d) takes care, in cooperation with the School of Magistracy, for the initial and ongoing training on ethics issues;
e) reports in writing, no less than once a year, before the Council regarding its activity.
The Ethics Advisor has the obligation to maintain confidentiality, not providing any information to the structures of the governing bodies of the prosecution that exercise inspection and evaluation powers.

Bosnia and Herzegovina

(General Comment): The High Judicial and Prosecutorial Council of BiH gives opinions and decides on the issues of judicial ethics and compatibility of additional activities with the judicial function through its Standing Committee on Ethics, Integrity and Accountability of Judges and prosecutors, which is competent for examination of submitted requests for opinions.
In matters that have already been decided and where ethical practice has already been established, the Standing Committee is authorized to act autonomously on the submitted request, while the decision on contested ethical issues is considered only by the High Judicial and Prosecutorial Council of BiH. The High Judicial and Prosecutorial Council of BiH started publishing in 2022 on its website the above-mentioned opinions in shortened form, as well as answers to the most frequent questions submitted by prosecutors and judges with regards to ethics, integrity and compatibility of other activities with the performance of judicial function

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In matters that have already been decided and where ethical practice has already been established, the Standing Committee is authorized to act autonomously on the submitted request, while the decision on contested ethical issues is considered only by the High Judicial and Prosecutorial Council of BiH. According to the analysis of the past practice, 45-50 responses on requests for opinions are submitted annually. The High Judicial and Prosecutorial Council of BiH started publishing in 2022 on its website the above-mentioned opinions in shortened form, as well as answers to the most frequent questions submitted by prosecutors and judges with regards to ethics, integrity and compatibility of other activities with the performance of judicial function

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Montenegro

(General Comment): As regards to the Opinions of the Agency for Prevention of Corruption, same as for the judges - such Opinions are given at the request of the public official, in this case judge or a prosecutor, and are not public.
The Commission for the Code of Ethics of prosecutors may give the opinion whether a certain behaviour of prosecutor is in line with the Code of Ethics

(2025): Law on the State Prosecutor's Office ("Official Gazette of Montenegro," Nos. 11/2015, 42/2015, 80/2017, 10/2018, 76/2020, 59/2021, 54/2024, and 92/2025), Article 107.

Serbia

(2025): The Ethics Committee of the High Prosecutorial Council operates through formal sessions chaired by its President, with a quorum of at least three members, and adopts decisions by a majority of all members.
A request for an opinion on whether a public prosecutor's conduct complies with the Code of Ethics may be submitted by a Council member, an Ethics Committee member, a disciplinary authority, or a public prosecutor. The prosecutor concerned is given the proposal and may respond within 15 days, while the Committee must issue its opinion within 60 days. Any person may also submit an initiative (including anonymous ones, though clearly unfounded or malicious anonymous submissions are generally not considered). Upon the Council's proposal, the Ethics Committee further issues opinions on whether other functions, jobs, or private interests are incompatible with the dignity, independence, and reputation of a public prosecutor or a Council member. In disciplinary matters concerning serious breaches of the Code of Ethics, the Committee provides an opinion including the explanation at the request of the Disciplinary Prosecutor within 90 days, based on a description of the conduct and the circumstances in which it occurred. The Ethics Committee had 25 requests to give its opinion in the reference year. No breach of the code of ethics was found in these cases.

(2024): https://vst.jt.rs/category/saopstenja-za-javnost/

(2023): https://vst.jt.rs/saopstenja/

Kosovo*

(2025): The work of this commission is regulated by Regulation no. 01/2023 on the Advisory committee on ethics issues for prosecutors. The Commission is tasked with providing consistent opinions to prosecutors regarding ethical questions or dilemmas.
The work of the Commission and the disciplinary process are separate and independent from each other. The Commission's opinions are given regarding future situations or behaviours that may be considered contrary to the Code of Ethics, as opposed to the disciplinary process, which includes investigations and possible hearings that examine and resolve complaints about the alleged unethical behaviours of prosecutors in the past.
The Commission's opinions are not obligatory, but may be taken into account for determining the degree of responsibility for ethical violations.
Requests for opinions regarding situations or behaviours that may be considered contrary to the Code of Ethics may be addressed to the Commission , as follows, by: 1. 1. The Prosecutorial Council and its bodies;
1.2. Chief prosecutors and
1.3. Prosecutors of all levels of prosecutions.
The procedure for giving the opinion
The Commission may reject the request for the provision of an advisory opinion if it finds that:
1.1. The request is unfounded;
1.2. The request was submitted in relation to the alleged unethical behaviour of prosecutors, which is dealt with under the Law on Disciplinary Responsibility for Judges and Prosecutors.
The Commission may request additional information and clarifications from the applicant, if the same is incomplete or unclear, and the applicant is obliged to act within the period of 5 (five) days from the notification.
If the applicant does not act within the deadline defined in paragraph 2 of this article, the Commission rejects the applicant's request.
The Commission issues an opinion no later than 30 days from the day of receipt of the request.
The Commission can issue advisory opinions on its own initiative on matters of general interest for ethics for prosecutors.
The publication of the opinion is done in accordance with the Regulation on Access to Public Documents, while the applicant's file is confidential.

(2024): There are no opinions published yet because this is a newly established body and there are no opinions provided yet. However, such opinions, when offered, will be published.

Question 155

Bosnia and Herzegovina
(General Comment): The High Judicial and Prosecutorial Council of BiH gives opinions and decides on the issues of judicial ethics and compatibility of additional activities with the judicial function through its Standing Committee on Ethics, Integrity and Accountability of Judges and Prosecutors, which is competent for examination of submitted requests for opinions. Additional activities of prosecutors which are usually subject of opinions are activities such as being paid as lecturers at conferences and seminars, experts on legal reform projects or commissions for the drafting of legal regulations, members in bar or state exam panels etc.

(2025): The High Judicial and Prosecutorial Council of BiH gives opinions and decides on the issues of judicial ethics and compatibility of additional activities with the judicial function through its Standing Committee on Ethics, Integrity and Accountability of Judges and Prosecutors, which is competent for examination of submitted requests for opinions. Additional activities of prosecutors which are usually subject of opinions are activities such as being paid as lecturers at conferences and seminars, experts on legal reform projects or commissions for the drafting of legal regulations, members in bar or state exam panels etc.

Montenegro

(2025): In 2025, there were no violations of the Ethical Code.

Kosovo*

(2025): No opinions are yet published or issued.

Question 156

Albania

(General Comment): As provided by the Criminal Procedure Code, Parties may request the disqualification of a judge in cases of incompatibility on grounds of participating in proceedings; incompatibility on grounds of family, blood or in-laws relation, when the judge has the duty to abstain from the judgment, and if, in the exercise of his functions and prior to the issuance of the decision, he has expressed his opinion on the facts or circumstances object of the proceedings. Similar proceedings are provided by civil procedures and administrative procedures codes.
The judge is obliged to withdraw from a case when:
1. he has an interest in the case or in another dispute which is related to it in the trial.
2. he or his spouse has kin relations to the fourth degree or in-law to the second degree, or is related by obligations of child adoption, or lives together in a permanently with one of the parties or attorneys.
3. he or his spouse is in legal conflict or in enmity or in relations of credit or loan with one of the parties or one of the representatives.
4. he has given advise or has expressed opinion on the case in trial or has participated in the trial of the case in a different level of the process, has been questioned as a witness, as expert or representative of one or the other party.
5. he is guardian, employer of one of the parties, administrator or has another task in an entity, association, society or other institution which has interests in the case in trial.
6. in any other event when, according to concrete circumstances, serious reasons for partiality are verified. The request for resignation is presented to the chairman of the respective court who decides. The chairman of the Court of Appeal decides on the presentation of the resignation of the chairman of the district court, and the Chairman of the High Court decides on the request of the chairman of the Court of Appeal. The parties are notified on the content of the request
The judge who on his conscience assesses that there are reasonable causes not to take part in the revision of a case, requests the chairman of the court to be replaced. When Chairman of the court deems relevant the request orders his replacement with another judge through lot.
In cases where the resignation of a judge is mandatory, each of the parties may request the exempt of the judge.
The request, signed by the respective party or its representative, must be deposited with the court secretariat when the announcement of the judge or judges that shall examine the case is made public, or if not, immediately after the announcement of the judge or judges that shall try the case.
Later submission of the request is permitted only in the instance that the party has received information on the grounds of dismissal, or if the judge has inappropriately expressed biased opinion of the facts and circumstances pertaining to the trial during the execution of his duties, although no later than three days from receipt of information.
The request must contain the grounds of dismissal, documents and other available evidence.
The request for the dismissal of a judge is examined in consultation chamber in a session by another judge of the same court. The appeal against the decision to accept or reject the request for dismissal is allowed together with the final decision.
The request for dismissing a judge of the appeals court is decided by a panel of three judges of the same court, different from the panel to which the judge belongs. The decision is of a final form.
The request for dismissing a judge of the High Court is decided by a panel of three judges of the same court, different from the panel to which the judge belongs. The decision is of a

Bosnia and Herzegovina
(General Comment): A judge cannot adjudicate the case if circumstances exist that raise a reasonable suspicion as to his/her impartiality.
The court president decides on the request for exemption of a judge in civil proceedings. The court in plenary session decides on the
petition for exemption of a judge in criminal proceedings.

Montenegro

(2022): The procedure is granted in line with the law (Law on civil proceedings and Criminal Procedure Code).

North Macedonia

Article 33
Reasons for exclusion
(1) A judge or a lay judge must not exercise his or her judicial obligations:
1) if he or she has suffered any damage as a result of the crime;
2) if the accused, his counsel, the prosecutor, the injured party, his legal counsel or attorney is his or hers marital i.e. illegitimate spouse or a blood relative according to the law regardless of the degree of kinship, a distant relative to the fourth degree and an in- law to the second degree;
3) if, with the accused, his counsel, the plaintiff or with the injured party he or she has a relationship of a guardian, a person under guardianship, one who adopts, an adopted child, foster parent or a foster child;
4) if, in the same criminal case he or she participated as a judge of the preliminary procedure, participated in the examination of the indictment before the main trial or participated in the procedure as a plaintiff, defense counsel, legal counsel or authorized representative for the injured party, i.e. the plaintiff, or was examined in the capacity of a witness or as an expert witness;
5) if, in the same case, he or she participated in the decision making process of the lower court, or if, in the same court, he or she participated in the bringing of the decision that is annulled with the appeal;
(2) Apart from the situations as referred to in paragraph 1 of this Article, a judge or a lay judge may also be excluded from performing his or her judicial obligations if there are any circumstances that would cause any doubts regarding his or her impartiality. Article 34
Exclusion procedure
As soon as he or she establishes the existence of any of the reasons for exclusion as referred to in Article 33, paragraph 1 of this Law, the judge or lay judge shall be obliged to stop working on that case and inform the President of the Court thereby, who shall appoint a substitute judge. If the exclusion is for the President of the Court, he or she shall appoint his or her own substitute judge amongst the judges from the same court, and if that is not possible, he shall ask the President of the immediate higher court to appoint the substitute.
Article 35
Exclusion upon request by the parties
(1) The parties may also ask for exclusion.
(2) The parties may submit a motion for exclusion prior to the beginning of the main hearing and if they have found out the reasons for the exclusion as referred to in paragraph 1 of Article 33 later, they shall submit the exclusion motion immediately after they have been informed about them.
(3) The party may include the exclusion motion for a judge of the higher instance court in the appeal or in the response to the appeal.
(4) The party may demand exclusion only of an individual judge or a lay judge, who proceeds in the case i.e. a judge from the higher court.

Serbia

(2025): According to the Artice 39 of the Criminal Procedure Code (“Official Gazette of RS”, No. 72/11…62/21), the request for the recusal can be submitted by parties and the legal representative of the defendant. In civil proceedings parties can request the recusal of the judge according to Article 69 of the Law on Civil Procedure (“Official Gazette of RS”, No. 72/11, 18/20, … 10/23).

(2023): According to the Art. 39 of the Law on Criminal Procedure the request for the recusal can be submitted by parties and the legal representative of the defendant. In civil proceedings parties can request the recusal of the judge according to Article 69 of the Law on Civil Procedure.

Kosovo*

(2022): According to the Code of Criminal Procedure of Kosovo, party can request the dismissal of the judge as soon as he has learned about the existence of reasons for dismissal, and this request can be exercised directly in a court session or through a complaint, in cases where the judge may have a family relationship with any party in the procedure or when he suspects that the same cannot be impartial in the exercise of his function.

Question 157

Albania

(2024): To avoid confusion with last year's data, we clarify that from the statistical data that the Council collects, there are 1006 requests for resignation on the case by the judge, approved by the president of the court; and 14 decisions aimed at excluding a judge.

Bosnia and Herzegovina

(General Comment): A judge cannot adjudicate the case if circumstances exist that raise a reasonable suspicion as to his/her impartiality.
The court president decides on the request for exemption of a judge in civil proceedings. The court in plenary session decides on the petition for exemption of a judge in criminal proceedings.

(2024): 93% of procedures initiated during 2024. were resolved in the reference year.
Out of the total number of initiated procedures in the reference year, the party's request for the recusal of the judge was accepted in 10% procedures.

(2023): 97% of procedures initiated during 2023. were resolved in the reference year.
Out of the total number of initiated procedures in the reference year, the party's request for the recusal of the judge was accepted in 10% procedures.

(2022): 87% of procedures initiated during 2022 were resolved in the reference year.
Out of the total number of initiated procedures in the reference year, the party's request for the recusal of the judge was accepted in 9% procedures.

Montenegro

(General Comment): The procedure is granted in line with the law (Law on civil proceedings and Criminal Procedure Code).

Serbia

(General Comment): Civil Procedure Code: Article 66
The judge is obliged to refrain from judging if there are reasons that cast doubt on his impartiality.
Article 67
A judge cannot perform his duties as a judge if:
1) is the party himself, the legal representative or attorney of the party, if he is with the party in the relationship of co-authorizer, co-obligor or recourse oblige or if he is heard as a witness or expert in the same case;
2) is, as a shareholder, the owner of more than 3% of the shares in the total capital of a legal entity, a member of a company or a member of a cooperative if one of the parties is his creditor or debtor;
3) the party or the party's legal representative or attorney is related by blood in the direct line, and in the collateral line up to the fourth degree, or his spouse, i.e. common-law partner, is a relative by in-laws up to the second degree, regardless of whether the marriage has ended or not;
4) is the guardian, adopter or adoptee of the party, its legal representative or attorney or if there is a joint household between him and the party, its legal representative or attorney;
5) some other litigation is ongoing between the judge and the party;
6) in the same case, he participated in the mediation procedure or in the conclusion of a court settlement that is disputed in the litigation, or he made a decision that is disputed, or he represented the party as a lawyer;
7) in the bankruptcy proceedings, as a bankruptcy judge or a member of the bankruptcy panel, he made a decision that led to a dispute.
A judge can be exempted if there are circumstances that cast doubt on his impartiality .
Criminal Procedure Code, Article 37:
A judge or lay judge shall be exempted from judicial duty in a specific case:
1) if he was damaged by a criminal act;
2) if the defendant, his counsel, prosecutor, injured party, their legal representative or attorney, spouse or person with whom he lives in an extramarital or other permanent union of life, or a blood relative in the direct line to any degree, in the collateral line up to fourth degree, and by in-laws up to the second degree;
3) if he is with the defendant, his defense counsel, the prosecutor or the injured party in the relationship of guardian, ward, adopter, adoptee, foster parent or foster parent;
4) if in the same case he acted as a judge for preliminary proceedings or decided on the confirmation of the indictment or participated in making a decision on the merits of the charge that is disputed by an appeal or an extraordinary legal remedy or participated in the proceedings as a prosecutor, defense attorney, legal representative or attorney the injured party, i.e. the plaintiff, is either heard as a witness or as an expert, if this Code does not prescribe otherwise.
A judge or lay judge may be exempted from judicial duty in a particular case if there are circumstances that raise doubts about his impartiality.

(2025): We are currently in the possession of data concerning the Supreme Court. In the Supreme Court, in the course of 2025, a total of 98 motions for recusal were submitted, of which 68 were upheld.

(2024): According to the Art. 39 of the Law on Criminal Procedure the request for the recusal can be submitted by parties and the legal representative of the defendant. In civil proceedings parties can request the recusal of the judge according to Article 69 of the Law on Civil Procedure.

(2022): The president of the court decides on the request for exemption from Article 39 of Criminal Procedure Code/ Article 66 of Civil Procedure Code. An appeal is not allowed against the decision rejecting or accepting the request for exemption. Court rules of procedure does not prescribe special register of these cases.

Kosovo*

(General Comment): In civil procedure, this matter is regulated by Article 68.1 of the Law on Contested Procedure, which states that a party must submit a request for the disqualification of a judge as soon as they become aware of any grounds for disqualification, but no later than the conclusion of the hearing on the case. If no hearing has taken place, the request must be submitted before the issuance of the meritorious decision.
In criminal procedure, this is regulated by Articles 39 and 40 of the Criminal Procedure Code. Article 39 stipulates that a judge must submit a request to the President of the Court if they determine that grounds for disqualification exist. Article 40 outlines the parties' right to request the disqualification of judges.

(2025): : In civil proceedings, this matter is regulated under Article 68.1 of the Law on Contested Procedure, according to which a party submits a request for the disqualification of a judge as soon as it becomes aware that any of the grounds for disqualification exist, but no later than the conclusion of the case examination; if no examination has taken place, then by the moment of the issuance of the final decision.
In criminal proceedings, it is regulated under Articles 39 and 40 of the Code of Criminal Procedure, where Article 39 provides for a judge’s request to the president of the court if they determine that grounds for disqualification exist, while Article 40 regulates the parties’ requests for the disqualification of judges.

(2024): In civil procedure, this matter is regulated by Article 68.1 of the Law on Contested Procedure, which states that a party must submit a request for the disqualification of a judge as soon as they become aware of any grounds for disqualification, but no later than the conclusion of the hearing on the case. If no hearing has taken place, the request must be submitted before the issuance of the meritorious decision.
In criminal procedure, this is regulated by Articles 39 and 40 of the Criminal Procedure Code. Article 39 stipulates that a judge must submit a request to the President of the Court if they determine that grounds for disqualification exist. Article 40 outlines the parties' right to request the disqualification of judges.
The number provided includes cases which the party, or the judge has requested recusal of the judge from the case.

Question 158

Albania

(General Comment): Every intervention made while distributing cases by electronic lot is logged in the system, this means a third party can audit in every moment the procedure of the lot, and see if it has been done according to the rules in place. Whenever the workload of a judge is considered disproportionate compared to the average, the judge in question is excluded from the random distribution of the cases, by an internal order issued by the president of the court.

(2025): Decision of the High Judicial Council No. 554, dated 29.12.2022 “ON THE DIVISION OF COURT CASES BY LOTTERY”, provides in detail on the procedure for dividing cases by lot.

Bosnia and Herzegovina

(General Comment): Comments regarding Q158:

- Random allocation Random allocation is carried out in accordance with the predefined settings for assigning cases to judges. These settings relate to the division, type of cases, legal basis, the initial document, or the administrative unit in which the judge acts.
- Other type of allocation

Cases could be allocated in accordance with the decision of the court president or chief prosecutor.

- Specific allocation for priority cases

Priority cases (e.g. cases involving detention, cases involving minors etc.) are distributed urgently as prescribed by the law or by the decision of the court president. The law stipulates shorter deadlines for priority cases, so these cases have to be allocated to judges urgently and judges have to start working on them immediately.

- Possibility to exclude It is possible to exclude a judge from the allocation for various reasons. Judge can be temporarily excluded due to illness, vacation, longer absence, overload with cases etc. Also, it is possible to exclude a judge from the allocation for reasons prescribed by the law.

General comments:

The system for distribution of cases in the courts of Bosnia and Herzegovina is organized as random and automatic allocation, in accordance with predefined parameters. Due to the parameters the system for distribution of cases is classified as "other type of allocation". These parameters are prescribed by the decision of the court president, and they include specialization of judges and percentage of participation of every judge in the distribution of cases. After these parameters are set, system randomly distributes cases to judges of particular specialization and in accordance with the percentage of each judges’ participation in the distribution but also considering workload of individual judges. The High Judicial and Prosecutorial Council of Bosnia and Herzegovina has adopted the Rulebook on internal court operations and the Rulebook on the Automated Case Management System in Courts. Priority cases (e.g. cases involving detention, cases involving minors etc.) are distributed urgently as prescribed by the law or by the decision of the court president. The law stipulates shorter deadlines for priority cases, so these cases have to be allocated to judges urgently and judges have to start working on them immediately. It is possible to exclude a judge from the allocation for various reasons. Judge can be temporarily excluded due to illness, vacation, longer absence, overload with cases etc.

Montenegro

(2025): The assignment of cases to judges is carried out through an algorithm for the immediate random assignment of cases, which is an integral part of the judicial information system application, immediately after entry into the basic case data system.
A case in which a request for initiation of proceedings has already been submitted, and the request has been withdrawn, is assigned to the judge to whom it was previously assigned automatically.
A case in which a decision has been revoked is assigned to the judge of the first instance court who previously dealt with the case, unless a second instance decision has decided otherwise, in accordance with the law, which should be provided for through the algorithm, and if it is determined that another judge should judge the case, then that case is assigned through random assignment of cases.
A case that has been referred by the court acting on legal remedies to a lower instance court for the elimination of deficiencies is assigned to the same reporting judge.
A case that has been revoked, when re-referred to the court acting on legal remedies, is, as a rule, assigned to the same reporting judge.
A judge who, due to justified overload or planned long-term absence (longer than 30 days), cannot resolve the assigned cases in a timely manner may have the assignment of cases suspended for a certain period of time. In such a case, the cases shall be assigned to other judges in the court department, or legal area, on the principle of random assignment of cases through the judicial information system in accordance with Article 57 of these Rules of Procedure.
The president of the court shall decide on the suspension of the assignment of cases for a certain period of time, either alone or upon the proposal of the president of the department or a judge.
The president of the court shall issue a special decision on the reasons and duration of the suspension of the assignment of cases to a judge, which he shall submit to the administrator of the judicial information system and attach to the court's work plan.
If several procedural documents have been filed against the parties or participants in the proceedings and the court, in accordance with the rules of procedure prescribed by law, decides to merge the cases for the purpose of a single resolution, the case shall be assigned to the judge who was assigned the first case of those cases that arrived.
If the court, in accordance with the rules of procedure prescribed by law, decides to separate and conclude the proceedings against one party or participant separately, the separated case shall be assigned to the judge who decides on the case referred to in paragraph 1 of this Article. During annual leave, judges who are not on annual leave shall be assigned only urgent cases, which are determined as such by law or these Rules of Procedure.

Serbia
(2025): Law on Judges („Official Gazette of the Republic of Serbia”, No. 10/23)
Random Allocation of Cases Article 24
Cases are allocated to a judge according to a schedule that is independent of the personality of parties and circumstances of the legal matter.
Cases are allocated to a judge on the basis of the annual court schedule of tasks, taking into account the complexity of the case, pursuant to the Court Rules of Procedure, according to the order determined in advance for each calendar year, exclusively on the basis of the designation and the number of the case file.
No one has the right to establish panels of judges and allocate cases by bypassing the work schedule and the order of admission of cases.

(2022): Case management systems of court (AVP and SAPS) have implemented functionality for random distribution of court cases. The algorithm for automatic random distribution cases contains the formula for evaluating cases by weight in basic, higher, and commercial courts.
Case management systems of courts (AVP and SAPS) have functionality for excluding judges from allocation by system administrator manual commanding in case of sick leave, vacations, etc.

Question 159

Albania
(2025): Decision of the High Judicial Council No. 554, dated 29.12.2022 “ON THE DIVISION OF COURT CASES BY LOTTERY”, provides in detail on the procedure for dividing cases by lot.

Kosovo*
(2025): The system records every action undertaken within the system.

Question 160

Albania

(2025): Decision No. 724, dated 07.12.2023 “ON THE REDISTRIBUTION OF COURT CASES BY LOTTERY”, provides in detail on the procedure for the redistribution of cases by lot.

Bosnia and Herzegovina

(General Comment): The relevant legislation on court procedures in Bosnia and Herzegovina prescribes circumstances that call into question his/her impartiality in which a judge cannot adjudicate the case. These circumstances indicate that the judge has a conflict of interest in the individual case and therefore there is a legal base for initiating procedures to prevent or recuse him/her from dealing with the case.
As an example, the judge must not deal with the case if the party, legal representative or authorized agent is his/her blood relative in direct line to any degree or in the lateral line up to fourth degree, or if they are spouses or relatives up to second degree, regardless of whether the marriage has been terminated or not. In addition, as another example, the judge must be taken off the case if it turns out that he/she has participated in the same case in reaching the judgment of the inferior instance court. In conclusion, the legislation on court procedures defines the basis (i.e. aforementioned circumstances that pertain to the conflict of interest) and the procedure for the recusal of the judge.
In this regard, the legislation does not refer specifically to the conflict of interest, i.e. the laws do not foresee it as a separate category. However, it is in the law that the recusal of the judges as a legal term comprises all matters related to the protection of the impartiality in the court procedures. Consequently, it is not possible in Bosnia and Herzegovina to differentiate data on the number of reassigned cases for the following category: Recusal of the judge or requested by the parties. In the context of data on the total number of reassigned court cases in 2025 (i.e. 460 135), it is important to take into account that these court cases were redistributed primarily because the judges in charge of these court cases have ceased to work in a particular court (i.e. appointment to another court, retirement, resignation etc.). In addition, courts had to reassign a significant number of cases owing to the longer absence of judges because of sick leave. Finally, harmonizing the burden of judges with court cases in a single court and regrouping judges within the court made it necessary to reassign noteworthy number of court cases.

North Macedonia

(General Comment): Court Rules of procedure
Automatic Redistribution of Cases
Article 177
The cases allocated to the judge may be reallocated to another judge, after the decision of the president of the court registered in the SU register has been passed, and the reason for the redistribution of case can be: a request for a judge to be exempted (submitted by the parties, the judge, by a decision of a higher instance court, etc.), the judge no longer works on a certain type of case, new judge for a certain type of case has been assigned, absence of a judge for an urgent matter that does not endure postponement of the procedure.
Article 178
After the request for exemption of a judge to whom the case is allocated, the president of the court, after the decision on exemption of the judge, shall adopt a decision for automatic redistribution of the case (in this case, the judges who were excluded in this case do not participate in the automatic distribution).
Upon a request for exemption or sudden absence of a judge, a member of council, the president of the court, by a decision on exemption of that judge, recorded in the register for exemption, shall appoint a judge who will replace the judge who is exempted.

(2025): Court Rules of procedure
Automatic Redistribution of Cases
Article 177
The cases allocated to the judge may be reallocated to another judge, after the decision of the president of the court registered in the SU register has been passed, and the reason for the redistribution of case can be: a request for a judge to be exempted (submitted by the parties, the judge, by a decision of a higher instance court, etc.), the judge no longer works on a certain type of case, new judge for a certain type of case has been assigned, absence of a judge for an urgent matter that does not endure postponement of the procedure.
Article 178
After the request for exemption of a judge to whom the case is allocated, the president of the court, after the decision on exemption of the judge, shall adopt a decision for automatic redistribution of the case (in this case, the judges who were excluded in this case do not participate in the automatic distribution).
Upon a request for exemption or sudden absence of a judge, a member of council, the president of the court, by a decision on exemption of that judge, recorded in the register for exemption, shall appoint a judge who will replace the judge who is exempted.

Serbia
(2025): Law on Judges („Official Gazette of the Republic of Serbia", No. 10/23)
Deviation
Article 25 Deviation from the order of admission of cases is only possible in cases stipulated by the law, as well as in case of overburdening or justified preclusion of a judge, pursuant to the Court Rules of Procedure. In accordance with the Court Rules of Procedure, a case may be subtracted from a judge: when due to his/her prolonged absence it is necessary to deliberate on cases that are urgent under the law or its essence, if efficient work of the court is jeopardised, if the judge was issued a final disciplinary sanction due to a disciplinary offence for unjustified delay of a proceeding, as well as in other cases stipulated by the law. A subtracted case from the judge, as referred to in Paragraph 2 of this Article , shall be allocated to another judge in accordance with the Court Rules of Procedure.

Kosovo*
(2025): Specific circumstances may include:
1. The judge to whom the case has been assigned has been suspended from duty due to the imposition of a disciplinary measure or is under criminal prosecution;
2. The judge to whom the case has been assigned is unavailable and urgent action is required in that case;
2. Other circumstances that ensure the interests of justice.

Question 161

Bosnia and Herzegovina

(General Comment): The relevant legislation on court procedures in Bosnia and Herzegovina prescribes circumstances that call into question his/her impartiality in which a judge cannot adjudicate the case. These circumstances indicate that the judge has a conflict of interest in the individual case and therefore there is a legal base for initiating procedures to prevent or recuse him/her from dealing with the case.
As an example, the judge must not deal with the case if the party, legal representative or authorized agent is his/her blood relative in direct line to any degree or in the lateral line up to fourth degree, or if they are spouses or relatives up to second degree, regardless of whether the marriage has been terminated or not. In addition, as another example, the judge must be taken off the case if it turns out that he/she has participated in the same case in reaching the judgment of the inferior instance court. In conclusion, the legislation on court procedures defines the basis (i.e. aforementioned circumstances that pertain to the conflict of interest) and the procedure for the recusal of the judge.
In this regard, the legislation does not refer specifically to the conflict of interest, i.e. the laws do not foresee it as a separate category. However, it is in the law that the recusal of the judges as a legal term comprises all matters related to the protection of the impartiality in the court procedures. Consequently, it is not possible in Bosnia and Herzegovina to differentiate data on the number of reassigned cases for the following category: Recusal of the judge or requested by the parties. In the context of data on the total number of reassigned court cases in 2025 (i.e. 460 135), it is important to take into account that these court cases were redistributed primarily because the judges in charge of these court cases have ceased to work in a particular court (i.e. appointment to another court, retirement, resignation etc.). In addition, courts had to reassign a significant number of cases owing to the longer absence of judges because of sick leave. Finally, harmonizing the burden of judges with court cases in a single court and regrouping judges within the court made it necessary to reassign noteworthy number of court cases.

(2025): Unlike in 2024 when reassignments were processed in 663 080 cases, the number of cases with processed reassignments in 2025 was lower, namely 460 135. The reduction in the number of reassignments was not a result of the implementation of any guidelines or legislative changes.

North Macedonia

(2025): Data for conflict of interest declared by the judge or by the parties are already calculated in recusal of the judge or requested by the parties, because conflict of interest is ground for recusal of the judge. Other*: retirement of a judge, return of judges who were delegated in other courts, return of a judge who was a member of the Judicial council, dismissed judge, change in the annual schedule, delegated judges, merging of cases
According to our legislation, conflict of interest is a ground for recusal of the judge or requested by the parties, because of this, the data overlaps and cannot be separated.

Kosovo*

(2025): Judge on long leave / judge no longer works at the court: 1947
Retirement of the judge : 632
Suspension of the judge : 4
Assignment / distribution of cases to a new judge: 13 795
Other: 10 575, In this category of reassignment are cases reassigned with the KJC decision for the old cases. The KJC has approved a strategy for reducing backlogs. Part of the strategy plan was to reassign backlogs to judges, with the aim of equally burdening judges with backlogs and giving them priority for resolution.

Question 162

Albania

(2025): Decision No. 724, dated 07.12.2023 “ON THE REDISTRIBUTION OF COURT CASES BY LOTTERY”, provides in detail on the procedure for the redistribution of cases by lot.

Bosnia and Herzegovina
(General Comment): When reassigning the case through the Case Management System it is necessary to select a valid reason for reassignment.
Users of system have to select an option from the list of the reasons for obligatory reassignment prescribed by the law, or the alternative option “Other reasons”. When the latter option is selected, a detailed explanation on reasons for reassignment of the case needs to be submitted pursuant to the Article 9 of the Rulebook on the Automated Case Management System in Courts.

Montenegro
(General Comment): Articles 60 and 61 of the Court Rule of Procedure: Article 60
To a judge who, due to justifiable overload or anticipated longer leave (longer than 30 days), is unable to resolve the assigned cases in a timely manner, the case assignment might be suspended for a limited time. In that case, the cases shall be assigned to other judges in the judicial department or legal area on the principle of the random allocation of cases through the judicial information system in accordance with Article 57 of these Rules of Procedure.
Article 61
Suspension of case assignment in accordance with Article 60 of these Rules of Procedure for a limited period shall be decided by the
President of the court alone or at the proposal of the President of the Division or a judge. The President of the Court shall make a special
decision on the reasons as well as the duration of the suspension of the assignment of the cases to the judge, which he submits to the administrator of the judicial information system and attaches it to the court work plan.

Kosovo*

(2025): The President of the court, in a decision on the assignment or reassignment made based on the specific circumstances referred to in Question 160, shall provide the reasoning for the reassignment.

Question 163

Bosnia and Herzegovina

(General Comment): Priority cases are allocated to judges and prosecutors through automatic allocation algorithm based on specific setup of predefined parameters used for priority cases. This basically means that in courts and prosecutor offices there is always at least one judge or prosecutor determined in advance, who is person on duty for certain period and to whom such cases will be assigned automatically by system.
All other non-priority cases are also allocated to judges through automatic allocation algorithm but setup for this allocation is more complex and based on more than one information from new case, and usually with more judges available in pool to select from.
Both algorithms (for priority and non-priority cases) are always based on court president decision, which is created once per year or more often if necessary.
Regarding reassignment of cases:
All reassignments of cases are processed through the computerized distribution of cases , whether new judge is selected by automatic allocation algorithm (in accordance to predefined parameters) or by court president decision. In every case, reason for reassignment has to be entered in the system by selecting from predefined list of reasons for reassignment and/or adding free text as description. This is why „Yes“ is more appropriate as answer for Q187, with two options selected as explanatory answer in Q188 (2nd and 3rd). Reassignments of cases can be processed as random and automatic where system will choose from the judges of same specialization, or it can be processed in a way that court president makes a decision and chooses the judge to whom the case will be reassigned.

North Macedonia

(General Comment): Yes, with exception. Please see article 179, p.2
Court Rules of procedure
Article 179
In cases when the judge no longer works with a certain type of cases (dismissed, assigned to another department, assigned to another type of cases, longer absence), the court president shall adopt amendments and supplements to the Annual work schedule of the court.
The reallocation of cases in the case under paragraph 1 of this Article may be conducted by awarding all cases to a particular judge (usually a newly elected or rotated judge in that department, a type of case) or if a judge is not appointed, it shall be performed through automatic redistribution of all cases from the judge to all judges in the department who work with this type of cases.

Question 164

Albania

(2025): Decision No. 724, dated 07.12.2023 “ON THE REDISTRIBUTION OF COURT CASES BY LOTTERY”, provides in detail on the procedure for the redistribution of cases by lot

Bosnia and Herzegovina

(General Comment): Priority cases are allocated to judges and prosecutors through automatic allocation algorithm based on specific setup of predefined parameters used for priority cases. This basically means that in courts and prosecutor offices there is always at least one judge or prosecutor determined in advance, who is person on duty for certain period and to whom such cases will be assigned automatically by system. All other non-priority cases are also allocated to judges through automatic allocation algorithm but setup for this allocation is more complex and based on more than one information from new case, and usually with more judges available in pool to select from.
Both algorithms (for priority and non-priority cases) are always based on court president decision, which is created once per year or more often if necessary.
Regarding reassignment of cases:
All reassignments of cases are processed through the computerized distribution of cases , whether new judge is selected by automatic allocation algorithm (in accordance to predefined parameters) or by court president decision. In every case, reason for reassignment has to be entered in the system by selecting from predefined list of reasons for reassignment and/or adding free text as description. This is why „Yes“ is more appropriate as answer for Q159.
Reassignments of cases can be processed as random and automatic where system will choose from the judges of same specialization, or it can be processed in a way that court president makes a decision and chooses the judge to whom the case will be reassigned. In that sense, it is important to note that for the selection choice „By discretion of a president of a court” both options are possible. The president of the court can issue an order that a case should be reassigned so that the judge is selected systematically through the case management system, as well as the president of the court can directly decide that a case is reassigned to a specific judge without random case assignment.

(2025): Due to misinterpretation of the option 'By discretion of a president of a court', it was mistakenly left unmarked in the previous reporting cycles.

(2024): Due to misinterpretation of the "other" option in this part of the question 188, the option "all interventions on the system are irreversibly logged/registered" was not marked in the previous reporting cycles. It is confirmed that all interventions on the system are irreversibly logged/registered and, therefore, this option needs to be marked.

Montenegro

("Official Gazette of MNE", no. 11/2015 and 76/2020) Amending Annual Work Distribution Article 32
The court president may amend the annual work distribution of the court, if:
1) The number of positions for judges or the number of judges decreases or increases; or
2) The number or type of cases in court significantly increases or decreases.
The annual work distribution of the court shall be amended so that it disrupts the already established annual work distribution of the court as little as possible.
The annual work distribution of the court shall be amended in accordance with Article 31 of the present Law. Submission and Publication of Annual Work Distribution
Article 33
The court president shall submit an annual work distribution and amendments there to all judges and shall publish it on the bulletin board of the court.
4. Random Allocation of Cases
Allocation of Cases
Article 34
Cases shall be allocated to work without delay, according to the annual work distribution, through the method of random allocation of cases.
In accordance with paragraph 1 of this Article, the following cases shall also be allocated to other judges:
1) Cases that were assigned to a judge who does not perform a judicial office in that court any longer; and
2) Cases that were taken away in accordance with Article 36 of the present Law. Method of Random Allocation of Cases
Article 35
Once the basic information about a case is entered into the judicial information system, in a manner that is more closely regulated by the
Court Rules, cases shall be allocated to judges through the method of random allocation of cases. Taking Away an Allocated Case
Article 36
An allocated case shall be taken away from a judge or panel only if it is determined that they unduly fail to take actions in the case, because of the recusal of a judge or if a judge is prevented from performing the judicial office for more than three months.
Cases whose urgent nature is prescribed by law may be taken away from a judge if the judge is not able to act in these cases in a timely manner or within the statutory period due to absence or incapacity for work.
The cases shall be taken away by the court president, through a decision.
The decision on taking a case away shall be submitted to the judge or the panel from which the case was taken away.
An objection may be lodged to the president of immediately higher court against the decision on taking the case away, as well as to the
General Session of the Supreme Court against the decision of the Supreme Court, within three days of receipt of the decision. The decision on the objection shall be made within

North Macedonia

(General Comment): All court cases should be assigned electronically according to the provisions on the Law on case flow management in the courts.
According to the provisions of the Court Rules of procedure, please see the rules for redistribution of cases
3. Automatic Redistribution of Cases
Article 177
The cases allocated to the judge may be reallocated to another judge, after the decision of the president of the court registered in the SU register has been passed, and the reason for the redistribution of case can be: a request for a judge to be exempted (submitted by the parties, the judge, by a decision of a higher instance court, etc.), the judge no longer works on a certain type of case, new judge for a certain type of case has been assigned, absence of a judge for an urgent matter that does not endure postponement of the procedure.
Article 178
After the request for exemption of a judge to whom the case is allocated, the president of the court, after the decision on exemption of the judge, shall adopt a decision for automatic redistribution of the case (in this case, the judges who were excluded in this case do not participate in the automatic distribution).
Upon a request for exemption or sudden absence of a judge, a member of council, the president of the court, by a decision on exemption of that judge, recorded in the register for exemption, shall appoint a judge who will replace the judge who is exempted.
Article 179
In cases when the judge no longer works with a certain type of cases (dismissed, assigned to another department, assigned to another type of cases, longer absence), the court president shall adopt amendments and supplements to the Annual work schedule of the court.
The reallocation of cases in the case under paragraph 1 of this Article may be conducted by awarding all cases to a particular judge (usually a newly elected or rotated judge in that department, a type of case) or if a judge is not appointed, it shall be performed through automatic redistribution of all cases from the judge to all judges in the department who work with this type of cases.
Article 180
Cases recorded in a register for which only one judge is in charge of shall be allocated to the judge with the recording itself.
According to the Law on courts, president of a court shall be dismissed from the office of a president, if in a procedure, the Judicial Council of the Republic of Macedonia establishes the following bases:
failure to apply the provisions regarding the case management and distribution,
- violation of the provisions regarding the adoption and amendment of the Annual schedule for Judges.

Question 165

Albania

(2025): This is defined by internal rules and regulations of courts. Following guidelines and by-laws to be approved by HJC, as provided by Law No. 98 / 2016 “on the organisation of the judicial power in the Republic of Albania”, this aspect will be further defined. Furthermore, Law 98/2016, art. 6 “When carrying out its activity, judicial civil servants shall be obliged to avoid any conflict of interest, in accordance with the rules provided in the legislation on the prevention of conflict of interests.”. In addition, art. 8 “The activity of the judicial civil service is governed by law and is based on the principles of equal opportunities, non-discrimination, transparency, professionalism, integrity, responsiveness and orientation towards efficient and accessible services to every person. 2. The status of judicial civil servants is based on the principle of the guarantee of stability, merit and transparent career development.”

Bosnia and Herzegovina

(General comment): Conflict of interest, Breaches of codes of conduct, Unauthorized disclosure of confidential or sensitive information on court cases and/or procedures.
Conflict of interest, breaches of codes of conduct and unauthorized disclosure of confidential information are either explicitly provided as disciplinary offence/breach of duty, or covered by the broader definition of other disciplinary offences (such as e.g. performing activities conflicting with the official duties, engaging in activities that prevent or deter citizens to exercise their rights; violating rules on work discipline, inappropriate behavior towards parties/citizens and colleagues, performing tasks negligently and disorderly, exceeding official authority). At one instance conflict of interest, if not timely resolved, leads to a dismissal (Law on civil servants and employees in the judiciary of Brcko District of Bosnia and Herzegovina). Others:
Applicable legislation provides broad list of other disciplinary offences, relating to the issue of the integrity, such as committing the actions that represent a criminal offense against official duty/ another criminal offense/minor offence that causes damage to the reputation of the civil service, which makes a civil servant unfit for duty.
Non-timely and/or incomplete asset declarations:
Duty of the court staff to declare their asset is not widely and consistently provided at all levels of jurisdiction. Some laws (i.e. the Law on civil service in the Federation of Bosnia and Herzegovina and cantonal laws on civil service) specifically provide obligation for civil servant to disclose his/her asset upon the appointment and the duty to report any changes during the employment. Failure to adhere to these rules is not specifically proscribed as a breach of duty or disciplinary offence. Breaches of integrity are provided for by legislation in respect of court staff which is adopted at different levels of government in Bosnia and Herzegovina. Relevant laws are listed below.
Bosnia and Herzegovina– Law on Labor in BiH Institutions; Rulebook on Disciplinary and Material Accountability of Employees in BiH Institutions; Code of Conduct of Civil Servants in BiH Institutions; Criminal code of BiH (e.g. Chapter Nineteen - Criminal offences of corruption and criminal offences against official duty or other responsible duty or Chapter Twenty - Criminal offences against administration of justice). Labor Law in BiH Institutions – Article 60:
1. An employee shall be disciplinarily responsible for the breach of one or more official duties prescribed by this law when the breach is a result of their own fault. 2. Breaches of official duties may be serious or minor. 3. Serious breaches of official duties are:
a) performing an act that is defined as a criminal offense against official duty, or another criminal offense, or misdemeanor, which damages the reputation of the employer, making the employee unsuitable for work with the employer; b) revealing state, military, or official secrets, or violating regulations concerning the safeguarding of these secrets; c) abuse or exceeding of official authority; d) failure to perform or negligent and careless execution of entrusted tasks; e) engaging in activities that prevent or hinder citizens or other persons from exercising their rights with the employer;
f) engaging in activities or work that is directly or indirectly contrary to the interests of the employer; g) causing greater material damage to the employer's property or assets intentionally or through gross negligence, h) unjustified absence from work for more than two days in a month; i) violation of work discipline rules; j) untimely and disorderly execution of assigned tasks; k) inappropriate behavior towards citizens, colleagues, and other persons in the performance of official duties; l) any other violation that is determined by a special law as a serious violation. 4. The Rulebook on Disciplinary and Material Accountability of Employees (hereinafter referred to as the Rulebook on Disciplinary Responsibility) determines minor violations of official duty. 5. Responsibility for committing a criminal act or offense does not exclude disciplinary and material responsibility of an employee, provided that such an act simultaneously constitutes a violation of official duty. 6. The rulebook referred to in paragraph 4 of this article is adopted by the Council of

Montenegro
(2025): Code of Ethics for Civil Servants and Employees

Serbia

2005 - correction, 64 of July 13, 2007, 67 of July 20, 2007 - correction, 116 of December 22, 2008, 104 of December 16, 2009, 99 of September 11, 2014, 94 of October 19, 2017, 95 of December 8, 2018, 157 of December 28, 2020, 142 of December 27, 2022, 13 of February 14, 2025 - US, 19 of March 6, 2025, 109 of December 4, 2025.

Chapter Nine

LIABILITY OF CIVIL SERVANTS

I. DISCIPLINARY LIABILITY

1. Definition. Types of violations of employment duties

Article 107

A civil servant shall be disciplinaryly liable for violations of employment duties.

Liability for a criminal offense or misdemeanor does not exclude disciplinary liability.

Violations of employment duties may be minor or serious.

2. Minor violations

Article 108

Miscellaneous violations of employment duties are:

1) frequent lateness, unjustified absence during working hours or early departure from work;

2) negligent storage of official documents or data;

3) unjustified absence from work for one working day;

4) unjustified failure to inform the immediate superior of the reasons for being unable to come to work within 24 hours of the occurrence of the reason;

4a) failure to inform or untimely notify a state body of a gift of lesser value received;

4b) failure to inform or untimely notify the manager of additional work that does not require the manager's consent;

5) violation of the code of conduct for civil servants that is not covered by any of the violations of employment duties provided for in this or a separate law.

3. Serious violations

Article 109.

Serious violations of employment duties are:

1) failure to perform or unconscientiously, untimely or negligently perform tasks or orders of a superior;

2) illegal work or omission of actions for which a civil servant is authorized to prevent illegality or damage;

3) abuse of rights arising from employment;

4) violation of the principle of impartiality or political neutrality or expression and representation of political beliefs at work;

Kosovo*

(2025): Regarding the disciplinary aspect, violations and measures are specified in Articles 8 and 9 of the relevant KJC regulation, attached via the link: https://www.gjyqesori-rks.org/wp-content/uploads/lgsl/42751_KGJK_Rregullore_Nr_03_2024_per_Proceduren_Disiplinore_per_Nenpunesit_ne_Administraten_Sistemit_Gjyqesor.pdf Other acts for the judicial administration include: Administrative Instruction No. 01/2024 on protocol in the judicial system of Kosovo, as well as the Code of Dress and Presentation in the workplace in the judicial system of Kosovo
LAW NO. 06/L-011 ON THE PREVENTION OF CONFLICTS OF INTEREST IN THE EXERCISE OF PUBLIC FUNCTIONS

Question 167

Albania

(General Comment): Please note that the constitution provides that a judge can be an Albanian citizen appointed by the High Judicial Council after graduating the School of Magistrates and after the conduction of a preliminary process of verification of their assets and their background checks, in accordance with the law. Hence, an initial obligation to declare assets, prior to their appointment as judges is provided in the constitution. Further, this obligation is further elaborated in the law on status of judges of prosecutors that provides that judges and prosecutors undergo an assets and background check, prior to their admission to the School of Magistrates, prior to their appointment as judges and prosecutors and every time that they apply for a position at a higher level.
However, please note that the obligation to annually declare their (applicable to judges and prosecutors) assets is provided in a special law, namely law on the declaration and audit of assets, financial obligations of elected persons and certain public officials.

Bosnia and Herzegovina

(General Comment): THE LAW ON THE HIGH JUDICIAL AND PROSECUTORIAL COUNCIL OF BOSNIA AND HERZEGOVINA The Article 86, paragraph 1 (Declaration of Assets and Interests) regulates as follows:
Judges and prosecutors shall submit to the HJPC their initial and annual declaration of assets and interests, including the manner and time of acquiring those assets and their acquisition value, income, interests, liabilities, expenditures and guarantees for themselves, their spouse or civil law partner, parents and children and other persons with whom they share a household. BOOK OF RULES OF THE HIGH JUDICIAL AND PROSECUTORIAL COUNCIL OF BOSNIA ON DISCLOSURE OF ASSETS AND INTERESTS HERZEGOVINA
The Article 19 regulates as follows:
(Types of Declarations and Filing Deadlines)
(1) First-time appointed judges and prosecutors shall file their asset declarations for the previous calendar year within 30 days from the date of publication of the decision on appointment on the website of the Council, while elected members of the Council shall file their asset declarations for the previous calendar year before taking office and within 30 days from the receipt of the decision on election.
(2) In the promotion procedure, the last annual report filed for the previous calendar year shall be taken as the initial report.
(3) Within the meaning of this Book of Rules, the term promotion shall not mean the appointment of:
1. of judges to the same or lower instances courts at Entity level;
2. of prosecutors to the same or lower instance prosecutor's offices at Entity level.
(4) Following the filing of their initial declaration, judges, prosecutors and Council members shall file their annual declarations by 1 March every year. (5) A judge, prosecutor and Council member whose term of office has expired shall, by 1 March of the year following the year for which the declaration is filed, file their asset declarations for the year in which their term expires and for the first calendar year following their end of term.

(2025): The bylaw was not marked in the Questionnaire for 2024, because it was inadvertently missed. Namely, the High Judicial and Prosecutorial Council of Bosnia and Herzegovina adopted the Book of Rules on Disclosure of Assets and Interests in 2024.

Montenegro
(General Comment): Law on prevention of corruption

(2025): A public official is obliged, within 30 days from the date of assuming office, in accordance with special regulations, to submit to the Agency a report on his/her property and income, as well as on the property and income of his/her spouse, common-law partner of the same sex and children if they live in a common household (hereinafter referred to as: the Report), as of the date of election, appointment, or appointment.
A public official is obliged to provide accurate and complete data in the Report.
During the performance of public office, a public official shall submit a Report:
- once a year, by the end of March of the current year for the previous year;
- in the event of changes from the Report relating to an increase in property exceeding 10,000 euros, within 30 days from the date of the change;
- at the request of the Agency in the event of initiation of the procedure referred to in Article 33, paragraph 2 of this Law, within 30 days from the date of receipt of the request, or initiation of the procedure ex officio.
In the event of termination of public office, a public official is obliged to notify the Agency thereof within 30 days of the termination of office and submit a Report.
A public official whose office has been terminated is obliged to submit a Report to the Agency once a year in the following two years after termination of office, by the end of March of the current year for the previous year.
A public official is obliged to notify the Agency thereof when transferring to another public office, as well as in the event of election, appointment, or appointment to another public office, within the meaning of Article 14, paragraphs 2 and 5 of this law, within 30 days of the change.
The obligation to submit a Report and the procedure for verifying data from the Report also applies to a civil servant who is required to submit a Report in accordance with a special law.

North Macedonia

(2023): Law on prevention of corruption and conflict of interest Article 83

(1) An elected or appointed person, responsible person in a public enterprise, public institution or other legal entity disposing with state capital, notary, enforcement agent, administrative officer of category A determined by law or a person employed in the cabinet of the President of the Republic of Macedonia, the President and the Vice-Presidents of the Assembly of the Republic of Macedonia, the President of the Government of the Republic of Macedonia, the Deputy Prime Ministers of the Government of the Republic of Macedonia, the Ministers and the Secretary General of the Government with aim to carry out tasks of a special adviser, in the selection, appointment, designation or employment, and no later than 30 days after the election, appointment, designation or employment shall submit a declaration of assets and interests.
(2) The declaration referred to in paragraph (1) of this Article shall contain:
- a detailed inventory of real estate, movables with a value exceeding the amount of twenty average net salaries in the previous three-month period, securities, receivables and debts, as well as other property in his/her possession, or ownership of the members of his/her family, stating the basis for acquiring the declared property;
- a statement of interest for him/her and his/her family members, which contains information on jobs and membership in management boards, membership in associations and foundations, and other data required by the prescribed form.
(3) The person referred to in paragraph (1) of this Article shall be obliged to submit a declaration of assets and interests and within 30 days from the day of termination of the function or employment.
(4) The person referred to in paragraph (1) of this Article shall submit the declaration of assets and interests to the State Commission.
(5) The person referred to in paragraph (1) of this Article shall submit the declaration of assets and interests in electronic form, and shall also submit a printed copy to the State Commission.
Article 85
(1) An elected or appointed person and a responsible person in a public enterprise or other legal entity disposing of state capital, notary, enforcement agent or administrative officer of category A determined by law or a person employed in the cabinet of the President of the Republic of Macedonia, the President of the Assembly of the Republic of the Republic Macedonia, the Vice-Presidents of the Assembly of the Republic of Macedonia, the President of the Government of the Republic of Macedonia, the Deputy Prime Ministers of the Government of the Republic of Macedonia, the Ministers and the Secretary General of the Government for the performance of tasks of a special adviser, shall be obliged within 30 days to report any increase in his/her property i.e. the property of a member of his/her family, in a value that exceeds the amount of twenty average net salaries in the Republic of Macedonia the previous three-month period, as well as change of interests (hereinafter: reporting changes in the assets and interests).
(2) The obligation referred to in paragraph (1) of this Article shall also apply to the persons referred to in Article 83 of this Law.
(3) An agreement or other document that is the basis for the change shall be attached to the report referred to in paragraph (1) of this Article.
(4) The persons referred to in paragraph (1) of this Article shall report the changes in the assets and interests by electronic submission of a form on changes in property situation and interests to the State Commission. A printed copy of the electronically filed form shall be submitted to the State Commission.
(5) The persons referred to in paragraph (2) of this Article shall report changes in their assets and interests by submitting a printed form for declaration of property situation and

(2024): Law on prevention of corruption and conflict of interest (Official Gazette No 12/2019)

(2023): Law on prevention of corruption and conflict of interest (Official Gazette No 12/2019)

(2022): Law on prevention of corruption and conflict of interest (Official Gazette No 12/2019)

Serbia

(General Comment): THE LAW ON THE PREVENTION OF CORRUPTION ("Official Gazette of RS", no. 35/2019, 88/2019, 11/2021 - authentic interpretation, 94/2021 and 14/2022)
A judge is a public official within the meaning of the law governing the prevention of corruption and is subject to the obligations of public officials established by that law.

(2024): THE LAW ON THE PREVENTION OF CORRUPTION ("Official Gazette of RS", no. 35/2019, 88/2019, 11/2021 - authentic interpretation, 94/2021 and 14/2022)
A judge is a public official within the meaning of the law governing the prevention of corruption and is subject to the obligations of public officials established by that law.

(2023): THE LAW
ON THE PREVENTION OF CORRUPTION
("Official Gazette of RS", no. 35/2019, 88/2019, 11/2021 - authentic interpretation, 94/2021 and 14/2022)A judge is a public official within the meaning of the law governing the prevention of corruption and is subject to the obligations of public officials established by that law.

(2022): Law on the Corruption Prevention

Question 168

Albania

(**General comment**) Article 3, 2 of law no. 9049, dated 10.4.2003 "On the declaration and control of the assets, financial obligations of the elected and some public employees", as amended, that follows article 3, and it states:
"Article 3/1
Declaration of assets for candidates in different positions in the justice system institutions 1. The following shall have the obligation to declare assets and private interests: a) candidates expressing their interest on Constitutional Court vacancies, in accordance with the provisions of the legislation regulating the governance of the justice system; b) candidates expressing their interest to become High Justice Inspector as well as non-magistrate candidates interested in becoming inspector in the High Justice Inspector Office, in accordance with the provisions of the legislation regulating the governance of the justice system; c) candidates for admission in the initial training of the School of Magistrates as well as graduates that are candidates for magistrate, in accordance with the provisions of the legislation regulating the status of judges and prosecutors;
ç) candidates for judge and judicial civil servant in the special courts against corruption and organised crime, as well their close family members, in accordance with the provisions of the legislation regulating the organisation and functioning of institutions against corruption and organised crime; d) candidates for prosecutor, investigation officer, administrative personnel of the Special Prosecutor's Office, National Bureau of Investigation, as well their close family members, in accordance with the provisions of the legislation regulating the organisation and functioning of institutions against corruption and organised crime; dh) candidates who seek promotion in higher or more specialised levels, in accordance with the provisions of the legislation regulating the status of judges and prosecutors;
e) candidates for member of the High Court from the ranks of distinguished legal experts, in accordance with the provisions of the legislation regulating the status of judges and prosecutors; ë) candidates for president of other courts or prosecutor's offices, in accordance with the provisions of the legislation regulating the status of judges and prosecutors; f) any other person that is subject to the obligation of declaration before candidacy, in accordance with the effective legislation.
2. Candidates for the positions referred to in point 1 of this article, who are subject to the obligation to declare private interests in accordance with the provisions of Article 3 of this law, shall not perform a new declaration, but shall be subjected to full audit of assets. In the event during 180 days prior to the submission of the request, the candidate has already been audited by the High Inspectorate of Declaration and Audit of Assets and Conflict of Interests and the audit didn't prove to be disfavourable for them, then the audit shall be considered as already performed.
3. The High Inspectorate shall perform full audit on the verification of truthfulness and accuracy of the data contained in the declarations of persons referred to in point 1 of this article within 2 months from the submission of the declaration, unless otherwise stipulated by the law. At the end of verification, the General Inspector shall immediately send the relevant verification reports to the relevant institutions."
Article 3/1 of the law no. 9049, dated 10.4.2003 "On the declaration and control of the assets, financial obligations of the elected and some public employees", as amended, specifies the obligation to declare for the candidates for different positions in the justice system.
This article has been added with the amendments made to the law, by law no. 42/2017, dated 6.4.2017, "On some changes and additions to the law no. 9049, dated 10.4.2003 'On the declaration and control of the assets, financial obligations of the elected and some public employees', as amended".
The subjects are obliged to declare to the High Inspectorate of the Declaration and Audit of Assets and Conflict of Interests, by

Bosnia and Herzegovina

(General Comment): The Article 86, paragraph 2 of the Law on the HJPC BiH, regulates as follows
(1)Declaration from paragraph (1) of this Article shall contain the following data:
a)Name and surname, date of birth, place and address of temporary/permanent residence, marital status/kinship with the declarant, employment status, function and place of work;
b)Data on all income for the judge, prosecutor, spouse or civil-law partner, parents, children and other persons from paragraph (1) of this Article with whom they share a household;
c)Data on income from other paid activities;
d)Data on ownership of real estates, including the manner and time of their acquisition, and acquisition value;
e)Data on ownership of vehicles, including the manner and time of its acquisition, and acquisition value;
f)Data on ownership of other movables the individual value of which exceeds EUR 2,500 including the manner and time of acquisition;
g)Data on deposits in banks or other financial institutions, including e-currencies and cash the value of which exceeds EUR 2,500;
h)Data on life insurance policy;
i)Data on gifts and donations received in connection with the performance of office, the value of which exceeds EUR 15;
j)Data on gifts and donations received as a private person if their individual value exceeds EUR 250 or 500 in total per year;
k)Data on investments, including shares and other securities;
l)Data on other expenses; the individual value of which exceeds EUR 2,500
m)Data on liabilities.

(2025): The gifts option was not marked in the Questionnaire for 2024, because it was inadvertently missed.

Montenegro

(General Comment): See Article 24 of the Law on prevention of corruption: "The Report shall contain:
1) Personal data of a public official and family household referred to in Art. 23, para 1 of the present Law, as follows: name and surname, Unique Master Citizen Number, permanent or temporary residence, address, education and occupation, and for the public official also the father's name, mother' name and mother's maiden surname.
2) Data about the public function exercised;
3) Data on assets and income of the public official and family household referred to in Art. 23, para 1, and especially on:
- Ownership rights over immovable assets and lease rights over immovable assets for a term exceeding one year, in the country and abroad;
- Ownership rights over movable assets whose value exceeds € 5,000, or that are required to be registered with the competent authorities
(motor vehicles, vessels, aircrafts, etc.);
- Ownership rights over the immovable and movable assets of a company, institution or other legal person owned or established by the public official;
- Deposits in banks and other financial institutions in the country and abroad;
- Stocks and shares in a legal person or other securities;
- Cash in the amount exceeding € 5,000;
- Rights arising from copyrights, patent and similar rights, intellectual and industrial property;
- Debt (principal, interest and repayment) and receivables;
- Sources and amount of income from the exercise of scientific, educational, cultural, artistic and sports activities;
- Membership in the management bodies and supervisory boards of public companies, public institutions and other legal persons with a share of capital owned by the state or municipality, as well as in scientific, educational, cultural, artistic, humanitarian, sports or similar associations.
For the purpose of verification of the data from the Report, a public official may give consent to the Agency for access to data on bank accounts and accounts of other financial institutions, in accordance with the law governing banking operations.
The consent referred to in para 2 shall refer to the period in which the obligations of a public official are valid in accordance with the present Law.
A public official shall enter the data referred to in para 1 in the Report form.
The Report form shall be established by the Agency and published on its website."

North Macedonia

(2025): Other - Items in value exceeding the amount of twenty average net salaries in the previous three-month period, securities, receivables and debts, as well as other property in his/her possession, or ownership of the members of his/her family, stating the basis for acquiring the declared property; and information on jobs and membership in management boards, membership in associations and foundations, and other data required by the prescribed form of the declaration.

Serbia

(General Comment): Note: A public official and a family member cannot receive a gift in relation to discharging public office, except for protocol or another appropriate gift. These gifts are not being declared in the Report. The reporting on received gifts is regulated in accordance with Article 62 of the Law on the Corruption Prevention through compulsory reporting and maintaining of gift records. Detailed explanation is in the answers for the Indicator 8.4 Conflicts of interests (question 217)

(2025): The Report shall contain the following data: According to the Law on the Corruption Prevention: Content of the Report Article 71 1) name and surname; 2) public office; 3) unique personal identification number; 4) place of residence and temporary place of residence; 5) telephone number and electronic mail address; 6) other job, activity and membership in bodies of associations; 7) source and amount of the net income of a public official that he/she receives for holding public office and the source and amount of other net incomes that he/she receives from the budget and other public sources; 8) source and amount of net income from another job or activity; 9) net incomes from scientific and research, educational, cultural and artistic, humanitarian and sporting activity; 10) property rights; incomes deriving from copyrights, patents and other intellectual 11) source and amount of other net income; 12) right of use of the apartment for official purposes; 13) right of use or right of lease over immovable; right of ownership or right of lease over movables which are subject to registration; 15) deposits in banks and other financial institutions bearing the name of a bank or a financial institution, type and account number and the amount of funds on such accounts; 16) lease of safe deposit boxes in banks; 17) receivables and debts (principle amount, interest, repayment periods and date of maturity); 18 shares and interest in a legal entity; 19) data on the legal entity in which the legal entity from item 18) hereof has more than 3% of shares and interest; 20) financial instruments; 21) entrepreneurial activity; 22) Cash, digital property and valuables, as well as other movable property whose value exceeds EUR 5,000, in RSD equivalent based on the middle exchange rate of the National Bank of Serbia.

Kosovo*

(General Comment): Other items as described in the form of Declaration of Assets
Others mean: any other function that the Judge might be engaged; and his/her financial debt to any legal or natural person. Law on declaration, origin and control of assets and gifts, Articles 6 and 25.

(2025): For further reference, see Article 6 of the Law No. 08/L-108 on the Declaration, Origin, and Control of Property and Gifts.

(2024): Further elaboration can be found in the Law on declaration, origin and control of assets and gifts, Articles 6 and Article 25.

(2023): Further elaboration can be found in the Law on declaration, origin and control of assets and gifts, Articles 6 and Article 25.

(2022): Further elaboration can be found in the Law on declaration, origin and control of assets and gifts, Articles 6 and Article 25.

Question 169

Albania

(General comment): Article 7 of the law no. 9049, dated 10.4.2003 "On the declaration and control of the assets, financial obligations of the elected and some public employees", as amended, sets out the provisions regarding the annual periodic declaration:
"Article 7
Annual Periodic Declaration
1. Periodic declarations shall only include the changes to the previously declared assets, financial obligations, and private interests, in accordance with Article 6 of this law, those appearing during the declaration year and any earned income and declarable expenditure carried out during the year being declared.
2. The declarations prior to the beginning of duty, according to Article 5/1 of this Law, and the declaration after leaving office, according to Article 7/1 of this Law, shall be specific instances of the periodic declaration.
3. All officials and other persons related, who have the obligation to declare, shall be obliged to present their declaration, by March 31 of each year, to the authority or responsible structure of the public institution contemplated in the legislation applicable to the prevention of conflict of interests in the exercise of public functions.
4. When the official transfers the rights of active ownership of shares or parts of the capital, according to the provisions of the legislation applicable to the prevention of conflict of interests in the exercise of public functions, in the periodic declaration, as long as this situation continues, they shall only declare the status of such rights before the transfer and the earning from property they effectively received during the year for which the declaration is made.
5. For the purpose of declaration before taking office, annual periodic declaration, or after leaving office, according to the above points of this article, the persons related to the officials who have the obligation to make a declaration shall include only the spouse, cohabitant, and their adult children."
Article 9 of the law no. 9049, dated 10.4.2003 "On the declaration and control of the assets, financial obligations of the elected and some public employees", as amended, sets out the provisions regarding the declaration on request:
"Article 9
Declaration on Request
1. The Inspector General shall have the duty to request the declaration of assets and private interests and the sources of their creation, according to the requirements of this Law, as well as to order the inspection of the accuracy of these declarations even for individuals, or natural and legal persons, when, from the verifications made, it turns out that the latter are persons related to entities that have the obligation to declare periodically.
2. The definition of a related person, pursuant to point 1 of this Article, shall also apply to a trustee, as defined in the legislation applicable to prevention of conflict of interests in the exercise of public functions, as well as to the cohabitants as defined by the Family Code.
3. The Inspector General, for the purpose of verifying the declaration of income, in accordance with the legislation applicable to income tax, shall send to the Minister of Finance and the General Director of Taxation information about the list of individuals who result as persons related with the declaring entities that have the obligation to declare, according to point 1 of this Article."

(2025): No changes from previous year

Bosnia and Herzegovina

(General Comment): In addition to the above stated options, in accordance with the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, judges in Bosnia and Herzegovina are obliged to submit annual declaration of assets within the deadline set by the HJPC which shall not extend beyond 30 April of the current year.
A judge who is appointed to a judicial office for the first time, shall submit his/her entry declaration within 30 days from the day of assuming the office.
A judge whose mandate has expired shall submit his/her declaration pursuant to this Law for the first year following the expiry of their mandate.

(2024): In addition to the above stated options, in accordance with the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, judges in Bosnia and Herzegovina are obliged to submit annual declaration of assets within the deadline set by the HJPC which shall not extend beyond 30 April of the current year.
A judge who is appointed to a judicial office for the first time, shall submit his/her entry declaration within 30 days from the day of assuming the office.
A judge whose mandate has expired shall submit his/her declaration pursuant to this Law for the first year following the expiry of their mandate.

(2023): The Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of Bosnia and Herzegovina", number: 63/23) was adopted on 6 September 2023. The Law entered into force on 23 September 2023 and it is in application since from 23 December 2023. However, the implementation of the Law will begin in 2024, following the organizational and technical preparations at the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. For the purpose of verifying declarations, through the Department responsible for processing declarations within the Secretariat of the HJPC referred to in Article 86f of the Law on Amendments to the Law on the HJPC, the HJPC shall adopt and regularly revise the risk criteria which shall be confidential. A risk criterion is a circumstance or a set of circumstances based on which declarations of assets and interests are prioritized for regular checks, a schedule of checks is prepared and an additional check is conducted. First appointment and promotion constitute a risk criterion requiring additional checks to be conducted ex officio in accordance with Article 86c paragraphs (4) to (8) of the Law on Amendments to the Law on the HJPC.).

Montenegro

(General Comment): Article 23 of the Law on Prevention of Corruption : Submitting the Report on Income and Assets

Art. 23

A public official shall, within 30 days of assuming the function, submit the Agency with a Report on Income and Assets, as well as on assets and income of married and common-law spouse and children, if they live in the same household (hereinafter: the Report), according to the state of play on the day of election, appointment, or assignment.

A public official shall provide the accurate and complete information in the Report. During the exercise of a public function, a public official shall submit the Report:

- Once a year, by the end of March of the current year for the previous year;
- In the case of changes from the Report that relate to an increase in assets of more than € 5,000, within 30 days of the date of change;
- At the request of the Agency in the case of initiation of proceedings referred to in Art. 31, para 1 and 2, within 30 days of receipt of the request, or initiation of proceedings ex officio.

In the case of termination of public function, a public official shall, within 30 days of termination of the function, notify the Agency thereon and submit the Report.

A public official whose function has terminated shall annually, over the next two years after termination of the function, submit the
Report to the Agency, according to the state of play on the day of submitting the Report.

When moving to another public function, as well as in the case of election, appointment, or assignment to another public function, the public official shall, pursuant to Art. 12, para 2 and 4 of the present Law, notify the Agency thereon within 30 days of the change.

The obligation to submit Report and the procedure of verification of the data from the Report shall also apply to civil servants who are obliged to submit the Report in accordance with a special law.

North Macedonia

(General Comment): Law on prevention of corruption and conflict of interests (2019)
Reporting changes in assets and interests
Article 85
(1) An elected or appointed person and a responsible person in a public enterprise or other legal entity disposing of state capital, notary, enforcement agent or administrative officer of category A determined by law or a person employed in the cabinet of the President of the Republic of Macedonia, the President of the Assembly of the Republic of the Republic Macedonia, the Vice-Presidents of the Assembly of the Republic of Macedonia, the President of the Government of the Republic of Macedonia, the Deputy Prime Ministers of the Government of the Republic of Macedonia, the Ministers and the Secretary General of the Government for the performance of tasks of a special adviser, shall be obliged within 30 days to report any increase in his/her property i.e. the property of a member of his/her family, in a value that exceeds the amount of twenty average net salaries in the Republic of Macedonia the previous three-month period, as well as change of interests (hereinafter: reporting changes in the assets and interests). (2) The obligation referred to in paragraph (1) of this Article shall also apply to the persons referred to in Article 83 of this Law.
(3) An agreement or other document that is the basis for the change shall be attached to the report referred to in paragraph (1) of this Article.
(4) The persons referred to in paragraph (1) of this Article shall report the changes in the assets and interests by electronic submission of a form on changes in property situation and interests to the State Commission. A printed copy of the electronically filed form shall be submitted to the State Commission.
(5) The persons referred to in paragraph (2) of this Article shall report changes in their assets and interests by submitting a printed form for declaration of property situation and interests to the authorities in which they are employed.

Serbia
(2025): According to the Law on the Corruption Prevention:
In accordance with Article 69 - the person whose public office has terminated shall be bound, two years after the termination of public office, file the Report according to the state on 31 December of the previous year, and prior to the expiry of the deadline for filing the annual tax return, at the latest, for determining the citizen's income tax, under the condition that such property and income have change significantly, compared to the previous year.
A significant change exists when there has been an increase or decrease in the assets or income which, according to the preceding Report, exceed the average annual salary without taxes and contributions in the Republic of Serbia, or when there is a change to the structure of said assets.

(2024): In accordance to Article 69 - the person whose public office has terminated shall be bound, two years after the termination of public office, file the Report according to the state on 31 December of the previous year, and prior to the expiry of the deadline for filing the annual tax return, at the latest, for determining the citizen's income tax, under the condition that such property and income have change significantly, compared to the previous year.
A significant change exists when there has been an increase or decrease in the assets or income which, according to the preceding Report, exceed the average annual salary without taxes and contributions in the Republic of Serbia, or when there is a change to the structure of said assets.

(2023): In accordance to Article 69 - the person whose public office has terminated shall be bound, two years after the termination of public office, file the Report according to the state on 31 December of the previous year, and prior to the expiry of the deadline for filing the annual tax return, at the latest, for determining the citizen's income tax, under the condition that such property and income have change significantly, compared to the previous year.
A significant change exists when there has been an increase or decrease in the assets or income which, according to the preceding Report, exceed the average annual salary without taxes and contributions in the Republic of Serbia, or when there is a change to the structure of said assets.

Kosovo*

(General Comment): According to the Article 7 of the Law on declaration of assets:
The declaration of assets by the declaring entities is made in the following cases:
1.1. declaration upon assumption of duty;
1.2. regular annual declaration;
1.3. declaration after termination or dismissal from public office.
2. In cases where the declaring subject moves from one declaring position to another declaring position, there is no obligation to make the declaration upon taking office. The same should only make the declaration regular annual as provided by this law.
Other: at the request by the Anti-Corruption Agency

(2024): According to the Article 7 of the Law on declaration of assets:
The declaration of assets by the declaring entities is made in the following cases:
1.1. declaration upon assumption of duty;
1.2. regular annual declaration;
1.3. declaration after termination or dismissal from public office.
2. In cases where the declaring subject moves from one declaring position to another declaring position, there is no obligation to make the declaration upon taking office. The same should only make the declaration regular annual as provided by this law.

(2023): According to the Article 7 of the Law on declaration of assets:
The declaration of assets by the declaring entities is made in the following cases:
1.1. declaration upon assumption of duty;
1.2. regular annual declaration;
1.3. declaration after termination or dismissal from public office.
2. In cases where the declaring subject moves from one declaring position to another declaring position, there is no obligation to make the declaration upon taking office. The same should only make the declaration regular annual as provided by this law.

(2022): According to the Article 7 of the Law on declaration of assets:
The declaration of assets by the declaring entities is made in the following cases:
1.1. declaration upon assumption of duty;
1.2. regular annual declaration;
1.3. declaration after termination or dismissal from public office.
2. In cases where the declaring subject moves from one declaring position to another declaring position, there is no obligation to make the declaration upon taking office. The same should only make the declaration regular annual as provided by this law.

Question 170

Albania
(General Comment): In accordance with article 21 and 22 of the special law, the declaration of assets includes the assets of the subject and his family (husband / wife, cohabitant and adult children), the sources of creation and financial liabilities of the entity. The declaration shall also include the fact whether the declarant has or does not have any other related persons.
When the property of the members of the family is divided and registered as such in the bodies of the state or judicial administration, the declaration is submitted separately by each member of the family, with the property registered in his/her own name, and it is attached to the declaration of the subject who has the obligation to make the declaration. The member of the family and the person related to the declaring subject is legally liable for the authenticity and accuracy of the declared data. Spouses and adult children have an obligation to declare assets the same as the judge or prosecutor. On the special form, there is a separate section for the spouse and the adult children that is signed by them, and if there are any assets that have not been declared, they are administratively or criminally liable for the omission to declare. However, for underage children the obligation to declare their assets rests with the judge or the prosecutor since, in any case, if the children would have any assets under their name, they would be acting as legal representatives for that asset, and therefore such interests would have to be declared. However, this is a very rare situation, since, in the most cases, underage children are unable to enter into legal transactions.

Bosnia and Herzegovina

(General Comment): In accordance with the Article 86, paragraph 1 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina the judges are obliged to submit the asset declaration for themselves, their spouse or civil-law partner, parents and children and other persons with whom they share a household.

(2024): In accordance with the Article 86, paragraph 1 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina the judges are obliged to submit the asset declaration for themselves, their spouse or civil-law partner, parents and children and other persons with whom they share a household (hereinafter: the Declaration).

(2023): The financial statement shall include information about spouses and children who are part of the same household and hold shares in or participate in the management of private or public corporations and associations, including political parties. The Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of Bosnia and Herzegovina", number: 63/23) was adopted on 6 September 2023. The Law entered into force on 23 September 2023 and it is in application since 23 December 2023. However, the implementation of the Law will begin in 2024, following the organizational and technical preparations at the High Judicial and Prosecutorial Council of Bosnia and Herzegovina.

(2022): The financial statement shall include information about spouses and children who are part of the same household and hold shares in or participate in the management of private or public corporations and associations, including political parties.

Montenegro

(General Comment): Article 23 of the Law defines that the report shall include assets and income of married and common-law spouse and children, if they live in the same household.

(2025): Adult children if a part of the same household

North Macedonia

(General Comment): Article 82, paragraph 2 from the Law on prevention of corruption and conflict of interests
(2) The declaration referred to in paragraph (1) of this Article shall contain:
- a detailed inventory of real estate, movables with a value exceeding the amount of twenty average net salaries in the previous three-month period, securities, receivables and debts, as well as other property in his/her possession, or ownership of the members of his/her family, stating the basis for acquiring the declared property;
- a statement of interest for him/her and his/her family members, which contains information on jobs and membership in management boards, membership in associations and foundations, and other data required by the prescribed form.

Serbia

(2025): According to the Law on the Corruption Prevention:
In accordance with Article 68 a public official is obligated to submit to the Agency the report on his/her property and income and the property and income of the spouse or common-law partner, as well as of the minors if living in the same household. *Note: According to the Article 76 of the new Law on the Corruption Prevention the Agency may request from the associated persons to directly submit data on their properties and incomes, if in the procedure of verification of property status of the certain officials it is suspected that they conceal the real value of their property.

(2024): In accordance with Article 68 a public official is obligated to submit to the Agency the report on his/her property and income and the property and income of the spouse or common-law partner, as well as of the minors if living in the same household. *Note: According to the Article 76 of the new Law on the Corruption Prevention the Agency may request from the associated persons to directly submit data on their properties and incomes, if in the procedure of verification of property status of the certain officials it is suspected that they conceal the real value of their property.

(2023): In accordance with Article 68 a public official is obligated to submit to the Agency the report on his/her property and income and the property and income of the spouse or common-law partner, as well as of the minors if living in the same household. *Note: According to the Article 76 of the new Law on the Corruption Prevention the Agency may request from the associated persons to directly submit data on their properties and incomes, if in the procedure of verification of property status of the certain officials it is suspected that they conceal the real value of their property

Kosovo*

(General Comment): According to Article 14 of the Law on Declaration of Assets:
Declaring subjects are obliged to declare the assets of the family members with whom he lives in a family community.
2.The family members for whom the declaring entity declares the assets, are as follows:
2.1. spouse;
2.2. extramarital spouse;
2.3. parents; and
2.4. children.
Other family members: parents who live in the same household
Regarding children, the declaration concerns children with whom he/she lives in the same household

(2025): In accordance to the Law No. 08/L-108, Article 14, on the Declaration, Origin, and Control of Property and Gifts, this declaration concerns family members, including spouses, extramarital partners, parents and children so long as they live in the same household.

(2024): According to Article 14 of the Law on Declaration of Assets:
Declaring subjects are obliged to declare the assets of the family members with whom he lives in a family community.
2.The family members for whom the declaring entity declares the assets, are as follows:
2.1. spouse;
2.2. extramarital spouse;
2.3. parents; and
2.4. children.

(2023): According to Article 14 of the Law on Declaration of Assets:
Declaring subjects are obliged to declare the assets of the family members with whom he lives in a family community.
2.The family members for whom the declaring entity declares the assets, are as follows:
2.1. spouse;
2.2. extramarital spouse;
2.3. parents; and
2.4. children.

(2022): According to Article 14 of the Law on Declaration of Assets:
Declaring subjects are obliged to declare the assets of the family members with whom he lives in a family community.
2.The family members for whom the declaring entity declares the assets, are as follows:
2.1. spouse;
2.2. extramarital spouse;
2.3. parents; and
2.4. children.

Question 171

Bosnia and Herzegovina
(General Comment): In accordance with the amendment to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina (i.e. the Article 86e), which has been applied since 2024, HJPC has established the Register of Declarations on Assets and Interests. Declarations of judges and prosecutors whose mandate has terminated shall be expunged from the Register ten years after mandate termination. Expungement is suspended during any ongoing use of the declarations and attached documents by the Council or any other authority for an official procedure.

North Macedonia

(General Comment): There is not separate declaration form for the family members, the data for the family members are declared in the same declaration form.

Question 172

Bosnia and Herzegovina

(General Comment): In accordance with the Article 86f of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, in 2025 the HJPC established the Asset Declaration Department responsible for processing declarations within the HJPC Secretariat (hereinafter: the Department), which is independent in performing its tasks and shall be competent for implementing the provisions of this Law that regulate the processing of declarations, without receiving any instructions and without any interference in its work on specific cases. The Department is independently managed by the Head of the Department, who organizes and ensures the lawful and efficient performance of tasks, while performing the function entrusted to him/her conscientiously. The Head of the Department is assisted in his/her work by the Deputy Head, legal advisers, expert advisers and other employees
tasked to perform duties laid down in the Rulebook on Internal Organization and Job Systematization in the Secretariat.
Furthermore, in accordance with the Article 3, paragraph 1 of the Book of Rule, as an integral component of the HJPC BiH Secretariat's organisational structure, the Asset Declaration Department independently and autonomously carries out the competences outlined in Article 86g of the Law on the HJPC BiH, in accordance with the Law on the HJPC BiH and the Law on Civil Service in the Institutions of BiH.

Question 173

Albania

(General Comment): Article 25/1
Complete audit of the declaration of assets and private interests
1. The complete audit to verify the authenticity and accuracy of the data contained in the declaration of assets and private interests shall be carried out:
a) every 2 years for the President of the Republic, members of Parliament, Prime Minister, Deputy Prime Minister, Minister, Deputy Minister, Constitutional Court judge, judge of the High Court, member of the High Judicial Council, members of the High Prosecutorial Council, General Prosecutor, Head of the Special Prosecutor's Office, Head of the National Bureau of Investigation, High Justice Inspector, and inspectors of the High Inspectorate of Justice, the Chairman of the High State Audit, Ombudsman, members of the Central Election Committee, members of the regulatory bodies and competition protection bodies, the Governor of the Bank of Albania, Deputy Governor and members of its Supervisory Board;
b) every 3 years for prefects, mayors, and heads of regional councils, the civil servants of high-management level of public administration, officials of high management level of customs and tax administration, judges of appeal, prosecutors of the Special Prosecutor's Office, prosecutors of Appeal and General Prosecutor's Office, as well as judicial police officers of the National Investigation Bureau;
c) Every 4 years for the heads of state institutions, central or local, and members of collegial bodies of these institutions not included in the above letters of this point.
ç) Every 4 years for all judges of the court of first instance and prosecutors of the judicial district of the first instance;
d) Every 5 years for other officials not included in the above letters.
Points 2 and 3 are abrogated
4. The complete audit or re-audit of the declaration shall be carried out by the Inspector General, when they have data from legitimate sources, questioning the authenticity and accuracy of the data contained in the declaration of an official, and when there is a discrepancy resulting from the arithmetic and logical audit, showing that the sources do not cover or do not justify the property rights of the declaring entity.
5. The complete audit and administrative investigation conducted by the High Inspector shall be completed within 6 months after its start, which may be prolonged in compliance with the requirements of the Administrative Procedure Code.

Serbia

(2025): Only for declarations of assets in Annual plan for checking reports on assets and incomes of officials and for declarations of assets in an Extraordinary check.
According to the Law on the Coruption Preventon:
In accordance with Article 75, the Agency shall verify the accuracy and completeness of data contained in the Report, as well as the timeliness of submission of the Report, according to the annual plan of verification, issued by the Director. The Annual Verification Plan shall be rendered based on the previous analysis of the Agency, whereby particular attention shall be paid
to the category of public officials, the amount of their earnings and the amount of the financial funds from the budget that bodies of public authority have available, in which public officials are holding public office. The Agency shall extraordinarily Verify the accuracy and the completeness of data from.the Report, if doubting that accurate and complete dat a were reported
in the Report.
In accordance to Article 76 in the course of procedure of verification of property status, the Agency shall assess whether there lies a discrepancy in-between the data from the Report and the actual state of affairs or discrepancy in-between the increase value of the property and the reported incomes In case of discrepancy, the Agency shall summon a public official or a person from Article 68, paragraph 1 of this Law, to state on the reasons for discrepancy, within 15 days. lf, during Verification of the Report, there is doubt that a public official is concealing the actual value of his/her property or income, the Agency may request from the associated persons to directly file data on their property and incomes, within 30 days from the date of reception of the request In case a discrepancy is determined, the Agency shall notify the competent body, for the
purpose of undertaking measures within its purview. The body from paragraph 4 hereof, shall be bound, within three months from the date of reception of the notification, to familiarize the Agency with the undertaken measures.
Annual Verfication Plan: According to the new Law on the Corruption Prevention, the Agency, when drafting the Annual Verification Plan, will take into account the category of public officials, the amount of their receipts and the amount of funds from the budget of the authority in which they perform the function, thus defining criteria that will be applied in the preparation
of the Annual Verification Plan. This will contribute to higher level of transparency in the selection of officials whose reports will be subject to verification procedure. In addition, in 2022 the Agency_adopted Guidelines for Drafting Annual Verification Plan.

(2024): In accordance with Article 75 the Agency shall verify the accuracy and completeness of data contained in the Report, as well as the timeliness of submission of the Report, according to the annual plan of verification, issued by the Director. The Annual Verification Plan shall be rendered based on the previous analysis of the Agency, whereby particular attention shall be paid to the category of public officials, the amount of their earnings and the amount of the financial funds from the budget that bodies of public authority have available, in which public officials are holding public office. The Agency shall extraordinarily verify the accuracy and the completeness of data from the Report, if doubting that accurate and complete data were reported in the Report.
In accordance to Article 76 in the course of procedure of verification of property status, the Agency shall assess whether there lies a discrepancy in-between the data from the Report and the actual state of affairs or discrepancy in-between the increase value of the property and the reported incomes In case of discrepancy, the Agency shall summon a public official or a person from Article 68, paragraph 1 of this Law, to state on the reasons for discrepancy, within 15 days. If, during verification of the Report, there is doubt that a public official is concealing the actual value of his/her property or income, the Agency may request from the associated persons to directly file data on their property and incomes, within 30 days from the date of reception of the request. In case a discrepancy is determined, the Agency shall notify the competent body, for the purpose of undertaking measures within its purview. The body from paragraph 4 hereof, shall be bound, within three months from the date of reception of the notification, to familiarize the Agency with the undertaken measures. *Annual Verification Plan: According to the new Law on the Corruption Prevention, the Agency, when drafting the Annual Verification Plan, will take into account the category of public officials, the amount of their receipts and the amount of funds from the budget of the authority in which they perform the function, thus defining criteria that will be applied in the preparation of the Annual Verification Plan. This will contribute to higher level of transparency in the selection of officials whose reports will be subject to verification procedure. In addition, in 2022 the Agency adopted Guidelines for Drafting Annual Verification Plan.

(2023): In accordance with Article 75 the Agency shall verify the accuracy and completeness of data contained in the Report, as well as the timeliness of submission of the Report, according to the annual plan of verification, issued by the Director. The Annual Verification Plan shall be rendered based on the previous analysis of the Agency, whereby particular attention shall be paid to the category of public officials, the amount of their earnings and the amount of the financial funds from the budget that bodies of public authority have available, in which public officials are holding public office. The Agency shall extraordinarily verify the accuracy and the completeness of data from the Report, if doubting that accurate and complete data were reported in the Report.
In accordance to Article 76 in the course of procedure of verification of property status, the Agency shall assess whether there lies a discrepancy in-between the data from the Report and the actual state of affairs or discrepancy in-between the increase value of the property and the reported incomes In case of discrepancy, the Agency shall summon a public official or a person from Article 68, paragraph 1 of this Law, to state on the reasons for discrepancy, within 15 days. If, during verification of the Report, there is doubt that a public official is concealing the actual value of his/her property or income, the Agency may request from the associated persons to directly file data on their property and incomes, within 30 days from the date of reception of the request. In case a discrepancy is determined, the Agency shall notify the competent body, for the purpose of undertaking measures within its purview. The body from paragraph 4 hereof, shall be bound, within three months from the date of reception of the notification, to familiarize the Agency with the undertaken measures.
*Annual Verification Plan: According to the new Law on the Corruption Prevention, the Agency, when drafting the Annual Verification Plan, will take into account the category of public officials, the amount of their receipts and the amount of funds from the budget of the authority in which they perform the function, thus defining criteria that will be applied in the preparation of the Annual Verification Plan. This will contribute to higher level of transparency in the selection of officials whose reports will be subject to verification procedure. In addition, in 2022 the Agency adopted Guidelines for Drafting Annual Verification Plan.

(2022): financial discrepancies (unusual change in assets, liabilities, income, etc.) *Note: Only for declarations of assets in Annual plan for checking reports on assets and incomes of officials and for declarations of assets in Extraordinary check.

Kosovo*

(General Comment): The Agency verifies the content of each asset declaration. "Unexplained financial discrepancies ": article 18 § 11 of the Law on declaration, origin and control of assets and gifts refers to the control of discrepancies in the data of the assets from the previous year. Besides, § 2 of article 18 specifies that the control of the declarations implies also checking data against information from previous forms.

Question 174

Bosnia and Herzegovina

(General Comment): In accordance with the amendment to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina (i.e. the Article 86e), which has been applied since 2024, HJPC has established the Register of Declarations on Assets and Interests. Declarations of judges and prosecutors whose mandate has terminated shall be expunged from the Register ten years after mandate termination. Expungement is suspended during any ongoing use of the declarations and attached documents by the Council or any other authority for an official procedure.

North Macedonia

(2023): http://www.dksk.org.mk/imoti_2/

(2022): http://www.dksk.org.mk/imoti_2/

Kosovo*

(2025): Yes. A register of asset declarations is established and maintained through an electronic asset declaration system, in accordance with Article 11 of Law No. 08/L-108 on Asset Declaration.

(2024): In the Agency for Prevention of Corruption

Question 175

Albania

(General Comment): HIDAACI pursues an open and transparent policy with citizens, media and civil society, aiming to strengthen the bridges of cooperation between them and the institution, always in compliance with the requirements of the law “On the right to information” and protection of personal data when receiving and handling requests for information. Asset declaration are made public upon requests, coming from citizen, NGO, Media and for the period, 2014- 2018, approximately 41,261 copies of declaration forms were made publicly available. While from 2019, approximately 10,937 asset declarations were made publicly available. Request can be submitted online or in writing to the appropriate contact point (designated contact point for this purpose) of HIDACCI.

(2022): Asset declarations are made public upon requests coming from citizens, NGO, Media and for the period, 2014 - 2022, approximately 66,204 copies of declaration forms were made publicly available. During the year 2021, 3,553 declarations were made publicly available, while during 2022, 4,271 declarations were made publicly available
In general declarations are made public through requests coming from citizens, NGO, and Media, which can be submitted through the official email address or in writing to HIDACCI. Through the processing of such requests hard copies of the requested declaration forms are provided in compliance with the provisions of the laws on the right of information and the protection of personal data. These declarations are usually published in open data sources such as Open Data Albania. However as of 2022, with the implementation and improvement of the new online declaration system (EACIDS) which is now fully functional for declaration purposes, the publication of all the declarations is possible through this system for public access.

Bosnia and Herzegovina

(General Comment): The Article 86a. of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes that declaration of assets shall be published on the HJPC website with the purpose to strengthen integrity, transparency and public trust in the judiciary, and to prevent conflict of interest and other impermissible influence on the performance of a judicial office. The following data from the declaration shall not be available to the public: names of minor persons listed in the declaration, except for the first letter of their first name, personal identity number and residence address of the judge or prosecutor or other persons listed in the declaration, the name and number of the street where the property listed in the declaration is located, bank account numbers and other financial ID numbers, individual amounts of cash owned by a judge or prosecutor and individual amounts of money owned by other household members, registration numbers of vehicles.
Annual income tax return and other attachments that a judge submit with their declarations shall not be available to the public.
First and last names of the relatives of a judge working in the judiciary, the bar, public attorney or notary offices shall be published on the HJPC website. Relatives shall include relatives in the direct line of descent, relatives in the lateral line of descent up to a third degree, relatives-in-law to a second degree and the child of a spouse, spouse or a civil-law partner, adoptive parents and adopted children.
Information from asset declarations of judges whose term of office has been terminated will not be publicly available three years after the termination.

(2024): The Article 86a. of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes that declaration of assets shall be published on the HJPC website with the purpose to strengthen integrity, transparency and public trust in the judiciary, and to prevent conflict of interest and other impermissible influence on the performance of a judicial office. The following data from the declaration shall not be available to the public: names of minor persons listed in the declaration, except for the first letter of their first name, personal identity number and residence address of the judge or prosecutor or other persons listed in the declaration, the name and number of the street where the property listed in the declaration is located, bank account numbers and other financial ID numbers, individual amounts of cash owned by a judge or prosecutor and individual amounts of money owned by other household members, registration numbers of vehicles.
Annual income tax return and other attachments that a judge submit with their declarations shall not be available to the public.
First and last names of the relatives of a judge working in the judiciary, the bar, public attorney or notary offices shall be published on the HJPC website. Relatives shall include relatives in the direct line of descent, relatives in the lateral line of descent up to a third degree, relatives-in-law to a second degree and the child of a spouse, spouse or a civil-law partner, adoptive parents and adopted children. Furthermore, the Article 21 of the Book of Rule is related to transparency of processing declaration and prescribes that annual declarations and end-of-term declarations of judges are published on the website of the HJPC within 30 days of the deadline for filing declarations. Initial asset declarations of newly appointed judges are published on the website of the HJPC within 30 days from assuming office. Information from asset declarations not available to the public pursuant to the Article 86a of the Law on the HJPC BiH is clearly marked in asset declaration form to be filled out electronically.
Information from asset declarations of judges whose term of office has been terminated will not be publicly available three years after the termination.

(2023): Only with the consent of judges and prosecutors, their declarations of assets are published on the website of the HJPC BiH during 2023 (for the declaration of assets for 2022). The Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of Bosnia and Herzegovina", number: 63/23) was adopted on 6 September 2023. The Law entered into force on 23 September 2023 and it is in application since from 23 December 2023. However, the implementation of the Law will begin in 2024, following the organizational and technical preparations at the High Judicial and Prosecutorial Council of Bosnia and Herzegovina.

(2022): Only with the consent of judges and prosecutors, their declarations of assets are published on the website of the HJPC BiH.

Montenegro

(General Comment): www.antikorupcija.me

(2024): https://www.antikorupcija.me/me/registri/

(2023): https://www.antikorupcija.me/me/registri/

(2022): https://www.antikorupcija.me/me/registri/

North Macedonia

(General Comment): http://www.dksk.org.mk/imoti_2/

(2024): https://registar.dksk.mk/submission-forms?page=0&rowsPerPage=5&naming=true

(2023): http://www.dksk.org.mk/imoti_2/

(2022): http://www.dksk.org.mk/imoti_2/

Serbia

(2024): https://publicacas.acas.rs/#/acas/obrazacZaPrijavuImovineIPrihoda

(2023): https://publicacas.acas.rs/#/acas/obrazacZaPrijavuImovineIPrihoda

Kosovo*

(General Comment): It is published on the Website of the Anti-Corruption Agency and in the internal database of the Agency

Question 176

Albania

(General Comment): Article 40/1 of the law no.9049/2003 provides that “1. Any violation of the obligations set forth in this Law, when it does not constitute a criminal offense, shall constitute an administrative contravention and shall be punishable by a fine, according to the limits specified below: a) For failure to declare before taking office, annually periodically, upon leaving office, or upon request, on time and without good cause, the official or the person related to him, who has the obligation to declare, shall be fined from 200,000 (two hundred thousand) ALL up to 500,000 (five hundred thousand) ALL” Criminal sanction, Article 257/a/1 of the Criminal Code “Refusal for declaration, non-declaration, concealment or false declaration of assets, private interests of elected persons and public employees, or of any other person that is legally binding for the declaration” provides that “The refusal or failure of the elected persons or public servants or any other person being subject to the legal obligation to make the declaration in accordance with the law to declare the assets shall, where disciplinary measures have previously been taken, consist a criminal offence and it shall be punished by a fine or up to 6 months imprisonment”.
Disciplinary sanction , Article 15 of the Law no.9049/2003 provides that “The High Inspectorate of Declaration and Audit of Assets and Conflict of Interests shall convey to the bodies responsible for investigating disciplinary violations a reasoned report accompanied by the documentation related to the verified irregularities pertaining to the declared assets”.

(2025): No changes from previous year

Bosnia and Herzegovina

(General comment): The Article 56, paragraph 2 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes the list of the disciplinary offences for judges which includes (among others):
l) violating provisions of this Law on submitting declaration of assets and interests.
Therefore non-declaration of assets is prescribed by the law explicitly as a disciplinary offence for the judge for which any disciplinary measure can be imposed depending on the circumstances of an individual disciplinary case. Article 58 of the the Law prescribes the disciplinary measures, which the HJPC may impose, to the judges:
(1) The Council may impose one or more of the following disciplinary measures: (a) a written warning which shall not be made public; (b) public reprimand; (c) reduction in salary or emoluments up to a maximum of 50% (fifty per cent) for a period of up to one (1) year; (d) temporary or permanent reassignment to another court or prosecutor's office; (e) demotion of a Court President to an ordinary judge or the Chief Prosecutor or Deputy Chief Prosecutor to an ordinary prosecutor; (f) removal from the office. (2) As a separate measure, instead of or in addition to any of the disciplinary measures set out above, the Council may, if appropriate, order that a judge or prosecutor participate in rehabilitation programmes, counselling, or professional training. (3) All rights and privileges under labour relations of a judge, Court President, Chief Prosecutor, Deputy Chief Prosecutor, or prosecutor who is removed from office pursuant to a disciplinary proceeding shall cease upon removal by the Council. A judges or prosecutor who is removed from office under this article shall be barred from further exercise of judicial or prosecutorial function. Article 59 of the Law refers to the Principles for determining of the measures:
(1)Disciplinary measures imposed should be governed by the principle of proportionality. Before pronouncing the measures for a disciplinary offence, the following aspects shall be taken into consideration by the disciplinary commissions:
(a)the number and severity of the disciplinary offence committed and its consequences;
(b)the degree of responsibility;
(c)the circumstances under which the disciplinary offence was committed;
(d)the previous work and behaviour of the offender; and
(e)any other circumstances that may affect the decision on the severity and type of disciplinary measure, including the degree of remorse and/or cooperation shown by the judge or prosecutor during the disciplinary proceedings.
(2)The disciplinary measure of dismissal shall only be used in cases where a serious disciplinary offence is found and the severity of the offence makes it clear that the offender is unfit or unworthy to continue to hold his or her office.
(3)The Council may take into account any prior suspension, imposed in the course of the proceedings in question, and may reduce the disciplinary measure accordingly, or may, at its discretion,determine that the prior suspension is itself a sufficient measure for the disciplinary violation or violations found.
In order to support the disciplinary commissions and the Council in determining and imposing disciplinary measures in accordance with the Article 59 of the Law, the Council adopted in July 2016 internal Guidelines for Determining Disciplinary Measures in Disciplinary Proceedings. These Guidelines prescribe the manner in which an appropriate disciplinary measure should be determined in a specific disciplinary case, and ensure consistency and fairness in all cases relating to similar disciplinary offences and circumstances. The Guidelines serve as a means of achieving the primary purpose of disciplinary responsibility, which includes the following: (a) protecting the interests of the public, judicial

(2014). The Article 58, paragraph 2 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes the list of the disciplinary offences for judges which includes (among others):
l) violating provisions of this Law on submitting declaration of assets and interests;
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(b)the degree of responsibility;
(c)the circumstances under which the disciplinary offence was committed;
(d)the previous work and behaviour of the offender; and
(e)any other circumstances that may affect the decision on the severity and type of disciplinary measure, including the degree of remorse and/or cooperation shown by the judge or prosecutor during the disciplinary proceedings.
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Montenegro

(General Comment): The Agency for Prevention of Corruption (APC) brings the decision about which it informs the public authority in which public official is working, for the purposes of initiating procedure of dismissal, suspension or imposition of a disciplinary measure. The public authority acting upon the decision of the APC may initiate administrative proceedings and impose sanctions such as disciplinary sanctions. The public authority informs the Agency for prevention of corruption about the results of this proceeding, in the deadline of 60 days.
Moreover, based on its findings, the Agency for prevention of corruption has the authority to initiate misdemeanor proceedings before misdemeanor courts.

(2024): The sanction for non-declaration of assets is a sanction is related to the serious disciplinary proceedings which can result with fine in amount od 20-40 percent of monthly income from 3 to 6 months or prohibition of promotion.

(2023): The sanction for non-declaration of assets is a sanction is related to the serious disciplinary proceedings which can result with fine in amount od 20-40 percent of monthly income from 3 to 6 months or prohibition of promotion.

(2022): Other disciplinary sanction: The sanction for non-declaration of assets is a sanction is related to the serious disciplinary proceedings which can result with fine in amount of 20-40 percent of monthly income from 3 to 6 months or prohibition of promotion.

North Macedonia

Article 75
(1) A more severe disciplinary violation for which a procedure for establishing a judge's responsibility is instituted shall be considered as:
1) severe violation of public order and peace and other more serious forms of misconduct that violates the reputation of the court and his/her reputation;
2) gross influence and interference in the performance of the judicial function of another judge;
3) if he refuses to file a statement of assets and interests according to law or if his statement contains gross inaccuracies or
4) manifestly violation of the rules for exemption in situations in which the judge knew or should have known about the existence of one of the grounds for exemption provided for by law.
Dismissal of a judge
Article 74 (1) The judge shall be dismissed from the judicial office:
- due to a more serious disciplinary violation that makes him unfit for
performance of the judicial function prescribed by law and
- due to unprofessional and negligent performance of the judicial function under conditions
established by law.
The judge is dismissed from the judicial position according to the grounds
provided for in paragraph (1) of this article, if:
- the violation was committed with intent or obvious negligence due to the judge's fault
without justifiable reasons and
- the injury caused serious consequences.
In the case of a lighter form of violation of the grounds from paragraph (1) hereof
article, the judge may be subject to a disciplinary measure.
In accordance with Article 78 of the Law on Courts On the established responsibility of a judge, the Council can pronounce one of
the following disciplinary measures:
- written warning,
- public reprimand,
- salary reduction in the amount of 15% to 30% of the monthly salary
judge for one to six months.

Serbia

(2025): Types of Measures Article 82
A public official may be pronounced a measure of reprimand or a measure of public announcement of recommendation of dismissal from public office. Notwithstanding paragraph 1 of this Article, a public official elected directly by citizens, as well as a person whose public office has terminated, may be pronounced a measure of reprimand or a measure of public announcement of the decision on violation of this Law.
When pronouncing measures, all circumstances of the case shall be considered, and in particular the weight and the consequences of violation of this Law as well as the possibility of eliminating the violations, as well as whether the public official has acted upon the previously imposed measure of reprimand until the expiry of the time limit that was set in the decision.
Requirements for Pronouncing Measures
Article 83
Measure of reprimand shall be pronounced in case a public official committed a minor violation of this Law. A minor violation of this Law shall be the kind of violation that did not affect the impartial discharge of public office. The measure of public announcement of recommendation for dismissal from public office and the measure of public announcement of the decision on violation of this Law, shall be pronounced due to severe violation of this Law. A severe violation of this Law shall be the violation that affected the impartial discharge of public office, as well as the reputation and the trust of citizens shown to the public official and the public office, he/she is discharging.
According to the Law on the Corruption Prevention:
According to article 103 paragraph 17 – a public official shall be fined from 100,000 to 150,000 RSD for the failure to report assets and income or submit a notification within the prescribed time limit, i.e. submits an incorrect or incomplete report on assets and income (articles 68 and 69).
According to article 101 a public official who, contrary to the provisions of this Law, fails to report assets and income to the Agency, or provides false information on assets and income in order to conceal information on assets and income, shall be punished by a prison term of six months to five years.

(2024): A public official may be pronounced a measure of reprimand or a measure of public announcement of recommendation of dismissal from public office. Notwithstanding paragraph 1 of this Article, a public official elected directly by citizens, as well as a person whose public office has terminated, may be pronounced a measure of reprimand or a measure of public announcement of the decision on violation of this Law.
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Kosovo*

(General Comment): According to the Law on declaration, origin and control of assets and gifts, Article 28:
The Agency is competent to impose punitive measure against the declaring entities in the following cases:
1.1. failure to file the regular annual declaration of assets upon appointment under Article 8 of this Law;
1.2. failure to file the regular annual declaration of assets under Article 9 of this Law;
1.3. failure to file the regular annual declaration of assets upon termination of the mandate
under Article 10 of this Law;
1.4. failure to comply with the request of the Agency for providing information or other supporting documents, under Article 19 of this Law.
2. The Agency shall impose, after the expiration of the term, a fine on each declaring entity who fails to fulfil their duties under sub-paragraphs 1.1 to 1.4 of this Article.
3. The fine imposed pursuant to paragraph 2 of this Article shall be imposed in the rate of up to thirty percent (30%) of the net monthly salary of the declaring entity, but in no case shall this amount exceed the threshold of five hundred (500) Euro.
4. In case the declaring entity does not fulfil the obligation, even after the imposition of the fine, but not later than fifteen (15) calendar days from the day when they had to fulfil the obligation under paragraphs 1.1 to 1.4 of this Article, then the Agency shall file a criminal report with the relevant prosecution office.
5. The court, in case of sanctioning the declaring entity in criminal proceedings, shall take into consideration the fine imposed by the Agency. According to Criminal Code:
Article 430
Failure to report or falsely reporting property, revenue/income, gifts, other material benefits or financial obligations
1. Any person, obligated by law to file a declaration of property, income, gifts, other material benefits or financial obligations, who fails to do so, shall be punished by a fine or by imprisonment of up to three (3) years. The offense in paragraph 1. of this Article is deemed committed when the deadline for filing the declaration has passed and no report has been filed.
2. Any person, obligated by law to file a declaration of property, income, gifts, other material benefits or financial obligations, who falsifies or omits data or required information on the required declaration shall be punished by a fine and imprisonment of six (6) months to five (5) years. Fines imposed under this Article may be daily and may be imposed until the perpetrator complies with the final order, ruling, decision or judgment that is the subject of the action.
3. The value of the non-reported or the falsely reported property, income, gifts, or other material benefits shall be confiscated.

(2025): After the expiration of the legally prescribed deadline, the Agency shall impose a fine on each declaring entity that fails to fulfil its obligations within the time frame provided by law. If the obligated person continues to fail to submit the asset declaration after the fine has been imposed, the Agency shall file a criminal complaint with the competent prosecution office.

(2024): For a delay in declaration, a fine of 30% of the payment is imposed.
For inaccuracies up to 3,000 euros, a warning is issued.
For inaccuracies exceeding 3,000 euros, a criminal complaint is prepared.

(2023): According to the Law on declaration, origin and control of assets and gifts, Article 28:
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1.1. failure to file the regular annual declaration of assets upon appointment under Article 8 of this Law;
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2. Any person, obligated by law to file a declaration of property, income, gifts, other material benefits or financial obligations, who falsifies or omits data or required information on the required declaration shall be punished by a fine and imprisonment of six (6) months to five (5) years. Fines imposed under this Article may be daily and may be imposed until the perpetrator complies with the final order, ruling, decision or judgment that is the subject of the action.
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3. The value of the non-reported or the falsely reported property, income, gifts, or other material benefits shall be confiscated.

Question 177

Albania
(2024): The cases represent administrative investigations conducted by HIDAACI while sanctions represent fines.

**(2023): ***The cases represent administrative investigations conducted by HIDAACI while sanctions represent fines.

Bosnia and Herzegovina
(2022): The cases are pending.

Montenegro

(2025): During 2025, there were no disciplinary proceedings for failure to declare or incorrect declaration of assets to the Agency for the Prevention of Corruption.

(2024): 8 misdemeanor procedures against active and former judges:
- 2 for failing to submit the regular annual report on income and assets;
- 3 for not submitting the report on income and assets 30 days after the termination of office;
- 2 for not submitting the report on income and assets one and two years after the termination of office;
- 1 for submitting a report with inaccurate and incomplete data.

2 administrative procedures against judges for submitting a report lacking accuracy and completeness.
To date, there has been 1 warning from the competent court for misdemeanors, and 2 decisions by the APC regarding violations of the LPC by judges.

(2023): -Due to the failure to submit the regular annual report on income and assets for the year 2022, two misdemeanor proceedings were initiated against judges in 2023. Both proceedings have been completed: in one case, a warning was issued, and in the other, an acquittal was issued. Source: Agency for Suppression of Corruption

(2022): Misdemeanour proceedings:
During the reporting period, 4 misdemeanor proceedings were initiated against former judges for failing to submit assets declaration 30 days after termination of office and one year after termination of office, and 3 proceedings for failing to submit regular annual asset declaration. 2 were completed, others are ongoing. The outcome of these misdemanour proceedings was 2 warnings.
Administrative proceedings:
In the reporting period, administrative proceedings were initiated against 2 judges related to the submission of reports with incorrect and incomplete data in 2021.
Data on administrative procedures initiated due to the submission of reports with incorrect and incomplete data in 2022 will be known by the first quarter of 2023.
In 2022, decisions were made that 70 judges (69 from 2021 and 1 from 2022) did not submit accurate and complete data in the regular annual report for 2020.
Authorities did not act in accordance with the Article 42 of the Law on Prevention of Corruption in none of the aforementioned decisions.

Serbia

(2025): Number of proceedings conducted by the Agency - 17 cases initiated, 43 cases completed and 22 pronounced sanctions
Number of proceedings conducted by the the misdemeanour courts - 6 cases initiated, 2 cases completed and 2 pronounced sanctions
Number of proceedings conducted by the the criminal courts - 1 cases initiated, 0 cases completed and 0 pronounced sanctions
In the table we have entered the Number of cases against judges due to violations/discrepancies in their declaration of assets by the Agency.

(2024): The entered data refers to the number of proceedings conducted by the Agency, when we talk about the number of proceedings conducted by the misdemeanor courts, the number of cases initiated is 6, the number of completed cases is 5 (2 cases from 2022, 1 case from 2023, and 2 cases from 2024), and when it comes to the number of sanctions imposed the total is 5 (3 measures of reprimands and 2 monetary fines of 15.000,00 and 20.000,00 RSD)

(2023): Q202. Number of proceedings against judges due to violations/discrepancies in their declaration of assets:
Number of cases initiated Number of cases completed Number of sanctions pronounced
Number of proceedings conducted by the Agency 36 (2 from 2023
4 from 2022) 5 (4 measures of reprimand 1 measure public announcement of decision on the violation of the law (3-2022 and 2-2023)
Number of proceedings conducted by the misdemeanour courts 64 (from 2022) 3 measures of reprimands and 1 monetary fine 30.000,00 Serbian dinars

(2022): 57 measures of reprimand and 1 fine of 30000 RSD

Kosovo*

(2025): During the reporting period of 2025, 133 judges were randomly selected for full verification of their asset declarations through the electronic system. 30 cases have been completed with no violations found and therefore no sanctions imposed. Three cases are still under verification, and the outcome or potential sanctions are not yet determined.

(2024): There has been only one case where a judge was sanctioned with a fine for delayed reporting.

Question 178

Bosnia and Herzegovina

(General Comment): THE LAW ON THE HIGH JUDICIAL AND PROSECUTORIAL COUNCIL OF BOSNIA AND HERZEGOVINA The Article 86, paragraph 1 (Declaration of Assets and Interests) regulates as follows:
Judges and prosecutors shall submit to the HJPC their initial and annual declaration of assets and interests, including the manner and time of acquiring those assets and their acquisition value, income, interests, liabilities, expenditures and guarantees for themselves, their spouse or civil law partner, parents and children and other persons with whom they share a household BOOK OF RULES OF THE HIGH JUDICIAL AND PROSECUTORIAL COUNCIL OF BOSNIA ON DISCLOSURE OF ASSETS AND INTERESTS HERZEGOVINA
The Article 19 regulates as follows:
(Types of Declarations and Filing Deadlines)
(1) First-time appointed judges and prosecutors shall file their asset declarations for the previous calendar year within 30 days from the date of publication of the decision on appointment on the website of the Council, while elected members of the Council shall file their asset declarations for the previous calendar year before taking office and within 30 days from the receipt of the decision on election.
(2) In the promotion procedure, the last annual report filed for the previous calendar year shall be taken as the initial report.
(3) Within the meaning of this Book of Rules, the term promotion shall not mean the appointment of:
1. of judges to the same or lower instances courts at Entity level;
2. of prosecutors to the same or lower instance prosecutor's offices at Entity level.
(4) Following the filing of their initial declaration, judges, prosecutors and Council members shall file their annual declarations by 1 March every year. (5) A judge, prosecutor and Council member whose term of office has expired shall, by 1 March of the year following the year for which the declaration is filed, file their asset declarations for the year in which their term expires and for the first calendar year following their end of term.

(2025): The bylaw was not marked in the Questionnaire for 2024, because it was inadvertently missed. Namely, the High Judicial and Prosecutorial Council of Bosnia and Herzegovina adopted the Book of Rules on Disclosure of Assets and Interests in 2024.

(2024): The Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of Bosnia and Herzegovina", number: 63/23) was adopted on 6 September 2023. The Law entered into force on 23 September 2023 and it is in application since from 23 December 2023. The implementation of the Law has started in 2024. Therefore pursuant to the Article 86, paragraph 1 (Declaration of Assets and Interests) of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina (Official Gazette of BiH, number 25/04, 93/05, 48/07, 15/08, 63/23, 9/24 i 50/24) prosecutors are obliged to submit to the HJPC their initial and annual declaration of assets and interests, including the manner and time of acquiring those assets and their acquisition value, income, interests, liabilities, expenditures and guarantees for themselves, their spouse or civil-law partner, parents and children and other persons with whom they share a household.

Montenegro

(General Comment): Law on prevention of corruption

(2025): Law on the Prevention of Corruption (“Official Gazette of Montenegro,” No. 54/2024 of 11 June 2024, effective 12 June 2024), Article 1, Article 9 – Conflict of Interest, with broader explanation in Articles 10–27.

North Macedonia

Article 82

(1) An elected or appointed person, responsible person in a public enterprise, public institution or other legal entity disposing with state capital, notary, enforcement agent, administrative officer of category A determined by law or a person employed in the cabinet of the President of the Republic of Macedonia, the President and the Vice-Presidents of the Assembly of the Republic of Macedonia, the President of the Government of the Republic of Macedonia, the Deputy Prime Ministers of the Government of the Republic of Macedonia, the Ministers and the Secretary General of the Government with aim to carry out tasks of a special adviser, in the selection, appointment, designation or employment, and no later than 30 days after the election, appointment, designation or employment shall submit a declaration of assets and interests.

(2) The declaration referred to in paragraph (1) of this Article shall contain:

- a detailed inventory of real estate, movables with a value exceeding the amount of twenty average net salaries in the previous three-month period, securities, receivables and debts, as well as other property in his/her possession, or ownership of the members of his/her family, stating the basis for acquiring the declared property;
- a statement of interest for him/her and his/her family members, which contains information on jobs and membership in management boards, membership in associations and foundations, and other data required by the prescribed form.

(3) The person referred to in paragraph (1) of this Article shall be obliged to submit a declaration of assets and interests and within 30 days from the day of termination of the function or employment.

(4) The person referred to in paragraph (1) of this Article shall submit the declaration of assets and interests to the State Commission.

(5) The person referred to in paragraph (1) of this Article shall submit the declaration of assets and interests in electronic form, and shall also submit a printed copy to the State Commission.

Article 85

(1) An elected or appointed person and a responsible person in a public enterprise or other legal entity disposing of state capital, notary, enforcement agent or administrative officer of category A determined by law or a person employed in the cabinet of the President of the Republic of Macedonia, the President of the Assembly of the Republic of the Republic Macedonia, the Vice-Presidents of the Assembly of the Republic of Macedonia, the President of the Government of the Republic of Macedonia, the Deputy Prime Ministers of the Government of the Republic of Macedonia, the Ministers and the Secretary General of the Government for the performance of tasks of a special adviser, shall be obliged within 30 days to report any increase in his/her property i.e. the property of a member of his/her family, in a value that exceeds the amount of twenty average net salaries in the Republic of Macedonia the previous three-month period, as well as change of interests (hereinafter: reporting changes in the assets and interests).

(2) The obligation referred to in paragraph (1) of this Article shall also apply to the persons referred to in Article 83 of this Law.

(3) An agreement or other document that is the basis for the change shall be attached to the report referred to in paragraph (1) of this Article.

(4) The persons referred to in paragraph (1) of this Article shall report the changes in the assets and interests by electronic submission of a form on changes in property situation and interests to the State Commission. A printed copy of the electronically filed form shall be submitted to the State Commission.

(2024): Law on prevention of corruption and conflict of interest (Official Gazette of North Macedonia No. 12/2019)

(2023): Law on prevention of corruption and conflict of interest (Official Gazette of North Macedonia No. 12/2019)

(2022): Law on prevention of corruption and conflict of interest (Official Gazette of North Macedonia No. 12/2019)

Serbia

(General Comment): According to the Law on the Corruption Prevention:
VII. PROPERTY DISCLOSURE REPORT
Regular property disclosure report
Article 68
A public official shall, within 30 days from the date of election, appointment or nomination, submit to the Agency the report on his/her property and income (hereinafter referred to as: the Report), the property and income of the spouse or common-law partner, as well as of the minors if living in the same household, according to the state on the date of election, appointment or nomination.
A public official, who, upon termination of public office is immediately re-elected, reappointed or renominated, shall not file the Report again, if there are no changes to the data provided in the previous Report, but shall be bound to inform the Agency thereof, within 30 days from the date of re-election, reappointment or renomination.
The Report shall also be filed by a person whose public office terminated, within 30 days from the date of termination of public office, according to the state on the date of termination of public office.
Extraordinary property disclosure report
Article 69
If the property or income of a public official significantly change in the previous year, the public official shall file the Report to the Agency according to the state on 31 December, of the previous year, and prior to the expiry of deadline for the filing of the annual tax return for determining taxes to citizens' income.
Significant change shall exist if property or income were increased or decreased, according to the prior Report, or if exceeding the average annual salary without taxes and contributions in the Republic of Serbia or if the structure of such property has changed.
The person whose public office has terminated shall be bound, two years after the termination of public office, file the Report according to the state on 31 December of the previous year, and prior to the expiry of the deadline for filing the annual tax return, at the latest, for determining the citizen's income tax, under the condition that such property and income have change significantly, compared to the previous year.

(2023): THE LAW ON THE PREVENTION OF CORRUPTION ("Official Gazette of RS", no. 35/2019, 88/2019, 11/2021 - authentic interpretation, 94/2021 and 14/2022)

(2022): Law on the Corruption Prevention

Question 179

Albania

(General Comment): The subjects are obliged to declare to the High Inspectorate of the Declaration and Audit of Assets and Conflict of Interests, by March 31st of each year, the situation of their private interests inside and outside the territory of Albania, the sources of their creation, and their financial obligations up to December 31st of the previous year, as follows:
a) immovable properties and the real rights over them according to the Civil Code;
b) movable properties that can be registered in the public registers and the real rights over them according to the Civil Code;
c) Items with special value over 300 000 (three hundred thousand) ALL;
ç) The value of shares, securities and parts of capital owned;
d) The amount of liquidity, situation in cash outside the banking system, in current account, deposits, treasury bonds and loans, in ALL or foreign currency;
dh) Financial obligations to natural and legal persons, expressed in ALL or in foreign currency;
e) Personal income for the year, from the salary or participation in boards, commissions or any other activity that brings personal income;
ë) Licenses and patents that bring income.
f) Gifts and preferential treatments, including the identity of the natural or legal person from whom come or are created the gifts or preferential treatments. The gifts or preferential treatments are not declared when their value is less than 10,000 (ten thousand) ALL, and when two or more gifts or preferential treatments given by the same person, together, do not exceed this value during the same period of declaration;
g) Engagements in private activities for profit or any kind of activity that generates income, including any kind of income created by this activity or this engagement;
gj) Private interests of the entity, corresponding, containing, based on or derived from family or cohabitation relations;
h) Any declarable expenses, worth over 300,000 (three hundred thousand) ALL, carried out during the declaration year;
Private interests of other types, different from those specified in Article 4 of this Law, may be required to be declared periodically, if it is possible and appropriate for subcategories of interests within these types, determined by order of the Inspector General.
2. Subjects specified in Article 3/1 of this law, shall be obliged to declare – to the High Inspectorate of Declaration and Audit of Assets and Conflict of Interests – their private interests, their sources, as well as their domestic and out-of-country financial obligations, in compliance with Article 5/1 of this law and in accordance to the timeframes stipulates by the effective legislation.

(2025): No changes from previous year.

(2022): Except above mentioned, must be declared any expenses incurred in the amount of over 300,000 ALL, eg. for education, health care, vacation, rent, etc., and the total of the annual expenditure by declaring savings, as appropriate.

Bosnia and Herzegovina

(General Comment): The Article 86, paragraph 2 of the Law on the HJPC BiH, regulates as follows
(1)Declaration from paragraph (1) of this Article shall contain the following data:
a)Name and surname, date of birth, place and address of temporary/permanent residence, marital status/kinship with the declarant, employment status, function and place of work;
b)Data on all income for the judge, prosecutor, spouse or civil-law partner, parents, children and other persons from paragraph (1) of this Article with whom they share a household;
c)Data on income from other paid activities;
d)Data on ownership of real estates, including the manner and time of their acquisition, and acquisition value;
e)Data on ownership of vehicles, including the manner and time of its acquisition, and acquisition value;
f)Data on ownership of other movables the individual value of which exceeds EUR 2,500 including the manner and time of acquisition;
g)Data on deposits in banks or other financial institutions, including e-currencies and cash the value of which exceeds EUR 2,500;
h)Data on life insurance policy;
i)Data on gifts and donations received in connection with the performance of office, the value of which exceeds EUR 15;
j)Data on gifts and donations received as a private person if their individual value exceeds EUR 250 or 500 in total per year;
k)Data on investments, including shares and other securities;
l)Data on other expenses; the individual value of which exceeds EUR 2,500
m)Data on liabilities.

Montenegro

(General Comment): Data Reported
Art. 24
The Report shall contain:
1) Personal data of a public official and family household referred to in Art. 23, para 1 of the present Law, as follows: name and surname, Unique Master Citizen Number, permanent or temporary residence, address, education and occupation, and for the public official also the father's name, mother' name and mother's maiden surname.
2) Data about the public function exercised;
3) Data on assets and income of the public official and family household referred to in Art. 23, para 1, and especially on:
- Ownership rights over immovable assets and lease rights over immovable assets for a term exceeding one year, in the country and abroad;
- Ownership rights over movable assets whose value exceeds € 5,000, or that are required to be registered with the competent authorities (motor vehicles, vessels, aircrafts, etc.);
- Ownership rights over the immovable and movable assets of a company, institution or other legal person owned or established by the public official;
- Deposits in banks and other financial institutions in the country and abroad;
- Stocks and shares in a legal person or other securities;
- Cash in the amount exceeding € 5,000;
- Rights arising from copyrights, patent and similar rights, intellectual and industrial property;
- Debt (principal, interest and repayment) and receivables;
- Sources and amount of income from the exercise of scientific, educational, cultural, artistic and sports activities;
- Membership in the management bodies and supervisory boards of public companies, public institutions and other legal persons with a share of capital owned by the state or municipality, as well as in scientific, educational, cultural, artistic, humanitarian, sports or similar associations.
For the purpose of verification of the data from the Report, a public official may give consent to the Agency for access to data on bank accounts and accounts of other financial institutions, in accordance with the law governing banking operations.
The consent referred to in para 2 shall refer to the period in which the obligations of a public official are valid in accordance with the present Law.
A public official shall enter the data referred to in para 1 in the Report form.
The Report form shall be established by the Agency and published on its website. Submission of Reports
Art. 25 A public official shall submit the Report to the Agency electronically, and in writing.

(2025): State Prosecutors declare all immovable property, income, gifts, as well as liabilities.

North Macedonia
(2025): Other - Items in value exceeding the amount of twenty average net salaries in the previous three-month period, securities, receivables and debts, as well as other property in his/her possession, or ownership of the members of his/her family, stating the basis for acquiring the declared property; and information on jobs and membership in management boards, membership in associations and foundations, and other data required by the prescribed form of the declaration.

Serbia

Article 71

1) name and surname;
2) public office;
3) unique personal identification number;
4) place of residence and temporary place of residence;
5) telephone number and electronic mail address;
6) other job, activity and membership in bodies of associations;
7) source and amount of the net income of a public official that he/she receives for holding public office and the source and amount of other net incomes that he/she receives from the budget and other public sources;
8) source and amount of net income from another job or activity;
9) net incomes from scientific and research, educational, cultural and
artistic, humanitarian and sporting activity;
10) property rights; incomes deriving from copyrights, patents and other intellectual
11) source and amount of other net income;
12) right of use of the apartment for official purposes;
13) right of use or right of lease over immovables; right of ownership or right of lease over movables which are subject to registration;
15) deposits in banks and other financial institutions bearing the name of a bank or a financial institution, type and account number and the amount of funds on such accounts;
16) lease of safe deposit boxes in banks;
17) receivables and debts (principle amount, interest, repayment periods and date of maturity);
18 shares and interest in a legal entity;
19) data on the legal entity in which the legal entity from item 18) hereof has more than 3% of shares and interest;
20) financial instruments;
21) entrepreneurial activity;
22) Cash, digital property and valuables, as well as other movable property whose value exceeds EUR 5,000, in RSD equivalent based on the middle exchange rate of the National Bank of Serbia.

* Note: A public official and a family member cannot receive a gift in relation to discharging public office, except for protocol or another appropriate gift. These gifts are not being declared in the Report. The reporting on received gifts is regulated in accordance with Article 62 of the Law on the Corruption Prevention through compulsory reporting and

(2023) According to the Law on the Corruption Prevention
Content of the Report
Article 71
1) name and surname;
2) public office;
3) unique personal identification number;
4) place of residence and temporary place of residence;
5) telephone number and electronic mail address;
6) other job, activity and membership in bodies of associations;
7) source and amount of the net income of a public official that he/she receives for holding public office and the source and amount of other net incomes that he/she receives from the budget and other public sources;
8) source and amount of net income from another job or activity;
9) net incomes from scientific and research, educational, cultural and
artistic, humanitarian and sporting activity;
10) property rights; incomes deriving from copyrights, patents and other intellectual
11) source and amount of other net income;
12) right of use of the apartment for official purposes;
13) right of use or right of lease over immovables; right of ownership or right of lease over movables which are subject to registration;
14) deposits in banks and other financial institutions bearing the name of a bank or a financial institution, type and account number and the amount of funds on such accounts;
15) lease of safe deposit boxes in banks;
16) receivables and debts (principle amount, interest, repayment periods and date of maturity);
17) shares and interest in a legal entity;
18) data on the legal entity in which the legal entity from item 18) hereof has more than 3% of shares and interest;
19) financial instruments;
20) entrepreneurial activity;
21) Cash, digital property and valuables, as well as other movable property whose value exceeds EUR 5,000, in RSD equivalent based on the middle exchange rate of the National Bank of Serbia.
* Note: A public official and a family member cannot receive a gift in relation to discharging public office, except for protocol or another appropriate gift. These gifts are not being

(2024): Comments According to the Law on the Corruption Prevention:
Content of the Report
Article 71
1) name and surname;
2) public office;
3) unique personal identification number;
4) place of residence and temporary place of residence;
5) telephone number and electronic mail address;
6) other job, activity and membership in bodies of associations;
7) source and amount of the net income of a public official that he/she receives for holding public office and the source and amount ofother net incomes that he/she receives from the budget and other public sources;
8) source and amount of net income from another job or activity;9) net incomes from scientific and research, educational, cultural and artistic, humanitarian and sporting activity;
10) property rights; incomes deriving from copyrights, patents and other intellectual
11) source and amount of other net income;
12) right of use of the apartment for official purposes;
13) right of use or right of lease over immovables; right of ownership or right of lease over movables which are subject to registration;
14) deposits in banks and other financial institutions bearing the name of a bank or a financial institution, type and account number and the amount of funds on such accounts; 15) lease of safe deposit boxes in banks;
16) receivables and debts (principle amount, interest, repayment periods and date of maturity); 17) shares and interest in a legal entity;
18) data on the legal entity in which the legal entity from item 18) hereof has more than 3% of shares and interest; 19) financial instruments;
20) entrepreneurial activity;
21) Cash, digital property and valuables, as well as other movable property whose value exceeds EUR 5,000, in RSD equivalent based on the middle exchange rate of the National Bank of Serbia.
* Note: A public official and a family member cannot receive a gift in relation to discharging public office, except for protocol or another appropriate gift. These gifts are not being declared in the Report. The reporting on received gifts is regulated in accordance with Article 62 of the Law on the Corruption Prevention through compulsory reporting and maintaining of gift records. Detailed explanation is in the answers for the Indicator 8.4 Conflicts of interests (question 217).

(2023): According to the Law on the Corruption Prevention
Content of the Report
Article 71
1) name and surname;
2) public office;
3) unique personal identification number;
4) place of residence and temporary place of residence;
5) telephone number and electronic mail address;
6) other job, activity and membership in bodies of associations;
7) source and amount of the net income of a public official that he/she receives for holding public office and the source and amount of other net incomes that he/she receives from the budget and other public sources;
8) source and amount of net income from another job or activity;
9) net incomes from scientific and research, educational, cultural and
artistic, humanitarian and sporting activity;
10) property rights; incomes deriving from copyrights, patents and other intellectual
11) source and amount of other net income;
12) right of use of the apartment for official purposes;
13) right of use or right of lease over immovables; right of ownership or right of lease over movables which are subject to registration;
14) deposits in banks and other financial institutions bearing the name of a bank or a financial institution, type and account number and the amount of funds on such accounts;
15) lease of safe deposit boxes in banks;
16) receivables and debts (principle amount, interest, repayment periods and date of maturity);
17) shares and interest in a legal entity;
18) data on the legal entity in which the legal entity from item 18) hereof has more than 3% of shares and interest;
19) financial instruments;
20) entrepreneurial activity;
21) Cash, digital property and valuables, as well as other movable property whose value exceeds EUR 5,000, in RSD equivalent based on the middle exchange rate of the National Bank of Serbia.
* Note: A public official and a family member cannot receive a gift in relation to discharging public office, except for protocol or another appropriate gift. These gifts are not being

(2022): gift form added to the previous questionnaire

Kosovo*

(General Comment): Article 6 of the Law on declaration, origin and control of assets and gifts.

(2025): For further reference, see Article 6 of the Law No. 08/L-108 on the Declaration, Origin, and Control of Property and Gifts.

(2023): Article 6 of the Law on declaration, origin and control of assets and gifts

Question 180

Albania

(General Comment): Also, another declaration of prosecutors is the Periodic/Annual Private Interest Statement, who is declared during each year (annual/periodic) of exercising their function. Declaration Forms are approved from the High Inspectorate of Declaration and Audit of Assets and Conflict of Interests.

(2024): Another declarations of assets from prosecutors is the Periodic/Annual Private Interest Statement, which are declared during each time the prosecutors apply for promotion in higher positions. Declaration Forms are approved from the High Inspectorate of Declaration and Audit of Assets and Conflict of Interests

Bosnia and Herzegovina

(General Comment): In addition to the above stated options, in accordance with the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, prosecutors are obliged to submit annual declaration of assets within the deadline set by the HJPC which shall not extend beyond 30 April of the current year. A prosecutor who is appointed to a judicial office for the first time, shall submit his/her entry declaration within 30 days from the day of assuming the office. A prosecutor whose mandate has expired shall submit his/her declaration pursuant to this Law for the first year following the expiry of their mandate.

(2024): In addition to the above stated options, in accordance with the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, prosecutors are obliged to submit annual declaration of assets within the deadline set by the HJPC which shall not extend beyond 30 April of the current year. A prosecutor who is appointed to a judicial office for the first time, shall submit his/her entry declaration within 30 days from the day of assuming the office. A prosecutor whose mandate has expired shall submit his/her declaration pursuant to this Law for the first year following the expiry of their mandate.

(2023): The Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of Bosnia and Herzegovina", number: 63/23) was adopted on 6 September 2023. The Law entered into force on 23 September 2023 and it is in application since from 23 December 2023. However, the implementation of the Law will begin in 2024, following the organizational and technical preparations at the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. For the purpose of verifying declarations, through the Department responsible for processing declarations within the Secretariat of the HJPC referred to in Article 86f of the Law on Amendments to the Law on the HJPC, the HJPC shall adopt and regularly revise the risk criteria which shall be confidential. A risk criterion is a circumstance or a set of circumstances based on which declarations of assets and interests are prioritized for regular checks, a schedule of checks is prepared and an additional check is conducted. First appointment and promotion constitute a risk criterion requiring additional checks to be conducted ex officio in accordance with Article 86c paragraphs (4) to (8) of the Law on Amendments to the Law on the HJPC.).

Montenegro

(General Comment): Article 23 of the Law on Prevention of Corruption : Submitting the Report on Income and Assets
Art. 23
A public official shall, within 30 days of assuming the function, submit the Agency with a Report on Income and Assets, as well as on assets and income of married and common-law spouse and children, if they live in the same household (hereinafter: the Report), according to the state of play on the day of election, appointment, or assignment.
A public official shall provide the accurate and complete information in the Report. During the exercise of a public function, a public official shall submit the Report:
- Once a year, by the end of March of the current year for the previous year;
- In the case of changes from the Report that relate to an increase in assets of more than € 5,000, within 30 days of the date of change;
- At the request of the Agency in the case of initiation of proceedings referred to in Art. 31, para 1 and 2, within 30 days of receipt of the request, or initiation of proceedings ex officio.
In the case of termination of public function, a public official shall, within 30 days of termination of the function, notify the Agency thereon and submit the Report.
A public official whose function has terminated shall annually, over the next two years after termination of the function, submit the
Report to the Agency, according to the state of play on the day of submitting the Report.
When moving to another public function, as well as in the case of election, appointment, or assignment to another public function, the public official shall, pursuant to Art. 12, para 2 and 4 of the present Law, notify the Agency thereon within 30 days of the change.
The obligation to submit Report and the procedure of verification of the data from the Report shall also apply to civil servants who are obliged to submit the Report in accordance with a special law.

(2025): Law on the Prevention of Corruption (“Official Gazette of Montenegro,” No. 54/2024 of 11 June 2024, effective 12 June 2024), Article 1, Article 9 – Conflict of Interest, with further explanation in Article 25.

North Macedonia

(General Comment): Law on prevention of corruption and conflict of interests (2019)
Reporting changes in assets and interests
Article 85
(1) An elected or appointed person and a responsible person in a public enterprise or other legal entity disposing of state capital, notary, enforcement agent or administrative officer of category A determined by law or a person employed in the cabinet of the President of the Republic of Macedonia, the President of the Assembly of the Republic of the Republic Macedonia, the Vice-Presidents of the Assembly of the Republic of Macedonia, the President of the Government of the Republic of Macedonia, the Deputy Prime Ministers of the Government of the Republic of Macedonia, the Ministers and the Secretary General of the Government for the performance of tasks of a special adviser, shall be obliged within 30 days to report any increase in his/her property i.e. the property of a member of his/her family, in a value that exceeds the amount of twenty average net salaries in the Republic of Macedonia the previous three-month period, as well as change of interests (hereinafter: reporting changes in the assets and interests). (2) The obligation referred to in paragraph (1) of this Article shall also apply to the persons referred to in Article 83 of this Law.
(3) An agreement or other document that is the basis for the change shall be attached to the report referred to in paragraph (1) of this Article.
(4) The persons referred to in paragraph (1) of this Article shall report the changes in the assets and interests by electronic submission of a form on changes in property situation and interests to the State Commission. A printed copy of the electronically filed form shall be submitted to the State Commission.
(5) The persons referred to in paragraph (2) of this Article shall report changes in their assets and interests by submitting a printed form for declaration of property situation and interests to the authorities in which they are employed.

Serbia
(General Comment): According to the Law on the Corruption Prevention:
In accordance to Article 69 - the person whose public office has terminated shall be bound, two years after the termination of public office, file the Report according to the state on 31 December of the previous year, and prior to the expiry of the deadline for filing the annual tax return, at the latest, for determining the citizen’s income tax, under the condition that such property and income have change significantly, compared to the previous year.

(2025): According to the Law on the Corruption Prevention:
In accordance to Article 69 - the person whose public office has terminated shall be bound, two years after the termination of public office, file the Report according to the state on 31 December of the previous year, and prior to the expiry of the deadline for filing the annual tax return, at the latest, for determining the citizen’s income tax, under the condition that such property and income have change significantly, compared to the previous year.
A significant change exists when there has been an increase or decrease in the assets or income which, according to the preceding Report, exceed the average annual salary without taxes and contributions in the Republic of Serbia, or when there is a change to the structure of said assets.

(2024): According to the Law on the Corruption Prevention:
In accordance with Article 69 - the person whose public office has terminated shall be bound, two years after the termination of public office, file the Report according to the state on 31 December of the previous year, and prior to the expiry of the deadline for filing the annual tax return, at the latest, for determining the citizen's income tax, under the condition that such property and income have change significantly, compared to the previous year.
A significant change exists when there has been an increase or decrease in the assets or income which, according to the preceding Report, exceed the average annual salary without taxes and contributions in the Republic of Serbia, or when there is a change to the structure of said assets.

(2023): According to the Law on the Corruption Prevention:
In accordance with Article 69 - the person whose public office has terminated shall be bound, two years after the termination of public office, file the Report according to the state on 31 December of the previous year, and prior to the expiry of the deadline for filing the annual tax return, at the latest, for determining the citizen's income tax, under the condition that such property and income have change significantly, compared to the previous year.
A significant change exists when there has been an increase or decrease in the assets or income which, according to the preceding Report, exceed the average annual salary without taxes and contributions in the Republic of Serbia, or when there is a change to the structure of said assets.

Kosovo*

(General Comment): Article 7 of the Law on declaration, origin and control of assets and gifts.
"Other": Annual declarations of assets, declarations of assets at the request of the Anti-Corruption Agency, declarations of assets after the end of the mandate or dismissal.

(2024): The declaration of assets by the declaring entities shall be made on the occasion as follows:
1.1. declaration when taking office;
1.2. regular annual declaration;
1.3. declaration after termination or dismissal from public office

(2023): The declaration of assets by the declaring entities shall be made on the occasion as follows:
1.1. declaration when taking office;
1.2. regular annual declaration;
1.3. declaration after termination or dismissal from public office

Question 181

Albania

(General Comment): In accordance with article 21 and 22 of the special law, the declaration of assets includes the assets of the subject and his family (husband / wife, cohabitant and adult children), the sources of creation and financial liabilities of the entity. The declaration shall also include the fact whether the declarant has or does not have any other related persons.
When the property of the members of the family is divided and registered as such in the bodies of the state or judicial administration, the declaration is submitted separately by each member of the family, with the property registered in his/her own name, and it is attached to the declaration of the subject who has the obligation to make the declaration. The member of the family and the person related to the declaring subject is legally liable for the authenticity and accuracy of the declared data. Spouses and adult children have an obligation to declare assets the same as the judge or prosecutor. On the special form, there is a separate section for the spouse and the adult children that is signed by them, and if there are any assets that have not been declared, they are administratively or criminally liable for the omission to declare. However, for underage children the obligation to declare their assets rests with the judge or the prosecutor since, in any case, if the children would have any assets under their name, they would be acting as legal representatives for that asset, and therefore such interests would have to be declared. However, this is a very rare situation, since, in the most cases, underage children are unable to enter into legal transactions.

(2025): No changes from previous year.

Bosnia and Herzegovina

(General Comment): In accordance with the Article 86, paragraph 1 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina the prosecutors are obliged to submit the asset declaration for themselves, their spouse or civil-law partner, parents and children and other persons with whom they share a household (hereinafter: the Declaration).

(2024): In accordance with the Article 86, paragraph 1 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina the prosecutors are obliged to submit the asset declaration for themselves, their spouse or civil-law partner, parents and children and other persons with whom they share a household (hereinafter: the Declaration).

(2023): The financial statement shall include information about spouses and children who are part of the same household and hold shares in or participate in the management of private or public corporations and associations, including political parties. The Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of Bosnia and Herzegovina", number: 63/23) was adopted on 6 September 2023. The Law entered into force on 23 September 2023 and it is in application since 23 December 2023. However, the implementation of the Law will begin in 2024, following the organizational and technical preparations at the High Judicial and Prosecutorial Council of Bosnia and Herzegovina.

(2022): The financial statement shall include information about spouses and children who are part of the same household and hold shares in or participate in the management of private or public corporations and associations, including political parties.

Montenegro

(General Comment): Article 23 of the Law defines that the report shall include assets and income of married and common-law spouse and children, if they live in the same household

(2025): adult children that are part of same household

Serbia

(General Comment): According to the Law on the Corruption Prevention:
In accordance with Article 68 a public official is obligated to submit to the Agency the report on his/her property and income and the property and income of the spouse or common-law partner, as well as of the minors if living in the same household. * According to the article 76 of the new Law on the Corruption Prevention the Agency may request from the associated persons to directly submit data on their properties and incomes, if in the procedure of verification of property status of the certain officials it is suspected that they conceal the real value of their property. According to the current law, the Agency could request only from the officials to submit data on the assets of associated persons.

(2025): According to the Law on the Corruption Prevention:
In accordance with Article 68 a public official is obligated to submit to the Agency the report on his/her property and income and the property and income of the spouse or common-law partner, as well as of the minors if living in the same household. * According to the article 76 of the new Law on the Corruption Prevention the Agency may request from the associated persons to directly submit data on their properties and incomes, if in the procedure of verification of property status of the certain officials it is suspected that they conceal the real value of their property.

(2024): In accordance with Article 68 a public official is obligated to submit to the Agency the report on his/her property and income and the property and income of the spouse or common-law partner, as well as of the minors if living in the same household. *Note: According to the Article 76 of the new Law on the Corruption Prevention the Agency may request from the associated persons to directly submit data on their properties and incomes, if in the procedure of verification of property status of the certain officials it is suspected that they conceal the real value of their property.

(2023): According to the Law on the Corruption Prevention:
In accordance with Article 68 a public official is obligated to submit to the Agency the report on his/her property and income and the property and income of the spouse or common-law partner, as well as of the minors if living in the same household. *Note: According to the Article 76 of the new Law on the Corruption Prevention the Agency may request from the associated persons to directly submit data on their properties and incomes, if in the procedure of verification of property status of the certain officials it is suspected that they conceal the real value of their property.

Kosovo*
(General Comment): Article 14 of the Law on declaration, origin and control of assets and gifts.
Other family members:
Parents who live in the same household
Adult children who live in the same household

(2025): In accordance to Law No. 08/L-108, Article 14, on the Declaration, Origin, and Control of Property and Gifts, this declaration concerns family members, including spouses, extramarital partners, parents and children so long as they live in the same household.

Question 182

North Macedonia
(General Comment): There is not separate declaration form for the family members, the data for the family members are declared in the same declaration form.

Question 183

Bosnia and Herzegovina
(General Comment): In accordance with the Article 86f of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, in 2025 the HJPC established the Asset Declaration Department responsible for processing declarations within the HJPC Secretariat (hereinafter: the Department), which is independent in performing its tasks and shall be competent for implementing the provisions of this Law that regulate the processing of declarations, without receiving any instructions and without any interference in its work on specific cases. The Department is independently managed by the Head of the Department, who organizes and ensures the lawful and efficient performance of tasks, while performing the function entrusted to him/her conscientiously. The Head of the Department is assisted in his/her work by the Deputy Head, legal advisers, expert advisers and other employees
tasked to perform duties laid down in the Rulebook on Internal Organization and Job Systematization in the Secretariat.
Furthermore, in accordance with the Article 3, paragraph 1 of the Book of Rule, as an integral component of the HJPC BiH Secretariat's organisational structure, the Asset Declaration Department independently and autonomously carries out the competences outlined in Article 86g of the Law on the HJPC BiH, in accordance with the Law on the HJPC BiH and the Law on Civil Service in the Institutions of BiH.

Serbia

(General Comment): The Agency for Prevention of Corruption of the Republic of Serbia. The Agency is an autonomous and independent state authority, operational since 2010, with preventive, control and supervisory competencies. The bodies of the Agency are the Director and the Council of the Agency. Following a public competition announced by the Ministry in charge of judicial affairs, the Director shall be elected by the National Assembly, by a majority vote of all deputies. A member of the Council of the Agency shall be also elected by the National Assembly, by a majority vote of all deputies, following a public competition announced by the Ministry in charge of judicial affairs.

Question 184

Albania

(General Comment): Article 25/1
Complete audit of the declaration of assets and private interests
1. The complete audit to verify the authenticity and accuracy of the data contained in the declaration of assets and private interests shall be carried out:
a) every 2 years for the President of the Republic, members of Parliament, Prime Minister, Deputy Prime Minister, Minister, Deputy Minister, Constitutional Court judge, judge of the High Court, member of the High Judicial Council, members of the High Prosecutorial Council, General Prosecutor, Head of the Special Prosecutor's Office, Head of the National Bureau of Investigation, High Justice Inspector, and inspectors of the High Inspectorate of Justice, the Chairman of the High State Audit, Ombudsman, members of the Central Election Committee, members of the regulatory bodies and competition protection bodies, the Governor of the Bank of Albania, Deputy Governor and members of its Supervisory Board;
b) every 3 years for prefects, mayors, and heads of regional councils, the civil servants of high-management level of public administration, officials of high management level of customs and tax administration, judges of appeal, prosecutors of the Special Prosecutor's Office, prosecutors of Appeal and General Prosecutor's Office, as well as judicial police officers of the National Investigation Bureau;
c) Every 4 years for the heads of state institutions, central or local, and members of collegial bodies of these institutions not included in the above letters of this point.
ç) Every 4 years for all judges of the court of first instance and prosecutors of the judicial district of the first instance;
d) Every 5 years for other officials not included in the above letters.
Points 2 and 3 are abrogated
4. The complete audit or re-audit of the declaration shall be carried out by the Inspector General, when they have data from legitimate sources, questioning the authenticity and accuracy of the data contained in the declaration of an official, and when there is a discrepancy resulting from the arithmetic and logical audit, showing that the sources do not cover or do not justify the property rights of the declaring entity.
5. The complete audit and administrative investigation conducted by the High Inspector shall be completed within 6 months after its start, which may be prolonged in compliance with the requirements of the Administrative Procedure Code.

(2025): No changes from previous year.

Serbia

(General Comment): According to the Law on the Corruption Prevention:
In accordance with Article 75 the Agency shall verify the accuracy and completeness of data contained in the Report, as well as the timeliness of submission of the Report, according to the annual plan of verification, issued by the Director. The Annual Verification Plan shall be rendered based on the previous analysis of the Agency, whereby particular attention shall be paid to the category of public officials, the amount of their earnings and the amount of the financial funds from the budget that bodies of public authority have available, in which public officials are holding public office.The Agency shall extraordinarily verify the accuracy and the completeness of data from the Report, if doubting that accurate and complete data were reported in the Report.
In accordance with Article 76 in the course of procedure of verification of property status, the Agency shall assess whether there lies a discrepancy in-between the data from the Report and the actual state of affairs or discrepancy in-between the increase value of the property and the reported incomes In case of discrepancy, the Agency shall summon a public official or a person from Article 68, paragraph 1 of this Law, to state on the reasons for discrepancy, within 15 days. If, in the course of verification of the Report, there is doubt that a public official is concealing the actual value of his/her property or income, the Agency may request from the associated persons to directly file data on their property and incomes, within 30 days from the date of reception of the request. In case a discrepancy is determined, the Agency shall notify the competent body, for the purpose of undertaking measures within its purview. The body from paragraph 4 hereof, shall be bound, within three months from the date of reception of the notification, to familiarize the Agency with the undertaken measures.
* Annual Verification Plan: According to the new Law on the Corruption Prevention, the Agency, when drafting the Annual Verification Plan, will take into account the category of public officials, the amount of their receipts and the amount of funds from the budget of the authority in which they perform the function, thus defining criteria that will be applied in the preparation of the Annual Verification Plan. This will contribute to the higher level of transparency in the selection of officials whose reports will be subject to verification procedure.

(2025): Note: Only for declarations of assets in Annual plan for checking reports on assets and incomes of officials and for declarations of assets in Extraordinary check.
According to the Law on the Corruption Prevention:
In accordance with Article 75 the Agency shall verify the accuracy and completeness of data contained in the Report, as well as the timeliness of submission of the Report, according to the annual plan of verification, issued by the Director. The Annual Verification Plan shall be rendered based on the previous analysis of the Agency, whereby particular attention shall be paid to the category of public officials, the amount of their earnings and the amount of the financial funds from the budget that bodies of public authority have available, in which public officials are holding public office.The Agency shall extraordinarily verify the accuracy and the completeness of data from the Report, if doubting that accurate and complete data were reported in the Report.
In accordance to Article 76 in the course of procedure of verification of property status, the Agency shall assess whether there lies a discrepancy in-between the data from the Report and the actual state of affairs or discrepancy in-between the increase value of the property and the reported incomes In case of discrepancy, the Agency shall summon a public official or a person from Article 68, paragraph 1 of this Law, to state on the reasons for discrepancy, within 15 days. If, during verification of the Report, there is doubt that a public official is concealing the actual value of his/her property or income, the Agency may request from the associated persons to directly file data on their property and incomes, within 30 days from the date of reception of the request. In case a discrepancy is determined, the Agency shall notify the competent body, for the purpose of undertaking measures within its purview. The body from paragraph 4 hereof, shall be bound, within three months from the date of reception of the notification, to familiarize the Agency with the undertaken measures.
*Annual Verification Plan: According to the new Law on the Corruption Prevention, the Agency, when drafting the Annual Verification Plan, will take into account the category of public officials, the amount of their receipts and the amount of funds from the budget of the authority in which they perform the function, thus defining criteria that will be applied in the preparation of the Annual Verification Plan. This will contribute to higher level of transparency in the selection of officials whose reports will be subject to verification procedure. In addition, in 2022 the Agency adopted Guidelines for Drafting the Annual Verification Plan.

(2024): According to the Law on the Corruption Prevention:
In accordance with Article 75 the Agency shall verify the accuracy and completeness of data contained in the Report, as well as the timeliness of submission of the Report, according to the annual plan of verification, issued by the Director. The Annual Verification Plan shall be rendered based on the previous analysis of the Agency, whereby particular attention shall be paid to the category of public officials, the amount of their earnings and the amount of the financial funds from the budget that bodies of public authority have available, in which public officials are holding public office.The Agency shall extraordinarily verify the accuracy and the completeness of data from the Report, if doubting that accurate and complete data were reported in the Report.
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(2023): According to the Law on the Corruption Prevention:
In accordance with Article 75 the Agency shall verify the accuracy and completeness of data contained in the Report, as well as the timeliness of submission of the Report, according to the annual plan of verification, issued by the Director. The Annual Verification Plan shall be rendered based on the previous analysis of the Agency, whereby particular attention shall be paid to the category of public officials, the amount of their earnings and the amount of the financial funds from the budget that bodies of public authority have available, in which public officials are holding public office.The Agency shall extraordinarily verify the accuracy and the completeness of data from the Report, if doubting that accurate and complete data were reported in the Report.
In accordance to Article 76 in the course of procedure of verification of property status, the Agency shall assess whether there lies a discrepancy in-between the data from the Report and the actual state of affairs or discrepancy in-between the increase value of the property and the reported incomes In case of discrepancy, the Agency shall summon a public official or a person from Article 68, paragraph 1 of this Law, to state on the reasons for discrepancy, within 15 days. If, during verification of the Report, there is doubt that a public official is concealing the actual value of his/her property or income, the Agency may request from the associated persons to directly file data on their property and incomes, within 30 days from the date of reception of the request. In case a discrepancy is determined, the Agency shall notify the competent body, for the purpose of undertaking measures within its purview. The body from paragraph 4 hereof, shall be bound, within three months from the date of reception of the notification, to familiarize the Agency with the undertaken measures.
*Annual Verification Plan: According to the new Law on the Corruption Prevention, the Agency, when drafting the Annual Verification Plan, will take into account the category of public officials, the amount of their receipts and the amount of funds from the budget of the authority in which they perform the function, thus defining criteria that will be applied in the preparation of the Annual Verification Plan. This will contribute to higher level of transparency in the selection of officials whose reports will be subject to verification procedure. In addition, in 2022 the Agency adopted Guidelines for Drafting the Annual Verification Plan.

Question 185

Bosnia and Herzegovina
(General Comment): In accordance with the amendment to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina (i.e. the Article 86e), which has been applied since 2024, HJPC has established the Register of Declarations on Assets and Interests. Declarations of judges and prosecutors whose mandate has terminated shall be expunged from the Register ten years after mandate termination. Expungement is suspended during any ongoing use of the declarations and attached documents by the Council or any other authority for an official procedure.

North Macedonia
(2025): https://registar.dksk.mk/submission-forms?page=0&rowsPerPage=5&naming=true

(2024): https://registar.dksk.mk/submission-forms?page=0&rowsPerPage=5&naming=true

(2023): http://www.dksk.org.mk/imoti_2/

(2022): http://www.dksk.org.mk/imoti_2/

Question 186

Bosnia and Herzegovina

(General Comment): The Article 86a. of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes that declaration of assets shall be published on the HJPC website with the purpose to strengthen integrity, transparency and public trust in the judiciary, and to prevent conflict of interest and other impermissible influence on the performance of a judicial office. The following data from the declaration shall not be available to the public: names of minor persons listed in the declaration, except for the first letter of their first name, personal identity number and residence address of the judge or prosecutor or other persons listed in the declaration, the name and number of the street where the property listed in the declaration is located, bank account numbers and other financial ID numbers, individual amounts of cash owned by a judge or prosecutor and individual amounts of money owned by other household members, registration numbers of vehicles.
Annual income tax return and other attachments that a judge submit with their declarations shall not be available to the public.
First and last names of the relatives of a judge working in the judiciary, the bar, public attorney or notary offices shall be published on the HJPC website. Relatives shall include relatives in the direct line of descent, relatives in the lateral line of descent up to a third degree, relatives-in-law to a second degree and the child of a spouse, spouse or a civil-law partner, adoptive parents and adopted children.
Information from asset declarations of judges whose term of office has been terminated will not be publicly available three years after the termination.

(2024): The Article 86a. of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes that declaration of assets shall be published on the HJPC website with the purpose to strengthen integrity, transparency and public trust in the judiciary, and to prevent conflict of interest and other impermissible influence on the performance of a prosecutor's office. The following data from the declaration shall not be available to the public: names of minor persons listed in the declaration, except for the first letter of their first name, personal identity number and residence address of the judge or prosecutor or other persons listed in the declaration, the name and number of the street where the property listed in the declaration is located, bank account numbers and other financial ID numbers, individual amounts of cash owned by a judge or prosecutor and individual amounts of money owned by other household members, registration numbers of vehicles.
Annual income tax return and other attachments that a prosecutor submits with their declarations shall not be available to the public.
First and last names of the relatives of a prosecutor working in the judiciary, the bar, public attorney or notary offices shall be published on the HJPC website. Relatives shall include relatives in the direct line of descent, relatives in the lateral line of descent up to a third degree, relatives-in-law to a second degree and the child of a spouse, spouse or a civil-law partner, adoptive parents and adopted children. Furthermore, the Article 21 of the Book of Rule is related to transparency of processing declaration and prescribes that annual declarations and end-of-term declarations of prosecutors are published on the website of the HJPC within 30 days of the deadline for filing declarations. Initial asset declarations of newly appointed prosecutors are published on the website of the HJPC within 30 days from assuming office. Information from asset declarations not available to the public pursuant to the Article 86a of the Law on the HJPC BiH is clearly marked in asset declaration form to be filled out electronically.
Information from asset declarations of judges whose term of office has been terminated will not be publicly available three years after the termination.

(2023): Only with the consent of judges and prosecutors, their declarations of assets are published on the website of the HJPC BiH during 2023 (for the declaration of assets for 2022). The Law on Amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette of Bosnia and Herzegovina", number: 63/23) was adopted on 6 September 2023. The Law entered into force on 23 September 2023 and it is in application since from 23 December 2023. However, the implementation of the Law will begin in 2024, following the organizational and technical preparations at the High Judicial and Prosecutorial Council of Bosnia and Herzegovina.

(2022): Only with the consent of judges and prosecutors, their declarations of assets are published on the website of the HJPC BiH.

Montenegro

(General Comment): www.antikorupcija.me

(2024): https://www.antikorupcija.me/me/registri/

(2023): https://www.antikorupcija.me/me/registri/

(2022): https://www.antikorupcija.me/me/registri/

North Macedonia

(General Comment): http://www.dksk.org.mk/imoti_2/

(2024): https://registar.dksk.mk/submission-forms?page=0&rowsPerPage=5&naming=true

(2023): http://www.dksk.org.mk/imoti_2/

(2022): http://www.dksk.org.mk/imoti_2/

Serbia

(2024): https://publicacas.acas.rs/#/acas/obrazacZaPrijavuImovineIPrihoda

(2023): https://publicacas.acas.rs/#/acas/obrazacZaPrijavuImovineIPrihoda

(2022): https://publicacas.acas.rs/#/acas/obrazacZaPrijavuImovineIPrihoda

Kosovo*

(General Comment): It is published on the website of the Anti-Corruption Agency and also in the internal database of the Agency

(2024): In the webpage of the Agency for Prevention of Corruption

Question 187

Albania

(General Comment): Fine, Article 40/1 of the law no.9049/2003 provides that "1. Any violation of the obligations set forth in this Law, when it does not constitute a criminal offense, shall constitute an administrative contravention and shall be punishable by a fine, according to the limits specified below:
a) For failure to declare before taking office, annually periodically, upon leaving office, or upon request, on time and without good cause, the official or the person related to him, who has the obligation to declare, shall be fined from 200,000 (two hundred thousand) ALL up to 500,000 (five hundred thousand) ALL" criminal sanction, Article 257/a/1 of the Criminal Code "Refusal for declaration, non-declaration, concealment or false declaration of assets, private interests of elected persons and public employees, or of any other person that is legally binding for the declaration" provides that "The refusal or failure of the elected persons or public servants or any other person being subject to the legal obligation to make the declaration in accordance with the law to declare the assets shall, where disciplinary measures have previously been taken, consist a criminal offence and it shall be punished by a fine or up to 6 months imprisonment" disciplinary sanction, Article 15 of the Law no.9049/2003 provides that "The High Inspectorate of Declaration and Audit of Assets and Conflict of Interests shall convey to the bodies responsible for investigating disciplinary violations a reasoned report accompanied by the documentation related to the verified irregularities pertaining to the declared assets".

Bosnia and Herzegovina

(General comment) The Article 81, paragraph 2 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes the list of the disciplinary offences for prosecutors which includes (among others):
l) violating provisions of this Law on submitting declaration of assets and interests.
Therefore, non-declaration of assets is prescribed by the law explicitly as a disciplinary offence for the prosecutor for which any disciplinary measure can be imposed depending on the circumstances of an individual disciplinary case. Article 58 of the the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes the disciplinary measures, which the HJPC may impose, to the prosecutors:
(1) The Council may impose one or more of the following disciplinary measures: (a) a written warning which shall not be made public; (b) public reprimand; (c) reduction in salary or emoluments up to a maximum of 50% (fifty per cent) for a period of up to one (1) year; (d) temporary or permanent reassignment to another court or prosecutor's office; (e) demotion of a Court President to an ordinary judge or the Chief Prosecutor or Deputy Chief Prosecutor to an ordinary prosecutor; (f) removal from the office. (2) As a separate measure, instead of or in addition to any of the disciplinary measures set out above, the Council may, if appropriate, order that a judge or prosecutor participate in rehabilitation programmes, counselling, or professional training. (3) All rights and privileges under labour relations of a judge, Court President, Chief Prosecutor, Deputy Chief Prosecutor, or prosecutor who is removed from office pursuant to a disciplinary proceeding shall cease upon removal by the Council. A judges or prosecutor who is removed from office under this article shall be barred from further exercise of judicial or prosecutorial function. Article 59 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina refers to the Principles for determining of the measures:
(1)Disciplinary measures imposed should be governed by the principle of proportionality. Before pronouncing the measures for a disciplinary offence, the following aspects shall be taken into consideration by the disciplinary commissions:
(a)the number and severity of the disciplinary offence committed and its consequences;
(b)the degree of responsibility;
(c)the circumstances under which the disciplinary offence was committed;
(d)the previous work and behaviour of the offender; and
(e)any other circumstances that may affect the decision on the severity and type of disciplinary measure, including the degree of remorse and/or cooperation shown by the judge or prosecutor during the disciplinary proceedings.
(2)The disciplinary measure of dismissal shall only be used in cases where a serious disciplinary offence is found and the severity of the offence makes it clear that the offender is unfit or unworthy to continue to hold his or her office.
(3)The Council may take into account any prior suspension, imposed in the course of the proceedings in question, and may reduce the disciplinary measure accordingly, or may, at its discretion,determine that the prior suspension is itself a sufficient measure for the disciplinary violation or violations found.
In order to support the disciplinary commissions and the Council in determining and imposing disciplinary measures in accordance with the Article 59 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, the Council adopted in July 2016 internal Guidelines for Determining Disciplinary Measures in Disciplinary Proceedings. These

(2014). The Article 84, paragraph 2 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes the list of the disciplinary offences for prosecutors which includes (among others):
l) violating provisions of this Law on submitting declaration of assets and interests;
Therefore non-declaration of assets is prescribed by the law explicitly as a disciplinary offence for the prosecutor for which any disciplinary measure can be imposed depending on the circumstances of an individual disciplinary case. Article 58 of the the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes the disciplinary measures, which the HJPC may impose, to the prosecutors:
(1) The Council may impose one or more of the following disciplinary measures: (a) a written warning which shall not be made public; (b) public reprimand; (c) reduction in salary or emoluments up to a maximum of 50% (fifty per cent) for a period of up to one (1) year; (d) temporary or permanent reassignment to another court or prosecutor's office; (e) demotion of a Court President to an ordinary judge or the Chief Prosecutor or Deputy Chief Prosecutor to an ordinary prosecutor; (f) removal from the office. (2) As a separate measure, instead of or in addition to any of the disciplinary measures set out above, the Council may, if appropriate, order that a judge or prosecutor participate in rehabilitation programmes, counselling, or professional training. (3) All rights and privileges under labour relations of a judge, Court President, Chief Prosecutor, Deputy Chief Prosecutor, or prosecutor who is removed from office pursuant to a disciplinary proceeding shall cease upon removal by the Council. A judges or prosecutor who is removed from office under this article shall be barred from further exercise of judicial or prosecutorial function. Article 59 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina refers to the Principles for determining of the measures:
(1)Disciplinary measures imposed should be governed by the principle of proportionality. Before pronouncing the measures for a disciplinary offence, the following aspects shall be taken into consideration by the disciplinary commissions:
(a)the number and severity of the disciplinary offence committed and its consequences;
(b)the degree of responsibility;
(c)the circumstances under which the disciplinary offence was committed;
(d)the previous work and behaviour of the offender; and
(e)any other circumstances that may affect the decision on the severity and type of disciplinary measure, including the degree of remorse and/or cooperation shown by the judge or prosecutor during the disciplinary proceedings.
(2)The disciplinary measure of dismissal shall only be used in cases where a serious disciplinary offence is found and the severity of the offence makes it clear that the offender is unfit or unworthy to continue to hold his or her office.
(3)The Council may take into account any prior suspension, imposed in the course of the proceedings in question, and may reduce the disciplinary measure accordingly, or may, at its discretion,determine that the prior suspension is itself a sufficient measure for the disciplinary violation or violations found.
In order to support the disciplinary commissions and the Council in determining and imposing disciplinary measures in accordance with the Article 59 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, the Council adopted in July 2016 internal Guidelines for Determining Disciplinary Measures in Disciplinary Proceedings. These

Montenegro

(General Comment): The Agency for Prevention of Corruption (APC) brings the decision about which it informs the public authority in which public official is working, for the purposes of initiating procedure of dismissal, suspension or imposition of a disciplinary measure. The public authority acting upon the decision of the APC may initiate administrative proceedings and impose sanctions such as disciplinary sanctions. The public authority informs the Agency for prevention of corruption about the results of this proceeding, in the deadline of 60 days.
Moreover, based on its findings, the Agency for prevention of corruption has the authority to initiate misdemeanor proceedings before misdemeanor courts. Other disciplinary sanction: sanctions are those that can be imposed for heavy disciplinary offence: fine in amount of 20-40 percent of monthly income for the period of 3 to 6 months or prohibition of promotion.

(2025): Article 108, paragraph 3, item 9 of the Law on the State Prosecutor's Office stipulates that a serious disciplinary offense for a state prosecutor is if:
- accepts gifts or fails to submit information on assets and income in accordance with the regulations governing the prevention of conflicts of interest, if this is confirmed by a final decision of the competent court.
Pursuant to the aforementioned provision of the Law on the State Prosecutor's Office, the procedure for initiating disciplinary liability of the state prosecutor in the event of failure to submit data on assets and income in accordance with the Law on the Prevention of Corruption is possible after the court confirms the final decision of the Agency for the Prevention of Corruption.

(2024): For suspension it is not possible directly, just indirectly. No data on the actual suspension as a result of non declaration, Please see explanation in the judges section

(2023): For suspension it is not possible directly, just indirectly. No data on the actual suspension as a result of non declaration, Please see explanation in the judges section

North Macedonia

(General Comment): Article 91 from the new Law on Public Prosecution office prescribed that, non submission on declaration of assets is a serious disciplinary violation. According to article 95 from the same law, when this type of violation is established, one of the following disciplinary measures may be imposed:
- salary reduction in the amount of 15% to 30% of the monthly salary of the public prosecutor for a period of one to six months, and
- a dismissal.

Serbia

(General Comment): Types of Measures Article 82

A public official may be pronounced a measure of reprimand or measure of public announcement of recommendation of dismissal from public office. Notwithstanding paragraph 1 of this Article, a public official elected directly by citizens, as well as a person whose public office has terminated, may be pronounced a measure of reprimand or a measure of public announcement of the decision on violation of this Law.

When pronouncing measures, all circumstances of the case shall be considered, and in particular the weight and the consequences of violation of this Law as well as the possibility of eliminating the violations, as well as whether the public official has acted upon the previously imposed measure of reprimand until the expiry of the time limit that was set in the decision.

Requirements for Pronouncing Measures

Article 83

Measure of reprimand shall be pronounced in case a public official committed a minor violation of this Law. A minor violation of this Law shall be the kind of violation that did not affect the impartial discharge of public office. The measure of public announcement of recommendation for dismissal from public office and the measure of public announcement of the decision on violation of this Law, shall be pronounced due to severe violation of this Law. A severe violation of this Law shall be the violation that affected the impartial discharge of public office, as well as the reputation and the trust of citizens shown to the public official and the public office, he/she is discharging.

According to the Law on the Corruption Prevention:

According to article 103 paragraph 17 – a public official shall be fined from 100,000 to 150,000 RSD for the failure to report assets and income or submit a notification within the prescribed time limit, i.e. submits an incorrect or incomplete report on assets and income (articles 68 and 69).

According to the Law on the Corruption Prevention:

According to article 101 a public official who, contrary to the provisions of this Law, fails to report assets and income to the Agency, or provides false information on assets and income in order to conceal information on assets and income, shall be punished by a prison term of six months to five years.

(2025): Types of Measures Article 82

A public official may be pronounced a measure of reprimand or measure of public announcement of recommendation of dismissal from public office. Notwithstanding paragraph 1 of this Article, a public official elected directly by citizens, as well as a person whose public office has terminated, may be pronounced a measure of reprimand or a measure of public announcement of the decision on violation of this Law.

When pronouncing measures, all circumstances of the case shall be considered, and in particular the weight and the consequences of violation of this Law as well as the possibility of eliminating the violations, as well as whether the public official has acted upon the previously imposed measure of reprimand until the expiry of the time limit that was set in the decision.

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(2024): Types of Measures Article 82
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1 Fine
According to the Law on the Corruption Prevention:
According to article 103 paragraph 17 – a public official shall be fined from 100,000 to 150,000 RSD for the failure to report assets and income or submit a notification within the prescribed time limit, i.e. submits an incorrect or incomplete report on assets and income (articles 68 and 69).

(2023): Types of Measures Article 82
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When pronouncing measures, all circumstances of the case shall be considered, and in particular the weight and the consequences of violation of this Law as well as the possibility of eliminating the violations, as well as whether the public official has acted upon the previously imposed measure of reprimand until the expiry of the time limit that was set in the decision.
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Kosovo*

(General Comment): According to Article 430 of the Criminal Code “Failure to report or falsely report assets, income, gifts, other material benefits or financial obligations 1. Any person who by law is obliged to declare assets, income, gifts, other property benefit or financial obligations, and who does not do so, is punished by a fine or by imprisonment of up to three (3) years. The criminal offense from paragraph 1. of this Article is considered to have been committed when the statement is not submitted within the deadline for submission of the statement. "

(2022): According to Article 430 of the Criminal Code “Failure to report or falsely report assets, income, gifts, other material benefits or financial obligations 1. Any person who by law is obliged to declare assets, income, gifts, other property benefit or financial obligations, and who does not do so, is punished by a fine or by imprisonment of up to three (3) years. The criminal offense from paragraph 1. of this Article is considered to have been committed when the statement is not submitted within the deadline for submission of the statement. "

Question 188

Albania

(2025): The cases represent administrative investigations conducted by HIDAACI while sanctions represent fines.

(2024): The cases represent administrative investigations conducted by HIDAACI while sanctions represent fines.

**(2023): ***The cases represent administrative investigations conducted by HIDAACI while sanctions represent fines.

(2022): Please note that under the new constitutional amendments, judges and prosecutors are undergoing a vetting process. As part of this temporary process, judges and prosecutors are re-evaluation based on three criteria:
(a) Asset assessment, (b) Background assessment, and (c) Proficiency assessment. Under the asset declaration process, HIDAACI plays a key role: HIDAACI based on declarations of assets shall conduct a full audit procedure in compliance with this law, the Law "On the declaration and audit of assets, financial obligations of elected persons and certain public officials, the Law "On prevention of conflict of interest in exercising public functions" and the "Code of Administrative Procedures".
The General Inspector of HIDAACI, for the purpose of this assessment, can request through the General Directorate of Prevention of Money Laundering or Ministry of Justice records of assets owned by assessees or their related persons, or any financial transactions
in Albania or abroad according to Law "On prevention of money laundering and financing of terrorism" or documents used abroad by assessees or their related persons. Such documents or information can be used as evidence before the Commission or Appeal
Chamber.
3. HIDAACI provides full access to international observers, upon their request, to seek information, consult, copy or investigate declaration of assets submitted by the assessee or his or her related persons and their accompanying documents.
4. HIDAACI shall conduct a full audit procedure as soon as possible but no longer than 180 days as of the day of asset declaration submission.
5. Upon completion of the audit, the General Inspector of HIDAACI shall prepare a reasoned detailed report and, as appropriate, shall find out that: (a) Accurate declaration /disclosure in compliance with the law, with legitimate financial sources and not found in situation of conflicts of interest; (b) Lack of legitimate financial sources to justify their assets; (c) Hiding wealth/ assets;
(d) False declaration; (e) Assessee found in situation of conflicts of interests.
For these reasons, HIDAACI has not in itself, referred for further proceedings against judges and prosecutors to criminal investigation or fined, as an administrative measure, any judge or prosecutor during 2019; however, due to the work of HIDAACI, a considerable number of judges and prosecutors have been dismissed from the vetting bodies based on the reports filed by HIDAACI. To ilustrate the work of HIDAACI under the vetting process, from 8 February 2018 to 31 December 2019 the IQC (the first vetting body) has dismissed from duty 50 judges, 31 prosecutors and 2 legal advisors. The findings of the assessment process done from HIDAACI for 178 subjects that were under evaluation, 119 subjects resulted without any problems, and 59 subjects were reported by HIDAACI with problems with their asset declarations. Further to these reports, IQC undertakes a more in-depth investigation. These in-depth investigations resulted in the following data: 80 subjects were reported without violations/discrepancies in their declaration of assets and 98 subjects were reported with violations/discrepancies in their declaration of assets. Most of these subjects were dismissed due to these discrepancies.

Montenegro

(2025): There were no cases under review in 2025.

(2024): Decision made:
- the proposal for determining disciplinary liability is rejected as unfounded, because the proposal was submitted for an action that is not prescribed as a disciplinary offense
- the proposal to establish disciplinary liability is rejected as unfounded due to the lack of evidence that the appointee committed a disciplinary offense

(2022): Misdemeanour proceedings. In the reporting period, 2 misdemeanor proceedings were initiated against former prosecutors due to failure to submit asset declarations 30 days after termination of public office. 1 was completed, other is ongoing. The outcome of these proceedings was 1 fine in the amount of 300 euros
Administrative proceedings:
Also, in the reporting period, proceedings were initiated against 35 prosecutors related to the submission of reports with incorrect and incomplete data in 2021. Data on administrative proceedings initiated due to the submission of asset declaratios with incorrect and incomplete data in 2022 will be known by the first quarter of 2022;
Authorities did not act in accordance with the Article 42 of the Law on Prevention of Corruption in none of the aforementioned decisions.

Serbia

(2025): Number of proceedings conducted by the Agency - 6 cases initiated, 18 cases completed and 8 pronounced sanctions
Number of proceedings conducted by the misdemeanour courts - 14 cases initiated, 18 cases completed (out of which 1 is acquittal) and 17 pronounced sanctions (out of which 12 are warnings and 5 are fines)
In the table we have entered the Number of cases against prosecutors due to violations/discrepancies in their declaration of assets by the Agency.

(2024): The entered data refers to the number of proceedings conducted by the Agency, when we talk about the number of proceedings conducted by the misdemeanor courts, the number of cases initiated is 18, the number of completed cases is 3, and when it comes to the number of sanctions imposed, 2 measures of reprimands and 1 acquittal.
The reason for the increased number of initiated and completed proceedings is the Annual Plan for the Verification of Assets and Income for 2024, which, in addition to other public officials, significantly includes public officials from the judiciary. This covers chief public prosecutors of basic public prosecutor's offices in the Republic of Serbia, judges of the Administrative Court, and judges of the Commercial Appellate Court.
A detailed overview of the Annual Plan for the Verification of Assets and Income is published on the Agency's website: https://www.acas.rs/cyr/page_with_sidebar/plan_provere.

(2023): 3 measures of reprimand (from 2022)

(2022): 7 measures of reprimand

Kosovo*
(2025): In 2025, 54 prosecutors were randomly selected for full verification of their asset declaration through the electronic system. All cases have been completed with no violations detected and no sanctions imposed.

Question 189

Albania

(General Comment): 1.Any official, in the exercise of his powers or in the performance of his public duties on the basis of his recognition and in
good faith, is obliged to make a preliminary declaration, case by case, of the existence of his private interests, which may give rise to the a conflict of interest. Declaration of interest case of private interests Submitted every time by the official, when requested by superior or by superior creation. Declaration, as a rule, is required and made in advance. When this it is not possible or when it has not happened, the declaration can be requested and made as soon as possible possible. Self-declaration or declaration upon request is done as a written rule.
2.The magistrate who certifies that there are conditions of conflict of interest shall submit to the court president a request for waiver of the relevant case and allegations.
3.The official cannot accept gifts given to him because of his position by a private individual, natural or legal person when this may give rise to a conflict. Only cases specified by acts of the competent authorities that allow it are excluded acceptance of preferential gifts or treatments for protocol reasons interest of any kind.
4.Law no. 96/2016 date 6.10.2016 art. 9.

(2024): Regulation/procedure for recusal/withdrawal from a case – article 72-75 Civil Procedural Code + Article 15-22 Criminal Procedural Code;
Regulation on combining the profession of a judge with other functions/professional activities Article 9 of the Law no 986/2016 “On the status of judges and prosecutors in the Republic of Albania

(2023): No changes from previous years.

(2022): Regulation/procedure for recusal/withdrawal from a case – article 72-75 Civil Procedural Code + Article 15-22 Criminal Procedural Code;
Regulation on combining the profession of a judge with other functions/professional activities Article 9 of the Law no 986/2016 “On the status of judges and prosecutors in the Republic of Albania

Bosnia and Herzegovina

(General comment) Regulation/procedure on reporting a (potential) conflict of interest: The Article 83 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina referring to the Referral to the Council prescribes that judge may request the Council's opinion on whether his/her activities are compatible with his or her office and the provisions of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. A court president may also request Council's opinion when he or she believes that a judge performs or intends to perform an activity that is incompatible with his or her office. Court president shall inform the judge concerned about the request for opinion. In addition to issuing opinions in response to specific request, the Council may also, ex officio, issue its opinion on compatibility of a judicial office with the activities they perform upon receiving the information from Article 83, paragraph (3) of this Law. Council's opinion on compatibility of offices shall be binding and compliance with it shall protect the judge against the risk of disciplinary proceedings. Regulation/procedure for recusal/withdrawal from a case:
THE CODE OF ETHICS FOR JUDGES ADOPTED BY THE HIGH JUDICIAL AND PROSECUTORIAL COUNCIL OF BOSNIA AND HERZEGOVINA
2.2 A judge shall conduct himself or herself in his/her personal or business affairs as to minimize the occasions on which it will be necessary for the judge to be disqualified from hearing or deciding cases.
2.2.a In evaluating reasons for recusal from a case, in order to avoid every perceived, potential of actual conflict of interest, a judge should take into account in particular all of their previous duties and activities performed prior to taking the judicial office.
2.2.b A judge who intends to terminate their judicial function or who knows that their function will be terminated by force of law or by the HJPC's decision, shall not use their judicial function or judicial resources to promote their future activities and in this regard, they shall bear in mind the potential existence of grounds for recusal.
2.2.c If a judge knows that his/her family member or other person close to him/her has a financial, political or other interest in a case that he/she adjudicates, the judge should request to be recused. This implies that a judge should take reasonable steps to be informed about financial, political or other interests of his/her family members.
Regulation on receiving gifts:
THE CODE OF ETHICS FOR JUDGES ADOPTED BY THE HIGH JUDICIAL AND PROSECUTORIAL COUNCIL OF BOSNIA AND HERZEGOVINA
4.11 A judge and members of the judge's family, shall neither ask for, nor accept, any gift, bequest, loan or favour in relation to anything done or to be done or omitted to be done by the judge in connection with the performance of judicial duties, nor shall a judge knowingly permit such conduct by court staff or others under his supervision during and after performance of their judicial duties.
4.11.a A judge should inform their close family members about the rules on receiving prohibited gifts or other benefits.
4.12 Subject to law and to any legal requirements of public disclosure, a judge may receive a token gift, award or benefit as appropriate to the occasion on which it is made provided that such gift, award or benefit might not reasonably be perceived as intended to influence the judge in the performance of judicial duties or otherwise give rise to an appearance of partiality.
Regulation on combining the profession of a judge with other functions/professional activities:
THE LAW ON HIGH JUDICIAL AND PROSECUTORIAL COUNCIL OF BOSNIA AND HERZEGOVINA
Article 82 (Prohibition against holding incompatible offices)

(2023) Regulation/procedure on reporting a (potential) conflict of interest. The Article 83 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina referring to the Referral to the Council prescribes that judge may request the Council's opinion on whether his/her activities are compatible with his or her office and the provisions of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. A court president may also request Council's opinion when he or she believes that a judge performs or intends to perform an activity that is incompatible with his or her office. Court president shall inform the judge concerned about the request for opinion.
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Regulation on combining the profession of a judge with other functions/professional activities:
THE LAW ON HIGH JUDICIAL AND PROSECUTORIAL COUNCIL OF BOSNIA AND HERZEGOVINA
Article 82 (Prohibition against holding incompatible offices)

(2014) Regulation/procedure on reporting a (potential) conflict of interest. The Article 83 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina referring to the Referral to the Council prescribes that judge may request the Council's opinion on whether his/her activities are compatible with his or her office and the provisions of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. A court president may also request Council's opinion when he or she believes that a judge performs or intends to perform an activity that is incompatible with his or her office. Court president shall inform the judge concerned about the request for opinion.
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2.2.b A judge who intends to terminate their judicial function or who knows that their function will be terminated by force of law or by the HJPC's decision, shall not use their judicial function or judicial resources to promote their future activities and in this regard, they shall bear in mind the potential existence of grounds for recusal.
2.2.c If a judge knows that his/her family member or other person close to him/her has a financial, political or other interest in a case that he/she adjudicates, the judge should request to be recused. This implies that a judge should take reasonable steps to be informed about financial, political or other interests of his/her family members.
Regulation on receiving gifts:
THE CODE OF ETHICS FOR JUDGES ADOPTED BY THE HIGH JUDICIAL AND PROSECUTORIAL COUNCIL OF BOSNIA AND HERZEGOVINA
4.11 A judge and members of the judge's family, shall neither ask for, nor accept, any gift, bequest, loan or favour in relation to anything done or to be done or omitted to be done by the judge in connection with the performance of judicial duties, nor shall a judge knowingly permit such conduct by court staff or others under his supervision during and after performance of their judicial duties.
4.11.a A judge should inform their close family members about the rules on receiving prohibited gifts or other benefits.
4.12 Subject to law and to any legal requirements of public disclosure, a judge may receive a token gift, award or benefit as appropriate to the occasion on which it is made provided that such gift, award or benefit might not reasonably be perceived as intended to influence the judge in the performance of judicial duties or otherwise give rise to an appearance of partiality.
Regulation on combining the profession of a judge with other functions/professional activities:
THE LAW ON HIGH JUDICIAL AND PROSECUTORIAL COUNCIL OF BOSNIA AND HERZEGOVINA
Article 82 (Prohibition against holding incompatible offices)

North Macedonia

(General comment) Regulation on reporting a potential conflict of interest

Law on prevention of corruption and conflict of interest Procedure before the State Commission for Determining of a Conflict of Interest

Article 76

(1) In cases when there is reasonable doubt that indicates a conflict of interest, the State Commission shall initiate a procedure for determining of conflict of interests.

(2) The procedure referred to in paragraph (1) of this Article shall be initiated:

- ex officio;
- at the request of an official person;
- upon a report of another person;
- at a request of the head of the body or institution where the official person performs functions, public authorisations or official duties; and
- upon anonymous report.

(3) In the procedure referred to in paragraph (1) of this Article, for the purpose of determining the factual situation in the case, the State Commission shall collect documents, data and information from natural and legal persons, as well as from the official person.

(4) The persons referred to in paragraph (3) of this Article, shall be obliged to submit the documents, data and information available to them within 15 days from the day of receiving the request from the State Commission.

(5) If the persons referred to paragraph (3) of this Article do not respond within the deadline stipulated in paragraph (4) of this Article, the State Commission shall check the allegations of existence of a conflict of interest ex officio.

(6) The State Commission shall be obliged to render a decision on the existence or non-existence of a conflict of interests within 30 days after the responses of the persons referred to in paragraph (3) of this Article i.e. after the verification of the allegations.

Article 77

(1) If the State Commission determines the existence of a conflict of interests, it shall be obliged to inform the official person and to request from him/her, within 15 days from the delivery of the decision, to remove the conflict of interests.

(2) If the official acts upon the request referred to in paragraph (1) of this Article, the State Commission shall stop the procedure and shall inform the official person and the applicant of the report thereof.

(3) If the official person does not act upon request referred to in paragraph (1) of this Article and does not notify the State Commission thereof within the stipulated deadline, the State Commission shall without delay:

- with demand to initiate a disciplinary procedure if the official person is not appointed or elected person;
- instigate an initiative to the competent authority for dismissal / termination of performance of public competences or duties, if the official person is appointed or elected person; or

Serbia

(General comment); Law on prevention of corruption Articles 43-45; Law on judges Articles 81-86
Law on civil procedure Articles 66-69, Law on criminal procedure code 37-40
Law on prevention of corruption Articles 57, 58 and 66
According to Law on judges (“Official Gazette of RS", No. 10/2023) a judge may not hold function in other authority of the Republic of Serbia, authority of autonomous province, local units of self-government, city municipality or public authorities, if a law doesn’t prescribe otherwise, may not be a member of a political party or act politically in some other manner, engage in any paid public or private work, nor extend legal services or advice for compensation. Exceptionaly, a judge may be a member of the Managing Board and the Program Council of the Judicial Academy, in accordance with the law governing the Judicial Academy.
Incompatible with judicial function is also other function, a job or a private interest, which is contrary to the dignity, reputation and independence of a judge.
The Ethics Committee decides which job or a private interest is contrary to the dignity and independence of a judge and damaging to the reputation of the judicial function, on the basis of the Code of Ethics. A judge may, outside of working hours, be engaged in teaching, scientific and artistic activities and be a member of a body for the verification of competencies, for a fee, without special approval. In a case stipulated by the law, a judge may be engaged in teaching and scientific activities in a Judicial Academy during working hours. During working hour, upon the approval of the president of the court, a judge may participate in the work of professional bodies established in accordance with special regulations and working groups for the preparation of laws and other acts. A judge is required to notify the High Judicial Council, in writing, of another function, a job or a private interest that may be deemed incompatible with judicial function. The notification may be submitted to the High Judicial Council by any person. The High Judicial Council initiates and leads the decision-making process on the incompatibility of the judicial function with other function , a job or a private interest in accordance with the act of the High Judicial Council. The High Judicial Council shall notify the judge, the president of the court and the president of the immediately superior court about the existence of incompatibility of a function, a job or a private interest with the judicial function.
Law on prevention of corruption ("Official Gazette 35/2019, 88/2019, 11/2021 - autentic interpretation, 94/2021, 14/2022)
Notifying the Agency
Article 42
A public official shall be bound to, when assuming duty or in the course of discharging the public office, without delay and within five days, notify in written form, both the direct superior and the Agency, in case of doubt over a conflict of interest or a conflict of interest that he/she or an associated person therewith, might have.
A public official shall be bound to terminate action in a case in which there is doubt over a conflict of interest, unless the threat of delay exists.
The Agency shall give its opinion as to whether there is a conflict of interest, within 15 days from the date of reception of notification for the public official.
Should the public official seek opinion on the existence of conflict of interest in the course of public procurements, the Agency shall provide opinion thereof, within eight days.
The Agency may summon a public official and request from him/her to deliver the required data, for the purpose of obtaining information on the existence of conflict of interest from paragraph 1 and 4 of this Article. Should the Agency determine that there is a conflict of interest as set forth in paragraph1 and 4 of this Article, it shall notify the official and body in which he/she is discharging the public office and shall propose measures for the removal of conflict of interest.

(2014). According to Law on judges ("Official Gazette of RS", No. 116, 2008), judge may not hold function in state authority, of the Republic of Serbia, authority of autonomous province, local units of self-government, city municipality or public authorities, if a law doesn't prescribe otherwise, may not be a member of a political party or act politically in some other manner, engage in any paid public or private work, nor extend legal services or advice for compensation. Exceptionaly, a judge may be a member of the Managing Board and the Program Council of the Judicial Academy, in accordance with the law governing the Judicial Academy.

Incompatible with judicial function is also other function, a job or a private interest, which is contrary to the dignity, reputation and independence of a judge.

The Ethics Committee decides which job or a private interest is contrary to the dignity and independence of a judge and damaging to the reputation of the judicial function, on the basis of the Code of Ethics. A judge may, outside of working hours, be engaged in teaching, scientific and artistic activities and be a member of a body for the verification of competencies, for a fee, without special approval. In a case stipulated by the law, a judge may be engaged in teaching and scientific activities in a Judicial Academy during working hours. During working hour, upon the approval of the president of the court, a judge may participate in the work of professional bodies established in accordance with special regulations and working groups for the preparation of laws and other acts. A judge is required to notify the High Judicial Council, in writing, of another function, a job or a private interest that may be deemed incompatible with judicial function. The notification may be submitted to the High Judicial Council by any person. The High Judicial Council initiates and leads the decision-making process on the incompatibility of the judicial function with other function , a job or a private interest in accordance with the act of the High Judicial Council. The High Judicial Council shall notify the judge, the president of the court and the president of the immediately superior court about the existence of incompatibility of a function, a job or a private interest with the judicial function.

Law on prevention of corruption ("Official Gazette 35/2019, 88/2019, 11/2021 - autentic interpretation, 94/2021, 14/2022)

Notifying the Agency

Article 42

A public official shall be bound to, when assuming duty or in the course of discharging the public office, without delay and within five days, notify in written form, both the direct superior and the Agency, in case of doubt over a conflict of interest or a conflict of interest that he/she or an associated person therewith, might have.

A public official shall be bound to terminate action in a case in which there is doubt over a conflict of interest, unless the threat of delay exists.

The Agency shall give its opinion as to whether there is a conflict of interest, within 15 days from the date of reception of notification for the public official.

Should the public official seek opinion on the existence of conflict of interest in the course of public procurements, the Agency shall provide opinion thereof, within eight days.

The Agency may summon a public official and request from him/her to deliver the required data, for the purpose of obtaining information on the existence of conflict of interest from paragraph 1 and 4 of this Article. Should the Agency determine that there is a conflict of interest as set forth in paragraph1 and 4 of this Article, it shall notify the official and body in which he/she is discharging the public office and shall propose measures for the removal of conflict of interest.

Provisions of paragraph 1 and 6 hereof do not exclude the application of provisions on exclusion prescribed by other laws.

Article 43.

Initiation of the procedure for deciding on the existence of a conflict of interest Article 43.

(2022). According to Law on judges ("Official Gazette of RS", No. 10, 2023), a judge may not hold function in other authority of the Republic of Serbia, autonomous province, local units of self-government, city municipality or public authorities, if a law doesn't prescribe otherwise, may not be a member of a political party or act politically in some other manner, engage in any paid public or private work, nor extend legal services or advice for compensation. Exceptionaly, a judge may be a member of the Managing Board and the Program Council of the Judicial Academy, in accordance with the law governing the Judicial Academy.

Incompatible with judicial function is also other function, a job or a private interest, which is contrary to the dignity, reputation and independence of a judge.

The Ethics Committee decides which job or a private interest is contrary to the dignity and independence of a judge and damaging to the reputation of the judicial function, on the basis of the Code of Ethics. A judge may, outside of working hours, be engaged in teaching, scientific and artistic activities and be a member of a body for the verification of competencies, for a fee, without special approval. In a case stipulated by the law, a judge may be engaged in teaching and scientific activities in a Judicial Academy during working hours. During working hour, upon the approval of the president of the court, a judge may participate in the work of professional bodies established in accordance with special regulations and working groups for the preparation of laws and other acts. A judge is required to notify the High Judicial Council, in writing, of another function, a job or a private interest that may be deemed incompatible with judicial function. The notification may be submitted to the High Judicial Council by any person. The High Judicial Council initiates and leads the decision-making process on the incompatibility of the judicial function with other function , a job or a private interest in accordance with the act of the High Judicial Council. The High Judicial Council shall notify the judge, the president of the court and the president of the immediately superior court about the existence of incompatibility of a function, a job or a private interest with the judicial function.

Law on prevention of corruption ("Official Gazette 35/2019, 88/2019, 11/2021 - autentic interpretation, 94/2021, 14/2022)

Notifying the Agency

Article 42

A public official shall be bound to, when assuming duty or in the course of discharging the public office, without delay and within five days, notify in written form, both the direct superior and the Agency, in case of doubt over a conflict of interest or a conflict of interest that he/she or an associated person therewith, might have.

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Should the public official seek opinion on the existence of conflict of interest in the course of public procurements, the Agency shall provide opinion thereof, within eight days.

The Agency may summon a public official and request from him/her to deliver the required data, for the purpose of obtaining information on the existence of conflict of interest from paragraph 1 and 4 of this Article. Should the Agency determine that there is a conflict of interest as set forth in paragraph1 and 4 of this Article, it shall notify the official and body in which he/she is discharging the public office and shall propose measures for the removal of conflict of interest.

Provisions of paragraph 1 and 6 hereof do not exclude the application of provisions on exclusion prescribed by other laws.

Article 43.

Initiation of the procedure for deciding on the existence of a conflict of interest

(2022): Notifying the Agency
Article 42
A public official shall be bound to, when assuming duty or in the course of discharging the public office, without delay and within five days, notify in written form, both the direct superior and the Agency, in case of doubt over a conflict of interest or a conflict of interest that he/she or an associated person therewith, might have.
A public official shall be bound to terminate action in a case in which there is doubt over a conflict of interest, unless the threat of delay exists.
The Agency shall give its opinion as to whether there is a conflict of interest, within 15 days from the date of reception of notification for the public official.
Should the public official seek opinion on the existence of conflict of interest in the course of public procurements, the Agency shall provide opinion thereof, within eight days.
The Agency may summon a public official and request from him/her to deliver the required data, for the purpose of obtaining information on the existence of conflict of interest from paragraph 1 and 4 of this Article. Should the Agency determine that there is a conflict of interest as set forth in paragraph1 and 4 of this Article, it shall notify the official and body in which he/she is discharging the public office and shall propose measures for the removal of conflict of interest.
Provisions of paragraph 1 and 6 hereof do not exclude the application of provisions on exclusion prescribed by other laws.
VI GIFTS
Term of Gifts
Article 57
A gift shall be an item, right or service, given or made without the appropriate remuneration, i.e. benefit or advantage caused to a public official or a family member.
Prohibition of Receiving a Gift
Article 58
A public official and a family member cannot receive a gift in relation to discharging public office, except for protocol or another appropriate gift.
A Catalogue of Gifts
Article 66
Using the data from the record of gifts, the Agency shall publish a Catalogue of Gifts on its website.
The Catalogue of Gifts shall be published by 1 June of the current year for the previous calendar year.

Kosovo*
(General Comment): According to Law No. 06/L-011 on Prevention of Conflict of Interest in Discharge of a Public Function, the Agency for Prevention of Corruption is the central authority and responsible for supervising the implementation of the provision of this law. The law itself regulates the whole procedures of conflict of interest, the identification of conflict of interest and the source of information, the obligation for prevention and resolutions of conflict of interest, restrictions on high officials in the exercise of other activities in addition to a public function, Incompatibility with the discharge of public functions etc. Article 20, par. 3 of the Law on Prevention of Conflict of Interest in Discharge of a Public Function stipulates that: Institutions within their internal regulations, prescribe and implement specific rules in order to prevent conflict of interest, depending on the field of activity of such institution.

(2025): Law No. 06/L – 057 on Disciplinary Responsibility of Judges and Prosecutors, in Article 5, paragraph 1, point 1.3, also defines as a disciplinary violation the cases when a judge fails to perform his duties intentionally or due to gross negligence. In point 2.6, a violation of this nature is foreseen in cases where a judge does not report potential recusal situations as required by law. Furthermore, the procedures regarding complaints, investigations, and disciplinary proceedings are regulated by Chapter III of Law No. 06/L – 057 on the Disciplinary Responsibility of Judges and Prosecutors.

(2024): According to Law No. 06/L-011 on Prevention of Conflict of Interest in Discharge of a Public Function, the Agency for Prevention of Corruption is the central authority and responsible for supervising the implementation of the provision of this law. The law itself regulates the whole procedures of conflict of interest, the identification of conflict of interest and the source of information, the obligation for prevention and resolutions of conflict of interest, restrictions on high officials in the exercise of other activities in addition to a public function, Incompatibility with the discharge of public functions etc. In violation of Article 20 par. 3 of the Law on Prevention of Conflict of Interest in Discharge of a Public Function, institutions within their internal regulations, prescribe and implement specific rules in order to prevent conflict of interest, depending on the field of activity of such institution.
Additionally, this law in Article 5, paragraph 1, point 1.3, defines as a disciplinary violation cases where a judge breaches their duties, whether committed intentionally or through gross negligence. Furthermore, point 2.6 classifies as a violation of this nature the failure of a judge to report possible disqualification cases from a procedure when required by law. Additionally, the procedures related to complaints, investigations, and disciplinary proceedings are regulated under Chapter III of Law No. 06/L-057 on the Disciplinary Responsibility of Judges and Prosecutors.
For more details, you can access the law through the following link: https://gzk.rks-gov.net/ActDetail.aspx?ActID=18336.

(2023): According to Law No. 06/L-011 on Prevention of Conflict of Interest in Discharge of a Public Function, the Anti-Corruption Agency is the central authority and responsible for supervising the implementation of the provision of this law. The law itself regulates the whole procedures of conflict of interest, the identification of conflict of interest and the source of information, the obligation for prevention and resolutions of conflict of interest, restrictions on high officials in the exercise of other activities in addition to a public function, Incompatibility with the discharge of public functions etc. In violation of Article 20 par. 3 of the Law on Prevention of Conflict of Interest in Discharge of a Public Function, institutions within their internal regulations, prescribe and implement specific rules in order to prevent conflict of interest, depending on the field of activity of such institution.

Question 190

Albania

(General comment) Article 5 of the Law no 96/2016 "On the status of judges and prosecutors in the Republic of Albania" stipulates that: 1. A magistrate may undertake an extra-office activity only if these activities: a) are consistent with the dignity of the exercise of the function; b) do not to lead to a perception of bias or partiality in the performance of the function. c) do not conflict with essential office interests, thus not impacting the timing and efficient fulfilment of the functions. In any case, the remunerated extra-office activity, including the preparatory work for carrying out this activity, shall not exceed 200 hours during and beyond the office hours per year; ç) do not conflict with the purpose wherefore the workload has been reduced;
d) if the remuneration for the extra- office activity includes any kind and form of payment, financial reward or compensation that does not exceed normal commercial terms, dh)are not incompatible with the exercise of the magistrates' function or is not prohibited according to this Law. 2. The magistrate shall, except in the event of scientific publications or training, be prohibited to use the title of the magistrate beyond his function, while taking the measures that also third parties do not use his title in these activities.
3. A magistrate may write, publish, lecture, teach on legal issues and participate in activities concerning the legal issues, the legal system, the administration of justice or related matters, in accordance with the provisions of paragraph 1 of this Article. 4. Before starting the accomplishment of a remunerated extra office activity under the provisions of this Article, the magistrate shall notify the Council and submit the necessary documentation on:
a) describing the nature and duration of the extra office activity; b) establishing the remuneration rate for these activities; c) establishing the workload at the court or prosecution office, the overall workload at the court or prosecution office and the timely delivery of the duties in the previous twelve months.
5. Before accepting an assignment to undertake a remunerated extra office activity, the magistrate must obtain the consent of the relevant Council.
6. The Council shall decide within three weeks upon receipt of the request and the complete documentation and grant the consent if the proposed activity, and any remuneration for its performance, satisfies the requirements of paragraph 1 and this Article. If the Council does not express itself by way of a decision within three weeks upon receiving the request and the complete documentation and neither notifies the interested person, or does not make a decision to extend the time period, the request shall be deemed approved, in accordance with the provisions of the Administrative Procedure Code. 7. A magistrate shall notify the chairperson on non-remunerated extraoffice activities which do not fall under the scope of powers of the Council, where the magistrate:
a) acts as representative of the judicial system or the prosecution service; b) makes general public statements about matters that affect the judiciary or the prosecution service; c) participate in discussions on questions of law;
8. The chairperson shall report annually to the respective Councils at least on the nature and number of hours on the non-remunerated extra office activities of a magistrate of the respective court or prosecution office.
9. The Councils shall, within January each year, publish on the official website and forward a grounded written report on the remunerated extra-office activities of magistrates, including the remuneration or reward, benefited during the preceding calendar year and the respective market worth to the High Inspectorate for the Declaration and Audit of Assets and Conflict of Interests and the tax administration authorities. The respective institutions shall co-operate with the Councils for the determination of the normal commercial rates. 10. Based on the principle of equity and proportionality, the Council shall establish more detailed rules on the extra office activities

(2025): In regard to “Research and publication” the possibility of giving contribution to doctrine “Without remuneration” is included as it is not prohibited. In regard of the extra-office activity of judges, article 9 of Law No. 96/2016 foresees as quoted below: 1. A magistrate may undertake an extra-office activity only if these activities: a) are consistent with the dignity of the exercise of the function; b) do not to lead to a perception of bias or partiality in the performance of the function; c) do not conflict with essential office interests, thus not impacting the timing and efficient fulfilment of the functions. In any case, the remunerated extra-office activity, including the preparatory work for carrying out this activity, shall not exceed 200 hours during and beyond the office hours per year; ç) do not conflict with the purpose wherefore the workload has been reduced; d) if the remuneration for the extra- office activity includes any kind and form of payment, financial reward or compensation that does not exceed normal commercial terms, dh) are not incompatible with the exercise of the magistrates’ function or is not prohibited according to this Law. 2. The magistrate shall, except in the event of scientific publications or training, be prohibited to use the title of the magistrate beyond his function, while taking the measures that also third parties do not use his title in these activities. 3. A magistrate may write, publish, lecture, teach on legal issues and participate in activities concerning the legal issues, the legal system, the administration of justice or related matters, in accordance with the provisions of paragraph 1 of this Article. 4. Before starting the accomplishment of a remunerated extra office activity under the provisions of this Article, the magistrate shall notify the Council and submit the necessary documentation on: a) describing the nature and duration of the extra office activity; b) establishing the remuneration rate for these activities; c) establishing the workload at the court or prosecution office, the overall workload at the court or prosecution office and the timely delivery of the duties in the previous twelve months. 5. Before accepting an assignment to undertake a remunerated extra-office activity, the magistrate must obtain the consent of the relevant Council. 6. The Council shall decide within three weeks upon receipt of the request and the complete documentation and grant the consent if the proposed activity, and any remuneration for its performance, satisfies the requirements of paragraph 1 and this Article. If the Council does not express itself by way of a decision within three weeks upon receiving the request and the complete documentation and neither notifies the interested person, or does not make a decision to extend the time period, the request shall be deemed approved, in accordance with the provisions of the Administrative Procedure Code. 7. A magistrate shall notify the chairperson on non-remunerated extra-office activities which do not fall under the scope of powers of the Council, where the magistrate: a) acts as representative of the judicial system or the prosecution service; b) makes general public statements about matters that affect the judiciary or the prosecution service; c) participate in discussions on questions of law. 8. The chairperson shall report annually to the respective Councils at least on the nature and number of hours on the non-remunerated extra office activities of a magistrate of the respective court or prosecution office.

(2024): In regard to “Research and publication” the possibility of giving contribution to doctrine “Without remuneration” is included as it is not prohibited. In regard of the extra-office activity of judges, article 9 of Law No. 96/2016 foresees as quoted below: 1. A magistrate may undertake an extra-office activity only if these activities: a) are consistent with the dignity of the exercise of the function; b) do not to lead to a perception of bias or partiality in the performance of the function; c) do not conflict with essential office interests, thus not impacting the timing and efficient fulfilment of the functions. In any case, the remunerated extra-office activity, including the preparatory work for carrying out this activity, shall not exceed 200 hours during and beyond the office hours per year; ç) do not conflict with the purpose wherefore the workload has been reduced; d) if the remuneration for the extra- office activity includes any kind and form of payment, financial reward or compensation that does not exceed normal commercial terms, dh) are not incompatible with the exercise of the magistrates’ function or is not prohibited according to this Law. 2. The magistrate shall, except in the event of scientific publications or training, be prohibited to use the title of the magistrate beyond his function, while taking the measures that also third parties do not use his title in these activities. 3. A magistrate may write, publish, lecture, teach on legal issues and participate in activities concerning the legal issues, the legal system, the administration of justice or related matters, in accordance with the provisions of paragraph 1 of this Article. 4. Before starting the accomplishment of a remunerated extra office activity under the provisions of this Article, the magistrate shall notify the Council and submit the necessary documentation on: a) describing the nature and duration of the extra office activity; b) establishing the remuneration rate for these activities; c) establishing the workload at the court or prosecution office, the overall workload at the court or prosecution office and the timely delivery of the duties in the previous twelve months. 5. Before accepting an assignment to undertake a remunerated extra-office activity, the magistrate must obtain the consent of the relevant Council. 6. The Council shall decide within three weeks upon receipt of the request and the complete documentation and grant the consent if the proposed activity, and any remuneration for its performance, satisfies the requirements of paragraph 1 and this Article. If the Council does not express itself by way of a decision within three weeks upon receiving the request and the complete documentation and neither notifies the interested person, or does not make a decision to extend the time period, the request shall be deemed approved, in accordance with the provisions of the Administrative Procedure Code. 7. A magistrate shall notify the chairperson on non-remunerated extra-office activities which do not fall under the scope of powers of the Council, where the magistrate: a) acts as representative of the judicial system or the prosecution service; b) makes general public statements about matters that affect the judiciary or the prosecution service; c) participate in discussions on questions of law. 8. The chairperson shall report annually to the respective Councils at least on the nature and number of hours on the non-remunerated extra office activities of a magistrate of the respective court or prosecution office.

(2023): In regard of the extra-office activity of judges, article 9 of Law No. 96/2016 foresees as quoted below: 1. A magistrate may undertake an extra-office activity only if these activities: a) are consistent with the dignity of the exercise of the function; b) do not to lead to a perception of bias or partiality in the performance of the function; c) do not conflict with essential office interests, thus not impacting the timing and efficient fulfilment of the functions. In any case, the remunerated extra-office activity, including the preparatory work for carrying out this activity, shall not exceed 200 hours during and beyond the office hours per year; ç) do not conflict with the purpose wherefore the workload has been reduced; d) if the remuneration for the extra- office activity includes any kind and form of payment, financial reward or compensation that does not exceed normal commercial terms, dh) are not incompatible with the exercise of the magistrates' function or is not prohibited according to this Law. 2. The magistrate shall, except in the event of scientific publications or training, be prohibited to use the title of the magistrate beyond his function, while taking the measures that also third parties do not use his title in these activities. 3. A magistrate may write, publish, lecture, teach on legal issues and participate in activities concerning the legal issues, the legal system, the administration of justice or related matters, in accordance with the provisions of paragraph 1 of this Article. 4. Before starting the accomplishment of a remunerated extra office activity under the provisions of this Article, the magistrate shall notify the Council and submit the necessary documentation on: a) describing the nature and duration of the extra office activity; b) establishing the remuneration rate for these activities; c) establishing the workload at the court or prosecution office, the overall workload at the court or prosecution office and the timely delivery of the duties in the previous twelve months. 5. Before accepting an assignment to undertake a remunerated extra-office activity, the magistrate must obtain the consent of the relevant Council. 6. The Council shall decide within three weeks upon receipt of the request and the complete documentation and grant the consent if the proposed activity, and any remuneration for its performance, satisfies the requirements of paragraph 1 and this Article. If the Council does not express itself by way of a decision within three weeks upon receiving the request and the complete documentation and neither notifies the interested person, or does not make a decision to extend the time period, the request shall be deemed approved, in accordance with the provisions of the Administrative Procedure Code. 7. A magistrate shall notify the chairperson on non-remunerated extra-office activities which do not fall under the scope of powers of the Council, where the magistrate: a) acts as representative of the judicial system or the prosecution service; b) makes general public statements about matters that affect the judiciary or the prosecution service; c) participate in discussions on questions of law. 8. The chairperson shall report annually to the respective Councils at least on the nature and number of hours on the non-remunerated extra office activities of a magistrate of the respective court or prosecution office. From the given answer, "Teaching" remains "with remuneration" as the previous year. In regard to "Research and publication" the possibility of giving contribution to doctrine "Without remuneration" is included as it is not prohibited.

(2022) Article 9 of the Law No 96, 2019 "On the status of judges and prosecutors in the Republic of Albania" stipulates that: 1. A magistrate may undertake an extra office activity, only if these activities: a) are consistent with the dignity of the exercise of the function; b) do not to lead to a perception of bias or partiality in the performance of the function. c) do not conflict with essential office interests, thus not impacting the timing and efficient fulfilment of the functions. In any case, the remunerated extra-office activity, including the preparatory work for carrying out this activity, shall not exceed 200 hours during and beyond the office hours per year; ç) do not conflict with the purpose wherefore the workload has been reduced;
d) if the remuneration for the extra- office activity includes any kind and form of payment, financial reward or compensation that does not exceed normal commercial terms, dh)are not incompatible with the exercise of the magistrates' function or is not prohibited according to this Law. 2. The magistrate shall, except in the event of scientific publications or training, be prohibited to use the title of the magistrate beyond his function, while taking the measures that also third parties do not use his title in these activities.
3. A magistrate may write, publish, lecture, teach on legal issues and participate in activities concerning the legal issues, the legal system, the administration of justice or related matters, in accordance with the provisions of paragraph 1 of this Article. 4. Before starting the accomplishment of a remunerated extra office activity under the provisions of this Article, the magistrate shall notify the Council and submit the necessary documentation on:
a) describing the nature and duration of the extra office activity; b) establishing the remuneration rate for these activities; c) establishing the workload at the court or prosecution office, the overall workload at the court or prosecution office and the timely delivery of the duties in the previous twelve months.
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a) acts as representative of the judicial system or the prosecution service; b) makes general public statements about matters that affect the judiciary or the prosecution service; c) participate in discussions on questions of law;
8. The chairperson shall report annually to the respective Councils at least on the nature and number of hours on the non-remunerated extra office activities of a magistrate of the respective court or prosecution office.
9. The Councils shall, within January each year, publish on the official website and forward a grounded written report on the remunerated extra-office activities of magistrates, including the remuneration or reward, benefited during the preceding calendar year and the respective market worth to the High Inspectorate for the Declaration and Audit of Assets and Conflict of Interests and the tax administration authorities. The respective institutions shall co-operate with the Councils for the determination of the normal commercial rates. 10. Based on the principle of equity and proportionality, the Council shall establish more detailed rules on the extra office activities

North Macedonia

(General Comment): The Law on the courts
Article 52
(1) The judicial office is incompatible with the office of a member of the parliament, that is, member of a council in the municipality, that is, the City of Skopje, and the offices in state bodies, the municipality and the City of Skopje, expect for cases provided by law.
(2) The judge cannot hold any other public office or practice a profession, except an office determined by law which is not contrary to his/her independence and autonomy in the exercise of the judicial office.
(3) The judge cannot be a member of a managing or supervisory board of a trade company or another legal entity established for the purpose of gaining profit.
(4) The judge may be an educator or may deliver lectures in the Academy for Judges and Public Prosecutors and in a higher education institution and may participate in scientific projects.
(5) The judge for the period while teaching as an educator at the Academy for Judges and Public Prosecutors, may perform the judicial function in a reduced amount, in accordance with the law.
(6) The Judge must not use his office or the reputation of the court to accomplish his personal interests.
(7) The judge cannot be a member or hold a political office within a political party or carry out political or party activity.
Law on prevention of corruption and conflict of interest – Article 44 paragraph 6 "(6) Official person may earn income from scientific, teaching, cultural, artistic and sporting activities and from copyrights, patents and similar rights, intellectual and industrial property, unless otherwise stipulated by law."

Serbia
(General Comment): According to Law on judges ("Official Gazette of RS", No. 10/2023) a judge may not hold function in other authority of the Republic of Serbia, authority of autonomous province, local units of self-government, city municipality or public authorities, if a law doesn't prescribe otherwise, may not be a member of a political party or act politically in some other manner, engage in any paid public or private work, nor extend legal services or advice for compensation. Exceptionaly, a judge may be a member of the Managing Board and the Program Council of the Judicial Academy, in accordance with the law governing the Judicial Academy.
Incompatible with judicial function is also other function, a job or a private interest, which is contrary to the dignity, reputation and independence of a judge.
The Ethics Committee decides which job or a private interest is contrary to the dignity and independence of a judge and damaging to the reputation of the judicial function, on the basis of the Code of Ethics. A judge may, outside of working hours, be engaged in teaching, scientific and artistic activities and be a member of a body for the verification of competencies, for a fee, without special approval. In a case stipulated by the law, a judge may be engaged in teaching and scientific activities in a Judicial Academy during working hours. During working hour, upon the approval of the president of the court, a judge may participate in the work of professional bodies established in accordance with special regulations and working groups for the preparation of laws and other acts. A judge is required to notify the High Judicial Council, in writing, of another function, a job or a private interest that may be deemed incompatible with judicial function. The notification may be submitted to the High Judicial Council by any person. The High Judicial Council initiates and leads the decision-making process on the incompatibility of the judicial function with other function , a job or a private interest in accordance with the act of the High Judicial Council. The High Judicial Council shall notify the judge, the president of the court and the president of the immediately superior court about the existence of incompatibility of a function, a job or a private interest with the judicial function.

(2025): Comment by HJC:

According to Law on judges (“Official Gazette of RS", No. 10/2023) a judge may not hold function in other authority of the Republic of Serbia, authority of autonomous province, local units of self-government, city municipality or public authorities, if a law doesn’t prescribe otherwise, may not be a member of a political party or act politically in some other manner, engage in any paid public or private work, nor extend legal services or advice for compensation. Exceptionaly, a judge may be a member of the Managing Board and the Program Council of the Judicial Academy, in accordance with the law governing the Judicial Academy.

Incompatible with judicial function is also other function, a job or a private interest, which is contrary to the dignity, reputation and independence of a judge.

The Ethics Committee decides which job or a private interest is contrary to the dignity and independence of a judge and damaging to the reputation of the judicial function, on the basis of the Code of Ethics. A judge may, outside of working hours, be engaged in teaching, scientific and artistic activities and be a member of a body for the verification of competencies, for a fee, without special approval. In a case stipulated by the law, a judge may be engaged in teaching and scientific activities in a Judicial Academy during working hours. During working hour, upon the approval of the president of the court, a judge may participate in the work of professional bodies established in accordance with special regulations and working groups for the preparation of laws and other acts. Judges are public officials in the sense of the law that regulates the prevention of corruption and have all the obligations imposed on public officials as stipulated by such a law

Comment by Agency for Prevention of Corruption:

Scientific activity and cultural activities with and without remuneration

About this question, an official (judge) may conduct scientific study, teaching, cultural, artistic, humanitarian and sports activities, in compliance with the provisions of Article 46 of the Law on the Prevention of Corruption, without the consent of the Agency, unless it jeopardizes the impartial performance and prestige of the public office and if it is forbidden by laws and other regulations that regulate his/her work. Revenues from this work, i.e., activities, shall be submitted to the Agency by the official. An official (judge) is obliged to submit a request for consent in accordance with the provisions of Article 49 in conjunction with Article 45 paragraph 1 if it is a function within a body of cultural and other associations (except professional). In connection with research, publications, i.e., mediation, an official (judge, public prosecutor, deputy prosecutor) is obliged to submit a request for consent in accordance with the provisions of Article 46, paragraph 4. In the case of payments, when deciding on an application for the permission of officials to carry out other work or operations, the Agency does not consider whether it is with or without compensation.

(2024): Law on Mediation in Dispute Resolution ("Official Gazette of RS", No. 55/2014) Judges can mediate exclusively outside of working hours and without compensation.
Law on Judges (“Official Gazette of RS", No. 10/2023) Article 31. position 5-7. A judge can, outside of working hours, engage in teaching, scientific and artistic activities without special approval and be a member of a body for checking expertise, for a fee. In the case specified by law, a judge may, during working hours, perform teaching and scientific activities at the Judicial Academy. During working hours, with the approval of the president of the court, a judge can participate in the work of an expert body formed in accordance with a special regulation and a working group for the drafting of laws and other acts.
Exceptionaly, a judge may be a member of the Managing Board and the Program Council of the Judicial Academy, in accordance with the law governing the Judicial Academy.
Incompatible with judicial function is also other function, a job or a private interest, which is contrary to the dignity, reputation and independence of a judge.
The Ethics Committee decides which job or a private interest is contrary to the dignity and independence of a judge and damaging to the reputation of the judicial function, on the basis of the Code of Ethics. A judge may, outside of working hours, be engaged in teaching, scientific and artistic activities and be a member of a body for the verification of competencies, for a fee, without special approval. In a case stipulated by the law, a judge may be engaged in teaching and scientific activities in a Judicial Academy during working hours. During working hour, upon the approval of the president of the court, a judge may participate in the work of professional bodies established in accordance with special regulations and working groups for the preparation of laws and other acts. A judge is required to notify the High Judicial Council, in writing, of another function, a job or a private interest that may be deemed incompatible with judicial function. The notification may be submitted to the High Judicial Council by any person. The High Judicial Council initiates and leads the decision-making process on the incompatibility of the judicial function with other function , a job or a private interest in accordance with the act of the High Judicial Council. The High Judicial Council shall notify the judge, the president of the court and the president of the immediately superior court about the existence of incompatibility of a function, a job or a private interest with the judicial function.
Judges are public officials in the sense of the law that regulates the prevention of corruption and have all the obligations imposed on public officials as stipulated by such a law.

(2023): Law on Mediation in Dispute Resolution ("Official Gazette of RS", No. 55/2014) Judges can mediate exclusively outside of working hours and without compensation.
Law on Judges (“Official Gazette of RS", No. 10/2023) Article 31. position 5-7. A judge can, outside of working hours, engage in teaching, scientific and artistic activities without special approval and be a member of a body for checking expertise, for a fee.
In the case specified by law, a judge may, during working hours, perform teaching and scientific activities at the Judicial Academy.
During working hours, with the approval of the president of the court, a judge can participate in the work of an expert body formed in accordance with a special regulation and a working group for the drafting of laws and other acts.

(2022): Scientific activity and cultural activities with and without remuneration

About this question, an official (judge) may conduct scientific study, teaching, cultural, artistic, humanitarian and sports activities, in compliance with the provisions of Article 46 of the Law on the Prevention of Corruption, without the consent of the Agency, unless it jeopardizes the impartial performance and prestige of the public office and if it is forbidden by laws and other regulations that regulate his/her work. Revenues from this work, i.e., activities, shall be submitted to the Agency by the official. An official (public prosecutor, deputy prosecutor) is obliged to submit a request for consent in accordance with the provisions of Article 49 in conjunction with Article 45 paragraph 1 if it is a function within a body of cultural and other associations (except professional). In connection with research, publications, i.e., mediation, an official (judge, public prosecutor, deputy prosecutor) is obliged to submit a request for consent in accordance with the provisions of Article 46, paragraph 4. In the case of payments, when deciding on an application for the permission of officials to carry out other work or operations, the Agency does not consider whether it is with or without compensation.

Kosovo*

(2025): Pursuant to Law No. 06/L-054 on Courts:

1. Judges, with prior approval from the Council, are entitled to participate in professional organizations and scientific meetings that promote judicial independence and safeguard the professional interests of judges.
2. Judges, with the approval of the Presidents of Courts, and Presidents, with the approval of the Council, may engage in such activities only outside of official working hours, provided that the activities comply with the Code of Ethics and Professional Conduct for judges.
3. In accordance with the Code of Ethics and Professional Conduct, judges may undertake professional and scientific writing; however, they are prohibited from publishing content derived from judicial files during or after their tenure, unless expressly authorized by law or by a sub-legal act issued by the Council.
4. Judges may receive remuneration for the activities described in this article, which shall not exceed twenty-five percent (25%) of their base salary. Judges must notify the President of their Court regarding such remuneration, while Court Presidents must notify the Council.

(2024): Based on Law No. 06/L-054 on Courts:

Judges, with prior approval from the Council, have the right to participate in professional organizations and scientific meetings that promote judicial independence and protect the professional interests of judges.

Judges, with the approval of Court Presidents, and Court Presidents with the approval of the Council, may participate in activities outside of working hours, provided these activities comply with the Code of Ethics and Professional Conduct for Judges.

In accordance with the provisions of the Code of Ethics and Professional Conduct for Judges, judges may engage in professional and scientific writing. However, they are not permitted to publish the relevant content of judicial case files during or after their judicial tenure unless expressly allowed by law or a bylaw issued by the Council.

For the activities outlined in this article, judges may receive compensation, which must not exceed twenty-five percent (25%) of their base salary. Judges must notify the Court President of such compensation, while Court Presidents must inform the Council.

Question 191

Bosnia and Herzegovina

(General Comment): If a judicial office holder is not certain whether an activity is compatible with the judicial function and the relevant prerequisites from the law, he or she will obtain a binding opinion from the High Judicial and Prosecutorial Council of Bosnia and Herzegovina to clarify the issue.
A judicial office holder must make sure to comply with the prerequisite that the total amount of remuneration for other activities may not exceed 40% of his or her annual salary.

Serbia
(General Comment): Yes, by the High Judicial Council and Agency on prevention od corruption

Question 192

Albania
(2025): Article 9 of Law 96/2016

Montenegro
(2022): Law on Judicial Council and judges
Opinion on other Activities
Article 102
At a request of the court president or judge, the Judicial Council shall issue an opinion on whether certain activities are deemed professional performance of activities that are incompatible with the exercise of judicial office.
A judge, who performs scientific, educational or artistic activity, as well as activities protected by copyright, shall not be deemed to professionally perform other activity within the meaning of the Constitution

Serbia
(2024): Agency for prevention on corruption

(2023): Agency for prevention on corruption

Kosovo*

(2025): For judges, the approval of the President of the respective Court is required, whereas for the President of the Court, the approval of the High Judicial Council (HJC) is required.

(2024): For a judge, the approval of the respective Court President is required, whereas for the Court President, the approval of the KJC (Kosovo Judicial Council) is needed.

Question 193

Bosnia and Herzegovina

(2025): If a judicial office holder is not certain whether an activity is compatible with the judicial function and the relevant prerequisites from the law, he or she will obtain a binding opinion from the High Judicial and Prosecutorial Council of Bosnia and Herzegovina to clarify the issue.
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A judicial office holder must make sure to comply with the prerequisite that the total amount of remuneration for other activities may not exceed 40% of his or her annual salary.

Question 194

Albania

(General Comment): In the Law “On the status of judges and prosecutors”, as amended, is provided that, breach of the rules of incompatibility or conflict of interest prevention is a disciplinary violation. Also, in the Law no. 9367 dated 7.4.2005, “On the prevention of conflicts of interest in the exercise of public functions”, as amended, is provided that, any violation of the obligations set forth in this law, when it does not constitute a criminal offense, constitutes an administrative offense and is punishable by a fine.

**(2023): ***No changes from previous year.

Bosnia and Herzegovina

(General comment) The Article 56, paragraph 2 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes the list of the disciplinary offences for judges that includes (among others):
c) not disqualifying himself or herself from hearing a case when a conflict of interest exists; o) being engaged in activities that are incompatible with the judicial function;
p) exceeding any limitations related to income generated from fees for additional activities;
t) accepting a gift or reward whose purpose is to inappropriately influence the judge's decisions or actions, including cases where the gift or reward only give an impression of inappropriate influence.
Therefore the breaches of rules on conflict of interests are prescribed by the law explicitly as a disciplinary offences for the judge for which any disciplinary measure can be imposed depending on the circumstances of an individual disciplinary case. Article 58 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes the disciplinary measures, which the HJPC may impose, to the judges:
(1) The Council may impose one or more of the following disciplinary measures: (a) a written warning which shall not be made public; (b) public reprimand; (c) reduction in salary or emoluments up to a maximum of 50% (fifty per cent) for a period of up to one (1) year; (d) temporary or permanent reassignment to another court or prosecutor's office; (e) demotion of a Court President to an ordinary judge or the Chief Prosecutor or Deputy Chief Prosecutor to an ordinary prosecutor; (f) removal from the office. (2) As a separate measure, instead of or in addition to any of the disciplinary measures set out above, the Council may, if appropriate, order that a judge or prosecutor participate in rehabilitation programmes, counselling, or professional training. (3) All rights and privileges under labour relations of a judge, Court President, Chief Prosecutor, Deputy Chief Prosecutor, or prosecutor who is removed from office pursuant to a disciplinary proceeding shall cease upon removal by the Council. A judges or prosecutor who is removed from office under this article shall be barred from further exercise of judicial or prosecutorial function. Article 59 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina refers to the Principles for determining of the measures:
(1)Disciplinary measures imposed should be governed by the principle of proportionality. Before pronouncing the measures for a disciplinary offence, the following aspects shall be taken into consideration by the disciplinary commissions:
(a)the number and severity of the disciplinary offence committed and its consequences;
(b)the degree of responsibility;
(c)the circumstances under which the disciplinary offence was committed;
(d)the previous work and behavior of the offender; and
(e)any other circumstances that may affect the decision on the severity and type of disciplinary measure, including the degree of remorse and/or cooperation shown by the judge or prosecutor during the disciplinary proceedings.
(2)The disciplinary measure of dismissal shall only be used in cases where a serious disciplinary offence is found and the severity of the offence makes it clear that the offender is unfit or unworthy to continue to hold his or her office.
(3)The Council may take into account any prior suspension, imposed in the course of the proceedings in question, and may reduce the disciplinary measure accordingly, or may, at

(2025): Article 56, paragraph 2 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes the list of the disciplinary offences for judges that includes (among others):
c) not disqualifying himself or herself from hearing a case when a conflict of interest exists; o) being engaged in activities that are incompatible with the judicial function;
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(e)any other circumstances that may affect the decision on the severity and type of disciplinary measure, including the degree of remorse and/or cooperation shown by the judge or prosecutor during the disciplinary proceedings.
(2)The disciplinary measure of dismissal shall only be used in cases where a serious disciplinary offence is found and the severity of the offence makes it clear that the offender is unfit or unworthy to continue to hold his or her office.
(3)The Council may take into account any prior suspension, imposed in the course of the proceedings in question, and may reduce the disciplinary measure accordingly, or may, at

North Macedonia

(General Comment): In our country the full name of the Law is Law on prevention of corruption and conflict of interests.

(2025): Law on prevention of corruption and conflict of interest

(2024): Law on prevention of corruption and conflict of interests.

(2023): Law on prevention of corruption and conflict of interests.

(2022): Law on prevention of corruption and conflict of interests.

Serbia

(General Comment): The Law on judges
The Law on the prevention of corruption
The Civil procedure Law
The Criminal procedure Law

(2024): The law on prevention of conflict of interest in the Serbian legal framework is the Law on prevention of corruption ("Official Gazette 35/2019, 88/2019, 11/2021 - authentic interpretation, 94/2021, 14/2022)
Other marked laws (in addition to the Law on the prevention of corruption) are the one that regulates recusals.
According to the Law on Judges (“Official Gazette of RS", No. 10/2023) article 97. Disciplinary offenses, among others, are:
1) violation of the principle of impartiality;
2) failure of the judge to ask for exemption in cases where there is an obvious reason for exemption, that is, exclusion provided for bylaw;
9) accepting a gift contrary to the regulation governing conflict of interest;
12) performance of another function, job or private interest that is incompatible with the function of a judge; The consequence of the above-mentioned disciplinary violations may be the dismissal of the judge.
The Law on Judges (“Official Gazette of RS", No. 10/2023) further regulates initiation of the procedure to determine the reasons for the judge's dismissal Article 99.
If in the disciplinary procedure it is determined by a final decision that the judge has committed a serious disciplinary offense, the High Council of the Judiciary, i.e. the Disciplinary Commission can initiate a procedure to determine the reasons for the judge's dismissal. In the procedure for determining the reason for the dismissal of a judge from paragraph 1 of this article, the High Council of the Judiciary assesses whether the committed disciplinary offense seriously damages the reputation of the judicial function or the public's trust in the judiciary.

(2023): The law on prevention of conflict of interest in the Serbian legal framework is the Law on prevention of corruption ("Official Gazette 35/2019, 88/2019, 11/2021 - authentic interpretation, 94/2021, 14/2022)
Other marked laws (in addition to the Law on the prevention of corruption)are the one that regulates recusals.
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In the procedure for determining the reason for the dismissal of a judge from paragraph 1 of this article, the High Council of the Judiciary assesses whether the committed disciplinary offense seriously damages the reputation of the judicial function or the public's trust in the judiciary.

Kosovo*

(General comment): The procedure is regulated in Article 22 of the Law on prevention of conflict of interest. Article 22
Administrative Procedures of the Agency in Cases of Conflict of Interest
1. The procedure shall begin at the Agency:
1.1. ex officio;
1.2. at the request of a senior official;
1.3. at the request of the official and following the approval by the employing institution;
1.4. at the request of the institution;
1.5. on basis of reporting by another person or on basis of anonymous information.
2. The procedure on conflict of interest in the Agency cannot be initiated if two (2) years have passed from the date the act has taken place, unless otherwise provided by law.
3. The Agency shall notify the reporting person within a period of fifteen (15) days for further processing of the information.
4. In case of based suspicion on existence of a conflict of interest, the Agency shall immediately initiate the procedure to establish whether there is a conflict of interest and its consequences.
5. The Agency shall inform the senior official and the official person in cases defined under Article 21, paragraph 1., sub-paragraph 1.5. of the present law, about the initiation of administrative procedure and upon his request shall notify him about the facts held by the Agency.
6. The Agency procedure is confidential. The Agency shall only make known the final results of the conducted procedure.
7. If after selection, appointment, or after the confirmation of mandate, the official continues to exercise an activity or a function which in accordance with this law is not compatible with the new function, the Agency shall inform the official and the employing institution that he must either quit this activity or resign from the function within seven (7) days.
8. In case the official continues to exercise activities or functions that are incompatible in accordance with this law, regardless of warnings by the Agency, the Agency shall request the employing institution to initiate a procedure for dismissing the official.
9. The institution, where the official continues to exercise a function or an activity, which is incompatible in accordance with the present law, shall initiate the procedure for dismissal from function upon the request of the Agency.
10. When a Member of the Assembly exercises activities that are incompatible in accordance with the present Law, the Agency shall notify the Chairman of the Assembly and shall request initiation of legal procedures against him.
11. The competent authorities shall notify the Agency of the action undertaken by them within fifteen (15) days of receiving notice.
12. All decisions issued by the Agency regarding a conflict of interest in discharge of public office and breach of the provisions of this law, including prohibited or restricted acts during the exercise of public functions, the exercise of other activities, incompatibilities in the exercise of public function, shall be respected by officials and relevant institutions. They shall be published on the official website of the Agency.

(2022). The procedure is regulated in Article 22 of the Law on prevention of conflict of interest. Article 22
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Question 195

Albania

(General Comment): Please briefly describe the procedure: Please note that civil procedure code and criminal procedure code have been checked because they regulate the recusals of judges in civil or criminal proceedings and the procedure for doing so.
Please note that some of the procedure to sanction breaches of the rules on the conflict of interest for both judges and prosecutors are provided in the law on the status of judges and prosecutors in the Republic of Albania. In question 223, this law under the "law on judges" tick. However, please be advised that this law in question 232 has been reported in the section "other, please specify" because, under the similar section includes "law on public prosecutors/public prosecution". In Albania these are two different law: law on the status of judges and prosecutors, which would correspond to a section titled "law on public prosecutors" and the law on the organisation and functioning of the prosecution offices in the Republic of Albania, which would correspond to a section titled "law on public prosecution".

(2025): Article 102 of law 96/2016: Disciplinary misconducts during the exercise of the function are, in particular, but not limited to the acts, omissions or behaviours of the magistrate, as follows: a) Failure to submit a request for recusal from the proceedings or from the trial of the case, when it is mandatory under the law, if the magistrate is aware or should have been aware of such circumstances; b) Filing a request for recusal from proceeding or trial of the case, if this action is: (i) not based on reasons provided by law; (ii) done aiming at creating unfair benefit for the parties and third parties or aiming at shirking the legal responsibility to review the case or aiming at creating the possibility of assigning the case to another magistrate; (iii) Non-submission of the request immediately after getting aware about the cause;
Article 103 of law 96/2016: Disciplinary misconducts outside of the exercise of the function are in particular but not limited the actions, omissions and behaviours of the magistrate, as follows…. “Benefiting unfairly, directly or indirectly gifts, favours, promises or preferential treatment of any kind, which are given because of the exercised function or due to the use of his/her position as a magistrate, even in the case when they are formalized through a legal act”.

**(2023): ***No changes from previous year.

Bosnia and Herzegovina

(General comment) Article 56, paragraph 2 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes the list of the disciplinary offences for judges that includes (among others):
c) not disqualifying himself or herself from hearing a case when a conflict of interest exists; o) being engaged in activities that are incompatible with the judicial function;
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(1) The Council may impose one or more of the following disciplinary measures: (a) a written warning which shall not be made public; (b) public reprimand; (c) reduction in salary or emoluments up to a maximum of 50% (fifty per cent) for a period of up to one (1) year; (d) temporary or permanent reassignment to another court or prosecutor's office; (e) demotion of a Court President to an ordinary judge or the Chief Prosecutor or Deputy Chief Prosecutor to an ordinary prosecutor; (f) removal from the office. (2) As a separate measure, instead of or in addition to any of the disciplinary measures set out above, the Council may, if appropriate, order that a judge or prosecutor participate in rehabilitation programmes, counselling, or professional training. (3) All rights and privileges under labour relations of a judge, Court President, Chief Prosecutor, Deputy Chief Prosecutor, or prosecutor who is removed from office pursuant to a disciplinary proceeding shall cease upon removal by the Council. A judges or prosecutor who is removed from office under this article shall be barred from further exercise of judicial or prosecutorial function. Article 59 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina refers to the Principles for determining of the measures:
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Montenegro

(General Comment): see provisions of the Law on Prevention of Corruption in related sections
Law on Judicial Council and Judges defines disciplinary offence such as use of function for a private interests, interests of family members or closed related persons and for accepting the gifts or not providing an information on property and incomes. Disciplinary proceedings is regular procedure conducted by the Disciplinary prosecutor and before the Disciplinary Council, in accordance with the law.
Law on Misdemeanors regulates misdemeanor proceedings in general, which also applies when the proceedings initiated for the breach of Law on Prevention of Corruption

(2022): see provisions of the Law on Prevention of Corruption in related sections
Law on Judicial Council and Judges defines disciplinary offence such as use of function for a private interests, interests of family members or closed related persons and for accepting the gifts or not providing an information on property and incomes. Disciplinary proceedings is regular procedure conducted by the Disciplinary prosecutor and before the Disciplinary Council, in accordance with the law

North Macedonia
(General Comment): In our country the full name of the Law is Law on prevention of corruption and conflict of interests.

(2024): Law on prevention of corruption and conflict of interests.

(2023): Law on prevention of corruption and conflict of interests.

(2022): Law on prevention of corruption and conflict of interests.

Serbia

(General Comment): In accordance with articles 40-56 of the Law on the Corruption Prevention, the Agency aims to eliminate causes of corruption through procedures for resolving conflict of interest, decumulation of public officers, and decision on other legal violations. In accordance with articles 78, 80 and 82-85 of this Law, should it be determined, after the procedure, that a violation of the Law has taken place, measures stipulated by the law shall be issued. The aim of these measures is to eliminate such violations as far as this is possible. Thus, the cases which have led or may lead to corruption are eliminated. The measures and decisions of the Agency are measures of public announcement of recommendation for dismissal from a public office and decisions which impose the termination of second public office by force of law.
The law on prevention of conflict of interest in the Serbian legal framework is the Law on prevention of corruption ("Official Gazette 35/2019, 88/2019, 11/2021 - authentic interpretation, 94/2021, 14/2022)
Other marked laws (in addition to the Law on the prevention of corruption)are the one that regulates recusals.
According to the Law on Judges (“Official Gazette of RS", No. 10/2023) article 97. Disciplinary offenses, among others, are:
1) violation of the principle of impartiality;
2) failure of the judge to ask for exemption in cases where there is an obvious reason for exemption, that is, exclusion provided for by law;
9) accepting a gift contrary to the regulation governing conflict of interest;
12) performance of another function, job or private interest that is incompatible with the function of a judge;
The consequence of the above-mentioned disciplinary violations may be the dismissal of the judge.
The Law on Judges (“Official Gazette of RS", No. 10/2023) further regulates initiation of the procedure to determine the reasons for the judge's dismissal
Article 99.
If in the disciplinary procedure it is determined by a final decision that the judge has committed a serious disciplinary offense, the High Council of the Judiciary, i.e. the Disciplinary Commission can initiate a procedure to determine the reasons for the judge's dismissal.
In the procedure for determining the reason for the dismissal of a judge from paragraph 1 of this article, the High Council of the Judiciary assesses whether the committed disciplinary offense seriously damages the reputation of the judicial function or the public's trust in the judiciary.

(2025): Law on judges prescribed that judges are public officials in the sense of the law that regulates the prevention of corruption and have all the obligations imposed on public officials as stipulated by such a law.
In accordance with articles 40-56 of the Law on the Corruption Prevention, the Agency aims to eliminate causes of corruption through procedures for resolving conflict of interest, decumulation of public officers, and decision on other legal violations. In accordance with articles 78, 80 and 82-85 of this Law, should it be determined, after the procedure, that a violation of the Law has taken place, measures stipulated by the law shall be issued. The aim of these measures is to eliminate such violations as far as this is possible. Thus, the cases which have led or may lead to corruption are eliminated. The measures and decisions of the Agency are measures of public announcement of recommendation for dismissal from a public office and decisions which impose the termination of second public office by force of law.

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Question 196

Albania

(General comment): Please note that under the new constitutional amendments, judges and prosecutors are undergoing a vetting process. As part of this temporary process, judges and prosecutors are re-evaluation based on three criteria:
(a) Asset assessment, (b) Background assessment, and (c) Proficiency assessment. Under the asset declaration process, HIDAACI plays a key role: HIDAACI based on declarations of assets shall conduct a full audit procedure in compliance with this law, the Law “On the declaration and audit of assets, financial obligations of elected persons and certain public officials, the Law “On prevention of conflict of interest in exercising public functions” and the “Code of Administrative Procedures”.
The General Inspector of HIDAACI, for the purpose of this assessment, can request through the General Directorate of Prevention of Money Laundering or Ministry of Justice records of assets owned by assessees or their related persons, or any financial transactions in Albania or abroad according to Law “On prevention of money laundering and financing of terrorism” or documents used abroad by assessees or their related persons.HIDAACI, for all the subjects involved in this process, took measures for the compilation of individual physical files, which included systematically and thoroughly the form of declaration of assets, the justifying documents and following all the correspondence related to the reevaluation process. All documentation administered in the file is reflected in each case in the file inventory.
The High Inspectorate with the purpose of fulfilling the constitutional and legal obligations for the completion of the full audit of assets declarations regarding the legitimacy of the source of the creation of the property, the fulfillment of financial obligations, including private interests, started the establishment of the official communication with all public and private entities for verification purposes for more than 3,000 persons (subjects of re-evaluation and related persons).
Moreover, the High Inspectorate for the purposes of data accuracy, and reconciliation took measures to manually extract and process from the assets declaration forms submitted for the re-evaluation process, along with assets declaration forms submitted by subjects over the years, detailed data (fatherhood, motherhood, date of birth, identification number, civil status etc.) to more than 3,000 persons (re-evaluation subjects and related persons).
The correspondence was initially sent to about 26 public and private legal entities (Bank of Albania, second tier banks, investment companies, IPRO, NBC, Agency for Legalisation, Urbanisation and Integration of Informal Areas and Buildings, GDT, GDPML, General Maritime Directorate, Electricity Power Distribution Operator, etc.). During the audit process, depending on its progress, as well as the need to obtain additional information, HIDAACI proceeded with the further delivery of correspondence with public and private legal entities. Such documents or information can be used as evidence before the Commission or Appeal Chamber.
3. HIDAACI provides full access to international observers, upon their request, to seek information, consult, copy or investigate declaration of assets submitted by the assessee or his or her related persons and their accompanying documents.
4. HIDAACI shall conduct a full audit procedure as soon as possible but no longer than 180 days as of the day of asset declaration submission.
5. Upon completion of the audit, the General Inspector of HIDAACI shall prepare a reasoned detailed report and, as appropriate, shall find out that: (a) Accurate declaration /disclosure in compliance with the law, with legitimate financial sources and not found in situation of conflicts of interest; (b) Lack of legitimate financial sources to justify their assets; (c) Hiding wealth/ assets;

Bosnia and Herzegovina
(General Comment): .

(2024): At the end of 2024, disciplinary proceedings were underway, initiated during the reporting period, against two judges for failing to recuse themselves from their specific court cases.

Montenegro

(2022): During 2022, 37 disciplinary proceedings were conducted based on proposals for determining the disciplinary responsibility of judges.
In 35 proceedings, proposals for determining disciplinary responsibility were rejected as unfounded, bearing in mind that the proceedings were initiated due to failure to provide data on assets and income in accordance with the regulations governing the prevention of conflicts of interest.
In the remaining two cases, the procedure is ongoing.

North Macedonia

(2025): Both cases ended with a recommendation

(2024): A judge has been issued a misdemeanor sanction and an initiative to determine liability

Serbia

(2025): Number of proceedings conducted by the Agency
Number of cases initiated: 4Number of cases completed: 4 (In 2 proceedings the complainant was notified; in 2 proceedings an official note was made that there are no grounds to conduct proceedings to decide on the existence of a violation of the Law)Number of sanctions pronounced: 0

(2024): According to data from the Anti-Corruption Agency, the number of cases initiated is 2, the number of cases completed is 1, and the number of sanctions pronounced is 1, as a measure of reprimand. Proceedings conducted by the misdemeanor courts are 0 for all three fields.

(2023): 1 measure - public announcement of the recommendation for dismissal from the public office. The entered data are the one related to the proceedings for conflict of interesd counducted by the Agency for prevention of corruption.
Please consider additional data regarding procedures conducted by the High Judicial Council in 2023 2023- 6 decisions - not incompatible with the function of a judge

(2022): 2 measures of reprimand

Question 197

public function:

1. Criminal Procedure Code (as above mentioned);
2. Law “On the status of judges and prosecutors”, as amended;
3. Law no. 9367, dated 7.4.2005, “On the prevention of conflicts of interest in the exercise of public functions”, as amended;
4. Order no. 141, dated 19.07.2014 “On adoption of rules on ethics and conduct of prosecutors”, of General Prosecution Office (as above mentioned).

In Articles 6-7, of the Law “On the status of judges and prosecutors”, as amended, concerning incompatibilities with the function of magistrate, it is provided that the function of magistrate is incompatible with the ... conduct of any political activity, whether or not the activity is carried out in conjunction with any political party or not, which may affect the independence of the magistrate, create a conflict of interest or, in any event, create the impression that the magistrate is impartial and unaffected.

Also, the Magistrate is prohibited from actively owning shares or portions of the capital of a business organization, or passively owning shares or portions of the capital of a business organization, if the company has profits or benefits from public contracts, in accordance with the prevention legislation of the conflict of interest in force as well as passively owning shares or portions of the capital of a company in which the activity of the magistrate is prohibited because it creates a conflict of interest.

According to Articles 32 and 35, of the Law “On the status of judges and prosecutors”, as amended, High Prosecutorial Council verifies the integrity and assets before the candidates are accepted in the initial formation/training in the School of Magistrates, part of which is the evaluation of possible conflict of interests based on the reports of the High Inspectorate of Declaration and Audit of Assets and Conflict of Interests.

According to Article 90, of the Law “On the status of judges and prosecutors”, as amended, part of the evaluation of the prosecutor's performance are:

a) … reports of the High Inspectorate of Declaration and Audit of Assets and Conflict of Interests;
b) the number of cases in which prosecutors have been expelled due to a conflict of interest.

Also, according to Article 102, of the Law “On the status of judges and prosecutors”, as amended, disciplinary violations in the exercise of office shall be the actions, omissions or behaviours of the magistrate, as follows: …. p) breach of the rules of incompatibility or conflict of interest prevention, in accordance with the provisions of the legislation in force.

In Article 7 of Law no. 9367 dated 7.4.2005, “On the prevention of conflicts of interest in the exercise of public functions”, as amended, is provided that:

1. Every official, in the exercise of his powers or in the performance of his public duties, on the basis of his recognition and in good faith, is obliged to make a preliminary, on a case-by-case basis, of the existence of his private interests, which may cause to arise a conflict of interest.

(2023): The following laws and sub-laws are related with the prevention of conflict of interest of prosecutors:

1. Constitution of the Republic of Albania.
2. Criminal Procedure Code.
3. Law “On the status of judges and prosecutors in the Republic of Albania”, as amended
4. Law no. 9367 dated 7.4.2005, “On the prevention of conflicts of interest in the exercise of public functions”, as amended
5. Decision nr. 26, dated 22.02.2019, “On the activities out of function of the prosecutors”, of High Prosecutorial Council
6. Decision no. 32, dated 24.2.2022, "On the approval of the standards of ethics and rules of conduct of the prosecutor", of High Prosecutorial Council
7. Decision no. 407, dated 17.12.2021, "On the approval of the Regulation" On the organization and internal functioning of the High Council of the Prosecution ", of High Prosecutorial Council

Article 148/d, of the Constitution provides that:

1. The prosecutor bears disciplinary responsibility under the law; 2. A prosecutor shall be dismissed by the High Prosecutorial Council when:

a) commits serious professional or ethical violations that discredit the position and image of the prosecutor in the exercise of his or her duties;

Article 149/a

1. High Prosecutorial Council exercises these responsibilities:

……..

ç) approves the rules on ethics and supervise their respecting.

In Article 26, point 1, of the Criminal Procedure Code is provided that:

“1. Prosecutor is obliged to give up when there exist reasons for bias on the cases provided in Article 17.”

In Article 17, of the Criminal Procedure Code is provided that:

1.A judge has the duty to quit the judgment of a particular case: a) when there is interest in the proceedings or when one of the private parties or a defence counsel is a debtor or creditor of his, his spouse or his children;

b) when he is the guardian, representative or employer of the defendant or one of the private parties, or when the guardian or representative of one of these parties is the close relative of his or her spouse;

c) when he has given advice or when he has expressed an opinion on the object of the proceedings;

ç) when there are disputes between him, his spouse or any of his relatives with the defendant or one of the private parties;

d) when any of his relatives or spouse has been harmed or damaged by the criminal offense;

dh) when a relative of his or her spouse performs or has performed the functions of a prosecutor in the same proceeding;

e) when it is in one of the conditions of non-compliance provided for in Articles 15 and 16;

(2024): The following laws and sub-laws are related with the prevention of conflict of interest of prosecutors:

1. Constitution of the Republic of Albania.
2. Criminal Procedure Code.
3. Law “On the status of judges and prosecutors in the Republic of Albania”, as amended
4. Law no. 9367 dated 7.4.2005, “On the prevention of conflicts of interest in the exercise of public functions”, as amended
5. Decision nr. 26, dated 22.02.2019, “On the activities out of function of the prosecutors”, of High Prosecutorial Council
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c) when he has given advice or when he has expressed an opinion on the object of the proceedings;

ç) when there are disputes between him, his spouse or any of his relatives with the defendant or one of the private parties;

d) when any of his relatives or spouse has been harmed or damaged by the criminal offense;

dh) when a relative of his or her spouse performs or has performed the functions of a prosecutor in the same proceeding;

e) when it is in one of the conditions of non-compliance provided for in Articles 15 and 16;

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b) when he is the guardian, representative or employer of the defendant or one of the private parties, or when the guardian or representative of one of these parties is the close relative of his or her spouse;

c) when he has given advice or when he has expressed an opinion on the object of the proceedings;

ç) when there are disputes between him, his spouse or any of his relatives with the defendant or one of the private parties;

d) when any of his relatives or spouse has been harmed or damaged by the criminal offense;

dh) when a relative of his or her spouse performs or has performed the functions of a prosecutor in the same proceeding;

e) when it is in one of the conditions of non-compliance provided for in Articles 15 and 16;

ë) when there are other important causes of bias.”

(2022) The following laws are related with the prevention of conflict of interest of prosecutors:
1. Constitution of the Republic of Albania.
2. Criminal Procedure Code.
3. Law “On the status of judges and prosecutors in the Republic of Albania”, as amended
4. Law no. 9367 dated 7.4.2005, “On the prevention of conflicts of interest in the exercise of public functions”, as amended
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d) when any of his relatives or spouse has been harmed or damaged by the criminal offense;

dh) when a relative of his or her spouse performs or has performed the functions of a prosecutor in the same proceeding;

e) when it is in one of the conditions of non-compliance provided for in Articles 15 and 16;

Bosnia and Herzegovina

(General comment) Regulation/procedure on reporting a (potential) conflict of interest THE LAW ON THE HIGH JUDICIAL AND PROSECUTORIAL COUNCIL OF BOSNIA AND HERZEGOVINA Article 85 (Opinions on Activities of a Judge or Prosecutor)

The Article 85 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina referring to the Referral to the Council prescribes that prosecutor may request the Council's opinion on whether his/her activities are compatible with his or her office and the provisions of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. A chief prosecutor may also request Council's opinion when he or she believes that a prosecutor performs or intends to perform an activity that is incompatible with his or her office. Chief prosecutor shall inform the prosecutor concerned about the request for opinion.

In addition to issuing opinions in response to specific request, the Council may also, ex officio, issue its opinion on compatibility of a prosecutorial office with the activities they perform upon receiving the information from Article 83, paragraph (3) of this Law. Council's opinion on compatibility of offices shall be binding and compliance with it shall protect the prosecutor against the risk of disciplinary proceedings.

Regulation/procedure for recusal/withdrawal from a case:

THE CODE OF ETHICS FOR PROSECUTORS ADOPTED BY THE HIGH JUDICIAL AND PROSECUTORIAL COUNCIL OF BOSNIA AND HERZEGOVINA

2.2 A prosecutor shall conduct himself or herself in his/her personal or business affairs as to minimize the occasions on which it will be necessary for the prosecutor to be disqualified from cases.

2.2.a In evaluating reasons for recusal from a case, in order to avoid every perceived, potential of actual conflict of interest, a prosecutor should take into account in particular all of their previous duties and activities performed prior to taking the prosecutor's office.

2.2.b A prosecutor who intends to terminate their prosecutor's office or who knows that their office will be terminated by force of law or by the HJPC's decision, shall not use their prosecutor's office or prosecutor's resources to promote their future activities and in this regard, they shall bear in mind the potential existence of grounds for recusal.

2.2.c If a prosecutor knows that his/her family member or other person close to him/her has a financial, political or other interest in a case that he/she adjudicates, the prosecutor should request to be recused. This implies that a prosecutor should take reasonable steps to be informed about financial, political or other interests of his/her family members.

Regulation on receiving gifts

THE CODE OF ETHICS FOR PROSECUTORS ADOPTED BY THE HIGH JUDICIAL AND PROSECUTORIAL COUNCIL OF BOSNIA AND HERZEGOVINA

4.11 A prosecutor and members of the prosecutor's family, shall neither ask for, nor accept, any gift, bequest, loan or favor in relation to anything done or to be done or omitted to be done by the prosecutor in connection with the performance of prosecutorial duties, nor shall a prosecutor knowingly allow such conduct by the prosecutorial staff and others under his supervision during and after performance of the prosecutorial office.

4.12 Subject to law and to any legal requirements of public disclosure, a prosecutor may receive a token gift, award or benefit as appropriate to the occasion on which it is made provided that such gift, award or benefit might not reasonably be perceived as intended to influence the prosecutor in the performance of prosecutorial duties or otherwise give rise to an appearance of partiality.

Regulation on combining the profession of a prosecutor with other functions/professional activities THE LAW ON THE HIGH JUDICIAL AND PROSECUTORIAL COUNCIL OF BOSNIA

(2023) Regulation/procedure on reporting a (potential) conflict of interest: THE LAW ON THE HIGH JUDICIAL AND PROSECUTORIAL COUNCIL OF BOSNIA AND HERZEGOVINA Article 85 (Opinions on Activities of a Judge or Prosecutor)

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2.2.b A prosecutor who intends to terminate their prosecutor's office or who knows that their office will be terminated by force of law or by the HJPC's decision, shall not use their prosecutor's office or prosecutor's resources to promote their future activities and in this regard, they shall bear in mind the potential existence of grounds for recusal.

2.2.c If a prosecutor knows that his/her family member or other person close to him/her has a financial, political or other interest in a case that he/she adjudicates, the prosecutor should request to be recused. This implies that a prosecutor should take reasonable steps to be informed about financial, political or other interests of his/her family members.

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Regulation on combining the profession of a prosecutor with other functions/professional activities THE LAW ON THE HIGH JUDICIAL AND PROSECUTORIAL COUNCIL OF BOSNIA

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2.2.b A prosecutor who intends to terminate their prosecutor's office or who knows that their office will be terminated by force of law or by the HJPC's decision, shall not use their prosecutor's office or prosecutor's resources to promote their future activities and in this regard, they shall bear in mind the potential existence of grounds for recusal.
2.2.c If a prosecutor knows that his/her family member or other person close to him/her has a financial, political or other interest in a case that he/she adjudicates, the prosecutor should request to be recused. This implies that a prosecutor should take reasonable steps to be informed about financial, political or other interests of his/her family members.
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4.12 Subject to law and to any legal requirements of public disclosure, a prosecutor may receive a token gift, award or benefit as appropriate to the occasion on which it is made provided that such gift, award or benefit might not reasonably be perceived as intended to influence the prosecutor in the performance of prosecutorial duties or otherwise give rise to an appearance of partiality.
Regulation on combining the profession of a prosecutor with other functions/professional activities THE LAW ON THE HIGH JUDICIAL AND PROSECUTORIAL COUNCIL OF BOSNIA

Montenegro

(2025): Law on the Prevention of Corruption (“Official Gazette of Montenegro,” No. 54/2024), Article 1, Article 9 – Conflict of Interest, with further explanation in Articles 10–27; Ethical Code – Prevention of Conflicts of Interest;
Law on the State Prosecutor’s Office (“Official Gazette of Montenegro,” Nos. 11/2015, 42/2015, 80/2017, 10/2018, 76/2020, 59/2021, 54/2024, and 92/2025), Article 37, paragraph 1, item 9.

(2024): in accordance with the aforementioned laws, a broader explanation - Articles 9, 10-27, Law on Prevention of Corruption
Internal rules: https://sudovi.me/static/spdt/doc/TU-S_I-1_br.37-23_Knjiga_internih_procedura_SDT-a,_5.6.2023..pdf
https://sudovi.me/static//vrdt/doc/KNJIGA_INTERNIH_PROCEDURA_2022.pdf
https://sudovi.me/static/vrdt/doc/TU_583-22-10_dopuna_internih_pravila.pdf

(2022): Law on Prevention of Corruption
Law on State Prosecution Service
Code of Ethics

North Macedonia

(General comment): Regulation on reporting a potential conflict of interest

Law on prevention of corruption and conflict of interest Procedure before the State Commission for Determining of a Conflict of Interest
Article 76
(1) In cases when there is reasonable doubt that indicates a conflict of interest, the State Commission shall initiate a procedure for determining of conflict of interests.
(2) The procedure referred to in paragraph (1) of this Article shall be initiated:
- ex officio;
- at the request of an official person;
- upon a report of another person;
- at a request of the head of the body or institution where the official person performs functions, public authorisations or official duties; and
- upon anonymous report.
(3) In the procedure referred to in paragraph (1) of this Article, for the purpose of determining the factual situation in the case, the State Commission shall collect documents, data and information from natural and legal persons, as well as from the official person.
(4) The persons referred to in paragraph (3) of this Article, shall be obliged to submit the documents, data and information available to them within 15 days from the day of receiving the request from the State Commission.
(5) If the persons referred to paragraph (3) of this Article do not respond within the deadline stipulated in paragraph (4) of this Article, the State Commission shall check the allegations of existence of a conflict of interest ex officio.
(6) The State Commission shall be obliged to render a decision on the existence or non-existence of a conflict of interests within 30 days after the responses of the persons referred to in paragraph (3) of this Article i.e. after the verification of the allegations.
Article 77
(1) If the State Commission determines the existence of a conflict of interests, it shall be obliged to inform the official person and to request from him/her, within 15 days from the delivery of the decision, to remove the conflict of interests.
(2) If the official acts upon the request referred to in paragraph (1) of this Article, the State Commission shall stop the procedure and shall inform the official person and the applicant of the report thereof.
(3) If the official person does not act upon request referred to in paragraph (1) of this Article and does not notify the State Commission thereof within the stipulated deadline, the State Commission shall without delay:
- with demand to initiate a disciplinary procedure if the official person is not appointed or elected person;
- instigate an initiative to the competent authority for dismissal / termination of performance of public competences or duties, if the official person is appointed or elected person; or

(2022): Please, see general comment.

Serbia

(General comment): Law on the Prevention of Corruption articles 40-43, Law on Public Prosecutors articles 37, and 71-73, and Law on Criminal Procedure Code articles 37-40 and 42

Law on prevention of corruption ("Official Gazette 35/2019, 88/2019, 11/2021 - autentic interpretation, 94/2021, 14/2022)

Notifying the Agency

Article 42

A public official shall be bound to, when assuming duty or in the course of discharging the public office, without delay and within five days, notify in written form, both the direct superior and the Agency, in case of doubt over a conflict of interest or a conflict of interest that he/she or an associated person therewith, might have.

A public official shall be bound to terminate action in a case in which there is doubt over a conflict of interest, unless the threat of delay exists.

The Agency shall give its opinion as to whether there is a conflict of interest, within 15 days from the date of reception of notification for the public official.

Should the public official seek opinion on the existence of conflict of interest in the course of public procurements, the Agency shall provide opinion thereof, within eight days.

The Agency may summon a public official and request from him/her to deliver the required data, for the purpose of obtaining information on the existence of conflict of interest from paragraph 1 and 4 of this Article. Should the Agency determine that there is a conflict of interest as set forth in paragraph1 and 4 of this Article, it shall notify the official and body in which he/she is discharging the public office and shall propose measures for the removal of conflict of interest.

Provisions of paragraph 1 and 6 hereof do not exclude the application of provisions on exclusion prescribed by other laws.

Article 43.

Initiation of the procedure for deciding on the existence of a conflict of interest

Article 43.

The Agency initiates ex officio a procedure in which it decides on the existence of a conflict of interest, within two years from the day of learning about the existence of the action or inaction of a public official that caused suspicion of a conflict of interest.

The procedure referred to in paragraph 1 of this article cannot be initiated or terminated if five years have passed since the action or inaction of the public official that caused the suspicion of a conflict of interest.

The Agency can also initiate proceedings upon the application of a natural or legal person.

VI GIFTS

Term of Gifts

Article 57

A gift shall be an item, right or service, given or made without the appropriate remuneration, i.e. benefit or advantage caused to a public official or a family member.

Prohibition of Receiving a Gift

Article 58

(2023): Law on the Prevention of Corruption articles 40-43, Law on Public Prosecutors articles 37, and 71-73, and Law on Criminal Procedure Code articles 37-40 and 42

Kosovo*

(General Comment): 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
Criminal Procedure Code
Law no. 06/L-011 ON PREVENTION OF CONFLICT OF INTEREST IN DISCHARGE OF A PUBLIC FUNCTION

(2025): Articles 9, 10, 11, 12, 13 dhe 14 of the Law no. 06/L-011 ON PREVENTION OF CONFLICT OF INTEREST IN DISCHARGE OF A PUBLIC FUNCTION (https://gzk.rks-gov.net/ActDetail.aspx?ActID=16314) Article 43 paragraph 1, sub paragraph 1.5 of the Code no. 08/L-032 of Criminal Procedure (https://gzk.rks-gov.net/ActDetail.aspx?ActID=2861)
Article 37 of Law on State Prosecutor https://gzk.rks-gov.net/ActDetail.aspx?ActID=74943 Chapter 1 titled Independence and Chapter 3 titled Integrity in the Code of Ethics and professional conduct https://prokuroria-rks.org/wp-content/uploads/2024/02/Kodi-i-Etikes-dhe-Sjelljes-Profesionale-per-Prokurore.pdf
LAW NO. 08/L-108 ON DECLARATION, ORIGIN AND CONTROL OF ASSETS AND GIFTS https://gzk.rks-gov.net/ActDetail.aspx?ActID=61304

(2024): LAW NO. 08/L-108 ON DECLARATION, ORIGIN AND CONTROL OF ASSETS AND GIFTS https://gzk.rks-gov.net/ActDetail.aspx?ActID=61304 Criminal Procedure Code https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=61759
Law no. 06/L-011 ON PREVENTION OF CONFLICT OF INTEREST IN DISCHARGE OF A PUBLIC FUNCTION
LAW NO. 08/L-108 ON DECLARATION, ORIGIN AND CONTROL OF ASSETS AND GIFTS
This Law aims to define the system of declaration of assets, including the ways and procedures of declaration of assets and gifts, the origin and control of declared assets and gifts, as well as declaring entities, in order to prevent corruption, conflict of interest and to strengthen the integrity of public institutions, including sanctioning.
Criminal procedure Code:
DISQUALIFICATION OF STATE PROSECUTORS
Article 43
Bases for Disqualification of State Prosecutors
1.A state prosecutor shall be disqualified from a particular case:
1.5.If a conflict of interest exists as defined by relevant legislation.
LAW NO. 06/L-011 ON PREVENTION OF CONFLICT OF INTEREST IN DISCHARGE OF A PUBLIC FUNCTION
The purpose of this law is to strengthen the integrity of the public sector as well as guaranty the discharge of public duties in an objective, impartial and transparent manner in service of public interest through identification, prevention, management and resolution of conflict of interests of officials.
The provisions in this law define the principles, rules and procedures of permitted and prohibited activities of officials in the performance of public duties as well as the measures foreseen for violation of provisions defined in this law. This law regulates also the procedures for reporting obligations, measures for prevention, identification, management and resolution of conflict of public and private interest during and after discharge of official public duties and the duties and responsibilities of competent authorities.

(2023): LAW NO. 08/L-108 ON DECLARATION, ORIGIN AND CONTROL OF ASSETS AND GIFTS https://gzk.rks-gov.net/ActDetail.aspx?ActID=61304 Criminal Procedure Code
Law no. 06/L-011 ON PREVENTION OF CONFLICT OF INTEREST IN DISCHARGE OF A PUBLIC FUNCTION

(2022): 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 Criminal Procedure Code
Law no. 06/L-011 ON PREVENTION OF CONFLICT OF INTEREST IN DISCHARGE OF A PUBLIC FUNCTION

Question 198

Albania

(General Comment): According to Article 9, of the Law "On the status of judges and prosecutors in the Republic of Albania", as amended, the magistrate is allowed to perform activities outside of his duties, only if these activities:
a) are in accordance with the dignity of exercising the function;
b) do not create perceptions of influence or bias during the exercise of the function;
c) do not conflict with the essential interests of the function, not infringing the deadlines and the efficient exercise of the functions.
ç) do not conflict with the purpose for which the workload has been reduced;
d) in the event that the reward for non-functional activities includes any type and form of payment, financial reward or compensation, which do not exceed the usual market rules;
dh) are not incompatible with the exercise of the function of the magistrate and are not prohibited according to this law.
The magistrate can write, publish, give lectures and teaching on legal issues and participate in activities related to legal issues, the legal system, the administration of justice and other related issues. Before starting to perform a paid activity out of office, the magistrate must notify the High Prosecutorial Council and submit the necessary documentation.
The magistrate receives the approval of the High Prosecutorial Council, before accepting the performance of paid activities outside the function. The Council decides within three weeks of receiving the request and complete documentation and gives approval if the activity and any remuneration for its performance are in accordance with the law.

(2025): According to Article 9, of the Law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended, the magistrate is allowed to perform activities outside of his duties, only if these activities:
a) are in accordance with the dignity of exercising the function;
b) do not create perceptions of influence or bias during the exercise of the function;
c) do not conflict with the essential interests of the function, not infringing the deadlines and the efficient exercise of the functions.
ç) do not conflict with the purpose for which the workload has been reduced;
d) in the event that the reward for non-functional activities includes any type and form of payment, financial reward or compensation, which do not exceed the usual market rules;
dh) are not incompatible with the exercise of the function of the magistrate and are not prohibited according to this law.
The magistrate can write, publish, give lectures and teaching on legal issues and participate in activities related to legal issues, the legal system, the administration of justice and other related issues. Before starting to perform a paid activity out of office, the magistrate must notify the High Prosecutorial Council and submit the necessary documentation. The magistrate receives the approval of the High Prosecutorial Council, before accepting the performance of paid activities outside the function. The Council decides within three weeks of receiving the request and complete documentation and gives approval if the activity and any remuneration for its performance are in accordance with the law.
Also, the prosecutor, without violating the established deadlines and the efficient exercise of the functions, can participate in unpaid activities (without remuneration) outside the function, without the approval of the High Prosecutorial Council, only in cases where:
a) acts as a representative of the prosecution;
b) participates in activities for issues related to the judicial or prosecution system and makes general public statements within the framework of participation in these activities;
c) participates in discussions on legal issues.

(2024): According to Article 9, of the Law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended, the magistrate is allowed to perform activities outside of his duties, only if these activities:
a) are in accordance with the dignity of exercising the function;
b) do not create perceptions of influence or bias during the exercise of the function;
c) do not conflict with the essential interests of the function, not infringing the deadlines and the efficient exercise of the functions.
ç) do not conflict with the purpose for which the workload has been reduced;
d) in the event that the reward for non-functional activities includes any type and form of payment, financial reward or compensation, which do not exceed the usual market rules;
dh) are not incompatible with the exercise of the function of the magistrate and are not prohibited according to this law.
The magistrate can write, publish, give lectures and teaching on legal issues and participate in activities related to legal issues, the legal system, the administration of justice and other related issues. Before starting to perform a paid activity out of office, the magistrate must notify the High Prosecutorial Council and submit the necessary documentation. The magistrate receives the approval of the High Prosecutorial Council, before accepting the performance of paid activities outside the function. The Council decides within three weeks of receiving the request and complete documentation and gives approval if the activity and any remuneration for its performance are in accordance with the law.
Also, the prosecutor, without violating the established deadlines and the efficient exercise of the functions, can participate in unpaid activities (without remuneration) outside the function, without the approval of the High Prosecutorial Council, only in cases where:
a) acts as a representative of the prosecution;
b) participates in activities for issues related to the judicial or prosecution system and makes general public statements within the framework of participation in these activities;
c) participates in discussions on legal issues.

(2023): According to Article 9, of the Law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended, the magistrate is allowed to perform activities outside of his duties, only if these activities:
a) are in accordance with the dignity of exercising the function;
b) do not create perceptions of influence or bias during the exercise of the function;
c) do not conflict with the essential interests of the function, not infringing the deadlines and the efficient exercise of the functions.
ç) do not conflict with the purpose for which the workload has been reduced;
d) in the event that the reward for non-functional activities includes any type and form of payment, financial reward or compensation, which do not exceed the usual market rules;
dh) are not incompatible with the exercise of the function of the magistrate and are not prohibited according to this law.
The magistrate can write, publish, give lectures and teaching on legal issues and participate in activities related to legal issues, the legal system, the administration of justice and other related issues. Before starting to perform a paid activity out of office, the magistrate must notify the High Prosecutorial Council and submit the necessary documentation.
The magistrate receives the approval of the High Prosecutorial Council, before accepting the performance of paid activities outside the function. The Council decides within three weeks of receiving the request and complete documentation and gives approval if the activity and any remuneration for its performance are in accordance with the law.
The prosecutor, without violating the established deadlines and the efficient exercise of the functions, can participate in unpaid activities (without remuneration) outside the function, without the approval of the High Prosecutorial Council, only in cases where:
a) acts as a representative of the prosecution;
b) participates in activities for issues related to the judicial or prosecution system and makes general public statements within the framework of participation in these activities;
c) participates in discussions on legal issues

Montenegro

(2025): State Prosecutors may engage in teaching, research, and publication activities.

North Macedonia

(General Comment): Law on Public prosecution office
Article 49
(1) A public prosecutor may be an educator or hold lectures at the Academy for Training of Judges and Public Prosecutors, teach at the higher education institutions in the public prosecutorial field and participate in scientific and professional projects in that area.
(2) A public prosecutor may teach at the higher education institutions in the public prosecutorial field and participate in scientific and professional projects in that area, only after a prior accord provided by the Public Prosecutor's Council of the Republic of Macedonia.

Serbia

(General comment) Law on public prosecutors ("Official Gazette 10, 2023)
5. Incompatibility of the public prosecutor's function with another function, job or private interest
The relationship of another function, work or private interest with the public prosecutor's function
Article 71
The holder of the public prosecutor's office cannot hold office in another body of the Republic of Serbia, body of an autonomous province, local self-government unit, city municipality or public service, public company or other legal entity whose founder or member is the Republic of Serbia, autonomous province, local self-government unit or city municipality, unless otherwise determined by law, engage in public or private paid work, nor provide legal services or give legal advice for a fee.
Any other function, job or private interest that is contrary to the reputation and independence of the public prosecutor's office is also incompatible with the public prosecutor's office.
The Ethics Committee decides which function, job or private interest is in conflict with the dignity and independence of the holder of the public prosecutor's office and harms the reputation of the public prosecutor's office, based on the Code of Ethics.
The holder of the public prosecutor's office may, outside of working hours, engage in artistic, teaching and scientific activities, for a fee, without special approval.
In the case specified by law, the holder of the public prosecutor's office can, during working hours, perform teaching and scientific activities at the Judicial Academy.
During working hours, the public prosecutor may, with the approval of the Supreme Public Prosecutor or the Chief Public Prosecutor, participate in the work of an expert body formed in accordance with a special regulation and a working group for the drafting of a law or other act.
Procedure for deciding on incompatibility
Article 72
The holder of the office of public prosecutor is obliged to inform the High Council of Prosecutors in writing about another office, job or private interest that may be incompatible with the office of public prosecutor.
The notice referred to in paragraph 1 of this article can be submitted to the High Council of the Prosecution by any other person.
The High Prosecution Council initiates and leads the decision-making process on the incompatibility of the public prosecutor's function with another function, job or private interest, in accordance with the act of the High Prosecution Council.
The High Council of the Prosecutor's Office informs the holder of the public prosecutor's office, the chief public prosecutor and the immediately senior chief public prosecutor, about the existence of incompatibility of function, job or private interest with the public prosecutor's office.
Application of another regulation
Article 73
The holder of the office of public prosecutor is a public official in the sense of the law governing the prevention of corruption and is subject to the obligations of a public official established by that law.

(2014). Law on public prosecutors ("Official Gazette 10, 2023)
5. Incompatibility of the public prosecutor's function with another function, job or private interest
The relationship of another function, work or private interest with the public prosecutor's function
Article 71
The holder of the public prosecutor's office cannot hold office in another body of the Republic of Serbia, body of an autonomous province, local self-government unit, city municipality or public service, public company or other legal entity whose founder or member is the Republic of Serbia, autonomous province, local self-government unit or city municipality, unless otherwise determined by law, engage in public or private paid work, nor provide legal services or give legal advice for a fee.
Any other function, job or private interest that is contrary to the reputation and independence of the public prosecutor's office is also incompatible with the public prosecutor's office.
The Ethics Committee decides which function, job or private interest is in conflict with the dignity and independence of the holder of the public prosecutor's office and harms the reputation of the public prosecutor's office, based on the Code of Ethics.
The holder of the public prosecutor's office may, outside of working hours, engage in artistic, teaching and scientific activities, for a fee, without special approval.
In the case specified by law, the holder of the public prosecutor's office can, during working hours, perform teaching and scientific activities at the Judicial Academy.
During working hours, the public prosecutor may, with the approval of the Supreme Public Prosecutor or the Chief Public Prosecutor, participate in the work of an expert body formed in accordance with a special regulation and a working group for the drafting of a law or other act.
Procedure for deciding on incompatibility
Article 72
The holder of the office of public prosecutor is obliged to inform the High Council of Prosecutors in writing about another office, job or private interest that may be incompatible with the office of public prosecutor.
The notice referred to in paragraph 1 of this article can be submitted to the High Council of the Prosecution by any other person. The High Prosecution Council initiates and leads the decision-making process on the incompatibility of the public prosecutor's function with another function, job or private interest, in accordance with the act of the High Prosecution Council.
The High Council of the Prosecutor's Office informs the holder of the public prosecutor's office, the chief public prosecutor and the immediately senior chief public prosecutor, about the existence of incompatibility of function, job or private interest with the public prosecutor's office.
Application of another regulation
Article 73
The holder of the office of public prosecutor is a public official in the sense of the law governing the prevention of corruption and is subject to the obligations of a public official established by that law.

of incompatibility of the public prosecutor's function with another function, job or private interest

The relationship of another function, work or private interest with the public prosecutor's function

Article 71

The holder of the public prosecutor's office cannot hold office in another body of the Republic of Serbia, body of an autonomous province, local self-government unit, city municipality or public service, public company or other legal entity whose founder or member is the Republic of Serbia, autonomous province, local self-government unit or city municipality, unless otherwise determined by law, engage in public or private paid work, nor provide legal services or give legal advice for a fee.

Any other function, job or private interest that is contrary to the reputation and independence of the public prosecutor's office is also incompatible with the public prosecutor's office.

The Ethics Committee decides which function, job or private interest is in conflict with the dignity and independence of the holder of the public prosecutor's office and harms the reputation of the public prosecutor's office, based on the Code of Ethics.

The holder of the public prosecutor's office may, outside of working hours, engage in artistic, teaching and scientific activities, for a fee, without special approval.

In the case specified by law, the holder of the public prosecutor's office can, during working hours, perform teaching and scientific activities at the Judicial Academy.

During working hours, the public prosecutor may, with the approval of the Supreme Public Prosecutor or the Chief Public Prosecutor, participate in the work of an expert body formed in accordance with a special regulation and a working group for the drafting of a law or other act.

Procedure for deciding on incompatibility

Article 72

The holder of the office of public prosecutor is obliged to inform the High Council of Prosecutors in writing about another office, job or private interest that may be incompatible with the office of public prosecutor.

The notice referred to in paragraph 1 of this article can be submitted to the High Council of the Prosecution by any other person.

The High Prosecution Council initiates and leads the decision-making process on the incompatibility of the public prosecutor's function with another function, job or private interest, in accordance with the act of the High Prosecution Council.

The High Council of the Prosecutor's Office informs the holder of the public prosecutor's office, the chief public prosecutor and the immediately senior chief public prosecutor, about the existence of incompatibility of function, job or private interest with the public prosecutor's office.

Application of another regulation

Article 73

The holder of the office of public prosecutor is a public official in the sense of the law governing the prevention of corruption and is subject to the obligations of a public official established by that law.

Kosovo*

(General Comment): Based on the article 3 of the LAW ON STATE PROSECUTOR " 3. In accordance with the Provisions of the Code of Ethics and Professional Conduct of Prosecutors, prosecutors may engage in professional and scientific writings but cannot publish relevant content of prosecution case files during or after the mandate serving as prosecutors, unless expressively permitted by Law or sub-legal act issued by the Council. 4. Prosecutors and Chief Prosecutors, for the activities foreseen in this Article receive remuneration which cannot exceed the value of twenty-five percent (25%) of the basic salary, and for this remuneration the prosecutors shall notify the Chief Prosecutor and the Chief Prosecutors shall notify the Council ".
And of course, they can conduct these activities without remuneration, if they wish.
Prosecutors may also engage in activities in the fields of science, sports, education, culture and humanitarian activities. The prosecutor can benefit based on copyright, patents, intellectual and industrial property rights as well as similar rights.

(2025): Law No. 08/L-167 on State Prosecutor
Article 37 Professional activities 1. The prosecutor with the prior approval of the Chief Prosecutor of the Prosecution Office, while the Chief Prosecutors of Prosecution Offices with the prior approval of the Council, have the right to participate in professional organizations or scientific meetings which promote the independence and protection of professional interests of prosecutors. 2. The Prosecutor with the approval of the Chief Prosecutor of the Prosecution Office and the Chief Prosecutors of Prosecution Offices with the approval of the Council participate in activities which are in accordance with the Code of Ethics and professional conduct of prosecutors after their working hours only. 3. In accordance with the provisions of the Code of Ethics and Professional Conduct of Prosecutors, prosecutors may engage in professional and scientific writing, but may not publish the relevant content of prosecutorial files during or after the termination of the prosecutorial function, unless expressly permitted by applicable legislation. 4. Prosecutors and Chief Prosecutors, for the activities provided in this Article, receive a remuneration, which may not exceed the value of twenty-five (25%) percent of the basic salary, and for this remuneration the prosecutors notify the Chief Prosecutor, while the Chief Prosecutors notify the Council.

(2024): Law No. 08/L-167 on State Prosecutor
Article 37 Professional activities 1. The prosecutor with the prior approval of the Chief Prosecutor of the Prosecution Office, while the Chief Prosecutors of Prosecution Offices with the prior approval of the Council, have the right to participate in professional organizations or scientific meetings which promote the independence and protection of professional interests of prosecutors. 2. The Prosecutor with the approval of the Chief Prosecutor of the Prosecution Office and the Chief Prosecutors of Prosecution Offices with the approval of the Council participate in activities which are in accordance with the Code of Ethics and professional conduct of prosecutors after their working hours only. 3. In accordance with the provisions of the Code of Ethics and Professional Conduct of Prosecutors, prosecutors may engage in professional and scientific writing, but may not publish the relevant content of prosecutorial files during or after the termination of the prosecutorial function, unless expressly permitted by applicable legislation. 4. Prosecutors and Chief Prosecutors, for the activities provided in this Article, receive a remuneration, which may not exceed the value of twenty-five (25%) percent of the basic salary, and for this remuneration the prosecutors notify the Chief Prosecutor, while the Chief Prosecutors notify the Council.

(2023): Law on State Prosecutor
Article 37 Professional activities 1. The prosecutor with the prior approval of the Chief Prosecutor of the Prosecution Office, while the Chief Prosecutors of Prosecution Offices with the prior approval of the Council, have the right to participate in professional organizations or scientific meetings which promote the independence and protection of professional interests of prosecutors. 2. The Prosecutor with the approval of the Chief Prosecutor of the Prosecution Office and the Chief Prosecutors of Prosecution Offices with the approval of the Council participate in activities which are in accordance with the Code of Ethics and professional conduct of prosecutors after their working hours only. 3. In accordance with the provisions of the Code of Ethics and Professional Conduct of Prosecutors, prosecutors may engage in professional and scientific writing, but may not publish the relevant content of prosecutorial files during or after the termination of the prosecutorial function, unless expressly permitted by applicable legislation. 4. Prosecutors and Chief Prosecutors, for the activities provided in this Article, receive a remuneration, which may not exceed the value of twenty-five (25%) percent of the basic salary, and for this remuneration the prosecutors notify the Chief Prosecutor, while the Chief Prosecutors notify the Council.

(2022): Prosecutors may engage in activities in the fields of science, sports, education, culture and humanitarian activities. The prosecutor can benefit based on copyright, patents, intellectual and industrial property rights as well as similar rights.

Question 199

Bosnia and Herzegovina

(General Comment): If a judicial office holder is not certain whether an activity is compatible with the judicial function and the relevant prerequisites from the law, he or she will obtain a binding opinion from the High Judicial and Prosecutorial Council of Bosnia and Herzegovina to clarify the issue.
A judicial office holder must make sure to comply with the prerequisite that the total amount of remuneration for other activities may not exceed 40% of his or her annual salary.

Serbia

(General comment): Law on public prosecutors (Official Gazette 10, 2023)

5. Incompatibility of the public prosecutor's function with another function, job or private interest

The relationship of another function, work or private interest with the public prosecutor's function

Article 71

The holder of the public prosecutor's office cannot hold office in another body of the Republic of Serbia, body of an autonomous province, local self-government unit, city municipality or public service, public company or other legal entity whose founder or member is the Republic of Serbia, autonomous province, local self-government unit or city municipality, unless otherwise determined by law, engage in public or private paid work, nor provide legal services or give legal advice for a fee.

Any other function, job or private interest that is contrary to the reputation and independence of the public prosecutor's office is also incompatible with the public prosecutor's office.

The Ethics Committee decides which function, job or private interest is in conflict with the dignity and independence of the holder of the public prosecutor's office and harms the reputation of the public prosecutor's office, based on the Code of Ethics.

The holder of the public prosecutor's office may, outside of working hours, engage in artistic, teaching and scientific activities, for a fee, without special approval.

In the case specified by law, the holder of the public prosecutor's office can, during working hours, perform teaching and scientific activities at the Judicial Academy.

During working hours, the public prosecutor may, with the approval of the Supreme Public Prosecutor or the Chief Public Prosecutor, participate in the work of an expert body formed in accordance with a special regulation and a working group for the drafting of a law or other act.

Procedure for deciding on incompatibility

Article 72

The holder of the office of public prosecutor is obliged to inform the High Council of Prosecutors in writing about another office, job or private interest that may be incompatible with the office of public prosecutor.

The notice referred to in paragraph 1 of this article can be submitted to the High Council of the Prosecution by any other person.

The High Prosecution Council initiates and leads the decision-making process on the incompatibility of the public prosecutor's function with another function, job or private interest, in accordance with the act of the High Prosecution Council.

The High Council of the Prosecutor's Office informs the holder of the public prosecutor's office, the chief public prosecutor and the immediately senior chief public prosecutor, about the existence of incompatibility of function, job or private interest with the public prosecutor's office.

Application of another regulation

Article 73

The holder of the office of public prosecutor is a public official in the sense of the law governing the prevention of corruption and is subject to the obligations of a public official established by that law.

(2025): „The Agency for the Prevention of Corruption, in accordance with the provisions of Article 46 of the Law on the Prevention of Corruption, decides on the requests and notifications of public prosecutors as public officials for performing another job, or activity“.

Kosovo*

(2025): The Prosecutor with the approval of the Chief Prosecutor of the Prosecution Office and the Chief Prosecutors of Prosecution Offices with the approval of the Council participate in activities which are in accordance with the Code of Ethics and professional conduct of prosecutors after their working hours only.

Question 200

Montenegro

(2025): Law on the State Prosecutor's Office ("Official Gazette of Montenegro," Nos. 11/2015, 42/2015, 80/2017, 10/2018, 76/2020, 59/2021, 54/2024, and 92/2025), Article 101. Prosecutorial Council can give an opinion on activities upon request by head of ppo

Serbia

(2025): The Agency for the Prevention of Corruption, in accordance with the provisions of Article 46 of the Law on the Prevention of Corruption, decides on the requests and notifications of public prosecutors as public officials for performing another job, or activity".

Kosovo*

(2025): The Prosecutor with the approval of the Chief Prosecutor of the Prosecution Office and the Chief Prosecutors of Prosecution Offices with the approval of the Council participate in activities which are in accordance with the Code of Ethics and professional conduct of prosecutors after their working hours only.

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Question 201

Bosnia and Herzegovina

(General Comment): If a judicial office holder is not certain whether an activity is compatible with the judicial function and the relevant prerequisites from the law, he or she will obtain a binding opinion from the High Judicial and Prosecutorial Council of Bosnia and Herzegovina to clarify the issue.
A judicial office holder must make sure to comply with the prerequisite that the total amount of remuneration for other activities may not exceed 40% of his or her annual salary.

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A judicial office holder must make sure to comply with the prerequisite that the total amount of remuneration for other activities may not exceed 40% of his or her annual salary.

Question 202

Albania

(2023). According to the Law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended, failure to file a request for waiver of proceedings of adjudication of the case, where is mandatory, by law, if the magistrate was aware or should have been aware of such circumstances is a disciplinary violation. Anyone can submit a complaint to the High Inspector of Justice against a prosecutor to investigate whether the latter has exercised the function under conditions of conflict of interest. If, after the disciplinary investigation, it is established that there has been a disciplinary violation from the magistrate, the High Inspector of Justice proposes to the High Prosecutorial Council, the approval of a disciplinary measure. In Decision no. 407, dated 17.12.2021, "On the organising and functioning of High Prosecutorial Council" of High Prosecutorial Council regarding the conflict of interest is provided that:

1. A member of the Council shall avoid actual, apparent or potential conflicts of interest and other legal obstacles to perform his or her duties in good faith.
2. A member of the Council shall take active measures to prevent actual, apparent or potential conflicts of interest arising from family, gender or in-law relationships.
3. Each member of the Council shall, immediately upon receipt of the agenda and materials for a future meeting of the Council, the Commission or the working group and, in any case, before voting on the relevant issue, declare the conflict of interest or obstacle. The member of the Council who has declared the conflict of interest or obstacle shall not participate in the discussion or voting of the relevant issue.
4. If a conflict of interest occurs, the member shall request to withdraw from the discussion or vote. The decision to accept the resignation of the member shall be taken by the Head of the Council. When the Head resigns, the decision to accept it shall be taken by the Deputy Head.
5. If a member is aware that another member of the Council is in a conflict of interest or obstacle, he shall declare it immediately upon becoming aware of it and, in any case, before the vote of the relevant issue.
6. The member, for whom a conflict of interest or legal obstacle is alleged, shall declare his position regarding this claim. If the member considers that the claim is valid, as the case may be, he shall not participate in the discussion or voting on the relevant issue or shall withdraw. When the request for withdraw is submitted in a plenary session, a meeting of the Commission or a working group, the discussion or voting on the issue in question shall be postponed to the next plenary session or Meeting. 7. The parties may request the exclusion of a member of the Council from participating in the administrative procedure, only at the preliminary stage of the process, when exists one of the grounds for withdraw the procedure according to the law, and the member does not voluntarily withdraw on that issue. The decision to exclude a member from the participation in the plenary meeting or Commission shall be taken by the Council, in accordance with the rules provided for in the law. When the exclusion of the Head of the Council is requested, the meeting shall be chaired by the Deputy Head of the Council. 8. In the event that the Council deems it necessary, it shall request an official opinion from the HIDAACCI regarding the situation of the conflict of interest.

Law no. 9367, dated 7.4.2005, "On the prevention of conflict of interests in the exercise of public functions", as amended, aims to ensure that the exercise of public duty is carried out without being influenced by the private interests of the official, directly or indirectly, which affect, may affect or appear to affect the improper performance of his public duties and responsibilities. This law defines the rules, tools, ways, procedures, responsibilities and powers for the identification, declaration, registration, treatment, resolution and punishment of cases of conflict of interest. The law is enforced by the High Inspectorate of Declaration and Audit of Assets and Conflict of Interest (HIDAACI).

According to Article 44, of this law, any violation of the obligations defined in the law, when it does not constitute a criminal offense, constitutes an administrative misdemeanor

(2014). According to the Law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended, failure to file a request for waiver of proceedings of adjudication of the case, where is mandatory, by law, if the magistrate was aware or should have been aware of such circumstances is a disciplinary violation. Anyone can submit a complaint to the High Inspector of Justice against a prosecutor to investigate whether the latter has exercised the function under conditions of conflict of interest. If, after the disciplinary investigation, it is established that there has been a disciplinary violation from the magistrate, the High Inspector of Justice proposes to the High Prosecutorial Council, the approval of a disciplinary measure. In Decision no. 407, dated 17.12.2021, "On the organising and functioning of High Prosecutorial Council" of High Prosecutorial Council regarding the conflict of interest is provided that:

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According to Article 44, of this law, any violation of the obligations defined in the law, when it does not constitute a criminal offense, constitutes an administrative misdemeanor and is punishable by a fine. The fines are higher, according to the evaluation of the measure of the violation and according to the level of increase in the official's position.
In article 45, it is determined that any violation of the obligations defined in this law by officials constitutes a disciplinary violation, regardless of criminal or administrative liability. The measures and procedures defined by the Constitution and the relevant law (Law "On the status of judges and prosecutors", as amended) apply to officials who are members of constitutional bodies (such as prosecutor's offices). According to Article 26, of Criminal Procedural Code, the prosecutor has the duty to resign when there are reasons of one-sidedness in the cases provided by Article 17. On the declaration of relinquishment, according to their duties dhe decision is taken from the head of the prosecution at the court of first instance, of the prosecution at the court of appeal, the General Prosecutor and the head of the Special Prosecution. For the heads of prosecutions, the decision is taken from dhe heads of the higher prosecution offices. With the decision accepting the relinquishment declaration, the prosecutor who resigned is replaced by another prosecutor.
In Decision no. 32, dated 24.2.2022, "On the approval of the standards of ethics and rules of conduct of the prosecutor" of High Prosecutorial Council is provided that, the head of the prosecution office oversees compliance with the rules of conduct and ethics of the prosecutor and reports every problem to the High Council of Prosecution. Violation of the standards of ethics and rules of conduct of the prosecutor when it does not constitute grounds for disciplinary responsibility is taken into consideration within the ethical and professional assessment of the prosecutor. According to the Law no. 96/2016 "On the status of judges and prosecutors in the Republic of Albania", as amended, failure to file a request for waiver of proceedings or adjudication of the case, where is mandatory, by law, if the magistrate was aware or should have been aware of such circumstances is a disciplinary violation. Anyone can submit a complaint to the High Inspector of Justice against a prosecutor to investigate whether the latter has exercised the function under conditions of conflict of interest. If, after the disciplinary investigation, it is established that there has been a disciplinary violation from the magistrate, the High Inspector of Justice proposes to the High Prosecutorial Council, the approval of a disciplinary measure

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Bosnia and Herzegovina

(General comment) Article 81, paragraph 2 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes the list of the disciplinary offences for prosecutors that includes (among others):
c) not disqualifying himself or herself from hearing a case when a conflict of interest exists; p) being engaged in activities that are incompatible with the prosecutorial function;
r) exceeding any limitations related to income generated from fees for additional activities;
u) accepting a gift or reward whose purpose is to inappropriately influence the prosecutor's decisions or actions, including cases where the gift or reward only give an impression of inappropriate influence.
Therefore the breaches of rules on conflict of interests are prescribed by the law explicitly as a disciplinary offences for the prosecutor for which any disciplinary measure can be imposed depending on the circumstances of an individual disciplinary case. Article 58 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes the disciplinary measures, which the HJPC may impose, to the prosecutors:
(1) The Council may impose one or more of the following disciplinary measures: (a) a written warning which shall not be made public; (b) public reprimand; (c) reduction in salary or emoluments up to a maximum of 50% (fifty per cent) for a period of up to one (1) year; (d) temporary or permanent reassignment to another court or prosecutor's office; (e) demotion of a Court President to an ordinary judge or the Chief Prosecutor or Deputy Chief Prosecutor to an ordinary prosecutor; (f) removal from the office. (2) As a separate measure, instead of or in addition to any of the disciplinary measures set out above, the Council may, if appropriate, order that a judge or prosecutor participate in rehabilitation programs, counselling, or professional training. (3) All rights and privileges under labor relations of a judge, Court President, Chief Prosecutor, Deputy Chief Prosecutor, or prosecutor who is removed from office pursuant to a disciplinary proceeding shall cease upon removal by the Council. A judges or prosecutor who is removed from office under this article shall be barred from further exercise of judicial or prosecutorial function. Article 59 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina refers to the Principles for determining of the measures:
(1)Disciplinary measures imposed should be governed by the principle of proportionality. Before pronouncing the measures for a disciplinary offence, the following aspects shall be taken into consideration by the disciplinary commissions:
(a)the number and severity of the disciplinary offence committed and its consequences;
(b)the degree of responsibility;
(c)the circumstances under which the disciplinary offence was committed;
(d)the previous work and behavior of the offender; and
(e)any other circumstances that may affect the decision on the severity and type of disciplinary measure, including the degree of remorse and/or cooperation shown by the judge or prosecutor during the disciplinary proceedings.
(2)The disciplinary measure of dismissal shall only be used in cases where a serious disciplinary offence is found and the severity of the offence makes it clear that the offender is unfit or unworthy to continue to hold his or her office.
(3)The Council may take into account any prior suspension, imposed in the course of the proceedings in question, and may reduce the disciplinary measure accordingly, or may, at

Montenegro

(2024): see excerpts from the Law on Prevention of Corruption. The Law applies to judges and prosecutors as public officials.
The Law on State Prosecution Service defines as disciplinary offence "use prosecutorial function to act in their private interests and interests of their family and persons close to them"
Similar provision in the Code of Ethics. Commission for the Code of Ethics decides on the breaches of the Code.

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North Macedonia

(General Comment): In our country the full name of the law is Law on prevention of corruption and conflict of interests.

(2025): Law on prevention of corruption and conflict of interest

(2024): Law on prevention of corruption and conflict of interest

(2023): Law on prevention of corruption and conflict of interest

(2022): Law on prevention of corruption and conflict of interest

Serbia

(General comment): In Serbian legal framework law that regulates prevention of conflict of interest is the Law on prevention of corruption ("Official Gazette RS", no. 35/2019, 88/2019, 11/2021 - autentic interpretation, 94/2021, 14/2022) articles 77-86.
Law on criminal procedure code Corresponding application of exemption provisions
Article 42
The provisions on the exemption of judges and lay judges shall accordingly apply to public prosecutors and persons authorized by law to replace the public prosecutor in the proceedings, recorders, translators, interpreters and experts, as well as to experts, unless otherwise specified by this Code. (Article 116).
The public prosecutor decides on the exemption of persons who, based on the law, are authorized to replace him in the proceedings. The immediately superior prosecutor decides on the disqualification of the public prosecutor. The State Council of Prosecutors decides on the disqualification of the Public Prosecutor of the Republic based on the received opinion of the Collegium of the Public Prosecutor's Office of the Republic.
The public prosecutor or the court decides on the exemption of recorders, translators, interpreters, experts and experts.
When authorized police officials undertake evidentiary actions based on this code, the public prosecutor decides on their exemption. If a recorder participates in undertaking these actions, the authorized police official who undertakes the action decides on his exemption.Law on criminal procedure code ("Official Gazette of RS", no. 72/2011, 101/2011, 121/2012, 32/2013, 45/2013, 55/2014, 35/2019, 27/2021 - decision US and 62/2021 - decision US)
EXEMPTIONS
Reasons for exemption
Article 37
A judge or lay judge shall be exempted from judicial duty in a specific case:
1) if he was damaged by a criminal act;
2) if the defendant, his counsel, prosecutor, injured party, their legal representative or attorney, spouse or person with whom he lives in an extramarital or other permanent union of life, or a relative by blood in the direct line to any degree, in the collateral line up to fourth degree, and by in-laws up to the second degree;
3) if he is with the defendant, his defense counsel, the prosecutor or the injured party in the relationship of guardian, ward, adopter, adoptee, foster parent or foster parent;
4) if in the same case he acted as a judge for preliminary proceedings or decided on the confirmation of the indictment or participated in making a decision on the merits of the charge that is disputed by an appeal or an extraordinary legal remedy or participated in the proceedings as a prosecutor, defense attorney, legal representative or attorney the injured party, i.e. the plaintiff, is either heard as a witness or as an expert, if this code does not prescribe otherwise.
A judge or lay judge may be exempted from judicial duty in a particular case if there are circumstances that raise doubts about his impartiality.
The judge's action when he learns of the reason for the disqualification
Article 38
As soon as a judge or judge-juror finds out that there is a reason for his dismissal (Article 37, paragraph 1), he is obliged to stop all work on that case and to inform the president of

(2025): In accordance with articles 40-56 of the Law on Corruption Prevention, the Agency aims to eliminate causes of corruption through procedures for resolving conflict of interest, decumulation of public officers, and decision on other legal violations. In accordance with articles 78, 80 and 82-85 of this Law, should it be determined, after the procedure, that a violation of the Law has taken place, measures stipulated by the law shall be issued. The aim of these measures is to eliminate such violations as far as possible. Thus, the cases which have led or may lead to corruption are eliminated. The measures and decisions of the Agency are measures of public announcement of recommendation for dismissal from a public office and decisions which impose the termination of second public office by force of law.

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The provisions on the exemption of judges and lay judges shall accordingly apply to public prosecutors and persons authorized by law to replace the public prosecutor in the proceedings, recorders, translators, interpreters and experts, as well as to experts, unless otherwise specified by this Code. (Article 116).
The public prosecutor decides on the exemption of persons who, based on the law, are authorized to replace him in the proceedings. The immediately superior prosecutor decides on the disqualification of the public prosecutor. The State Council of Prosecutors decides on the disqualification of the Public Prosecutor of the Republic based on the received opinion of the Collegium of the Public Prosecutor's Office of the Republic.
The public prosecutor or the court decides on the exemption of recorders, translators, interpreters, experts and experts.
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3) if he is with the defendant, his defense counsel, the prosecutor or the injured party in the relationship of guardian, ward, adopter,adoptee, foster parent or foster parent;
4) if in the same case he acted as a judge for preliminary proceedings or decided on the confirmation of the indictment or participated inmaking a decision on the merits of the charge that is disputed by an appeal or an extraordinary legal remedy or participated in the proceedings as a prosecutor, defense attorney, legal representative or attorney the injured party, i.e. the plaintiff, is either heard as a witness or as an expert, if this code does not prescribe otherwise.
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on that case and to inform the president of the court about it, who will dismiss him by decision and order that assign the case to another judge in order.

(2023). The Serbian legal framework law that regulates prevention of conflict of interest is the Law on prevention of corruption ("Official Gazette RS", no. 35/2019, 88/2019, 11/2021 autentic interpretation, 94/2021, 14/2022) articles 77-86.
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3) if he is with the defendant, his defense counsel, the prosecutor or the injured party in the relationship of guardian, ward, adopter, adoptee, foster parent or foster parent;
4) if in the same case he acted as a judge for preliminary proceedings or decided on the confirmation of the indictment or participated in making a decision on the merits of the charge that is disputed by an appeal or an extraordinary legal remedy or participated in the proceedings as a prosecutor, defense attorney, legal representative or attorney the injured party, i.e. the plaintiff, is either heard as a witness or as an expert, if this code does not prescribe otherwise.
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As soon as a judge or judge-juror finds out that there is a reason for his dismissal (Article 37, paragraph 1), he is obliged to stop all work on that case and to inform the president of

Kosovo*

(General comment) The procedure is regulated in Article 22 of the Law on prevention of conflict of interest. Article 22 Administrative Procedures of the Agency in Cases of Conflict of Interest

1. The procedure shall begin at the Agency:
1.1. ex officio;
1.2. at the request of a senior official;
1.3. at the request of the official and following the approval by the employing institution;
1.4. at the request of the institution;
1.5. on basis of reporting by another person or on basis of anonymous information.
2. The procedure on conflict of interest in the Agency cannot be initiated if two (2) years have passed from the date the act has taken place, unless otherwise provided by law.
3. The Agency shall notify the reporting person within a period of fifteen (15) days for further processing of the information.
4. In case of based suspicion on existence of a conflict of interest, the Agency shall immediately initiate the procedure to establish whether there is a conflict of interest and its consequences.
5. The Agency shall inform the senior official and the official person in cases defined under Article 21, paragraph 1., sub-paragraph 1.5. of the present law, about the initiation of administrative procedure and upon his request shall notify him about the facts held by the Agency.
6. The Agency procedure is confidential. The Agency shall only make known the final results of the conducted procedure.
7. If after selection, appointment, or after the confirmation of mandate, the official continues to exercise an activity or a function which in accordance with this law is not compatible with the new function, the Agency shall inform the official and the employing institution that he must either quit this activity or resign from the function within seven (7) days.
8. In case the official continues to exercise activities or functions that are incompatible in accordance with this law, regardless of warnings by the Agency, the Agency shall request the employing institution to initiate a procedure for dismissing the official.
9. The institution, where the official continues to exercise a function or an activity, which is incompatible in accordance with the present law, shall initiate the procedure for dismissal from function upon the request of the Agency.
10. When a Member of the Assembly exercises activities that are incompatible in accordance with the present Law, the Agency shall notify the Chairman of the Assembly and shall request initiation of legal procedures against him.
11. The competent authorities shall notify the Agency of the action undertaken by them within fifteen (15) days of receiving notice.
12. All decisions issued by the Agency regarding a conflict of interest in discharge of public office and breach of the provisions of this law, including prohibited or restricted acts during the exercise of public functions, the exercise of other activities, incompatibilities in the exercise of public function, shall be respected by officials and relevant institutions. They shall be published on the official website of the Agency.

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1.1. ex officio;
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Question 203

Albania

(General Comment): Please briefly describe the procedure: In the Law “On the status of judges and prosecutors”, as amended, is provided that, breach of the rules of incompatibility or conflict of interest prevention is a disciplinary violation. Also, in the Law no. 9367 dated 7.4.2005, “On the prevention of conflicts of interest in the exercise of public functions”, as amended, is provided that, any violation of the obligations set forth in this law, when it does not constitute a criminal offense, constitutes an administrative offense and is punishable by a fine.
Please note that some of the procedure to sanction breaches of the rules on the conflict of interest for both judges and prosecutors are provided in the law on the status of judges and prosecutors in the Republic of Albania. In question 223, this law under the "law on judges" tick. However, please be advised that this law in question 232 has been reported in the section "other, please specify" because, under the similar section includes "law on public prosecutors/public prosecution". In Albania these are two different law: law on the status of judges and prosecutors, which would correspond to a section titled "law on public prosecutors" and the law on the organisation and functioning of the prosecution offices in the Republic of Albania, which would correspond to a section titled "law on public prosecution".

(2023): No changes from previous years.

Bosnia and Herzegovina

(General comment) Article 81, paragraph 2 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes the list of the disciplinary offences for prosecutors that includes (among others):
c) not disqualifying himself or herself from hearing a case when a conflict of interest exists; p) being engaged in activities that are incompatible with the prosecutorial function;
r) exceeding any limitations related to income generated from fees for additional activities;
u) accepting a gift or reward whose purpose is to inappropriately influence the prosecutor's decisions or actions, including cases where the gift or reward only give an impression of inappropriate influence.
Therefore the breaches of rules on conflict of interests are prescribed by the law explicitly as a disciplinary offences for the prosecutor for which any disciplinary measure can be imposed depending on the circumstances of an individual disciplinary case. Article 58 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes the disciplinary measures, which the HJPC may impose, to the prosecutors:
(1) The Council may impose one or more of the following disciplinary measures: (a) a written warning which shall not be made public; (b) public reprimand; (c) reduction in salary or emoluments up to a maximum of 50% (fifty per cent) for a period of up to one (1) year; (d) temporary or permanent reassignment to another court or prosecutor's office; (e) demotion of a Court President to an ordinary judge or the Chief Prosecutor or Deputy Chief Prosecutor to an ordinary prosecutor; (f) removal from the office. (2) As a separate measure, instead of or in addition to any of the disciplinary measures set out above, the Council may, if appropriate, order that a judge or prosecutor participate in rehabilitation programs, counselling, or professional training. (3) All rights and privileges under labor relations of a judge, Court President, Chief Prosecutor, Deputy Chief Prosecutor, or prosecutor who is removed from office pursuant to a disciplinary proceeding shall cease upon removal by the Council. A judges or prosecutor who is removed from office under this article shall be barred from further exercise of judicial or prosecutorial function. Article 59 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina refers to the Principles for determining of the measures:
(1)Disciplinary measures imposed should be governed by the principle of proportionality. Before pronouncing the measures for a disciplinary offence, the following aspects shall be taken into consideration by the disciplinary commissions:
(a)the number and severity of the disciplinary offence committed and its consequences;
(b)the degree of responsibility;
(c)the circumstances under which the disciplinary offence was committed;
(d)the previous work and behavior of the offender; and
(e)any other circumstances that may affect the decision on the severity and type of disciplinary measure, including the degree of remorse and/or cooperation shown by the judge or prosecutor during the disciplinary proceedings.
(2)The disciplinary measure of dismissal shall only be used in cases where a serious disciplinary offence is found and the severity of the offence makes it clear that the offender is unfit or unworthy to continue to hold his or her office.
(3)The Council may take into account any prior suspension, imposed in the course of the proceedings in question, and may reduce the disciplinary measure accordingly, or may, at

(2023). The Article 81, paragraph 2 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes the list of the disciplinary offences for prosecutors that includes (among others):
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(2014). The Article 87, paragraph 2 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina prescribes the list of the disciplinary offences for judges that includes (among others):
c) not disqualifying himself or herself from hearing a case when a conflict of interest exists; o) being engaged in activities that are incompatible with the judicial function;
p) exceeding any limitations related to income generated from fees for additional activities;
t) accepting a gift or reward whose purpose is to inappropriately influence the judge's decisions or actions, including cases where the gift or reward only give an impression of inappropriate influence.
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Montenegro

(2024): see excerpts from the Law on Prevention of Corruption. The Law applies to judges and prosecutors as public officials.
The Law on State Prosecution Service defines as disciplinary offence "use prosecutorial function to act in their private interests and interests of their family and persons close to them"
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North Macedonia

(General Comment): In our country the full name of the law is Law on prevention of corruption and conflict of interests.

(2025): Law on prevention of corruption and conflict of interest

(2024): Law on prevention of corruption and conflict of interest

(2023): Law on prevention of corruption and conflict of interest

(2022): Law on prevention of corruption and conflict of interest.

Serbia

(General comment): In Serbian legal framework law that regulates prevention of conflict of interest is the Law on prevention of corruption ("Official Gazette RS", no. 35/2019, 88/2019, 11/2021 - autentic interpretation, 94/2021, 14/2022) articles 77-86.

Law on criminal procedure code Corresponding application of exemption provisions

Article 42

The provisions on the exemption of judges and lay judges shall accordingly apply to public prosecutors and persons authorized by law to replace the public prosecutor in the proceedings, recorders, translators, interpreters and experts, as well as to experts, unless otherwise specified by this Code. (Article 116).

The public prosecutor decides on the exemption of persons who, based on the law, are authorized to replace him in the proceedings. The immediately superior prosecutor decides on the disqualification of the public prosecutor. The State Council of Prosecutors decides on the disqualification of the Public Prosecutor of the Republic based on the received opinion of the Collegium of the Public Prosecutor's Office of the Republic.

The public prosecutor or the court decides on the exemption of recorders, translators, interpreters, experts and experts.

When authorized police officials undertake evidentiary actions based on this code, the public prosecutor decides on their exemption. If a recorder participates in undertaking these actions, the authorized police official who undertakes the action decides on his exemption.Law on criminal procedure code ("Official Gazette of RS", no. 72/2011, 101/2011, 121/2012, 32/2013, 45/2013, 55/2014, 35/2019, 27/2021 - decision US and 62/2021 - decision US)

EXEMPTIONS

Reasons for exemption

Article 37

A judge or lay judge shall be exempted from judicial duty in a specific case:

1) if he was damaged by a criminal act;

2) if the defendant, his counsel, prosecutor, injured party, their legal representative or attorney, spouse or person with whom he lives in an extramarital or other permanent union of life, or a relative by blood in the direct line to any degree, in the collateral line up to fourth degree, and by in-laws up to the second degree;

3) if he is with the defendant, his defense counsel, the prosecutor or the injured party in the relationship of guardian, ward, adopter, adoptee, foster parent or foster parent;

4) if in the same case he acted as a judge for preliminary proceedings or decided on the confirmation of the indictment or participated in making a decision on the merits of the charge that is disputed by an appeal or an extraordinary legal remedy or participated in the proceedings as a prosecutor, defense attorney, legal representative or attorney the injured party, i.e. the plaintiff, is either heard as a witness or as an expert, if this code does not prescribe otherwise.

A judge or lay judge may be exempted from judicial duty in a particular case if there are circumstances that raise doubts about his impartiality.

The judge's action when he learns of the reason for the disqualification

Article 38

As soon as a judge or judge-juror finds out that there is a reason for his dismissal (Article 37, paragraph 1), he is obliged to stop all work on that case and to inform the president of

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3) if he is with the defendant, his defense counsel, the prosecutor or the injured party in the relationship of guardian, ward, adopter,adoptee, foster parent or foster parent;
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(2019). The Serbian legal framework law that regulates prevention of conflict of interest is the Law on prevention of corruption ("Official Gazette RS", no. 35/2019, 88/2019, 11/2021 autentic interpretation, 94/2021, 14/2022) articles 77-86.
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3) if he is with the defendant, his defense counsel, the prosecutor or the injured party in the relationship of guardian, ward, adopter, adoptee, foster parent or foster parent;
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Kosovo*

(General Comment): When a prosecutor is concludes or has reasons to believe that he/she has breached the rules on conflict of interest, he/she is obliged to inform his/her supervisor. He/she should immediately suspend all activities related to that particular issue. In case his/her supervisor is not convinced or is in doubt whether the prosecutor has breached the rules on conflict of interest, he/she shall refer the case to the Anti-Corruption Agency. In case when there exist reasons to believe that a prosecutor has breached this rules, the disciplinary case is initiated by the chief prosecutor of that particular prosecution service. If the prosecutor is aware that he/she has committed such breach of rules, and he/she does not inform his supervisor, a disciplinary procedure is initiated accordingly with the actual Law.

Question 204

Bosnia and Herzegovina
(General Comment): .

Montenegro
(2025): There were no cases, nor any sanctions imposed for conflicts of interest against prosecutors in the reporting year.

Serbia
(2025): In the table we put the number of proceedings conducted by the Agency.
When it comes to number of cases completed, in 4 proceedings, the complainant was notified that there are no grounds to conduct proceedings to decide on the existence of a violation of the Law (one initiated in 2024)

(2023): 1 measure for reprimand

Kosovo*
(2025): There were 13 cases completed against 17 persons. 1 case with 1 person termination of investigation, 12 cases with 16 persons dismissal of criminal reports.

Question 205

Albania
(General Comment): According to article 194, paragraph 1, of law no: 115/2016 “On governance institutions of the justice system”, as amended, The High Justice Inspector is the state authority responsible for the verification of complaints, investigation of disciplinary misconducts and initiation of disciplinary proceedings against judges and prosecutors of all levels, members of the High Judicial Council, members of the High Prosecutorial Council and the Prosecutor General, as well as for the institutional inspection of courts and prosecution offices.

(2025): The High Inspector of Justice is the state authority responsible for verifying complaints, investigating disciplinary violations and initiating disciplinary proceedings against judges and prosecutors of all levels, members of the High Judicial Council, members of the High Prosecutorial Council and the Prosecutor General, as well as for the institutional inspection of courts and prosecutorial offices.

(2022): Disiplinary body (Hight Inspector of Justice)

Bosnia and Herzegovina

(General Comment): Judges may be subject to disciplinary proceedings for violations stipulated by the Law on the High Judicial and Prosecutorial
Council of Bosnia and Herzegovina (HJPC). Disciplinary proceedings are initiated by the Office of Disciplinary Counsel of the HJPC.
The latter receives and reviews complaints concerning the conduct of judges or runs cases on its own initiative. After the Office of Disciplinary Counsel receives a complaint and reviews it, the complaint can be immediately discarded or other necessary actions can be carried out, including launching of an investigation. If the Office of Disciplinary Counsel establishes that there is reasonable ground to believe that a judge has made a disciplinary offence, it will launch an investigation of the facts and circumstances.
If the investigation shows that the complaint is not founded or the allegations of the complaint cannot be verified and proven, the Office of Disciplinary Counsel will close the case and will not initiate disciplinary proceeding against a judge.
If the investigation shows that there is evidence to confirm allegations of misconduct of a judge, the Office of Disciplinary Counsel
will launch a disciplinary proceeding before the HJPC filing a disciplinary complaint. After filing the complaint, the Office of
Disciplinary Counsel may offer the accused prosecutor a joint consent agreement for establishment of disciplinary liability for the
committed disciplinary offences, which will be considered and approved by the competent panel of the HJPC.

North Macedonia

(General Comment): Law on Judicial Council (2019)
A request for initiation of a procedure for determination of liability of a judge or a president of a court Article 62
(1) The reasoned request for initiation of a procedure for determination of liability of a judge or a president of a court (hereinafter: the request) shall be submitted to the Council and shall contain: name and surname of the judge or the president of the court, address and place of residence, in which court he exercises the office, description of the violation, legal term for the violation by stating the provisions of the Law on Courts, and proposed evidence that have to be exhibited at the discussion.

(2025): Please, see the general comment.

(2024): Please, see the general comment.

(2023): Please, see the general comment.

(2022): Please, see the general comment.

Serbia

(2025): Disciplinary proceedings against judges are initiated by the Disciplinary Prosecutor of the High Judicial Council, who submits a proposal for conducting disciplinary proceedings to the Disciplinary Commission of the High Judicial Council.

(2024): According to the RULES ON THE PROCEDURE FOR DETERMINING THE DISCIPLINARY RESPONSIBILITY OF JUDGES AND COURT PRESIDENTS ("Official Gazette of RS", No. 24/2024) Disciplinary report

Article 24

Any person can file a disciplinary complaint against a judge, that is, the president of the court, to the Disciplinary Prosecutor.

The disciplinary report is submitted in writing.

A disciplinary report can also be submitted electronically, if the applicant has an electronic signature.

The disciplinary report must contain the name and surname of the judge and the name of the court in which he performs the function of judge, i.e. the name and surname of the president of the court and the name of the court in which he performs the function of president of the court, a brief description of the actions of the judge, i.e. the president of the court, the name and surname of the applicant, his address and signature.

If the disciplinary report is incomprehensible or does not contain all the information to be able to act on it (paragraph 3), the Disciplinary Prosecutor will return the report to the applicant, set a deadline of eight days for the correction or amendment of the disciplinary report and warn of the consequences of failure.

The disciplinary prosecutor will reject the disciplinary report if the applicant does not make corrections, i.e. additions, or if he does not make them within the time limit referred to in paragraph 5 of this article.

Initiation of disciplinary proceedings

Article 31

Disciplinary proceedings are initiated when the Disciplinary Prosecutor submits a proposal for conducting disciplinary proceedings to the Disciplinary Commission.

The proposal for conducting disciplinary proceedings contains:

1) personal data of the judge (name and surname, date of birth and address) and the court in which he performs the function of judge, that is, personal data of the president of the court (name and surname, date of birth and address) and the court in which he performs the function of the president of the court;

2) factual description and legal qualification of the disciplinary offense;

3) a proposal on the evidence to be presented at the disciplinary hearing and a proposal for a disciplinary measure.

It is not allowed to submit a new proposal for conducting disciplinary proceedings based on the same facts.

(2023). According to the Law on Judges ("Official Gazette of RS", No. 10/2023, article 102 regulates that any person can file a disciplinary complaint against a judge or the president of the court, to the Disciplinary Prosecutor.
The proposal for conducting disciplinary proceedings is submitted by the Disciplinary Prosecutor based on a disciplinary report or ex officio.
Disciplinary proceedings are conducted by the Disciplinary Commission on the proposal of the Disciplinary Prosecutor. The Disciplinary Commission cannot decide beyond the proposal of the Disciplinary Prosecutor.
During the disciplinary proceedings, the Disciplinary Prosecutor may amend or expand the proposal for conducting disciplinary proceedings, if the presented evidence indicates a change in the factual situation in relation to the submitted proposal or if the judge whose disciplinary responsibility is being determined committed another disciplinary offense.
Disciplinary proceedings are urgent, conducted with all guarantees of a fair trial, without the presence of the public, unless the judge against whom the disciplinary proceedings are conducted requires that the proceedings be public.
The disciplinary procedure is regulated in more detail by an act of the High Council of the Judiciary.
Conduct of disciplinary proceedings expires three years after the day when the disciplinary offense was committed, and does not expire during the duration of the administrative dispute, i.e. court proceedings related to the initiated disciplinary proceedings and executed disciplinary measures.
THE LAW
ON THE ARRANGEMENT OF THE COURTS
("Official Gazette of RS", No. 10/2023)
This Law regulates the jurisdiction of the Ministry of Justice and the High Judicial Council in terms of supervision of the implementation of the Court Rulebook. The Ministry of Justice has limited power over the questions regulated by the Court Rulebook (Court rules of procedure) regarding supervision. If the deficiencies are not eliminated within the set deadlines, the supervising authority, in this case the Ministry of Justice, will file a disciplinary report against the president of the supervised court.
Supervision over the implementation of the Rules of Court
Article 77
The implementation of the Court Rules of Procedure is supervised by the High Council of the Judiciary and the Ministry responsible for the judiciary.
The High Council of the Judiciary supervises the application of the Rules of Procedure of the Court in connection with the tasks referred to in Article 76, paragraph 1, point. 1)-9), 14), 15) and 17) of this law, and the ministry responsible for justice in connection with the affairs from Article 76, paragraph 1, item 10) and 16) of this law.
The High Council of the Judiciary and the Ministry responsible for the judiciary jointly supervise the implementation of the Rules of Court in connection with the tasks prescribed in Article 76, paragraph 1, point. 11)-13) of this law.
In the event that supervision is carried out on the basis of a submitted complaint, the competence of the authority for conducting supervision is determined depending on the violation of the Rules of Court that the complainant indicates.
The complaint form is an integral part of the Court Rules of Procedure.

(2022): Anyone may file a complaint based on which disciplinary proceedings are formaly initiated bu the HJC disciplinary prosecutor

Kosovo*

(General Comment): According to the article 12 of the Law on DISCIPLINARY LIABILITY OF JUDGES AND PROSECUTORS, Kosovo Judicial Council shall initiate disciplinary procedures based on a request submitted pursuant to Article 9, paragraph 1 of the same Law.

Question 206

Albania

(General Comment): According to article 61, paragraph 2, letter “b”, of law no. 115/2016 ““On governance institutions of the justice system”, as amended, The High Judicial Council shall assume the following competences in the plenary meeting: b) decides on the disciplinary measures on judges of all levels.

(2025): In reference to Law 115/2015 “ON THE GOVERNING BODIES OF THE JUSTICE SYSTEM” and in implementation of the Law 96/2016 "On the Status of Judges and Prosecutors in the Republic of Albania", the High Judicial Council is responsible for imposing disciplinary measures and suspension.

(2024): According to article 194, paragraph 1, of law no: 115/2016 “On governance institutions of the justice system”, as amended, The High Justice Inspector is the state authority responsible for the verification of complaints, investigation of disciplinary misconducts and initiation of disciplinary proceedings against judges and prosecutors of all levels, members of the High Judicial Council, members of the High Prosecutorial Council and the Prosecutor General, as well as for the institutional inspection of courts and prosecution offices

Bosnia and Herzegovina

(General Comment): Judges may be subject to disciplinary proceedings for violations stipulated by the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina (HJPC). The Disciplinary Panels (first-and second instance) comprising of the members of the HJPC decide in disciplinary procedures initiated by the Office of Disciplinary Counsel against a judge. During the disciplinary proceeding, the Office of Disciplinary Counsel may submit a request to remove a judge temporarily from any duty, until the completion of the disciplinary proceeding on the basis of which there was a temporary removal from the court. Temporary removal from the court can be requested until completion of an initiated dismissal procedure as well as until the termination of a criminal proceeding initiated against a judge, while the temporary removal from office is mandatory in case when a judge is in pre-trial detainment, until pre-trial detainment ends.

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Montenegro

(2022): Disciplinary Council. Established by the Judicial Council.

North Macedonia

(General comment) Law on courts

Dismissal of a judge

Article 74

(1) The judge shall be dismissed from the judicial office: - due to serious disciplinary offence that makes him/her discreditable to exercise the judicial office prescribed by law and - due to unprofessional and neglectful exercise of the judicial office under the conditions defined by law.

(2) Decision on dismissal of the judge shall be adopted by the Judicial Council of the Republic of Macedonia.

(3) The judge shall be dismissed from the judicial office in accordance with the grounds stipulated in paragraph (1) of this Article if the violation is committed:

- with the intention or apparent negligence by the fault of the judge without justified reasons and
- the injury caused severe consequences.

(4) In case of an easier form of violation of the grounds referred to in paragraph (1) of this Article, a disciplinary measure may be imposed on the judge.

(5) As of the day of entry into force of the decision on dismissal of the judge by the Judicial Council of the Republic of Macedonia on the grounds referred to in paragraph (1) of this Article, the judge's right to salary shall cease.

Serious disciplinary offence

Article 75

(1) A more severe disciplinary violation for which a procedure for establishing a judge's responsibility is instituted shall be considered as:

1) severe violation of public order and peace and other more serious forms of misconduct that violates the reputation of the court and his/her reputation;
2) gross influence and interference in the performance of the judicial function of another judge;
3) if he refuses to file a statement of assets and interests according to law or if his statement contains gross inaccuracies or
4) manifestly violation of the rules for exemption in situations in which the judge knew or should have known about the existence of one of the grounds for exemption provided for by law.

(2) For the disciplinary violation referred to in paragraph (1) of this Article, the president of the court shall notify the Judicial Council of the Republic of Macedonia in writing within a period of eight days from the day of recognizing the committed violation, but not longer than three months from the committed violation.

(3) In cases of disciplinary violation of paragraph (1) line 1 of this Article, when there was a final judicial decision, the court that had adopted the decision has to immediately after obtaining decision's effectiveness, to inform the Judicial Council of the Republic of Macedonia and the president of the court where the judge is performing the judicial function about it.

(4) The procedure for establishing responsibility of judges in the case of paragraph 1 point 1 of this Article, may be initiated even when there is no previously adopted effective judicial decision.

Unprofessional and unethical performance of the judicial function

(2025): Please, see the general comment.

(2024): Please, see the general comment.

(2023): Please, see the general comment.

(2022): Please, see the general comment.

Serbia

(2025): The Disciplinary Prosecutor initiates disciplinary proceedings by submitting a proposal for conducting disciplinary proceedings to the Disciplinary Commission of the High Judicial Council. After the procedure, the Disciplinary Commission of the High Judicial Council issues a decision against which the judge against whom the proceedings are being conducted can appeal to the High Judicial Council. After the decision of the High Judicial Council, the judge can appeal to the Administrative Court. If a judge is declared responsible for a serious disciplinary offense after the decision of the Administrative Court, the High Judicial Council makes a decision to dismiss the judge, which decision the judge has the right to appeal to the Constitutional Court.

(2024): According to the RULES ON THE PROCEDURE FOR DETERMINING THE DISCIPLINARY RESPONSIBILITY OF JUDGES AND PRESIDENTS OF COURTS ("Official Gazette of RS", No. 24/2024) Submitting a request to the Ethics Committee
Article 30
If he does not reject the disciplinary report, the Disciplinary Prosecutor, before submitting a proposal for conducting disciplinary proceedings due to a disciplinary offense from Article 97, paragraph 1, point 20 of the Law on Judges ("Official Gazette of the RS", number 10/23), submits a request to the Ethics Committee to establish a significant violation of the provisions of the Code of Ethics.
In the request for establishing a significant violation of the provisions of the Code of Ethics, the Disciplinary Prosecutor states a factual description of the behavior of the judge, that is, the president of the court and the circumstances in which it was manifested, without specifying the personal data of the judge, that is, the president of the court.
The Ethics Committee is obliged to decide on a significant violation of the provisions of the Code of Ethics within 90 days from the date of receipt of the Disciplinary Prosecutor's request and to submit an opinion on the submitted request to the Disciplinary Prosecutor.
Decision of the Disciplinary Commission
Article 40
The Disciplinary Commission makes a decision in the form of a resolution.
Disciplinary commission by decision:
- rejects the Disciplinary Prosecutor's proposal for conducting disciplinary proceedings;
- approves the Disciplinary Prosecutor's proposal for conducting disciplinary proceedings, declares the judge, that is, the president of the court responsible for a disciplinary offense and imposes the appropriate disciplinary measure on him.
The Disciplinary Commission will suspend the procedure by decision if:
- Disciplinary prosecutor in the course of the procedure abandons the proposal for conducting the disciplinary procedure;
- the judge, that is, the president of the court against whom the proceedings are being conducted, ceases to be a judge;
- the disciplinary procedure became obsolete;
- the properly summoned Disciplinary Prosecutor does not attend the hearing without a valid reason (Article 34, paragraph 2).

Article 101
Any person can file a disciplinary complaint against a judge, that is, the president of the court, to the Disciplinary Prosecutor.
The proposal for conducting disciplinary proceedings is submitted by the Disciplinary Prosecutor on the basis of a disciplinary report or ex officio.
Disciplinary proceedings are conducted by the Disciplinary Commission on the proposal of the Disciplinary Prosecutor. The Disciplinary Commission cannot decide beyond the proposal of the Disciplinary Prosecutor.
During the disciplinary proceedings, the Disciplinary Prosecutor may amend or expand the proposal for conducting disciplinary proceedings, if the presented evidence indicates a change in the factual situation in relation to the submitted proposal or if the judge whose disciplinary responsibility is being determined committed another disciplinary offense.
Disciplinary proceedings are urgent, conducted with all guarantees of a fair trial, without the presence of the public, unless the judge against whom the disciplinary proceedings are conducted requires that the proceedings be public.
The disciplinary procedure is regulated in more detail by an act of the High Council of the Judiciary.
Conduct of disciplinary proceedings expires three years after the day when the disciplinary offense was committed, and does not expire during the duration of the administrative dispute, i.e. court proceedings related to the initiated disciplinary proceedings and executed disciplinary measures.
Decisions of the disciplinary prosecutor
Article 102
The disciplinary prosecutor can reject the disciplinary report or accept it and submit a proposal for conducting disciplinary proceedings.
The position of the judge in the disciplinary procedure
Article 103
The judge has the right to be immediately presented with a proposal for conducting disciplinary proceedings, to familiarize himself with the case and the evidence, and to provide an explanation and evidence for his allegations himself or through a proxy.
The judge has the right to present his allegations orally before the Disciplinary Commission.
Decisions of the Disciplinary Commission
Article 104
After the disciplinary procedure has been carried out, the Disciplinary Commission can reject the proposal for conducting the disciplinary procedure or adopt the proposal and impose a disciplinary measure.
The decision of the Disciplinary Commission from paragraph 1 of this article must be explained.
Against the decision of the Disciplinary Commission, the Disciplinary Prosecutor and the judge against whom the disciplinary proceedings are being conducted, may appeal to the High Council of the Judiciary, within eight days from the date of delivery of the decision.

(2022): Disciplinary commission of the HJC and the Disciplinary Prosecutor of the HJC

Kosovo*

(General Comment): According to article 14 of the Law on disciplinary liability of judges and prosecutors, at the investigation stage the Kosovo Judicial Council establishes a panel of three judges ther the alleged disciplinary offence has been committed and imposes the disciplinary sanction (§3). o gather evidence, analyze the facts and prepare a report. The Council, sole, decides whet

(2024): The party/judge, under the conditions set out in Article 15 of Law No. 06/L-057 on the Disciplinary Responsibility of Judges and Prosecutors, has the right to appeal the disciplinary decision of the Kosovo Judicial Council to the Supreme Court of Kosovo, whose decision is final.

Question 207

Albania

PROSECUTORS IN THE REPUBLIC OF ALBANIA.
Rights and Obligations of Parties during the Disciplinary Proceeding
1. During disciplinary proceedings, the magistrate or his/her representative shall be provided access to the file, so far as it does not endanger:
a) the legal interests of the parties or third persons;
b) the functions of the deciding body,
c) the purpose of the proceedings.
2. A magistrate who is informed that a disciplinary proceeding has been instituted against him, he/she must at the same time be informed of the rights:
a) to submit a written defence within a specified time;
b) to attend any hearing;
c) to call witnesses who may provide information of significance to the case;
ç) to present documents;
d) to take other measures for the purpose of providing evidence in support of his or her defence;
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dh)to be represented under the provisions of the Code of Administrative Procedures,
e) recover his/her legal costs reasonably incurred in cases where no disciplinary measure is imposed.
3. The Council may request the magistrate to submit information, documents or any evidence and to attend hearings.
4. The parties have the right to be notified on any decision of the Council

(2025): Law 96/2016 “ON THE STATUS OF JUDGES AND PROSECUTORS” in Article 141 provides on "The rights and obligations of the parties during disciplinary proceedings"; in Article 142 provides on "The disciplinary hearing".

Bosnia and Herzegovina

(General Comment): The Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina Article 68
Rights of Parties during Disciplinary Proceedings
Disciplinary procedures shall be governed by fairness and transparency. During the course of disciplinary proceedings, the judge or prosecutor concerned shall have the following rights that must be guaranteed in the Rules of Procedure for disciplinary proceedings adopted by the Council:
(a) the right to be duly notified of the allegations of the violation and the supporting evidence, along with the right to respond in writing or to have a verbal statement recorded in writing;
(b) the right to a fair and public hearing within a reasonable time by an independent and impartial panel established by law. The press and public may be excluded from all or part of the hearing in the interests of morals, public order or national security in a democratic society, where the interests of juveniles or the protection of the private life of the parties so require, or to the extent strictly necessary in the opinion of the panel in special circumstances where publicity would prejudice the interests of justice;
(c) the right to assert the privilege against self-incrimination and to appear at any hearing and defend against the allegations with legal counsel of choice; (d) the right that judgments shall be pronounced publicly and/or made public in some manner; and
(e) the right to appeal adverse decisions.

Serbia

(2025): After the Disciplinary Commission submits to the judge a proposal for conducting disciplinary proceedings, the judge has the right to express his opinion on the proposal and the attached evidence, as well as to provide an explanation and propose evidence for his allegations, as well as during the proceedings.

(2024): According to the RULES ON THE PROCEDURE FOR DETERMINING THE DISCIPLINARY RESPONSIBILITY OF JUDGES AND COURT PRESIDENTS ("Official Gazette of the RS", No. 24/2024) The right to a statement on the proposal for conducting disciplinary proceedings
Article 32
The judge, that is, the president of the court, has the right to have the Disciplinary Commission immediately submit to him a proposal for conducting disciplinary proceedings with attached evidence.
Along with the proposal for conducting disciplinary proceedings, the disciplinary commission informs the judge, i.e. the president of the court, that it has the right to hire an attorney, to declare itself or through an attorney about the proposal and the attached evidence, as well as to provide an explanation and propose evidence for its allegations, within eight days of receiving the notification.
Rights of the judge, that is, the president of the court at the disciplinary hearing
Article 37
The president of the Disciplinary Commission will warn the judge, i.e. the president of the court against whom disciplinary proceedings are being conducted, that he has the right not to say anything, to withhold an answer to a particular question, to verbally state his allegations, admit or not admit responsibility for a disciplinary offense, to make a statement himself or through a proxy, and in particular about the right to present facts and propose evidence in support of his allegations, ask questions of other participants in the proceedings, make objections and give explanations in connection with the presented evidence.

(2022): The Law on Judges ("Official Gazette of RS", No. 10, 2023)
Disciplinary action
Article 101
Any person can file a disciplinary complaint against a judge, that is, the president of the court, to the Disciplinary Prosecutor.
The proposal for conducting disciplinary proceedings is submitted by the Disciplinary Prosecutor on the basis of a disciplinary report or ex officio.
Disciplinary proceedings are conducted by the Disciplinary Commission on the proposal of the Disciplinary Prosecutor. The Disciplinary Commission cannot decide beyond the proposal of the Disciplinary Prosecutor.
During the disciplinary proceedings, the Disciplinary Prosecutor may amend or expand the proposal for conducting disciplinary proceedings, if the presented evidence indicates a change in the factual situation in relation to the submitted proposal or if the judge whose disciplinary responsibility is being determined committed another disciplinary offense.
Disciplinary proceedings are urgent, conducted with all guarantees of a fair trial, without the presence of the public, unless the judge against whom the disciplinary proceedings are conducted requires that the proceedings be public.
The disciplinary procedure is regulated in more detail by an act of the High Council of the Judiciary.
Conduct of disciplinary proceedings expires three years after the day when the disciplinary offense was committed, and does not expire during the duration of the administrative dispute, i.e. court proceedings related to the initiated disciplinary proceedings and executed disciplinary measures.
Decisions of the disciplinary prosecutor
Article 102
The disciplinary prosecutor can reject the disciplinary report or accept it and submit a proposal for conducting disciplinary proceedings.
The position of the judge in the disciplinary procedure
Article 103
The judge has the right to be immediately presented with a proposal for conducting disciplinary proceedings, to familiarize himself with the case and the evidence, and to provide an explanation and evidence for his allegations himself or through a proxy.
The judge has the right to present his allegations orally before the Disciplinary Commission.
Decisions of the Disciplinary Commission
Article 104
After the disciplinary procedure has been carried out, the Disciplinary Commission can reject the proposal for conducting the disciplinary procedure or adopt the proposal and impose a disciplinary measure.
The decision of the Disciplinary Commission from paragraph 1 of this article must be explained.
Against the decision of the Disciplinary Commission, the Disciplinary Prosecutor and the judge against whom the disciplinary proceedings are being conducted, may appeal to the

(2022): Article 23 and 32 of the Rulebook on the procedure for determining the disciplinary responsibility of judges and presidents of courts

Question 208

Albania

(2024): Disciplinary violations related to the exercise of the function

Bosnia and Herzegovina

(General Comment): Total number disciplinary proceedings initiated during the reference year (29) against 31 judges. One disciplinary case was initiated against three judges.

(2024): Total number disciplinary proceedings initiated during the reference year was 29 against 31 judges. One disciplinary case was initiated against three judges.

(2023): In the reference year 24 disciplinary proceedings were initiated against 23 judges. Two disciplinary proceedings were initiated against one judge.

(2022): Some cases against judges were initiated for two or more disciplinary mistakes. Such cases were counted only once in accordance with the Explanatory note. The main mistake for those disciplinary cases was determined in our best estimate.

Montenegro

(2023): Article 108 paragraph 2 item 13 of the Law on Judicial Council and judges: publicly expresses an opinion on a case that has not become final

(2022): During 2022, 37 disciplinary proceedings were conducted based on proposals for determining the disciplinary responsibility of judges.
In 35 proceedings, proposals for determining disciplinary responsibility were rejected as unfounded, bearing in mind that the proceedings were initiated due to failure to provide data on assets and income in accordance with the regulations governing the prevention of conflicts of interest.
In the remaining two cases, the procedure is ongoing.

North Macedonia

(General comment) Unprofessional and untimely performance of the judicial function according to the Law on courts implies unsatisfactory expertise or unconscientiousness of the judge that affects the quality and promptness of the work, as follows:
1) If in two consecutive assessments the judge does not fulfill the criteria for successful work, by his fault without justifying reasons, for which he has received two negative grades, in procedure established by the Law on Judicial Council in of the Republic of Macedonia;
2) If he was convicted by a final court verdict, with punishment lower than that determined in the Art. 73, paragraph(1) point 5 from the Law on courts which is a direct result of acting in the performance of the judicial office, deliberately or with conscious negligence; (art. 73, p.1, point 5-Conviction for a crime by a legally valid court verdict to an unconditional imprisonment sentence of minimum six months).
3) Is publishing unauthorized classified information, i.e. provided information and data on court cases that violates the obligation to protect the secrecy of the procedure established by law and when the public is excluded in accordance with the law;
4) Without justified reasons, does not schedule the hearings in the cases assigned to him or otherwise delay the procedure;
5) Does not take the matter into consideration because of which expiration of a criminal prosecution or statute of limitations on the execution of a criminal sanction for a crime occur;
6) Takes on a case that has not been allocated to him through the automatic computer system for conducting of court cases in the courts; ;
7) Intentionally and inexcusably makes gross professional mistake, while differences in interpretation of law and facts cannot be taken as ground for determination of judges' responsibility. After submission on a request for determination of the responsibility of the judge or president of the court is received, the Council shall establish a Commission of Rapporteurs from the members with a right to vote by lot, which is composed of three members, two of which are from among the members elected by the judges, and one is from among the members elected by the Assembly of the Republic of North Macedonia. The president of the Commission is elected by lot from among the members of the Commission. If a submitter of the request is a member of the Council, he/she cannot be a member of this Commission.
The Commission will reject the request for determining responsibility of the judge or president of the court if the request:
- is not timely,
- is not complete, or
- clearly unmeritorious, i.e. it revokes on facts that were already a case for examination by a higher court in a procedure after a legal remedy or could have been a case for examination by a higher court but have not been commenced with a legal remedy.
In this cases, the procedure for determining responsibility of the judge or president of the court finishes with the decision of the Commission. If the Commission does not reject the request for determining the responsibility of a judge or president of a court, it shall notify the Council of the established factual situation, which is obliged to decide within seven days from the day of the notification of stopping or continuation of the procedure.
If the Council decides to continue the procedure, the Commission shall be obliged to collect all necessary information and to prepare a report within a period of three months from the day of receipt of the request.

(2025): In total, 161 requests for accountability were submitted against judges, of which 119 were preliminary dismissed by the Reporting Commission. With this, the Judicial Council acted on 42 requests for accountability of judges.

(2024): In total, 214 requests for accountability were submitted against judges, of which 135 were preliminary dismissed by the Reporting Commission. With this, the Judicial Council acted on 79 requests for accountability of judges.

Serbia

(2025): The Disciplinary Prosecutor submitted 5 proposals for initiating disciplinary proceedings, against 5 judges for disciplinary offenses: a major violation of the provisions of the Code of Ethics as determined by the Ethics Committee, failure of a judge to request exemption in cases where there are obvious reason for exemption, i.e. exclusion provided for by law and unjustified failure to notify the president of the court about the case with prolonged proceedings

(2022): Disciplinary offenses in accordance with Article 90 of the Law on Judges: Paragraph 1 –a violation of the principle of independence.

Kosovo*

(General Comment): According to article 4 of the Law on disciplinary liability of judges and prosecutors, judges and prosecutors shall be subject to disciplinary liability for disciplinary offences, in accordance with procedures set forth in this law. Article 5 enumerates the disciplinary offences in respect of judges.

(2024): Other violations as defined by Law No. 06/L-057 on the Disciplinary Responsibility of Judges and Prosecutors.
10 cases, 4 of which are still in procedure in 2025. The five cases reported in the breach of the professional ethics are violations as stipulated by the Code of Ethics.

(2022): Article 5 of the Law on disciplinary liability of judges and prosecutors.

Question 209

Albania

(2025): Including the procedures initiated in the previous years

(2024): By number of cases completed, we mean the total number of disciplinary proceedings requests brought before the High Judicial Council for a disciplinary hearing.

Montenegro

(2025): During 2025, six (6) disciplinary proceedings were conducted based on proposals for establishing disciplinary liability of judges. In three (3) proceedings, the proposals for establishing disciplinary liability were rejected as unfounded. Three (3) cases are unresolved and proceedings are ongoing.

(2024): in 2024. 3 cases were found unfounded and 1 was rejected. 3 cases are still ongoing

North Macedonia

(2025): In 2025, 90 requests for initiation of disciplinary proceedings were filed against 161 judges. In the same year, 144 of the proceedings against 161 judges were completed, and we do not have data on how many requests were completed, and therefore the number does not correspond to the total.

(2024): In 2024, 98 requests for initiation of disciplinary proceedings were filed against 214 judges. In the same year, 192 of the proceedings against 214 judges were completed, and we do not have data on how many requests were completed, and therefore the number does not correspond to the total.

(2022): The total number of completed cases in 2022 includes cases that were initiated in 2020, 2021 and 2022.

Serbia

(2025): One completed case in the reference year is a case from 2024, and based on submitted proposals from 2025 and those that are in the process from 2024 and which have not been acted because the procedure for appointing disciplinary bodies - the President and two deputy members of the Disciplinary Commission and the Deputy Disciplinary Prosecutor- is ongoing.

Kosovo*

(2024): There are 3 cases found responsible for disciplinary violations, as follows:
1 case – Article 5, paragraph 1, in connection with Article 2.15 of Law No. 06/L-057;
2 cases – Article 5, paragraph 2, subparagraph 2.7 of Law No. 06/L-057.
Meanwhile, 3 cases were not found responsible for disciplinary violations, as follows:
1 case – Article 5, paragraph 2, subparagraphs 2.6 and 2.8 of Law No. 06/L-057, and Article 4, points 4.1 and 4.2 of the Code of Professional Ethics for Judges;
2 cases – Article 5, paragraph 2, point 2.7 of Law No. 06/L-057.

Question 210

Albania

(General Comment): According to article 138, paragraph 1, of Law no. 96/2016 “On the status of judges and prosecutors in the Republic of Albania”, as amended, if there is reasonable doubt that the magistrate has committed a disciplinary misconduct, the High Justice Inspector shall initiate the disciplinary proceeding by submitting the investigation report together with the investigation file. As per article 146, paragraph 2 of law no. no. 96/2016 “On the status of judges and prosecutors in the Republic of Albania”, as amended. After having considered all facts and evidence the Council shall either: a) Reject the request for disciplinary proceeding, on the grounds that the facts alleged did not occur or that they do not constitute a disciplinary misconduct; b) Uphold the allegations and impose one or more disciplinary measures

Bosnia and Herzegovina

(2025): From this reporting cycle, reporting on the suspensions of judges within the data on the number of imposed disciplinary sanctions ceases because it has been concluded, contrary to previous interpretation, that suspensions should be treated as temporary measures imposed against judges within the disciplinary procedure, and not as disciplinary sanctions.

(2024): Difference between completed disciplinary proceedings (i.e.20) and the total number of sanctions (i.e.16) was registered due to the fact that two disciplinary cases were rejected, and two disciplinary cases were suspended.

(2023): Difference between completed disciplinary proceedings (28) and the total number of sanctions (23) is because four disciplinary proceedings were rejected and one disciplinary proceedings was suspended (one judge was retired).

(2022): A significant difference between the number of disciplinary proceedings initiated (35) and the total number of sanctions imposed (23) was caused by the following circumstances: the disciplinary action was rejected in (3) cases and disciplinary proceedings were suspended in (9) cases (4 judges retired, 3 judges resigned, 1 judge died, and 1 judge's term expired).

Montenegro

(2025): During 2025, there were no disciplinary proceedings for failure to declare or incorrect declaration of assets to the Agency for the Prevention of Corruption.

(2023): In two proceedings, proposals for determining disciplinary responsibility were rejected as unfounded, bearing in mind that the proceedings were initiated due to failure to provide complete data on assets and income in accordance with the regulations governing the prevention of conflicts of interest.

(2022): info as in section 237: 35 rejected, 2 are still ongoing

Serbia

(2022): Other: ban on promotion for a period of three years

Kosovo*

(2025): Public written notice

(2024): 1 – Non-public written notice
2 – Public written notice

Question 211

North Macedonia

(General comment): Yes, according to article 72 (Law on the Judicial Council)

Right to appeal

Article 72

(1) The right to appeal to the Council for deciding upon an appeal to the Supreme Court of the Republic of North Macedonia (hereinafter: the Appeals Council) against the decision of the Council, is only the judge or the president of the court for whom the procedure for determining liability, within eight days from the date of receipt of the decision.

(2) The Appeal Council is composed of nine members, of which three judges of the Supreme Court of the Republic of Northern Macedonia, one judge from the appellate courts and two judges from the court from which the judge against whom the procedure is conducted is. The members shall be chosen publicly by system of drawings at a general session of the Supreme Court of the Republic of North Macedonia, that is, a session of all judges of the respective court, no later than 10 days from the day of receiving the appeal.

(3) The Board of Appeal shall decide at the latest within 30 days from its establishment upon the appeal, appreciating the legality of the procedure.

(4) In the cases referred to in paragraph (3) of this Article, the Appeals Chamber may confirm or revoke the decision of the Council in the event of a gross violation of the provisions on the procedure for the responsibility of a judge or president of a court.

(5) If the Council of Appeal abolishes the decision, the Council shall repeat the procedure, obligatory in compliance with the guidelines of the Appeals Council and shall take a decision and publish it publicly on its website.

(6) An appeal or a lawsuit shall not be allowed against the decision referred to in paragraph (5).

(7) The President of the Supreme Court of the Republic of North Macedonia and a judge or a president of a court, a participant in the procedure before the Council, may not be members of the Appeals Chamber referred to in paragraph (2) of this Article.

Re-opening of the procedure on a final judgment of the European Court of Human Rights in Strasbourg

Article 73

(1) When the European Court of Human Rights finds a violation of a human right or fundamental freedoms envisaged under the European Convention for the Protection of Human Rights and Fundamental Freedoms and its Additional Protocols, which the Republic of North Macedonia has ratified, in accordance with the Constitution of the Republic of North Macedonia, in a proceedings before the Council and the Supreme Court of the Republic of North Macedonia, the judge or the president of the court whose right has been violated in the proceedings may, within a period of 30 days but within three years at the latest from the date the judgment of the European Court becomes final, apply to the Council for reopening of the proceedings. (2) The Council shall inform the Inter-Ministerial Commission for execution of the decisions of the European Court of Human Rights of the application filed, in accordance with the Law on Execution of the Decisions of the European Court of Human Rights. (3) The Council is obliged in the reopened procedure to comply with the legal positions stated in the final judgment of the European Court of Human Rights finding the violation of the human rights and fundamental freedoms. (4) The Council may, in accordance with Article 25 of the Law on Execution of the Decisions of the European Court of Human Rights, reopen the proceedings to eliminate the violation and the consequences arising from the violation. (5) The Council shall, from its composition, set up within 15 days a Commission of a chairman and three members to act on the filed application for reopening of the proceedings in which the members of the Council who are members of the Inter-Ministerial Commission for Execution of the Decisions of the

Serbia

24/2024) Decision of the Disciplinary Commission
Article 40
The Disciplinary Commission makes a decision in the form of a resolution.
Disciplinary commission by decision:
- rejects the Disciplinary Prosecutor's proposal for conducting disciplinary proceedings;
- approves the Disciplinary Prosecutor's proposal for conducting disciplinary proceedings, declares the judge, i.e. the president of the court responsible for a disciplinary offense and imposes an appropriate disciplinary measure on him.
The Disciplinary Commission will suspend the procedure by decision if:
- Disciplinary prosecutor in the course of the procedure abandons the proposal for conducting the disciplinary procedure;
- the judge, that is, the president of the court against whom the proceedings are being conducted, ceases to be a judge;
- the disciplinary procedure became obsolete;
- the properly summoned Disciplinary Prosecutor does not attend the hearing without a valid reason (Article 34, paragraph 2).
Content of the decision of the Disciplinary Commission
Article 41
The decision of the Disciplinary Commission from Article 40 of this rulebook contains:
1) name and surname of the president and members of the Disciplinary Commission and recorder;
2) names of parties to the proceedings and attorneys;
3) date and place of decision making;
4) the decision to reject the proposal for conducting disciplinary proceedings, i.e. the decision declaring the judge, i.e. the president of the court responsible for the disciplinary offense committed, the factual description and legal qualification of the disciplinary offense and the disciplinary measure imposed on him or the decision suspending the proceedings;
5) explanation;
6) decision on the costs of the procedure;
7) signature of the president of the Disciplinary Commission;
8) instruction on legal remedy.
Within eight days from the date of publication of the decision, the Disciplinary Commission prepares a written copy of the decision and delivers it to the Disciplinary Prosecutor, the judge and his attorney, that is, the president of the court and his attorney.Appeal against the decision of the Disciplinary Commission

Question 212

Albania

(General Comment): Article 140 of the Constitution 1. The judge is disciplinarily liable under the law.
2. The judge is dismissed by decision of the High Judicial Council when:
a) commits serious professional or ethical misconduct that discredit the position and image of judge while exercising the duty;
b) sentenced by final court decision for the commission of a crime.
3. The judge is suspended from duty by decision of the High Judicial Council when:
a) upon him/her is imposed the personal security measure of “arrest in prison” or “house arrest” for the commission of a criminal offence;
b) he/she obtains the capacity of defendant for a serious offence committed intentionally;
c) disciplinary proceedings are initiated, as per the law.
4. Against the decision of dismissal an appeal may be made to the Constitutional Court.

(2025): Article 147 of Law 96/2016:
Right to appeal disciplinary decisions
1. The magistrate has the right to appeal the decision on disciplinary measure to the competent court.
2. The High Inspector of Justice has the right to appeal any decision of the Council on disciplinary matters to the competent court.The Appeal Chamber is the competent body to adjudicate appeals against decisions of the High Judicial Council imposing disciplinary sanctions against judges. The Constitutional Court is the competent body to adjudicate appeals against the decision of dismissal, as a disciplinary decision.

(2024): The Appeal Chamber is the competent body to adjudicate appeals against decisions of the High Judicial Council, or High Inspector of Justice imposing disciplinary sanctions against judges. The Constitutional Court is the competent body to adjudicate appeals against the decision of dismissal, as a disciplinary decision.

Bosnia and Herzegovina

(General Comment): Decisions of first-instance disciplinary panel can be appealed to a second-instance disciplinary panel. Decisions of second- instance disciplinary panel decisions can be appealed to the High Judicial and Prosecutorial Council, but only regarding pronounced disciplinary sanction. In the event of removal from office, appeal is possible to the Court of Bosnia and Herzegovina (Court of BiH). There is also a possibility of appeal to the Constitutional Court of Bosnia and Herzegovina, against final decision of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina (HJPC)/Court of BiH, regarding possible breach of appellant’s right prescribed by European Convention of Human Rights, in disciplinary proceedings. The Constitutional Court can revoke decisions of the HJPC.

North Macedonia

(General Comment): The Appeal Council in the Supreme Court of the Republic of North Macedonia is composed of nine members, of which three judges of the Supreme Court of the Republic of North Macedonia, one judge from the appellate courts and two judges from the court from which the judge against whom the procedure is conducted. The members shall be chosen publicly by system of drawings at a general session of the Supreme Court of the Republic of North Macedonia, that is, a session of all judges of the respective court, no later than 10 days from the day of receiving the appeal.
The Board of Appeal shall decide at the latest within 30 days from its establishment upon the appeal, appreciating the legality of the procedure.
In the cases referred above, the Appeals Chamber may confirm or revoke the decision of the Council in the event of a gross violation of the provisions on the procedure for the responsibility of a judge or president of a court.
If the Council of Appeal abolishes the decision, the Council shall repeat the procedure, obligatory in compliance with the guidelines of the Appeals Council and shall take a decision and publish it publicly on its website.
An appeal or a lawsuit shall not be allowed against the decision of the Appeals Chamber.

(2022): Please, see the general comment.

Serbia

(2025): The Rulebook on the Procedure for Determining Disciplinary Responsibilities of Judges and Court Presidents (“Official Gazette of the Republic of Serbia”, no. 24/24 of March 22nd, 2024) stipulates that the High Judicial Council has to decide on appeal within 15 days from the date of receipt of the file. The decision is final and it can be contested in an administrative litigation. No extraordinary legal remedies or repetition are allowed in the disciplinary procedure.

(2024) According to the RULES ON THE PROCEDURE FOR DETERMINING THE DISCIPLINARY RESPONSIBILITY OF JUDGES AND COURT PRESIDENTS ("Official Gazette of RS", No. 24/2024) Article 42

Against the decision of the Disciplinary Commission, the Disciplinary prosecutor, the judge and his attorney, that is, the president of the court and his attorney, may file an appeal with the Council within eight days from the date of delivery of the decision.

A complaint can be filed:

1) due to violations of procedural rules that could have an impact on the adoption of a legal and proper solution;

2) due to wrongly or incompletely established factual situation;

3) due to incorrect application of substantive law;

4) due to the decision on the pronounced disciplinary measure.

Content of the complaint

Article 43

The complaint must contain:

1) designation of the decision against which the appeal is filed;

2) a statement that the decision is disputed in its entirety or in a certain part;

3) the reason for the appeal;

4) signature of the person making the complaint.

In the appeal, new facts and new evidence may be presented only if the appellant makes it probable that he could not present them, or propose them during the first instance disciplinary proceedings, through no fault of his own.

Response to the appeal

Article 44

The complaint with attachments is submitted to the opposing party, who can submit an answer to the complaint within three days of receiving the complaint. An untimely response to the appeal will not be taken into consideration.

The Disciplinary Commission shall deliver the case file to the Council immediately upon receipt of the response to the appeal or the expiration of the deadline for providing the response to the appeal.

Second degree disciplinary proceedings before the Council

Article 45

The council decides on the appeal, as a rule, without discussion. The President of the Council appoints a reporter from among the elected members of the Council. The reporter gives a brief description of the procedure and facts without stating the merits of the appeal, after which the Council makes a decision. The Council can invite the judge, or the

(2023): The Law on Judges ("Official Gazette of RS", No. 10/2023)
Decisions of the Disciplinary Commission
Article 104
After the disciplinary procedure has been carried out, the Disciplinary Commission can reject the proposal for conducting the disciplinary procedure or adopt the proposal and impose a disciplinary measure.
The decision of the Disciplinary Commission from paragraph 1 of this article must be explained.
Against the decision of the Disciplinary Commission, the Disciplinary Prosecutor and the judge against whom the disciplinary proceedings are being conducted may appeal to the High Council of the Judiciary, within eight days from the date of delivery of the decision.

(2022): Article 36 of the Rulebook on determining the disciplinary responsibility of judges and presidents of courts

Kosovo*
(General Comment): According to article 15 of the Law on DISCIPLINARY LIABILITY OF JUDGES AND PROSECUTORS, parties shall have the right to appeal against the disciplinary decisions of the Council, directly to the Supreme Court of Kosovo, within fifteen (15) days from the day of receipt of the decision.
Other courts in Kosovo shall not have the competence to review and decide on the disciplinary procedure against judges and prosecutors.

Question 213

Albania

(General Criteria), Article 44 of the LAW No. 96/2016 ON THE STATUS OF JUDGES AND PROSECUTORS IN THE REPUBLIC OF ALBANIA.

Article 44

Transfer without Consent

1. Magistrates shall be transferred without their consent only in the following cases:

a) implementing a disciplinary measure;

b) where a magistrate's position is abolished as the result of changes in the administrative structure and territorial powers of the courts or prosecution offices, following an assessment based on objective and transparent criteria;

c) as a consequence of establishing a family relationship amounting to an environmental incompatibility in the sense of Article 8, of this Law;

ç) in case of temporary shortage of magis trates in a court or prosecution office which cannot be covered by the magistrates in the mobility scheme in accordance with the provisions contained in the Article 46 of this Law.

Status IV.

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2. Where a magistrate's position is abolished in accordance with letter 'b' of paragraph 1 of this Article, he or she shall:

a) be transferred to a position at the same level in the new structure having under its territorial powers the court or prosecution office where the magistrate has previously exercised the function, or where this is not possible,

b) have the right to choose to be transferred to any position at the same level, that is vacant or expected to become vacant within up to six

(2025): - Transfer without Consent. – Aricle 44 of the law No 96/2016 “On the Status of Judges and Prosecutors in the Republic of Albania”;1. Magistrates shall be transferred without their consent only in the following cases: a) implementing a disciplinary measure; b) where a magistrate’s position is abolished as the result of changes in the administrative structure and territorial powers of the courts or prosecution offices, following an assessment based on objective and transparent criteria; c) as a consequence of establishing a family relationship amounting to an environmental incompatibility in the sense of Article 8, of this Law; ç) in case of temporary shortage of magistrates in a court or prosecution office which cannot be covered by the magistrates in the mobility scheme in accordance with the provisions contained in the Article 46 of this Law.
2. Where a magistrate’s position is abolished in accordance with letter ‘b’ of paragraph 1 of this Article, he or she shall: a) be transferred to a position at the same level in the new structure having under its territorial powers the court or prosecution office where the magistrate has previously exercised the function, or where this is not possible, b) have the right to choose to be transferred to any position at the same level, that is vacant or expected to become vacant within up to six months upon the abolition of the position, in a court or prosecution office of the same level, of the same material competence. 3. In case of a temporary shortage of magistrates under letter ‘ç’ of paragraph 1 of this Article, the Council shall assign a magistrate from the mobility scheme or transfer a magistrate temporarily in accordance with Article 46 of this Law. 4. A magistrate shall have the right to appeal against a decision on a transfer without consent before the court. The examination of the appeal by the court shall not suspend the transfer decision .
- due to the creation of family relationships that lead to environmental incompatibility, according to Article 8 of this law;
- due to the temporary absence of magistrates in the courts and the prosecutor's office, which cannot be filled by the magistrates who are in the delegation scheme, according to the provisions made in Article 46 of this law.

(2024): - Transfer without Consent. – Aricle 44 of the law No 96/2016 “On the Status of Judges and Prosecutors in the Republic of Albania”;
1. Magistrates shall be transferred without their consent only in the following cases: a) implementing a disciplinary measure; b) where a magistrate’s position is abolished as the result of changes in the administrative structure and territorial powers of the courts or prosecution offices, following an assessment based on objective and transparent criteria; c) as a consequence of establishing a family relationship amounting to an environmental incompatibility in the sense of Article 8, of this Law; ç) in case of temporary shortage of magistrates in a court or prosecution office which cannot be covered by the magistrates in the mobility scheme in accordance with the provisions contained in the Article 46 of this Law.
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- due to the creation of family relationships that lead to environmental incompatibility, according to Article 8 of this law;
- due to the temporary absence of magistrates in the courts and the prosecutor's office, which cannot be filled by the magistrates who are in the delegation scheme, according to the provisions made in Article 46 of this law.

North Macedonia

(General Comment): The law on the Courts
Article 39
(1) The judge shall exercise the judicial function in the court where he/she is elected.
(2) As a rule, the judge shall be elected to try in specific areas.
(3) The judge cannot be transferred from one to another court against his/her will.
(4) The assignment of judges shall be made by an annual work schedule defined by the president of the court upon a previously obtained opinion from the session of judges, that is, from the general session of the Supreme Court, taking into consideration the decision of the judge for specialization in criminal, civil, commercial, administrative or another legal area.
(5) The length of judicial service and the results from the work shall be taken into consideration when appointing presidents of specialized departments and divisions.
(6) The judge cannot be transferred from one to another court division against his/her will. (7) The judge may require transfer from one to another division.
(8) As an exception, the judge may be transferred to another court division against his/her will by a written, explained decision of the president of the court, upon previously obtained opinion from the general session of the Supreme Court of the Republic of Macedonia, when it is required by the increased workload and the subject of work of the court, but for a period of one year at the most and not more than once in five years. After expiring of the time for temporary transfer of the judge in another court division, he/she must be returned to the division from which he/she was transferred.
(9) As an exception, the judge of a court of appeal and a basic court may be temporarily, and at the most for a period of one year, transferred to another court in the same or lower instance or from one to another specialized division when due to prevention or recusal of a judge, or due to significantly increased workload, reduced efficiency, or due to the complexity of the cases the day- to-day operation of the court comes into question, but not more than once in five years. In the case of temporary transfer, the salary if the judge cannot be reduced. After expiring of the time for temporary transfer of the judge in another court or specialized division, he/she must be returned to the court, i.e. division from which he/she was transferred. (10) The temporary transfer of a judge referred to in paragraph (9) of this Article shall be made by the Judicial Council by a written, explained decision and it shall immediately notify the president of the court from which the judge is transferred and the president of the court to which the judge is temporary transferred.
(11) The judge may file a complaint against the decision referred to in paragraphs (4), (7) and (9) of this Article within a period of three days to the general session of the Supreme Court, which is obliged to decide upon the complaint within a period of seven days.
(12) The judge may file a complaint against the decisions referred to in paragraphs (8) of this Article within a period of three days to the Judicial Council , which shall be obliged to decide upon the complaint within a period of seven days. The decision of the Judicial Council shall be final

(2022): Please, see the general comment.

Serbia

(2025): Irremovability of judges is one of the basic principles proclaimed by the Law on Judges ("Official Gazette of RS", 10/23). Article 3 of the Law on Judges provides that a judge may not be permanently transferred or temporary assigned to another court without his consent, except in cases provided for by the Constitution and this Law.

2. Immovability of the judge

A term

Article 18

A judge has the right to perform judicial function permanently in the court for which he was elected, except in the case prescribed by the Constitution and this law.

Only with his consent can a judge be permanently transferred or temporarily referred from one court to another, or referred to the High Council of the Judiciary, the ministry responsible for justice, the Judicial Academy or an international organization in the field of justice.

Consent is given in written form and must precede the adoption of a decision on permanent transfer, temporary assignment or assignment.

Permanent relocation

Article 19

A judge may, with his written consent, be permanently transferred to another court of the same type and of the same or lower degree, if there is a need to urgently fill a vacant judge position, which cannot be solved by the election or temporary assignment of a judge, with the consent of the president of both courts.

As an exception to paragraph 1 of this article, a judge may be permanently transferred to another court without his written consent in the event of the abolition of the court or the abolition of the majority of the jurisdiction of the court for which he was elected.

The majority of the court's jurisdiction is revoked if the necessary number of judges in the court is reduced due to a change in the substantive jurisdiction of the court, the establishment of a new court or a change in the area in which the court exercises jurisdiction. In the case referred to in paragraph 2 of this article, a judge may be permanently transferred only to a court of the same level that takes over the jurisdiction of a court that has been abolished or to which the majority of its jurisdiction has been abolished.

If the jurisdiction of the abolished court was taken over by two or more courts, i.e. the predominant jurisdiction of the court was taken over by one or more courts, when making a decision on the permanent transfer of a judge, the High Council of the Judiciary takes into account the residence of the judge, the length of the judge's service and the type of work that the judge performed.

The judge permanently continues to perform the function of judge in the court to which he was transferred.

The decision on permanent transfer is made by the High Council of the Judiciary.

Against the decision on permanent transfer, the judge can file an appeal with the Constitutional Court, which excludes the right to submit a constitutional appeal, within 30 days from the date of receipt of the decision. Temporary referral to another court

Article 20

A judge is temporarily referred to another court where the lack, impediment, exclusion of judges or other reasons make the work of the court difficult.

A judge may be temporarily assigned only to another court of the same type and of the same or immediately lower level, for a maximum of one year, without the possibility of temporary assignment to the same court again.

(2023). The Law on Judges ("Official Gazette of RS", No. 10, 2023)
2. Immovability of the judge
A term
Article 18
A judge has the right to perform judicial function permanently in the court for which he was elected, except in the case prescribed by the Constitution and this law.
Only with his consent can a judge be permanently transferred or temporarily referred from one court to another, or referred to the High Council of the Judiciary, the ministry responsible for justice, the Judicial Academy or an international organization in the field of justice.
Consent is given in written form and must precede the adoption of a decision on permanent transfer, temporary assignment or assignment.
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In the case referred to in paragraph 2 of this article, a judge may be permanently transferred only to a court of the same level that takes over the jurisdiction of a court that has been abolished or to which the majority of its jurisdiction has been abolished.
If the jurisdiction of the abolished court was taken over by two or more courts, i.e. the predominant jurisdiction of the court was taken over by one or more courts, when making a decision on the permanent transfer of a judge, the High Council of the Judiciary takes into account the residence of the judge, the length of the judge's service and the type of work that the judge performed.
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The decision on permanent transfer is made by the High Council of the Judiciary.
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Temporary referral to another court
Article 20
A judge is temporarily referred to another court where the lack, impediment, exclusion of judges or other reasons make the work of the court difficult.

Kosovo*

(General Comment): According to the Law on Kosovo Judicial Council, the judges can not be transferred to any other court against their will, except when it is necessary to ensure efficient functioning of the judiciary or to sentence a disciplinary measure.

Question 214

Albania

(General Comment): The High Inspector of Justice is a constitutional institution. Article 147/d/1 of the CONSTITUTION
The High Justice Inspector shall be responsible for the verification of complaints, investigation of violations on its own initiative and the initiation of disciplinary proceedings against judges and prosecutors of all levels, members of the High Judicial Council, High Prosecutorial Council and the Prosecutor General, in accordance with the procedure defined by law.

(2025): High Inspector of Justice. According to Article 147/d of the Constitution of the Republic of Albania and Article 194, paragraph 1 of Law no. 115/2016 “On the governance institutions of the justice system”, as amended, The High Justice Inspector is the state authority responsible for the verification of complaints, investigation of disciplinary misconducts and initiation of disciplinary proceedings against judges and prosecutors of all levels, members of the High Judicial Council, members of the High Prosecutorial Council and the Prosecutor General, as well as for the institutional inspection of courts and prosecution offices;

(2024): High Inspector of Justice according to article 194, paragraph 1, of law no: 115/2016 “On governance institutions of the justice system”, as amended, The High Justice Inspector is the state authority responsible for the verification of complaints, investigation of disciplinary misconducts and initiation of disciplinary proceedings against judges and prosecutors of all levels, members of the High Judicial Council, members of the High Prosecutorial Council and the Prosecutor General, as well as for the institutional inspection of courts and prosecution offices

(2022): Disiplinary body (Hight Inspector of Justice)

Bosnia and Herzegovina

(General Comment): Prosecutors may be subject to disciplinary proceedings for violations stipulated by the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina (HJPC). Disciplinary proceedings are initiated by the Office of Disciplinary Counsel of the HJPC.
The latter receives and reviews complaints concerning the conduct of prosecutors, or runs cases on its own initiative. After the Office of Disciplinary Counsel receives a complaint and reviews it, the complaint can be immediately discarded or other necessary actions can be carried out, including launching of an investigation. If the Office of Disciplinary Counsel establishes that there is reasonable ground to believe that a prosecutor has made a disciplinary offence, it will launch an investigation of the facts and circumstances.
If the investigation shows that the complaint is not founded or the allegations of the complaint cannot be verified and proven, the Office of Disciplinary Counsel will close the case and will not initiate disciplinary proceeding against a prosecutor.
If the investigation shows that there is evidence to confirm allegations of misconduct of a prosecutor, the Office of Disciplinary Counsel will launch a disciplinary proceeding before the HJPC filing a disciplinary complaint. After filing the complaint, the Office of
Disciplinary Counsel may offer the accused prosecutor a joint consent agreement for establishment of disciplinary liability for the committed disciplinary offences, which will be considered and approved by the competent panel of the HJPC.

Montenegro

(General Comment): Article 110 par. 1 of the Law on State Prosecution Service If there is a reasonable doubt that the state prosecutor has committed disciplinary offence, the motion for establishing disciplinary liability of the state prosecutor may be filed by the head of the state prosecution office, head of an immediately higher state prosecution office, Supreme State Prosecutor, Minister of Justice and Commission for Monitoring the Application of the Code of Prosecutorial Ethics.

(2025): Comments: Law on the State Prosecutor’s Office (“Official Gazette of Montenegro,” Nos. 11/2015, 42/2015, 80/2017, 10/2018, 76/2020, 59/2021, 54/2024, and 92/2025), Articles 110, 111, and 112.

(2024): ARTICLE 110, paragraph 1, Law on State Prosecution "Official Gazette of Montenegro", no. 11/2015, 42/2015, 80/2017, 10/2018, 76/2020, 59/2021 and 54/2024.
Also, "The Disciplinary Prosecutor can initiate an investigation to determine the disciplinary responsibility of the State Prosecutor on his own initiative." Article 112, paragraph 2

North Macedonia

(General Comment): Law on Public Prosecution office Article 93
(1) The proceedings for establishment of liability of public prosecutors for committed disciplinary infringement shall be conducted upon annotated proposal of the Chief Public Prosecutor of the Republic of North Macedonia for all public prosecutors, and upon annotated proposal of a Higher Public Prosecutor of a Higher Public Prosecutor's Office for public prosecutors in a Higher Public Prosecutor's Office, or the Basic Public Prosecutor of the Basic Public Prosecutor's Office for public prosecutor in a basic public prosecutor's office, ex officio or after obtained information on committed infringement. The applicant shall submit proofs for committed disciplinary infringement accompanying the proposal for initiation of disciplinary proceeding. Proceeding for establishment of public prosecutors' liability for committed disciplinary infringement shall be initiated within six months as from the day of becoming aware of the committed infringement, but no later than three years from the day when the infringement was committed.

(2022): Please, see the general comment.

Serbia

ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
This Law regulates the jurisdiction of the Ministry of Justice and the High Prosecutorial Council in terms of Supervision over the implementation of the Act on Administration in the Public Prosecutor's Office. The Ministry of Justice has limited power over the questions regulated by the Act on Administration in the Public Prosecutor's Office regarding supervision. If the deficiencies are not eliminated within the set deadlines, the supervising authority, in this case, the Ministry of Justice, will file a disciplinary report against the chief public prosecutor of the supervised public prosecution.
Disciplinary action
Article 119
Any person may file a disciplinary report against the holder of the public prosecutor's office to the Disciplinary Prosecutor.
The proposal for conducting disciplinary proceedings is submitted by the Disciplinary Prosecutor on the basis of a disciplinary report or ex officio.
Disciplinary proceedings are conducted by the Disciplinary Commission on the proposal of the Disciplinary Prosecutor. The Disciplinary Commission cannot decide beyond the proposal of the Disciplinary Prosecutor.
During the disciplinary proceedings, the Disciplinary Prosecutor may amend or expand the proposal for conducting the disciplinary proceedings, if the presented evidence indicates a change in the factual situation in relation to the submitted proposal or if the holder of the public prosecutor's office whose disciplinary responsibility is determined has committed another disciplinary offense. Disciplinary proceedings are urgent, they are conducted with all the guarantees of a fair trial, without the presence of the public, unless the holder of the public prosecutor's office in relation to whom the disciplinary proceedings are conducted requires that it be public.
Disciplinary proceedings are regulated in more detail by an act of the High Council of the Prosecutor's Office.
Conduct of disciplinary proceedings expires three years after the day when the disciplinary offense was committed and does not expire during the duration of the administrative dispute, i.e. court proceedings related to the initiated disciplinary proceedings and pronounced disciplinary measure.
Supervision over the implementation of the Act on Administration in the Public Prosecutor's Office
Article 46
Supervision over the implementation of the act on administration in the public prosecutor's office is carried out by the High Council of Prosecutors and the ministry responsible for justice.
The High Council of the Prosecution supervises the implementation of the Act on Administration in the Public Prosecution in connection with the tasks referred to in Article 45, paragraph 1, point. 1)-6) and 13), of this law, and the ministry responsible for justice in connection with the affairs from Article 45, paragraph 1, point. 8), 10) and 14) of this law.
The High Prosecution Council and the Ministry responsible for justice jointly supervise the implementation of the Act on Administration in the Public Prosecutor's Office in connection with the tasks referred to in Article 45, paragraph 1, point. 7), 9), 11), 12) and 15) of this law.

(2024): According to the RULES ON DISCIPLINARY BODIES OF THE HIGH PROSECUTOR'S COUNCIL AND DISCIPLINARY PROCEEDINGS ("Official Gazette of the Republic of Serbia", No. 33/2024), the initiation and conduct of disciplinary proceedings is provided for in Article 26 and stipulates that
Disciplinary proceedings are initiated by the Disciplinary Prosecutor by submitting a proposal for conducting disciplinary proceedings (hereinafter: Proposal) to the Commission, based on a submitted disciplinary report or ex officio.
The Disciplinary Prosecutor may withdraw the Proposal until the Commission has made a decision.
The Disciplinary Prosecutor may not submit a new Proposal based on the same facts.
The Disciplinary Commission may not decide outside the Proposal of the Disciplinary Prosecutor.
Disciplinary proceedings are urgent, conducted with all guarantees of a fair trial, without the presence of the public, unless the holder of the public prosecutor's office against whom the disciplinary proceedings are being conducted requests that the proceedings be public.
Disciplinary proceedings do not constitute an obstacle to conducting other proceedings against the holder of the public prosecutor's office.

ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
This Law regulates the jurisdiction of the Ministry of Justice and the High Prosecutorial Council in terms of Supervision over the implementation of the Act on Administration in the Public Prosecutor's Office. The Ministry of Justice has limited power over the questions regulated by the Act on Administration in the Public Prosecutor's Office regarding supervision. If the deficiencies are not eliminated within the set deadlines, the supervising authority, in this case, the Ministry of Justice, will file a disciplinary report against the chief public prosecutor of the supervised public prosecution.
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Disciplinary proceedings are conducted by the Disciplinary Commission on the proposal of the Disciplinary Prosecutor. The Disciplinary Commission cannot decide beyond the proposal of the Disciplinary Prosecutor.
During the disciplinary proceedings, the Disciplinary Prosecutor may amend or expand the proposal for conducting the disciplinary proceedings, if the presented evidence indicates a change in the factual situation in relation to the submitted proposal or if the holder of the public prosecutor's office whose disciplinary responsibility is determined has committed another disciplinary offense. Disciplinary proceedings are urgent, they are conducted with all the guarantees of a fair trial, without the presence of the public, unless the holder of the public prosecutor's office in relation to whom the disciplinary proceedings are conducted requires that it be public.
Disciplinary proceedings are regulated in more detail by an act of the High Council of the Prosecutor's Office.
Conduct of disciplinary proceedings expires three years after the day when the disciplinary offense was committed, and does not expire during the duration of the administrative dispute, i.e. court proceedings related to the initiated disciplinary proceedings and pronounced disciplinary measure.
Supervision over the implementation of the Act on Administration in the Public Prosecutor's Office
Article 46
Supervision over the implementation of the act on administration in the public prosecutor's office is carried out by the High Council of Prosecutors and the ministry responsible for justice.
The High Council of the Prosecution supervises the implementation of the Act on Administration in the Public Prosecution in connection with the tasks referred to in Article 45, paragraph 1, point. 1)-6) and 13), of this law, and the ministry responsible for justice in connection with the affairs from Article 45, paragraph 1, point. 8), 10) and 14) of this law.
The High Prosecution Council and the Ministry responsible for justice jointly supervise the implementation of the Act on Administration in the Public Prosecutor's Office in connection with the tasks referred to in Article 45, paragraph 1, point. 7), 9), 11), 12) and 15) of this law.

(2022): Anyone may file a complaint based on which disciplinary proceedings are formally initiated by the SPC disciplinary prosecutor

Kosovo*

(General Comment): The Council shall initiate disciplinary procedures based on a request submitted pursuant to Article 9, paragraph 1 of the Law on DISCIPLINARY LIABILITY OF JUDGES AND PROSECUTORS
Any natural or legal person can submit a complaint to the respective head of the prosecution office where the prosecutor is employed. When the complaint is sent to the non-competent authority, such authority transfers the complaint to the competent authority. Put differently, citizens can file complaints to the Council and the Ombudsman can request the Council to initiate disciplinary investigations, but the Council is the sole competent authority to formally start disciplinary proceedings.

(2025): The disciplinary procedures against prosecutors are based on the Law on Disciplinary liability of judges and prosecutors and Regulation for disciplinary procedures against prosecutors.
Natural and legal persons may submit complaints against a judge or prosecutor concerning
an allegation of a disciplinary offense to the following authorities (hereinafter the “Competent
Authority”):
- The Chief State Prosecutor concerning alleged disciplinary offences of Chief Prosecutors;
- The Chief Prosecutor concerning alleged disciplinary offences of prosecutors employed at the prosecution office for which the Chief Prosecutor is responsible;
- The Kosovo Prosecutorial Council concerning alleged disciplinary offenses of the Chief State Prosecutor.

The competent authority shall request the Council to initiate disciplinary procedures against a prosecutor also ex-officio when it has reasonable grounds to believe that a prosecutor has committed a disciplinary offence.
Natural and legal persons may also submit complaints against a judge or prosecutor to the
Ombudsperson. In case the Ombudsperson receives a complaint, it shall forward the complaint
within five (5) working days to the Competent Authority. The Ombudsperson may request the Council to initiate disciplinary investigations against a Court President or the Chief Prosecutor if they have reasons to believe that they have committed a disciplinary offense pursuant to Article 9, paragraph 7 of this Law. The Ombudsperson may also request the Council to initiate disciplinary investigations against a judge or prosecutor if they consider that a Competent Authority has decided to dismiss a complaint against such judge or prosecutor in contradiction with Article 9, paragraph 5 of the law, in which case they shall provide a reasoning why the complaint should not have been dismissed.

(2024): Law on disciplinary liability of judges and prosecutors: Article 9: Natural and legal persons may submit complaints against a judge or prosecutor concerning an allegation of a disciplinary offense to the Competent Authorities.

(2023): Natural and legal persons may submit complaints against a judge or prosecutor concerning an allegation of a disciplinary offense to the Competent Authorities

Question 215

Albania
(General Comment): According to article 159, paragraph 2, letter “b”, of law no. 115/2016 ““On governance institutions of the justice system”, as amended, The High Prosecutorial Council shall assume the following competences in the plenary meeting: b) decides on the disciplinary measures on prosecutors of all levels

(2025): According to Article 159, paragraph 2, letter “b“ of Law no. 115/2016 “On the governance institutions of the justice system“, as amended, the High Prosecutorial Council, in its plenary composition, is the authority competent to decide on and impose disciplinary measures on prosecutors of all levels.Pursuant to Article 147/d, of the Constitution of the Republic of Albania and Article 194 of Law no. 115/2016 On the governance institutions of the justice system”, as amended, article 138, paragraph 1, of Law no. 96/2016 “On the status of judges and prosecutors in the Republic of Albania”, as amended, where there are reasonable grounds to believe that a magistrate has committed a disciplinary misconduct, the High Inspector of Justice initiates disciplinary proceedings by submitting the investigation report together with the complete investigation file to the competent Council. Pursuant to Article 146, paragraph 2 of Law no. 96/2016 “On the status of judges and prosecutors in the Republic of Albania”, as amended, after having examined all facts and evidence, the High Prosecutoria Council shall either:
a) Reject the request for disciplinary proceeding, on the grounds that the facts alleged did
not occur or that they do not constitute a disciplinary misconduct.
b) Uphold the allegations and impose one or more disciplinary measures

(2022): High Prosecutorial Council

Bosnia and Herzegovina

(General Comment): Prosecutors may be subject to disciplinary proceedings for violations stipulated by the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina (HJPC). The Disciplinary Panels (first-and second instance) comprising of the members of the HJPC decide in disciplinary procedures initiated by the Office of Disciplinary Counsel against a prosecutor. During the disciplinary proceeding, the Office of Disciplinary Counsel may submit a request to remove the prosecutors temporarily from any duty, until the
completion of the disciplinary proceeding on the basis of which there was a temporary removal from office. Temporary removal from office of a prosecutor can be requested until completion of an initiated dismissal procedure as well as until the termination of a criminal proceeding initiated against a prosecutor, while the temporary removal from office is mandatory in case when a prosecutor is in pre-trial detainment, until pre-trial detainment ends.

(2024): Prosecutors may be subject to disciplinary proceedings for violations stipulated by the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina (HJPC). The Disciplinary Panels (first-and second instance) comprising of the members of the HJPC decide in disciplinary procedures initiated by the Office of Disciplinary Counsel against a prosecutor. During the disciplinary proceeding, the Office of Disciplinary Counsel may submit a request to remove the prosecutors temporarily from any duty, until the completion of the disciplinary proceeding on the basis of which there was a temporary removal from office. Temporary removal from office of a prosecutor can be requested until completion of an initiated dismissal procedure as well as until the termination of a criminal proceeding initiated against a prosecutor, while the temporary removal from office is mandatory in case when a prosecutor is in pre-trial detainment, until pre-trial detainment ends.

Montenegro

(General Comment): Authorities in Charge of Establishing Disciplinary Liability - Article 114 of the Law on State Prosecution Service. "The procedure for establishing disciplinary liability for minor and severe disciplinary offences shall be conducted before Disciplinary
Panel upon the motion to indict issued by the disciplinary plaintiff.
Disciplinary Panel shall comprise three members of the Prosecutorial Council, two of them from among the state prosecutors and one from among eminent lawyers who shall be the president of the Disciplinary Panel.
Supreme State Prosecutor may not be a member of the Disciplinary Panel.
Members of the Disciplinary Panel and their deputies shall be appointed by the Prosecutorial Council upon the proposal of the
Prosecutorial Council President.
The procedure for establishing disciplinary liability for the most severe disciplinary offences shall be conducted before Prosecutorial
Council upon the motion to indict of the Disciplinary Plaintiff."

(2025): Law on the State Prosecutor's Office, provisions from Article 108 to Article 129.

North Macedonia

(General Comment): Law on Public Prosecution office Article 93
(2) The proceedings for establishment of the public prosecutor's liability for committed disciplinary infringement in the exertion of the public prosecutorial office shall be led by a committee, composed of five members or their deputies, one of each higher public prosecutor's offices and one member from the PPO of the Republic of North Macedonia, elected by the college in the respective prosecutor's offices. A member or a deputy member of the committee shall be exempt if they are the applicants of the proposal.
(3) Prior to initiating a proceeding, the committee, after the receipt of the application, without any delays, shall request from the public prosecutor against which the proposal for initiating a proceeding has been submitted, to state their comments on the allegations in the proposal, in a written form, within five days of the notification.
(4) If the committee finds that there are no reasonable doubts for committed disciplinary infringement by the public prosecutor, it shall conclude that no proceeding will be initiated.
(5) If the committee finds that the proposal is grounded, it shall adopt a decision for initiation of a disciplinary proceeding.
(6) The public prosecutor against whom disciplinary proceeding is initiated shall be entitled to be heard before the Committee for establishing disciplinary responsibilities in a presence of a defense attorney, as well as to propose proofs in their own favour.
(7) If the Committee, with a majority of votes from the total number of its members, finds that disciplinary infringements has been committed, it shall adopt a decision and impose one of the prescribed sanction in Article 95 paragraph (1) indents 1 and 2, and paragraph (2) indent 1 of this Law.
(8) Committee members shall start voting form the more serious to milder ones when they vote on the type of disciplinary measures.
(9) The voting shall stop when a decision to impose disciplinary measure has been adopted.
(10) In the event when after the voting on each disciplinary measure no decision has been adopted with a majority of the total number of Committee members, the voting shall not be repeated, unless a total number of members submitted a proposal to repeat the voting for one of the measures, at the same session.
(11) If the majority of the Committee members consider that evidence for the existence of grounds for dismissal of a public prosecutor has been presented during the procedure, then, they may propose such dismissal to the Council of the Public Prosecutors of the Republic of North Macedonia, and the proposal shall also be submitted to the public prosecutor against whom the proceeding is initiated. Public prosecutor shall be entitled to an appeal against the proposal for their dismissal to the Council of the Public Prosecutors of the Republic of North Macedonia, within seven days from the submission of the proposal.

(2025): Please, see the general comment.

(2024): Please, see the general comment.

(2023): Please, see the general comment.

(2022): Please, see the general comment.

Serbia

(General Comment): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
Disciplinary action
Article 119
Any person may file a disciplinary report against the holder of the public prosecutor's office to the Disciplinary Prosecutor.
The proposal for conducting disciplinary proceedings is submitted by the Disciplinary Prosecutor on the basis of a disciplinary report or ex officio.
Disciplinary proceedings are conducted by the Disciplinary Commission on the proposal of the Disciplinary Prosecutor. The Disciplinary Commission cannot decide beyond the proposal of the Disciplinary Prosecutor.
During the disciplinary proceedings, the Disciplinary Prosecutor may amend or expand the proposal for conducting the disciplinary proceedings, if the presented evidence indicates a change in the factual situation in relation to the submitted proposal or if the holder of the public prosecutor's office whose disciplinary responsibility is determined has committed another disciplinary offense. Disciplinary proceedings are urgent, they are conducted with all the guarantees of a fair trial, without the presence of the public, unless the holder of the public prosecutor's office in relation to whom the disciplinary proceedings are conducted requires that it be public.
Disciplinary proceedings are regulated in more detail by an act of the High Council of the Prosecutor's Office.
Conduct of disciplinary proceedings expires three years after the day when the disciplinary offense was committed, and does not expire during the duration of the administrative dispute, i.e. court proceedings related to the initiated disciplinary proceedings and pronounced disciplinary measure.

(2025): Disciplinary proceedings against a public prosecutor may be initiated by a written complaint from any person to the Disciplinary Prosecutor, who must examine every complaint, collect evidence, access official files, and, where relevant, seek an opinion from the Ethics Committee. Proceedings are formally opened when the Disciplinary Prosecutor submits a proposal to the Disciplinary Commission, either based on a complaint or ex officio. The procedure is urgent, ensures fair-trial guarantees, and is closed to the public unless the accused prosecutor requests otherwise. The prosecutor concerned has full rights, including access to the file, the right to respond, legal representation, and the right to appeal. If the Disciplinary Prosecutor finds that disciplinary action is needed, he gives his recommendation to the Disciplinary Commission to do so. The Commission holds a hearing, examines evidence, and may request further clarification. It may dismiss the proposal, establish disciplinary responsibility and impose a sanction, or discontinue the case if the proposal is withdrawn, the prosecutor's function ends, or limitation periods expire. Decisions are reasoned, adopted by majority vote, recorded in the prosecutor's official file once final, and proceedings are subject to a three-year limitation period, suspended during related court or administrative disputes.
In the second-instance disciplinary procedure, both the Disciplinary Prosecutor and the public prosecutor concerned may file an appeal to the Council within eight days of receiving the first-instance decision. The appeal must specify the challenged decision, grounds and reasons, scope of challenge, and include a signature; the other party may respond within three days. Decisions may be challenged due to procedural violations, incorrect or incomplete establishment of facts, misapplication of substantive law, or the disciplinary sanction imposed. The Council may dismiss the appeal as inadmissible or late, uphold the Commission's decision, or amend it. A rapporteur from among Council members elected from prosecutors is appointed, decisions are adopted by the prescribed majority, the Minister of Justice does not vote, and the Supreme Public Prosecutor is excluded when his or her responsibility is concerned. The Council must decide within 30 days, issue a decision, and its ruling is final, subject only to an administrative court dispute. Final disciplinary sanctions are recorded in the prosecutor's personal file and removed after three years, and extraordinary legal remedies are not permitted.

(2024) According to the Rules on Disciplinary Bodies of the High Prosecutorial Council and Disciplinary Proceedings ("Official Gazette of the Republic of Serbia" No. 33/2024) Powers of the Disciplinary Commission

Article 31

In the procedure for determining the disciplinary liability of the holder of the public prosecutorial function, the Commission may:

1) reject the Proposal as unfounded;

2) adopt the Proposal, declare the holder of the public prosecutorial function responsible for the committed disciplinary offense and impose a disciplinary measure on him/her;

3) suspend the procedure if:

- The disciplinary prosecutor withdraws the Proposal during the procedure;
- the public prosecutorial function of the holder of the public prosecutorial function against whom the procedure is being conducted ceases or
- the statute of limitations for conducting disciplinary proceedings has expired.

The Commission shall make a decision within 15 days of the conclusion of the hearing and shall submit it to the Disciplinary Prosecutor and the holder of the public prosecutorial function whose disciplinary liability is being determined, or to his or her authorized representative.

The Commission shall submit a final decision to the Council for entry in the personal file of the holder of the public prosecutorial function.

If the Commission decides not to initiate proceedings to determine the reasons for the dismissal of the holder of the public prosecutorial function who has been declared liable for a serious disciplinary offence by the Commission's decision, it shall notify the Council of that decision.

Decision-making method of the Disciplinary Commission

Article 32

Decisions of the Commission shall be made by a majority vote of the members of the Commission, of which a special record shall be drawn up and signed by all members of the Commission.

Decisions of the Commission shall be drawn up in the form of a resolution, within 15 days of the date of adoption.

A dissenting opinion of a member of the Commission shall be noted in the minutes of deliberation and voting.

The decision establishing that the holder of the public prosecutor's office is liable for a disciplinary offence shall contain:

1) an introduction, which shall include: the composition of the Commission, the names of the parties and their attorneys, the subject matter of the proceedings and the date of the decision;

2) a factual description of the disciplinary offence;

3) the provisions of the Law and other laws and regulations applied in the disciplinary proceedings, as well as the legal qualification of the disciplinary offence;

4) the disciplinary measure imposed;

5) a decision on the costs of the disciplinary proceedings;

(2023): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
Disciplinary action
Article 119
Any person may file a disciplinary report against the holder of the public prosecutor's office to the Disciplinary Prosecutor.
The proposal for conducting disciplinary proceedings is submitted by the Disciplinary Prosecutor on the basis of a disciplinary report or ex officio.
Disciplinary proceedings are conducted by the Disciplinary Commission on the proposal of the Disciplinary Prosecutor. The Disciplinary Commission cannot decide beyond the proposal of the Disciplinary Prosecutor.
During the disciplinary proceedings, the Disciplinary Prosecutor may amend or expand the proposal for conducting the disciplinary proceedings, if the presented evidence indicates a change in the factual situation in relation to the submitted proposal or if the holder of the public prosecutor's office whose disciplinary responsibility is determined has committed another disciplinary offense. Disciplinary proceedings are urgent, they are conducted with all the guarantees of a fair trial, without the presence of the public, unless the holder of the public prosecutor's office in relation to whom the disciplinary proceedings are conducted requires that it be public.
Disciplinary proceedings are regulated in more detail by an act of the High Council of the Prosecutor's Office.
Conduct of disciplinary proceedings expires three years after the day when the disciplinary offense was committed, and does not expire during the duration of the administrative dispute, i.e. court proceedings related to the initiated disciplinary proceedings and pronounced disciplinary measure.

(2022): A disciplinary body at the first instance, and the State Prosecutorial Council at the second instance.

Kosovo*
(General Comment): In the initial phases in order to treat the complaint received the role of each body is as follows:
1.4. the Chief State Prosecutor concerning alleged disciplinary offences of Chief Prosecutors; 1.5. the Chief Prosecutor concerning alleged disciplinary offences of prosecutors employed at the prosecution office for which the Chief Prosecutor is responsible; 1.6. the Kosovo Prosecutorial Council concerning alleged disciplinary offenses of the Chief State Prosecutor.

(2025): The Council shall initiate disciplinary procedures based on a request submitted by the Competent Authority.
Within fifteen (15) working days from the receipt of the request to initiate disciplinary investigations, the Council shall establish an investigation panel to conduct the investigation. Or, the Council may dismiss the request without forming the investigating panel, if it is considered with no value prima facie or not of a serious importance it is not substantial and it does not have any kind of relation with the disciplinary offence or falls under the status of limitations.
The investigation panel concerning a prosecutor, respectively chief prosecutor for prosecutors, shall be composed of three (3) prosecutors of a different prosecutorial body. The Council shall determine the chairperson of the investigation panel from among the members of the investigation panel. The members of the investigative panels are chosen ad-hoc per case and are selected through a secret ballot from a list of 30 prosecutors which list is priory approved by the Council and it consists of prosecutors with high professional reputation, high integrity and professional ethics, prosecutor with permanent mandate, no disciplinary measures and not be convicted of a criminal offense.
The investigation panel shall establish the facts and collect evidence related to the alleged disciplinary offense. The prosecutor under investigation and the authority which has requested the initiation of investigation procedures may suggest witnesses, submit evidence, as well as request the submission of documents and the evidence held by other persons or institutions.
The investigation panel shall complete the investigation within three (3) months from the day it was established by the Council. In exceptional circumstances, the Council may extend the investigation for an additional period of up to two (2) months. Upon completion of the investigation, the investigation panel shall submit to the Council, the prosecutor under investigation and the Competent Authority which has requested the initiation of disciplinary investigations, a written report on all collected facts and evidence. Upon the submission of the report, the investigation panel shall cease its function at the moment when the case becomes final.
Upon receiving of the written report on the investigation on the prosecutor, or upon receiving of the agreement based on the Article 13 of this Law, respective Council shall hold a session in the time frame of thirty (30) days. The Council may choose to hold additional sessions if the necessity derives out of the complexity of the case. Parties to the procedure shall be invited to take part in the session of the Council.
The prosecutor against who the disciplinary procedure has been initiated, has a right of defending him/herself or hire a defense lawyer. The Council shall be obliged to provide access to all the evidence collected as well as in all the dossiers of the case.
The Council shall decide whether the alleged disciplinary offense has been committed and, if it finds that the prosecutor has committed the alleged disciplinary offense, impose the disciplinary sanction according to the provisions of this Law.
The Council shall reach its decision within two (2) months from the receipt of the report of the investigation panel.

(2024): In the initial phases in order to treat the complaint received the role of each body is as follows:
1.4. the Chief State Prosecutor concerning alleged disciplinary offences of Chief Prosecutors; 1.5. the Chief Prosecutor concerning alleged disciplinary offences of prosecutors employed at the prosecution office for which the Chief Prosecutor is responsible; 1.6. the Kosovo Prosecutorial Council concerning alleged disciplinary offenses of the Chief State Prosecutor.

(2023): In the initial phases in order to treat the complaint received the role of each body is as follows:
1.4. the Chief State Prosecutor concerning alleged disciplinary offences of Chief Prosecutors; 1.5. the Chief Prosecutor concerning alleged disciplinary offences of prosecutors employed at the prosecution office for which the Chief Prosecutor is responsible; 1.6. the Kosovo Prosecutorial Council concerning alleged disciplinary offenses of the Chief State Prosecutor

Question 216

Albania

(2025): With regard to the investigation according to article 129 of law no 96/2016 “On the status of judges and prosecutors in the Republic of Albania“, as amended The magistrate shall be a party in the proceedings upon the opening of the investigation and shall be provided with access to the file to the extent that it is consistent with this scope of the investigation. The High Justice Inspector may request the magistrate to submit information, documents or any evidence necessary for the investigation. The High Justice Inspector shall notify the concerned magistrate or his/her representative within five days after taking the decision on archiving the complaint, on opening of investigation, on widening or changing the scope of investigation and or on closing the investigation.

Bosnia and Herzegovina

(General Comment): The Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina Article 68
Rights of Parties during Disciplinary Proceedings
Disciplinary procedures shall be governed by fairness and transparency. During the course of disciplinary proceedings, the judge or prosecutor concerned shall have the following rights that must be guaranteed in the Rules of Procedure for disciplinary proceedings adopted by the Council:
(a) the right to be duly notified of the allegations of the violation and the supporting evidence, along with the right to respond in writing or to have a verbal statement recorded in writing;
(b) the right to a fair and public hearing within a reasonable time by an independent and impartial panel established by law. The press and public may be excluded from all or part of the hearing in the interests of morals, public order or national security in a democratic society, where the interests of juveniles or the protection of the private life of the parties so require, or to the extent strictly necessary in the opinion of the panel in special circumstances where publicity would prejudice the interests of justice;
(c) the right to assert the privilege against self-incrimination and to appear at any hearing and defend against the allegations with legal counsel of choice; (d) the right that judgments shall be pronounced publicly and/or made public in some manner; and
(e) the right to appeal adverse decisions.

Serbia

(General Comment): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
The position of the holder of the public prosecutor's office in disciplinary proceedings
Article 121
The holder of the public prosecutor's office has the right to be immediately presented with a proposal for conducting disciplinary proceedings, to familiarize himself with the case and the evidence, and to provide an explanation and evidence for his allegations himself or through an attorney.
The holder of the office of public prosecutor has the right to present his allegations orally before the Disciplinary Commission.
Rulebook on disciplinary procedure and disciplinary responsibility of public prosecutors and deputy public prosecutors, Article 22, Line 6: The prosecutor whose disciplinary liability is determined has the right to present his allegations orally before the Disciplinary Commission.
Article 24: The prosecutor whose disciplinary liability is determined has the right to:
- be informed about the reasons for initiating the procedure after checking the allegations of the disciplinary report by the Disciplinary Prosecutor;
- become familiar with the subject and accompanying documentation;
- to make a statement about the submitted and expanded Proposal;
- has a representative in all stages of the disciplinary procedure;
- requires that the discussion be public;

(2024): According to the RULES ON DISCIPLINARY BODIES OF THE HIGH PROSECUTORIAL COUNCIL AND DISCIPLINARY PROCEEDINGS ("Official Gazette of the Republic of Serbia", No. 33/2024) Rights of the holder of the public prosecutorial function whose disciplinary liability is being determined
Article 30
The holder of the public prosecutorial function whose disciplinary liability is being determined has the right to:
1) be informed of the reasons for initiating the procedure;
2) be familiarized with the case and evidence and to provide explanations and evidence for his allegations;
3) state his opinion on the submitted, amended or expanded Proposal;
4) have a proxy at all stages of the disciplinary procedure;
5) request that the hearing be public;
6) appeal the decision of the Disciplinary Commission.

(2023): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
The position of the holder of the public prosecutor's office in disciplinary proceedings
Article 121
The holder of the public prosecutor's office has the right to be immediately presented with a proposal for conducting disciplinary proceedings, to familiarize himself with the case and the evidence, and to provide an explanation and evidence for his allegations himself or through an attorney.
The holder of the office of public prosecutor has the right to present his allegations orally before the Disciplinary Commission.

Question 217

Albania
(2025): Based on Law no. 96/2016, “On the status of judges and prosecutors in the Republic of Albania”, as amended:
Article 101/1
ç) unjustified or repeated failure to perform functions during a trial or investigation;
dh) action, inaction or conduct of a magistrate, which brings unfair benefits or damages to the parties in a judicial process or investigative procedure, contrary to the law;
d) repeated delays or which bring serious consequences or unjustified procrastination of actions and/or procedural acts;
ë) repeated and unjustified delay in starting a court session or procrastination of investigations;
Article 102/2
a) serious or repeated failure to comply with procedural and substantive legislation or incorrect application of procedural and substantive legislation, when established by a higher court;

(2024): Disciplinary violations related to the exercise of the function

Bosnia and Herzegovina
(2022): Some cases against prosecutors were initiated for two or more disciplinary mistakes. Such cases were counted only once in accordance with the Explanatory note. The main mistake for those disciplinary cases was determined in our best estimate.

Montenegro

(2024): no accurate and complete data were submitted in the report on assets and income in 2020 - one case (Article 108, paragraph 3, item 8 of the Law on State Prosecution)
- Due to failure to act in cases, the statute of limitations for criminal prosecution has expired - one case (Article 108, paragraph 3, item 1 of the Law on State Prosecution)
- Proposal submitted by an unauthorized applicant - one case

Serbia

(General Comment): "Professional inadequacy" means if the Public Prosecutor or Deputy Public Prosecutor commits a disciplinary offense if:
- does not make public prosecutorial decisions and does not file regular and extraordinary legal remedies within the prescribed period;
- often misses or is late to scheduled hearings, hearings and other procedural actions in cases assigned to him;
- refuses to perform the tasks and tasks entrusted to him; etc.

(2025): Three cases were brought to the Disciplinary Prosecutor as violations of Article 114, paragraph 1, point 11 of the Law on Public Prosecutors Office, i.e. as violations of the principle of impartiality and endangerment citizens' trust in the public prosecutor's office.
One case was brought to the Disciplinary Prosecutor as a violation of Article 114, paragraph 1, point 8 of the Law on Public Prosecutors Office, i.e. a clear violation of the obligations of proper treatment towards judges in the proceedings, parties, their legal representatives, witnesses, staff or colleagues.
One case was brought to the Disciplinary Prosecutor as a violation of Article 114, paragraph 1, point 8 of the Law on Public Prosecutors Office, i.e. One case was brought to the Disciplinary Prosecutor as a violation of Article 114, paragraph 1, point 14 of the Law on Public Prosecutors Office, i.e. unjustifiable and frequent disrespect of working hours

Kosovo*

(2025): During 2025, the Council received 10 requests for initiation of disciplinary procedures against prosecutors by the Competent Authorities. For 5 of those requests, the Council established the investigative panels, 2 requests were rejected by the Council and 3 requests were dismissed by the Council.
The legal bases or grounds on which the ten (10) requests for initiation of disciplinary proceedings were initiated are:
1. Article 6, of the Law on Disciplinary Liability of Judges and Prosecutors, paragraph 1, subparagraph 1.2 “A prosecutor commits a disciplinary offense if he or she violates the law“;
2. Article 6, of the Law on Disciplinary Liability of Judges and Prosecutors; paragraph 2, subparagraphs 2.8 (provides false or misleading information in matters related to disciplinary proceedings and prosecution related administrative procedures, including promotion and transfers, except if otherwise provided by Law); and 2.10 (engages in behaviour while on duty or in private which harms the honour and dignity of the State Prosecutor or which may harm public confidence in the impartiality or credibility of the State Prosecutor); 3. Article 6, of the Law on Disciplinary Liability of Judges and Prosecutors, paragraph 2, subparagraph 2.1 “continuously, fails to take any prosecutorial action required by the Law into force or fails to exercise prosecutorial within the deadlines foreseen by Law, except when the seriousness of failure to act or the level of the offense serves as a basis for initiation of the disciplinary procedures for a single violation“
4. Article 6, of the Law on Disciplinary Liability of Judges and Prosecutors paragraph 2, subparagraph 2.10 (engages in behaviour while on duty or in private which harms the honour and dignity of the State Prosecutor or which may harm public confidence in the impartiality or credibility of the State Prosecutor);
5. Article 6, of the Law on Disciplinary Liability of Judges and Prosecutors paragraph 1, subparagraph 1.2, in conjunction with paragraph 2, subparagraph 2.1 “continuously, fails to take any prosecutorial action required by the Law into force or fails to exercise prosecutorial within the deadlines foreseen by Law, except when the seriousness of failure to act or the level of the offense serves as a basis for initiation of the disciplinary procedures for a single violation;”
6. Article 6, of the Law on Disciplinary Liability of Judges and Prosecutors paragraph 2, subparagraph 2.1 “continuously, fails to take any prosecutorial action required by the Law into force or fails to exercise prosecutorial within the deadlines foreseen by Law, except when the seriousness of failure to act or the level of the offense serves as a basis for initiation of the disciplinary procedures for a single violation”
7. Article 6, of the Law on Disciplinary Liability of Judges and Prosecutors paragraph 2, subparagraph 2.10 “engages in behaviour while on duty or in private which harms the honour and dignity of the State Prosecutor or which may harm public confidence in the impartiality or credibility of the State Prosecutor”;
8. Article 6, of the Law on Disciplinary Liability of Judges and Prosecutors paragraph 2, subparagraph 2.1 “continuously, fails to take any prosecutorial action required by the Law into force or fails to exercise prosecutorial within the deadlines foreseen by Law, except when the seriousness of failure to act or the level of the offense serves as a basis for initiation of the disciplinary procedures for a single violation”;
9. Violation of the Code of Conduct and Professional Ethics, point C and point I;
10. In a request from the Ombudsman, the legal basis for the alleged disciplinary violations was not determined.

(2024): Clarification: In table above, there are (6) disciplinary cases initiated in the year – 2024, six of them (all of them) are professional violations, while (4) of them are professional and ethical violations. However to avoid duplication only two cases are reported in the "professional inadequacy" box.

(2023): During 2023, KPC received 8 new cases of requests for initiating the disciplinary procedures against prosecutors. There were 2 prosecutor for whom we received 2 separate cases for each so the cases were joined. As a result, in total, there were 6 cases treated.

Question 218

Albania

(2025): In two cases, the request of the High Inspector of Justice for public reprimand was rejected.

(2024): Disciplinary violations related to the exercise of the function

Montenegro

(2025): one disciplinary case was initiated in 2024 and concluded in 2025, while two cases were concluded in 2025.

(2024): - 2 cases - a proposal submitted due to non-action in the cases, the statute of limitations for criminal prosecution has expired (Art. 108 para. 3 point 1 of the Law on State Prosecution)
- 2 cases - proposal submitted because accurate and complete data were not submitted in the report on assets and income in 2020 (art. 108 paragraph 3 point 8 of the Law on State Prosecution)
- 1 subject - a proposal submitted by an unauthorized applicant

North Macedonia

(2024): The cases were closed due to lack of evidence

Kosovo*

(2025): 4 of the 5 cases completed are the cases which were received in 2025, and 1 of the completed cases was received in 2024. 1 of the 5 cases received in 2025 is still ongoing.

(2024): Clarification: four disciplinary cases (all of them) are professional violations, while (2) two cases are professional and ethical violations. However to avoid duplication only two cases are reported in the "professional inadequacy" box.

(2023): Of the 8 cases received, 3 cases are still unfinished (1 is in the Supreme Court, 1 is being treated in the KPC and 1 is still being treated in the investigative panel)

Question 219

Albania

(2025): they were dismissed according to the Law No. 84/2016 “On the transitional re-evaluation of judges and prosecutors in the Republic of Albania”.
Additional Comment. The sanction number 5 and 6 is against the same prosecutor which was the Head of Prosecution Office.

(2022): In the case of the second disciplinary proceeding completed during 2022, the High Justice Inspector has proposed to the High Prosecutorial Council, the appointment of the disciplinary measure "Public notice" for the prosecutor and for the head of the prosecution office, for the disciplinary violations provided in Article 102/1, letters "ç", "dh", and "l", of the Law "On the status of judges and prosecutors in the Republic of Albania", as amended. At the end of the disciplinary proceeding, with Decision no. 31, dated 24.02.2022, High Prosecutorial Council rejected the proposal of the High Justice Inspector to give the disciplinary measure "Public notice" to the two magistrates.

Bosnia and Herzegovina

(2025): From this reporting cycle, reporting on the suspensions of prosecutors within the data on the number of imposed disciplinary sanctions ceases because it has been concluded, contrary to previous interpretation, that suspensions should be treated as temporary measures imposed against judges within the disciplinary procedure, and not as disciplinary sanctions.

(2022): There was a difference between the number of disciplinary proceedings (13) and the number of penalties (10). This difference occurred because a disciplinary lawsuit was rejected in (3) cases.

Montenegro

(2024): One case - the proposal to establishing disciplinary liability is rejected as unfounded, because the proposal was submitted for an action that is not prescribed as a disciplinary offense
Two cases - the proposal to establish disciplinary liability is rejected as unfounded due to the lack of evidence that the appointee committed a disciplinary offense
One case - the proposal to initiate disciplinary proceedings is rejected because it was submitted by an unauthorized applicant

North Macedonia

(2025): In one case a disciplinary measure was imposed - a temporary reduction in the monthly salary and in two cases a disciplinary measure was imposed - a proposal for dismissal of the public prosecutors, but in the both cases, before the final decision of the Council of Public Prosecutors following the submitted proposal for dismissal, they resigned on their own.

Serbia

(2025): In this reporting period, based on the recommendations from the Disciplinary Prosecutor, the Disciplinary Commission adopted the measure of prohibition of election to the higher prosecutor's office for 3 years in 1 case.

(2022): Other: ban on promotion for period of 3 years

Kosovo*

(General comment): Law on disciplinary liability of judges and prosecutors.

Article 7

Disciplinary sanctions

1. One or more of the following disciplinary sanctions may be imposed by the Councils on judges and prosecutors for a disciplinary offense:

1.1. non-public written reprimand;

1.2. public written reprimand;

1.3. temporary wage reduction up to fifty percent (50%) for a period of up to one (1) year;

1.4. temporary or permanent transfer to a lower level court or prosecution office;

1.5. proposal for dismissal.

2. Disciplinary sanctions shall be imposed only in compliance with the principle of proportionality and taking into account:

2.1. the number and seriousness of the disciplinary offenses committed by a judge or prosecutor;

2.2. the consequences of a disciplinary offense;

2.3. the circumstances under which the disciplinary offense was committed;

2.4. the overall performance and behaviour of the judge or prosecutor;

2.5. the behaviour and level of cooperation of the judge or prosecutor during the disciplinary proceedings.

3. A decision on the disciplinary liability of a judge or prosecutor shall be issued also in cases when a judge or prosecutor has after the initiation of disciplinary procedures resigned from duty or whose function as a judge or prosecutor was terminated in any other manner.

4. With the exception of the non-public reprimand, all final decisions on disciplinary sanctions shall be published without delay, but not later than fifteen (15) days, by the respective Councils on their web-site.

5. The Council shall maintain a disciplinary evidence record which shall register all disciplinary investigations and sanctions against a judge or prosecutor. Records on a disciplinary

(2024): The number of decisions for disciplinary procedures includes cases that started in 2023 and some of 2024. Of the 4 cases with “Reprimand” for 1 there is a “Written non-public reprimand”, for 4 prosecutors there is a “Written public reprimand”.

(2023): Of the 4 cases with disciplinary sanction “Reprimand” 2 are “Written non public reprimands” and 2 are “Written public reprimands” out of which 1 is with and agreement.

(2022): During 2022 KPC received 9 requests for initiating disciplinary procedures against prosecutors. Based on these, KPC established 8 investigative panels, and dismissed 1 request for initiation disciplinary procedures.
9 cases were transferred from 2021 and as such in total KPC took 15 disciplinary decisions and 2 other cases are still ongoing.

Question 220

Serbia
(General Comment): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
Decision of the Disciplinary Commission
Article 122
After the disciplinary procedure has been carried out, the Disciplinary Commission can reject the proposal for conducting the disciplinary procedure or adopt the proposal and impose a disciplinary measure.
The decision of the Disciplinary Commission from paragraph 1 of this article must be explained.
Against the decision of the Disciplinary Commission, the Disciplinary Prosecutor and the holder of the public prosecutor's office against whom disciplinary proceedings are being conducted may file an appeal with the High Council of Prosecution, within eight days from the date of delivery of the decision.

Question 221

Albania

(2025): According to Law no. 115/2016 “On the governance institutions of justice system”, as amended, individual administrative acts (decisions) of the High Prosecutorial Council that impose disciplinary measures on prosecutors are appealed to the Constitutional Court.According to article 192, paragraph 1, of Law no. 115/2016 “On governance institutions of the justice system”, as amended, the individual administrative acts imposing disciplinary measures on prosecutors may be appealed against before the Constitutional Court.

(2024): According to Law no. 115/2016 “On the governance institutions of justice system”, as amended, individual administrative acts (decisions) of the High Prosecutorial Council that impose disciplinary measures on prosecutors are appealed to the Constitutional Court.

(2022): Article 147 of the Law no. 96/2016 ON THE STATUS OF JUDGES AND PROSECUTORS IN THE REPUBLIC OF ALBANIA
Right to Appeal Disciplinary Decisions
1. The magistrate shall have the right to appeal a decision imposing a disciplinary measure before the competent court.
2. The High Justice Inspector shall have the right to appeal any decision of the Council in disciplinary matters before the competent court.

Bosnia and Herzegovina

(General Comment): Decisions of first-instance disciplinary panel can be appealed to a second-instance disciplinary panel. Decisions of second- instance disciplinary panel decisions can be appealed to the High Judicial and Prosecutorial Council, but only regarding pronounced disciplinary sanction. In the event of removal from office, appeal is possible to the Court of Bosnia and Herzegovina (Court of BiH). There is also a possibility of appeal to the Constitutional Court of Bosnia and Herzegovina, against final decision of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina (HJPC)/Court of BiH, regarding possible breach of appellant's right prescribed by European Convention of Human Rights, in disciplinary proceedings. The Constitutional Court can revoke decisions of the HJPC.

Montenegro

(2025): An appeal against the decision of the Disciplinary Council may be filed with the Supreme Court of Montenegro.

North Macedonia

(General Comment): Law on Public Prosecution office Article 94
(1) The Committee shall impose a disciplinary measure as referred to in Article 95 indents 1 and 2 and paragraph (2) indent 1 of this Law. The Council of the Public Prosecutors of the Republic of North Macedonia shall decide upon the appeal against the Committee's decision and upon appeal submitted against the proposal for dismissal, or upon the expiry of a deadline when no appeal was filed, and it may overrule, reverse or confirm the Committee's decision, or accept or refuse the dismissal proposal.
(2) The Council of the Public Prosecutors of the Republic of North Macedonia shall adopt a decision for dismissal of a public prosecutor in a procedure set by law.
(3) The Council of the Public Prosecutors of the Republic of North Macedonia shall adopt the decision for dismissal of a public prosecutor as referred to in paragraph (2) of this Article with a majority of votes of the total number of members.
(4) A decision for dismissal of the Basic Public Prosecutor of the Basic Public Prosecutor's Office for prosecution of organised crime and corruption shall be adopted by two-thirds majority of the total number of members of the Council of Public Prosecutors of the Republic of North Macedonia.
(5) The public prosecutor shall be entitled to initiate a dispute before the competent court against the decision made by the Council of Public Prosecutors of the Republic of North Macedonia. (6) The Council of Public Prosecutors of the Republic of North Macedonia shall enact a Rulebook on the procedure for establishment of liability of public prosecutors upon the proposal of the Chief Public Prosecutor of the Republic of North Macedonia. 22. DISCIPLINARY MEASURES Article 95
(1) When a mild disciplinary infringement by a public prosecutor is established, one of the following disciplinary measures may be imposed: - a written warning, - salary reduction in the amount of up to 15% of the monthly salary of the public prosecutor for a period of one to six months. (2) When a serious disciplinary infringement by a public prosecutor is established, one of the following disciplinary measures may be imposed:
- salary reduction in the amount of 15% to 30% of the monthly salary of the public prosecutor for a period of one to six months, and
- a dismissal.

(2022): Please, see the general comment.

Serbia
(General Comment): High prosecutorial Concil

(2024) According to the Rules on Disciplinary Bodies of the High Prosecutorial Council and Disciplinary Proceedings (Official Gazette of the Republic of Serbia, No. 33/2024) Appeal

Article 34

Against the decision of the Commission, the Disciplinary Prosecutor and the holder of the public prosecutor's office against whom disciplinary proceedings are being conducted may file an appeal with the Council, within eight days from the date of delivery of the decision.

The appeal shall contain:

1) the number and date of the Commission's decision against which the appeal is being filed;

2) the grounds and reasons for the appeal;

3) a statement as to whether the decision is being contested in whole or in part;

4) signature.

The Commission shall submit the appeal together with the attachments to the other party in the proceedings for a response.

The party may, within three days from the date of receipt of the appeal, submit a response to the appeal to the Council.

Grounds for appeal

Article 35

A decision of the Commission may be challenged:

1) due to violations of procedural rules that could have affected the adoption of a lawful and correct decision;

2) due to erroneous or incomplete determination of the factual situation;

3) due to erroneous application of substantive law;

4) due to a decision on a disciplinary measure imposed.

Decisions of the Council upon appeal

Article 36

When deciding upon an appeal, the Council may reject the appeal as untimely, inadmissible or filed by an unauthorized person, confirm the first-instance decision of the Commission or modify the decision.

Method of decision-making by the Council

Article 37

After receiving the appeal, the President of the Council shall appoint a rapporteur from among the members of the Council who are elected from among the public prosecutors.

Decisions of the Council shall be made by a majority vote as prescribed in Article 20, paragraphs 2 and 3 of the Law on the High Prosecutorial Council.

The Minister responsible for justice may not vote in the appeal procedure.

(2023): THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
Decision of the Disciplinary Commission
Article 122
After the disciplinary procedure has been carried out, the Disciplinary Commission can reject the proposal for conducting the disciplinary procedure or adopt the proposal and impose a disciplinary measure.
The decision of the Disciplinary Commission from paragraph 1 of this article must be explained.
Against the decision of the Disciplinary Commission, the Disciplinary Prosecutor and the holder of the public prosecutor's office against whom disciplinary proceedings are being conducted may file an appeal with the High Council of Prosecution, within eight days from the date of delivery of the decision.

(2022): Appeal can be filed to the State Prosecutorial Council exclusively.

Kosovo*
(2025): Parties shall have the right to appeal against the disciplinary decisions of the Council, directly to the Supreme Court of Kosovo, within fifteen (15) days from the day of receipt of the decision.

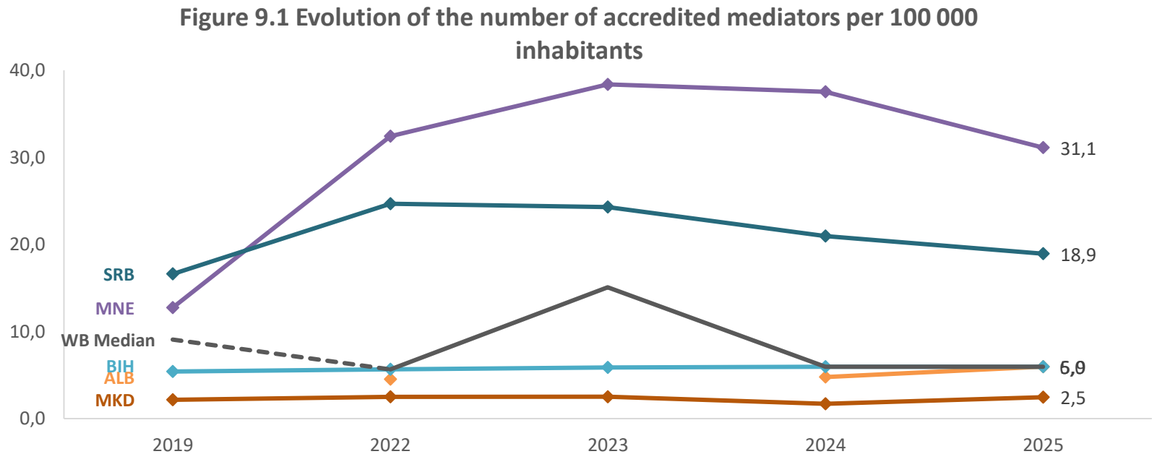
9. Alternative Dispute Resolution - Overview

Number of accredited mediators and number of cases in court related mediation

Number of accredited mediators and its variations between 2019 and 2025 and between 2024 and 2025 (Tables 9.1.3 and 9.1.4)

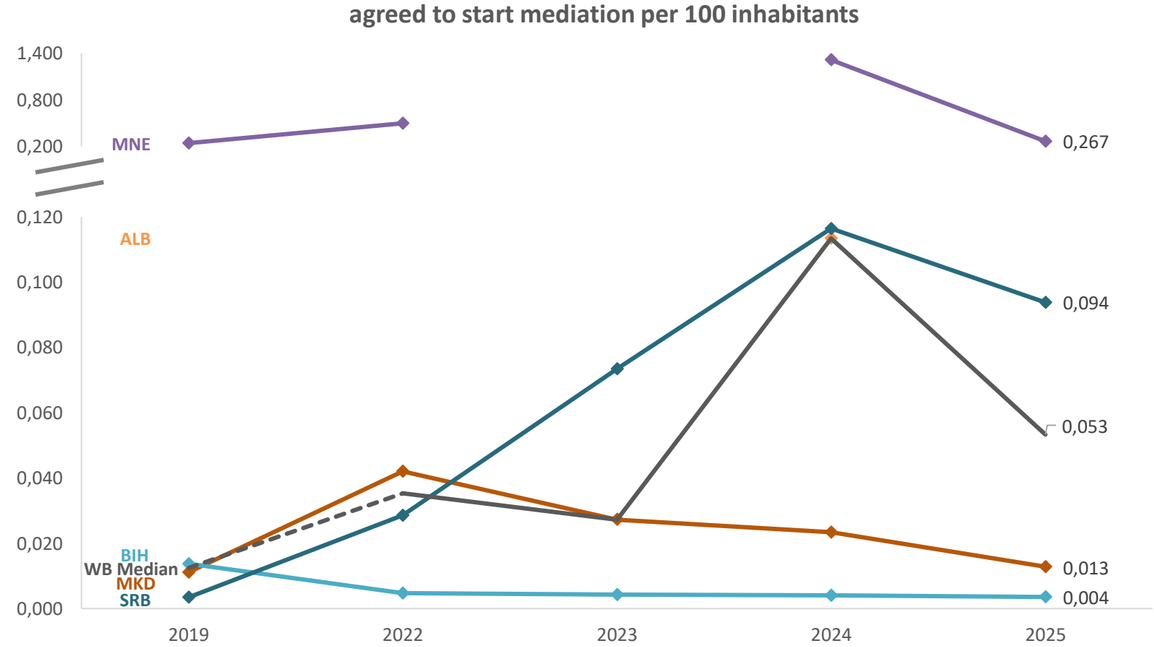
Beneficiaries	Number of accredited mediators			
	2025		Variation 2019 - 2025 (%)	Variation 2024 - 2025 (%)
	Absolute number	Per 100 000 inhabitants		
Albania	141	6,0	NA	23,7%
Bosnia and Herzegovina	203	5,9	7,4%	0,0%
Montenegro	194	31,1	145,6%	-17,1%
North Macedonia	45	2,5	0,0%	45,2%
Serbia	1 244	18,9	7,6%	-10,1%
Kosovo*	104	6,6	-47,1%	-20,6%
WB Median	194	6,0	7,5%	0,0%

For reference only: the 2024 EU median is 19,2 number of mediators per 100 000 inhabitants.



Number of cases of court-related mediations and its variation between 2024 and 2025 (Table 9.1.6)

Beneficiaries	Number of court related mediation cases					
	Cases with agreement to start mediation		Finished court-related mediations		Cases with a settlement agreement	
	2025	Variation 2024 - 2025 (%)	2025	Variation 2024 - 2025 (%)	2025	Variation 2024 - 2025 (%)
Albania	NA	NA	NA	NA	NA	NA
Bosnia and Herzegovina	121	-12,9%	120	-11,1%	98	-23,4%
Montenegro	1 664	-79,7%	4 265	NA	565	-73,4%
North Macedonia	233	-45,4%	213	NA	42	-28,8%
Serbia	6 164	-19,9%	NA	NA	NA	NA
Kosovo*	NA	NA	4 605	-41,1%	NA	NA
WB Median	949	-32,6%	213	-	98	-



North Macedonia: Because of the 2021 Census, the number of inhabitants changed dramatically between 2020 and 2021. For this reason, all the variations of values standardised by the number of inhabitants are mainly due to the variation in the population.

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

9. Alternative Dispute Resolution - List of tables

Table 9.1.1 Mandatory mediation or informative sessions and legal aid for court mediation in 2025 (Q65, Q65-1 and Q65-3)

Table 9.1.2 Providers of court-related mediation services by case types in 2025 (Q65-2)

Table 9.1.3 Number of accredited mediators between 2019 and 2025 and their gender distribution in 2025 (Q66)

Table 9.1.4 Number of accredited mediators per 100 000 inhabitants between 2019 and 2025 (Q1 and Q66)

Table 9.1.6 Number of cases of court related mediation in 2025 (Q67)

Table 9.1.7 Evolution of total number of cases of court related mediation per 100 inhabitants from 2019 to 2025 (Q1 and Q67)

Table 9.1.8 Existence of other alternative dispute resolution methods in 2025 (Q67-1)

Table 9.1.1 Mandatory mediation or informative sessions and legal aid for court mediation in 2025 (Q65, Q65-1 and Q65-3)

Beneficiaries	Mandatory mediation or informative sessions and legal aid for court mediation in 2025				
	Mandatory mediation with a mediator			Mandatory informative sessions with a mediator	Possibility to receive legal aid for court related mediation
	Before/instead of going to court	Ordered by the court, the judge, the public prosecutor or a public authority in the course of a judicial proceeding	No mandatory mediation		
Albania					
Bosnia and Herzegovina					
Montenegro					
North Macedonia					
Serbia					
Kosovo*					

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Yes
No
NA
NAP

Table 9.1.2 Providers of court-related mediation services by case types in 2025 (Q65-2)

Beneficiaries	Providers of court-related mediation services in 2025					
	Civil and commercial cases	Family cases	Administrative cases	Labour cases including employment dismissals	Criminal cases	Consumer cases
Albania	Private mediator	Private mediator	Private mediator	Private mediator	Private mediator	Private mediator
Bosnia and Herzegovina	Private mediator Public authority	Private mediator Public authority	Private mediator Public authority	Private mediator Public authority	Private mediator Public authority	Private mediator Public authority
Montenegro	Public authority	Public authority	None	Public authority	Public authority	Public authority
North Macedonia	Private mediator	Private mediator Judge	None	Private mediator	Private mediator	Private mediator
Serbia	Private mediator Public authority Judge	Private mediator Public authority Judge	Private mediator Public authority Judge	Private mediator Public authority Judge	Private mediator	Private mediator Public authority Judge
Kosovo*	Private mediator Public authority	Private mediator	Private mediator Public authority	Private mediator Public authority	Private mediator	Public authority

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 9.1.3 Number of accredited mediators between 2019 and 2025 and their gender distribution in 2025 (Q66)

Beneficiaries	Number of accredited mediators							Gender distribution of mediators in 2025	
	2019	2022	2023	2024	2025	Variation 2019 - 2025 (%)	Variation 2024 - 2025 (%)	% Males	% Females
Albania	NA	126	NA	114	141	NA	23,7%	40,4%	59,6%
Bosnia and Herzegovina	189	195	202	203	203	7%	0,0%	44,3%	55,7%
Montenegro	79	201	243	234	194	146%	-17,1%	27,8%	72,2%
North Macedonia	45	46	46	31	45	0%	45,2%	33,3%	66,7%
Serbia	1 156	1 677	1 612	1 383	1 244	8%	-10,1%	31,3%	68,7%
Kosovo*	189	189	126	100	104	-47,1%	-20,6%	72,1%	27,9%
Average	367	449	526	393	365	40,1%	8,3%	35%	65%
Median	134	195	223	203	194	7,5%	0,0%	33%	67%
Minimum	45	46	46	31	45	0,0%	-17,1%	28%	56%
Maximum	1 156	1 677	1 612	1 383	1 244	145,6%	45,2%	44%	72%

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 9.1.4 Number of accredited mediators per 100 000 inhabitants between 2019 and 2025 (Q1 and Q66)

Beneficiaries	Number of accredited mediators per 100 000 inhabitants				
	2019	2022	2023	2024	2025
Albania	NA	4,5	NA	4,8	6,0
Bosnia and Herzegovina	5,4	5,6	5,9	5,9	5,9
Montenegro	12,7	32,4	38,4	37,5	31,1
North Macedonia	2,2	2,5	2,5	1,7	2,5
Serbia	16,6	24,7	24,3	20,9	18,9
Kosovo*	10,6	10,4	7,2	6,2	6,6
Average	9,2	14,0	17,8	14,2	12,9
Median	9,1	5,6	15,1	5,9	6,0
Minimum	2,2	2,5	2,5	1,7	2,5
Maximum	16,6	32,4	38,4	37,5	31,1

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

North Macedonia: Because of the 2021 Census, the number of inhabitants changed dramatically between 2020 and 2021. For this reason, all the variations of values standardised by the number of inhabitants are mainly due to the variation in the population.

Table 9.1.6 Number of cases of court related mediation in 2025 (Q67)

Beneficiaries	Number of cases of court related mediation in 2025																							
	Total 1+2+3+4+5+6+7			Civil and commercial cases (1)			Family cases (2)			Administrative cases (3)			Labour cases including employment dismissal cases (4)			Criminal cases (5)			Consumer cases (6)			Other cases (7)		
	Cases for which the parties agreed to start mediation	Finished court-related mediations	Cases with a settlement agreement	Cases for which the parties agreed to start mediation	Finished court-related mediations	Cases with a settlement agreement	Cases for which the parties agreed to start mediation	Finished court-related mediations	Cases with a settlement agreement	Cases for which the parties agreed to start mediation	Finished court-related mediations	Cases with a settlement agreement	Cases for which the parties agreed to start mediation	Finished court-related mediations	Cases with a settlement agreement	Cases for which the parties agreed to start mediation	Finished court-related mediations	Cases with a settlement agreement	Cases for which the parties agreed to start mediation	Finished court-related mediations	Cases with a settlement agreement	Cases for which the parties agreed to start mediation	Finished court-related mediations	Cases with a settlement agreement
Albania	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Bosnia and Herzegovina	121	120	98	105	105	83	0	0	0	9	8	8	7	7	7	0	0	0	0	0	0	0	0	0
Montenegro	1 664	4 265	565	1 047	2 420	372	227	251	86	NAP	NAP	NAP	285	1 219	72	NAP	NAP	NAP	NAP	NAP	NAP	105	375	35
North Macedonia	233	213	42	211	191	20	0	0	0	NAP	NAP	NAP	22	22	22	0	0	0	0	0	0	0	0	0
Serbia	6 164	NA	NA	1 251	NA	NA	115	NA	NA	23	NA	NA	174	NA	NA	21	NA	NA	1 983	NA	NA	2 597	NA	NA
Kosovo*	NA	4 605	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Average	2 046	1 533	235	654	905	158	86	84	29	-	-	-	122	416	34	7	-	-	661	-	-	676	125	12
Median	949	213	98	629	191	83	58	0	0	-	-	-	98	22	22	0	-	-	0	-	-	53	0	0
Minimum	121	120	42	105	105	20	0	0	0	-	-	-	7	7	7	0	-	-	0	-	-	0	0	0
Maximum	6 164	4 265	565	1 251	2 420	372	227	251	86	-	-	-	285	1 219	72	21	-	-	1 983	-	-	2 597	375	35

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 9.1.7 Evolution of total number of cases of court related mediation per 100 inhabitants from 2019 to 2025 (Q1 and Q67)

Beneficiaries	Evolution of total number of cases of court related mediation per 100 inhabitants from 2019 to 2025														
	2019			2022			2023			2024			2025		
	Cases for which the parties agreed to start mediation	Finished court-related mediations	Cases with a settlement agreement	Cases for which the parties agreed to start mediation	Finished court-related mediations	Cases with a settlement agreement	Cases for which the parties agreed to start mediation	Finished court-related mediations	Cases with a settlement agreement	Cases for which the parties agreed to start mediation	Finished court-related mediations	Cases with a settlement agreement	Cases for which the parties agreed to start mediation	Finished court-related mediations	Cases with a settlement agreement
Albania	NA	NA	NA	NA	NA	NA	NA	NA	NA	0,113	NA	NA	NA	NA	NA
Bosnia and Herzegovina	0,014	0,013	0,013	0,005	0,004	0,003	0,004	0,004	0,003	0,004	0,004	0,004	0,004	0,004	0,003
Montenegro	0,241	0,146	0,136	0,496	0,496	0,387	NA	NA	0,494	1,314	NA	0,341	0,267	0,684	0,091
North Macedonia	0,011	NA	0,003	0,042	0,038	0,019	0,027	0,027	0,008	0,023	NA	0,003	0,013	0,012	0,002
Serbia	0,003	0,003	0,002	0,029	NA	NA	0,073	NA	NA	0,116	NA	NA	0,094	NA	NA
Kosovo*	NA	NA	NA	0	0	NA	NA	NA	NA	NA	0,488	NA	NA	0,290	NA
Average	0,067	0,054	0,039	0,143	0,179	0,136	0,035	-	0,168	0,314	-	0,116	0,094	0,233	0,032
Median	0,012	0,013	0,008	0,035	0,038	0,019	0,027	-	0,008	0,113	-	0,004	0,053	0,012	0,003
Minimum	0,003	0,003	0,002	0,005	0,004	0,003	0,004	-	0,003	0,004	-	0,003	0,004	0,004	0,002
Maximum	0,241	0,146	0,136	0,496	0,496	0,387	0,073	-	0,494	1,314	-	0,341	0,267	0,684	0,091

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

North Macedonia: Because of the 2021 Census, the number of inhabitants changed dramatically between 2020 and 2021. For this reason, all the variations of values standardised by the number of inhabitants are mainly due to the variation in the population.

Table 9.1.8 Existence of other alternative dispute resolution methods in 2025 (Q67-1)

Beneficiaries	Other alternative dispute resolution methods			
	Mediation other than court-related mediation	Arbitration	Conciliation (if different from mediation)	Other alternative dispute resolution
Albania				
Bosnia and Herzegovina				
Montenegro				
North Macedonia				
Serbia				
Kosovo*				

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Yes
No
NA
NAP

Indicator 9- Alternative Dispute Resolution

by country

Question 65. Does the judicial system provide for mandatory court related mediation with a mediator in some fields?
Question 65-1. In some fields, does the legal system provide for mandatory informative sessions with a mediator?
Question 65-2. Please specify, by type of cases, who provides court-related mediation services:
Question 65-3. Is there a possibility to receive legal aid for court-related mediation or receive these services free of charge?
Question 66. Number of accredited or registered mediators for court-related mediation:
Question 67. Number of court-related mediations:
Question 67-1. Do the following alternative dispute resolution (ADR) methods exist in your country?

Albania
Q65 (2024): No, in Albanian Law of Medition it is not mandatory but volunteer

Q65-1 (2025): Law No. 10 385, dated 24.2.2011 “ON MEDIATION IN THE RESOLVING OF DISPUTES”, in its article 2, provides for the obligation of the court to notify the parties of the possibility of resolving the matter through mediation. Below we quote the article in question:
1. Mediation, according to this law, is applied to the resolution of disputes provided for in points 2 and 3 of this article, at any time that the parties to the conflict, of their own free will, request and accept mediation as an alternative to resolving the dispute, regardless of whether the dispute has been submitted to the body designated by law for its resolution. The provisions of this law are also applied in those cases when the court or the relevant state body, after initiating the resolution of the dispute, notifies and instructs the parties to mediation, according to points 4 and 5 of this article. 2. Mediation is applied to the resolution of all disputes in the field of civil, commercial, labor and family law, intellectual property, consumer rights, as well as disputes between public administration bodies and private entities. 3. Mediation in the criminal field applies to disputes that are examined by the court at the request of the accusing victim, or upon complaint of the injured party, according to articles 59 and 284 of the Code of Criminal Procedure, as well as in any case where a special law allows it. For mediation in criminal cases involving minors, the provisions of the Juvenile Criminal Justice Code shall apply. 4. The court or the relevant state body, within the powers provided for by law, shall be obliged to notify, instruct and, as the case may be, inform the parties in a clear and understandable manner about the resolution by mediation, in particular, but not limited to, of disputes: a) In civil and family matters, when the interests of minors are intertwined; b) In matters of reconciliation in cases of marriage dissolution, provided for by Article 134 of the Family Code; c) Of a property nature, related to property rights or co-ownership, division of property, lawsuits for the recovery of property, for denial lawsuits and lawsuits for the cessation of infringement of possession, disputes arising from non-fulfillment of contractual obligations, as well as those that have as their object the compensation of non-contractual damage. 5. In the case of disputes in the criminal field, when criminal proceedings have commenced, the court shall compulsorily notify and instruct the parties for the mediation resolution of the disputes provided for in point 3 of this article. 6. If the parties have stipulated in a written contract or agreement that mediation will be the first alternative for resolving the conflict, prior to the judicial one, the court shall not consider the case without this condition being applied. 7. For matters related to procedures not regulated by this law, in the mediation activity, to the extent possible, the legal provisions regulating other procedures shall apply, taking into account the legal nature of the case. 8. The provisions of this law shall apply, to the extent possible, also to the mediation procedure for resolving disputes in cases where only one of the parties has his/her residence in the Republic of Albania.

Q65-1 (2024): for informative session have:
In Code of Civil Procedure (Law 38/2017) in article 25, paraghraph 2, 4 and 6 of article 38, in article 75 , spelling dh and article 76

Q65-2 (2025): Law No. 10 385, dated 24.2.2011 “ON MEDIATION IN THE RESOLVING OF DISPUTES”, regulates in detail the conditions and criteria for licensing intermediaries.

The Law No. 10385, dated 24.02.2011, "On Mediation in Dispute Resolution", along with amendments, regulates mediation procedures and establishes when mediation is encouraged or required.

1. Family Disputes:
   - In cases of divorce, child custody, and parental responsibilities, courts often require parties to attend an informative session with a mediator before proceeding with litigation.
   - Mediation is encouraged in disputes over alimony, property division, and visitation rights.
2. Commercial Disputes:
   - Certain commercial disputes, particularly those related to contractual obligations and business partnerships, may involve mandatory mediation sessions before resorting to court.
3. Labor Disputes:
   - Disputes between employers and employees, such as wrongful termination or discrimination cases, often involve mediation as a first step before court proceedings.
4. Civil Disputes:
   - Some civil cases involving compensation claims, property conflicts, and contractual disagreements may require an informative session about mediation as an alternative to court.
5. Penal Disputes:
   - Some penall cases involving compensation claims, article 59 Code of Penal Procedure are 13 caces and article 284 11 cases , and contractual disagreements may require an informative session about mediation as an alternative to court.

Q65-3 (2025): Yes, following the Memorandum of Cooperation between the National Chamber of Mediation and the Directorate of Free Legal Aid, there is a possibility to receive legal aid for court-related mediation. Based on this cooperation, individuals who meet the criteria for free legal aid may benefit from mediation services free of charge or with financial support, in accordance with the applicable legal framework.

Q66 (2025): The activity of mediation may be carried out either by a natural person or a legal entity, subject to prior licensing and registration in the Register of Mediators. The mediator's license is granted on a nominative and individual basis to each person who fulfills the legal requirements for licensing and registration as a mediator.
Law No. 10385, dated 24 February 2011 "On Mediation in the Resolution of Disputes", as amended, stipulates under Article 5 the conditions that must be satisfied in order to be certified as a mediator.
The requirements for licensing as a mediator are as follows:
1. An Albanian citizen shall cumulatively fulfill the following conditions in order to be licensed as a mediator:
a) Must have completed second-cycle (Master's level) studies in accordance with the legislation on higher education;
b) Must have attained the age of 28;
b/1) Must possess no less than three years of professional experience;
c) Must not have been convicted of intentional criminal offences by a final and binding court decision;
ç) Must have successfully passed the mediator qualification examination upon completion of the initial training program.
Point (a) of Article 5 of Law No. 10385, dated 24 February 2011, as amended, refers to "second-cycle study programs" without prescribing a specific academic background. Nevertheless, mediators handling cases involving the interests of minors are required to possess appropriate qualifications and specialization in the relevant fields and, preferably, hold degrees in psychology, law, or social work. Likewise, mediators dealing with disputes of a commercial nature should possess the relevant qualifications and specialization and, preferably, hold degrees in law, economics, or engineering.
One of the principal requirements is the successful completion of the mediator qualification examination following the completion of the initial training program. The initial and continuous training programs for mediators are provided at least once per year by the National Chamber of Mediators. The initial training may also be delivered by accredited higher education institutions, provided that their programs receive prior approval from the Ministry of Justice.
Upon completion of the initial training program, the mediator qualification examination is administered. This examination is organized at least once per year by the Ministry of Justice in cooperation with the National Chamber of Mediation.
Upon successfully completing both the initial training program and the qualification examination, the mediator is entitled to submit the required documentation to the Minister of Justice for the issuance of the mediator's license.
The Minister of Justice shall, within 45 days from the submission of the licensing application, grant licenses to applicants who meet the conditions set forth in Article 5 of this Law for the exercise of mediation activity. Such licensed individuals shall subsequently be registered with the tax authorities in accordance with the applicable legal framework.
Q67-1 (2024): In Albania, under the law of Arbitration (Law no 53 /2023) is crated the Permanent Institution of Arbitration, with Decision of Tirana Court no 1943 date 19.09.2024

Bosnia and Herzegovina

Q65 (General Comment): The civil and criminal procedure codes in Bosnia and Herzegovina foresee court-related mediation procedures.
Civil proceedings:
At the preparatory hearing at the latest, the court conducting the civil proceedings may, if it finds it appropriate with regard to the nature of the dispute and the circumstances, propose to the parties the resolution of the dispute through mediation proceedings, as prescribed by a separate law. The parties may jointly put forward such proposal until the conclusion of the main hearing.
The legislation on civil proceedings applies subsidiarily to administrative matters as well
Criminal proceedings:
The court may propose mediation through the mediator to the injured party and the accused or to the defense attorney in accordance with law, if the court considers that the claim under property law is such that it would be purposeful to refer it to the mediation. Injured party, accused and the defense attorney may propose referral to the mediation until the closing of the main trial. In les complex juvenile cases involving issuing educational recommendations (i. e. an apology to the injured party or compensation of damages to the injured party) a prosecutor or a judge may suggest the mediation between the offender and the injured party.
Q65-3 (General Comment): The legislation on free legal aid regulates that free legal assistance is available for poor litigants within procedures for peaceful settlement of disputes, including the mediation procedures.
Q65-3 (2025): The legislation on free legal aid regulates that free legal assistance is available for poor litigants within procedures for peaceful settlement of disputes, including the mediation procedures.
Q66 (General Comment): The Law on mediation procedure governs the mediation procedure on the territory of Bosnia and Herzegovina. The mediation tasks are by a separate law transferred to the association of mediators by the procedure set forth in that law. Parties to an individual procedure jointly select a mediator from the list of mediators established by the association of mediators.
The Law on mediation procedure determines the requirements for conducting the mediation as follows.
The mediator may be a person meeting general requirements for employment.
In addition, the mediator must meet the following requirements:
a) a university degree,
b) completed training in mediation according to the program of the association or according to another training programs recognized by the association,
c) entry into the registry of mediators held by the association.
The mediator will submit proof of payment of the registration fee to the Association of Mediators. The person who is successful in completing the training program for mediators shall be issued an appropriate certificate serving as a basis for entry into the registry of mediators in Bosnia and Herzegovina.

Q66 (2025): The Law on mediation procedure governs the mediation procedure on the territory of Bosnia and Herzegovina. The mediation tasks are by a separate law transferred to the association of mediators by the procedure set forth in that law. Parties to an individual procedure jointly select a mediator from the list of mediators established by the association of mediators.
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In addition, the mediator must meet the following requirements:
a) a university degree,
b) completed training in mediation according to the program of the association or according to another training programs recognized by the association,
c) entry into the registry of mediators held by the association.
The mediator will submit proof of payment of the registration fee to the Association of Mediators. The person who is successful in completing the training program for mediators shall be issued an appropriate certificate serving as a basis for entry into the registry of mediators in Bosnia and Herzegovina.

Q67 (General Comment): The Association of Mediators of Bosnia and Herzegovina produced the statistics on mediations. Historically, the number of mediations is small in Bosnia and Herzegovina. The already small number of mediations was further reduced in 2024 compared to 2023. This difference is not large in terms of percentage, thus it was not a significant change in terms of the scope of use of mediation procedures in Bosnia and Herzegovina.
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Q67-1 (General Comment): The members (i. e. mediators) of the Association of the Mediators of Bosnia and Herzegovina are in charge of conducting court-related mediation and other than court-related mediation.
Conciliation is foreseen by the law in different legal fields (e. g. the conciliation is obligatory as a prerequisite for the divorce proceedings, the conciliation is carried out by the social welfare institution).
As for the arbitration, the civil procedure legislation regulate that the parties may agree to entrust the resolution of the disputes on to the arbitration. An arbitration agreement may be concluded with an existing dispute or on future possible disputes that could stem from certain legal relation. Other ADR procedures are handled by the various public agencies: The Consumer Ombudsman, The Public Agency for Labor cases etc.
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Montenegro
Q65 (General Comment): According to the new Law on ADR and Amendments to the Civil Procedure Code, adopted in July 2020, there are two situations: 1. mandatory mediation before going to the court (first meeting with mediator) – according to the Law on ADR (article 11) before initiating court proceedings the party that intends to initiate court proceedings shall apply to the Centre with an intention to try to solve the dispute in mediation procedure, while both parties in the dispute are obliged to attend the first meeting with mediators in following disputes: the disputes stipulated as small value claims according to the law governing civil proceedings; the disputes for damages arising from insurance contracts if one of the parties is an insurance company; the disputes for which special law stipulates the obligation to do so.
2. mandatory first meeting with mediator ordered by the judge – according to the Law on Civil Procedure (Art. 329), the court is obliged to render a special ruling referring the parties to the first meeting with mediator: 1) if one of the parties is Montenegro, Capital, Historic Capital, i.e. municipality; 2) in commercial disputes, except in disputes with international element, in disputes regarding relations to which the status (company) law is applied and in disputes where a party in
Q65 (2025): In accordance with article 12 of the Law on Amendments and Supplements to the Law on Alternative Dispute Resolution the party that intends to initiate court proceeding shall apply to the Centre with an intention to try to solve the dispute in mediation procedure in the following disputes:
- the disputes stipulated as small value claims according to the law governing civil proceeding
- the disputes for damages arising from insurance contracts if one of the parties is an insurance company
- the disputes for which special law stipulates the obligation to do so

Q65-1 (2025): The court is obliged to refer the parties to a meeting with a mediator, which shall be held before scheduling the preparatory hearing or the first hearing for the main trial, in the following cases:
when this is prescribed by a special law;
when it assesses that this is in the best interest of the child whose rights and interests are being decided upon;
when civil proceedings have been initiated in property-law disputes in which performance of an obligation (specific performance) is sought, namely in:
disputes in which the defendant is the State of Montenegro,
small claims disputes,
commercial disputes,
disputes involving more than five parties on one side,
disputes concerning the division of marital property.
Q65-1 (2023): in accordance with new Law on ADR and Amendments to the CPC.
Q65-1 (2022): As explained in question 253, in accordance with new Lan on ADR and Amendments to the CPC.
Q65-2 (2025): Mediation is not a private activity in the traditional sense but is conducted within institution Centre for Alternative Dispute Resolution.
Mediators provide mediation services in civile and commercial cases, family cases, labor cases
The Centre is responsible for labor disputes, except for disputes related to the payment of taxes and contributions, as well as collective labor disputes.

Q65-3 (General Comment): In proceedings referred to mediation by a court, parties may use the services of lawyers, in accordance with the Law on Free Legal Aid, with the parties in such mediation procedures being exempted from paying remuneration and remuneration to mediators
Q65-3 (2025): In the case of mediation in divorce disputes and other disputes related to family relations according to the law regulating family relations, as well as in the disputes where Montenegro is the defendant, the costs shall be covered from the budget of Montenegro.
Also, in the disputes where the defendant is the Capital, Historic Capital or a municipality the costs referred to the mediation shall be covered from the budget of the Capital, Capital or a municipality.

Q65-3 (2024): In the case of mediation in divorce disputes and other disputes related to family relations according to the law regulating family relations, as well as in the disputes where Montenegro is the defendant, the costs shall be covered from the budget of Montenegro.
In the disputes where the defendant is the Capital, Historic Capital or a municipality the costs referred to the mediation shall be covered from the budget od the Capital, Capital or a municipality.

Q66 (General Comment): Licensing of mediators is prescribed by the Law on ADR in articles 39 and 41. In order to receive a licence to be a mediators, a person has to hold Montenegrin nationality or nationality of a Member State of the European Union; VII1 level of educational qualification; general health capacity; minimum five years of work experience in the jobs where the VII1 level of education qualification is required; completed a basic training programme for mediators. In addition to these requirements the license should be granted to the person who has not been convicted of any offence which makes him unworthy of conducting mediation; has not been imposed security measure which involved prohibition to take up occupation, perform activity or duty; against whom no criminal proceedings are conducted for the criminal offence for which prosecution is initiated ex officio The person who meets above mentioned requirements shall be granted operating licence for mediator, which is issued by the Ministry for a five-year period and it may be extended by the same period in accordance with the Law on ADR.
Q66 (2025): According to the Alternative dispute resolution act license for the work of mediators shall be granted to the person:
- who hold Montenegrin nationality or nationality of a Member State of the European Union
- who holds the VII1 level of educational qualification
- who has general health capacity
- who has minimum five years of work experience in the jobs where the VII1 level of education qualification is required
- who has not been convicted of any offence which makes him unworthy of conduction mediation
- who has not been imposed security measure which involved prohibition to take up occupation, perform activity of duty
- against whom no criminal proceeding was conducted for the criminal offence for which prosecution is initiated ex officio

The training is organized and conducted by the Centre for Alternative Dispute Resolution, which issues a certificate upon completion. A request for the certificate of completed training is submitted to the Ministry of Justice through the Centre. The license is granted for a period of five years and may be renewed for the same duration.

Q66 (2024): Female mediators are majority
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Q66 (2022): new mediators accredited in the meantime

Q67 (2025): The decrease in the number of mediation cases initiated in 2025 is primarily the result of amendments to the Law on Alternative Dispute Resolution ("Official Gazette of Montenegro", No.77/20 and 53/25), which introduced changes to the procedural framework for initiating mediation proceedings, particularly in the area of labour disputes. These amendments affected the inflow of new mediation cases during the reporting period.
At the same time, during 2025 the Centre also focused on the clearance of backlog cases from previous years, which resulted in a significantly higher number of completed mediations cases compared to newly initiated proceedings. For this reason, the number of completed mediations (4,265) exceeded the number of initiated mediations during the same year (1,664), taking into account that a portion of the completed cases originated from previous years.
In addition, certain deviations also arise from methodological approaches to the recording and classification of cases by type of dispute, as well as from updates to the case records during the reporting period, which may affect the comparability of data with the previous reporting cycle.
With regard to labour disputes, the decrease of newly initiated mediations is particularly noticeable and is directly linked to the reduced inflow of cases during 2025, while the number of completed proceedings also includes cases transferred from previous periods.
Therefore, the decrease in the number of mediation cases in 2025 is a consequence of amendments to the legislative framework, changes in the dynamics of incoming cases, particularly in labour disputes, as well as the Centre's focus on resolving backlog cases from previous years.
The number of completed mediations is higher than the number of newly initiated proceedings because completed cases also include cases carried over from previous years.
The comparability of the data was also partially affected by methodological changes in the recording and classification of cases during the reporting period.
Q67 (2024): Note: some of data not available comparing to previous cycle due to changed methodology for annual report for 2024 of the Centre for alternative disputes. Civil and commercial cases include also low value disputes, law suites against state and municipalities, insurance disputes, property related disputes etc.
For court related mediations we only have a number of total initiated in 2024 which is 907
NOTE: decrease of cases of mediation for 2024 comparing to 2023 is due to the fact that high number of claims on 8 January 2024 became statute-barred in accordance to the law.
Q67 (2023): The total number of proposed mediations to the Center for Alternative Dispute Resolution in 2023 was 20960 out of which 11784 cases were ongoing.1528 cases were those that was sent by court for mediation. The Law provides conditions when mediation is obligatory before going to court and when the court refers parties to mediation. That is why statistics on agreement of parties is not available as precise. In comparison to the year 2022 there were 30 percent more settlement agreements.
Q67 (2022): Report on the work of the ADR Centre;
Also, the total number of received requests for mediation in 2022 is 10773. At the end of 2022 there were 2625 cases are pending.
Q67-1 (2024): Early Neutral Assessment of a dispute is the procedure where, on the basis of the parties' agreement, a dispute evaluator gives his assessment of the facts and law elements of their dispute.
Arbitration is regulated by the Law on Arbitration.
There is also peaceful resolution of conflicts in the area of labour etc
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North Macedonia
Q65 (General Comment): According to the Law on Civil Procedure regarding commercial disputes up to 1.000.000,00 MKD (15.000 euros), the parties are obliged to try to resolve the dispute through mediation before filing a lawsuit in front of the court .
According to the Law on Civil Procedure, if the judge considers that the dispute can be resolved through mediation, he can refer the parties to the mediation process.
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According to the Law on Civil Procedure, if the judge considers that the dispute can be resolved through mediation, he can refer the parties to the mediation process.
Q65-3 (General Comment): Only exception of this is possibility prescribed in Article 85 of the Law on justice for children - all expenses for mediation for children in criminal procedures are covered from the State Budget.

Q66 (General Comment): A licensed mediator can become a person with faculty education and 3 years of work experience after graduation, with passed psychological test and integrity test, who attended 70 hours of accredited training, passed the exam before the Mediation Board, and obtained a license from the Mediation Board. VII. MEDIATOR Conditions for mediator and mediation Article 46 (1) A mediator may be a legally capable natural person who has a license to perform mediation activities (hereinafter: license for mediator). (2) A license for mediator shall be issued to the person who will pass the exam for checking the theoretical knowledge and practical skills of mediation (hereinafter: exam for mediators) before the Board for ensuring, monitoring and evaluating the quality of mediation activities (hereinafter: the Board) will present a concluded contract for liability insurance in accordance with Article 24 paragraph (4) of this Law. (3) The issued license is valid for five years and it can be extended or revoked depending on the results of the evaluation of the quality of the mediator. (4) The evaluation of the quality of the work of the mediators shall be performed by the Board at least once in five years in accordance with the methodology and the procedure for performing monitoring and evaluation of the quality of the work of the mediators. (5) The form and the content of the license for mediator shall be prescribed by the Minister of Justice. Exam for mediators Article 47 (1) The exam for mediator can be taken by the persons who have submitted an application for taking the exam to the Board together with a proof for: a) completed Faculty education VII / I or 300 credits according to the European Credit Transfer System (ECTS) in the Republic of North Macedonia or a decision for recognition of an appropriate higher education qualification acquired abroad issued by the Ministry of Education and Science; b) completed training according to an accredited training program for mediators of at least 70 hours in the Republic of North Macedonia, i.e abroad, or a decision for recognition of appropriate training completed abroad adopted by the Board; c) at least three years of work experience after graduation; d) followed by at least four mediation procedures conducted by a mediator for which a certificate was issued by a mediator supported together with an excerpt from the Register of Mediation Procedures for the respective procedures; e) conducted psychological test and integrity test issued by a licensed professional; f) certificate of citizenship of the Republic of North Macedonia and g) at least five recommendations from persons who know the applicant professionally.
Q67 (General Comment): Source is the Register for recording on mediation procedures that is under authority of the Ministry of justice.
According to our Law, mediation is allowed in property and legal disputes, family disputes, labour disputes, trade disputes, consumer disputes, insurance disputes, disputes in the field of education, environmental protection, disputes regarding discrimination and other disputed relations where mediation is appropriate to the nature of the disputed relations and can help to resolve them. Mediation is allowed in criminal cases if its application is not excluded by a special law.

Q67 (2025): For the category of labor disputes, all 22 cases were resolved through mediation before they went to court. According to the explanatory memorandum, the number 22 is placed in the second category too (Number of finished court-related mediations).
Q67 (2022): Register for recording on mediation procedures that is under authority of the Ministry of justice.

Q67-1 (General Comment): Arbitration
The arbitration is also available in the legal provisions , as an alternative measure of judicial procedures in the field of commercial law. As part of the Economic Chamber , the Permanent Court of Arbitration is established, where business partners may settle mutual business relations disputes, who in their contracts have foreseen that possibility. The Arbitration in North Macedonia exists since 1993, The value of disputes resolved through arbitration varies from a few thousand to several million Euros. - Conciliation
There are a significant number of legal grounds that allow friendly settlement of disputes, both before and out-of-court proceedings.
The court settlement
The court settlement is provided in the Law on Litigation Procedure whereby the parties during the course of the whole procedure can settle upon the subject of the dispute. This is one type of judicial mediation. The settlement is concluded on minutes (no court decision) and the parties sign the minutes voluntarily. Although there is no formal court decision, the concluded court settlement is considered res judicata and the parties do not have the possibility to file a dispute again before the court for the same thing. Each party shall bear their own costs when the procedure is completed with a court settlement, if in the settlement is not otherwise agreed.
- According to the Law on Criminal Procedure for offences subject to private prosecution, the judge may summon only the private prosecutor and the defendant to a conciliation hearing if he considers it expedient for the prompt termination of proceedings. On the conciliation hearing the judge may propose the private prosecutor and the defendant to be sent to mediation, if it is agreed by both parties, whilst the settlement reached in front of a mediator shall be submitted to the court, who
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Serbia

Q65 (General Comment): The Law on Prevention of Harassment at Work (“Official Gazette of RS”, no. 36/2010) provides that an employee who considers to be subjected to harassment at work („mobbed“) by a person other than the employer themselves, director or other responsible person within the company can submit directly to the director/employer a reasoned application for initiation of proceedings for protection from harassment. The employer is then obliged under the law to propose to the parties in the dispute within three days upon receipt of the application mediation as a resolution of the dispute. Mediation proceedings in these cases are urgent. The mediation proceeding is considered terminated within eight working days after the date of the determination or choice of the mediator: 1) By signing of a written agreement between the disputed parties; 2) By a decision of the mediator, after consultation with the parties, to terminate the proceedings because further proceedings are not justified; 3) By a withdrawal statement of a disputed party from further proceedings. Due to justified reasons, the deadline for the completion of the mediation process can be extended to a maximum of 30 days from the date of determination or choice of the mediator. Also, a mandatory attempt at peaceful dispute resolution before initiating civil proceedings is prescribed in some Serbian laws (but not mediation per se). The Law on Compulsory Traffic Insurance ("Official Gazette RS", no. 51/2009, 78/2011, 101/2011, 93/2012 and 7/2013 – CC decision) provides that a person entitled to a claim under third party motor liability insurance must file the claim directly to the insurance company - if the contract provides for this possibility and if this is in accordance with the business policy of the insurance company. In case the insurance company fails to submit a reasoned offer of compensation for damages within 90 days from the date of claim receipt, or in case the insurance company fails to pay the small claim within the deadline, the claimant may file a lawsuit against the company and notify the National Bank of Serbia of such proceedings. Therefore, in this specific situation, the lawsuit is considered to be filed prematurely, unless the claimant previously addresses the insurance company in an attempt at out-of-court settlement.
Further, under the provisions of the Criminal Procedure Code a person who intends to file a lawsuit for compensation for unlawful deprivation of liberty, or wrongful conviction, before the filing of the complaint, shall submit a request to the Ministry of Justice in order to agree on the existence of damage, the type and amount of compensation (Article 588, Paragraph 1 of the CPC). A Commission shall decide on the request, whose composition and method of work is regulated by the Minister of Justice (Article 588, Paragraph 2 of the CPC). A member of the Commission is also a Deputy SA. If the request is not granted or the Commission does not decide on the request within three months, a lawsuit may be filed against the Republic of Serbia (Article 589, Paragraph 1 of the CPC). If agreement is reached partially, related to the claim, the lawsuit may request the remaining part (Article 589, paragraph 2 of the CPC). During the duration of the procedure for reaching agreement, the statute of limitation is not running for the right to compensation under Article 591 (Article 589, paragraph 3 of the CPA). The work and results of these commissions show that the way settlement procedure is devised should be fundamentally revised.

possible in property-related disputes whose subject is the fulfillment of an obligation to perform an act, in other property-related disputes, in family and commercial disputes, in administrative matters, disputes in the field of environmental protection, in consumer disputes, as well as in all other contentious relations in which mediation corresponds to the nature of the disputed relations and can help their resolution. The provisions of this law also apply to mediation in criminal and misdemeanor matters regarding property claims and claims for damages, as well as in labor disputes unless otherwise prescribed by a special law.
Article 9 of the same Law stipulates that the mediation procedure is conducted voluntarily, except in disputes in which the initiation of mediation proceedings is prescribed by a special law as a condition for conducting court or other proceedings. The court or other authority, which under a special law is obliged to inform the parties about the possibility of applying mediation, is required to provide all necessary information in order to fully inform the parties about the possibility of conducting mediation.
The Family Law ("Official Gazette of RS", no. 18/2005, 72/2011 – other law, and 6/2015) in Article 229 prescribes that the mediation procedure includes the procedure for attempting reconciliation and the procedure for attempting to end the dispute by agreement, while Article 230, paragraph 1, stipulates that mediation is regularly conducted alongside proceedings in a marital dispute initiated by a lawsuit filed by one of the spouses. Article 231 of the aforementioned Law prescribes that mediation, as a rule, is conducted by the court. Along with the summons for the mediation hearing, a lawsuit for annulment or divorce of marriage is also submitted.
The Civil Procedure Law ("Official Gazette of RS", Nos. 72/11, 18/20, … 10/23), in Article 11 prescribes that the court shall refer the parties to mediation or to an informational hearing on mediation, in accordance with the law, or shall indicate to the parties the possibility of out-of-court settlement of the dispute through mediation or another agreed way, while in Article 305, paragraph 3, stipulates that the court shall inform the parties of their right to resolve the dispute through mediation.
The Criminal Procedure Code ("Official Gazette of RS", No. 72/11…62/21) in Article 505 prescribes that before setting the main hearing for criminal offenses prosecuted under a private lawsuit, the judge shall summon the private prosecutor and the defendant to appear in court on a specified date in order to be informed about the possibility of referral to mediation proceedings.
If, during mediation, the private prosecutor and the defendant reach a settlement and the property claim is satisfied, the private lawsuit shall be considered withdrawn, and the judge shall issue a ruling dismissing the private complaint. In the case of an unsuccessful completion of the mediation procedure, the judge will schedule a main hearing after receiving notification of this.
Some courts in Serbia have established an Info-service to support alternative dispute resolution methods, which helps citizens and parties in the proceedings to familiarize themselves with the mediation process and resolve their dispute peacefully.

Q65-1 (General Comment): Most simply put, in Serbia judges are required to inform the parties of a possibility of mediation, but cannot order it (there are no mandatory mediation provisions). Article 11 of the Law on Civil Procedure provides that the court shall direct the parties to mediation or to informative hearing for mediation, in accordance with the law, or to instruct the parties of the option of pre-trial settlement of dispute by mediation or through another amicable manner while Art. 305 Para. 3 provides that the court shall inform the parties of their right that the procedure can be performed through mediation.

Q65-2 (General Comment): Family law provides that upon being served the action for annulment or divorce of marriage, the court shall schedule a hearing for conciliation/settlement, which is held only before a sole judge. The judge is under the obligation to recommend the spouses to undergo psycho-social counselling and will at the proposal of the spouses or with their consent entrust mediation to the competent guardianship authority, marriage or family counselling service, or other institution specialised in mediation in family relations (Article 232). The Law on Social Protection ("Official Gazette of the Republic of Serbia" No.24/2011) also provides mediation as a community based social service falling in the counselling-therapeutic and social-educational group of services, also irrespective of court proceedings (in Centers for Social Work of local municipalities). The procedural legal framework has been adopted in order to allow for certain elements of mediation in penal matters. Namely, pursuant to Article 505 of the Criminal Procedure Code ("Official Gazette of RS", no. 72/2011, 101/2011, 121/2012, 32/2013, 45/2013 i 55/2014), before scheduling a trial in connection with criminal offences which are prosecutable by private prosecution, the judge shall summon the private prosecutor and the defendant to the court on a certain date to be informed about the possibility of being referred to a mediation procedure. The Criminal Code ("Official Gazette of RS", Nos. 85/2005, 88/2005, 107/2005, 72/2009, 111/2009, 121/2012, 104/2013, 108/2014 i 94/2016)) also provides a possibility of settlement between the offender and the victim (Article 59). Namely, the court may remit from punishment the perpetrator of a criminal offence punishable by up to three years' imprisonment or a fine if the offender has fulfilled all his/her obligations from an agreement reached with the victim. Therefore, according to previously mentioned provisions, in these matters the only eligible public authority is the court)which can be explained by the very nature of the proceedings).
The Law on Consumer Protection ("Official Gazette of RS", no. 62/2014, 6/2016 and 44/2018) provides two manners of out-court settlement of consumer disputes: mediation (in accordance with the law that regulates mediation in Serbia) and arbitration. Parties in the consumer dispute may assign the resolution of the consumer dispute to one or more mediators chosen from the list of mediators, in accordance with the Law on Mediation.

Q65-3 (General Comment): In order to promote mediation, mediators have since 2016 provided mediation services in courts pro bono. Likewise, a judge cannot charge fees for conducting mediation.
The Law on Mediation in Dispute Resolution provides for certain monetary incentives in case of reaching an agreement to resolve the dispute through mediation after the judicial or other proceedings have been initiated and before the conclusion of the first hearing for the main trial, such as that the parties may be exempt from court or administrative fees, in accordance with the law which regulates court and administrative fees (Article 31). The Parliament has enacted the Law on Amendments and Supplements to the Law on Court Fees ("Official Gazette of RS", no. 95/2018), which further encourages parties to resolve their disputes by amicable means, through mediation, negotiated settlement, court settlement or any other amicable way. These amendments, which are applicable from 1 January 2019, postpone the collection of court fees in order to leave the parties the opportunity to once again consider the amicable resolution of the dispute, once the court proceedings have been initiated. Through these provisions, the state offers financial incentives to the parties to consider other viable dispute resolution options early in the court proceedings by exempting them from paying all relevant court fees if they achieve a settlement by the time of the first hearing. Regarding general exemption from court fees please see comment to Q17.
Under the Free Legal Aid Law (2018) applicable from 2019, expenses of mediators, lawyers, etc. are a form of secondary legal aid and may be financed from the budget of the Republic of Serbia, pursuant to the provisions of the FLA Law.
Q65-3 (2025): In accordance with the Law on Free Legal Aid, free legal support may include mediation in the peaceful resolution of disputes (mediation). When submitting a request for free legal aid, the applicant may point out that the legal problem for which he/she is requesting free legal aid is to be resolved through mediation. Also, the local - self governments deciding on the request is obliged, after becoming acquainted with the facts of the specific case disclosed to it by the applicant, to encourage the applicant to resolve the legal problem peacefully, if the nature of the dispute allows it.

Conditions for mediation

Article 33

A mediator is a natural person who, in an independent, neutral and impartial manner, mediates between the parties in a disputed relationship.

A person must meet the following requirements to perform the work of an intermediary:

1) that it is capable of doing business;

2) that he is a citizen of the Republic of Serbia;

3) that it has completed the basic training for a mediator;

4) to have a university degree;

5) that he has not been sentenced to an unconditional prison sentence for a criminal offense that makes him unfit to perform mediation work;

6) to have a license to mediate;

7) that it is registered in the Register of Intermediaries.

In certain areas, the law may prescribe special conditions for mediation.

In international mediation and mediation in cross-border disputes, the mediator can also be a foreign citizen, provided that he is authorized to engage in mediation in another country, under the condition of reciprocity.

A mediator can also be a citizen of a member state, provided that he is authorized to engage in mediation in a member state.

Judges can mediate exclusively outside of working hours and without compensation.

The procedure for issuing a license for mediation

Article 36

Issuing a license for mediation is a procedure in which it is determined whether a person meets the conditions for performing mediation prescribed by this law.

License to mediate

Article 37

A license for mediation is a public document confirming that a person meets the requirements for mediation.

The right to obtain a license for mediation is granted to a person who fulfills the requirements from Article 33, paragraph 2, point. 1) to 5) and paragraph 3 of this law.

The mediation license is issued for the first time with a validity period of three years, and when it is renewed, it is issued for a period of five years.

The work permit form is prescribed by the minister.

Renewal of the mediation license

Q66 (2025): In the Republic of Serbia, the conditions and procedure for obtaining the status of a mediator are regulated by the Law on Mediation in Dispute Resolution (Official Gazette of the Republic of Serbia, No. 55/2014). This law prescribes both the basic conditions that a candidate must meet, and the procedure for obtaining, renewing and revoking a license. A mediator can only be a natural person who acts independently, impartially and neutrally between the parties to the dispute. In order for a person to be able to perform mediation work, he or she must meet several conditions. First of all, he or she must have business capacity and citizenship of the Republic of Serbia (except in the case of international and cross-border mediation, where he or she may also be a foreign citizen under the condition of reciprocity). The candidate must have completed basic training for a mediator, as well as higher education, i.e. a university degree. Also, he/she must not have been sentenced to an unconditional prison sentence for a criminal offense that makes him/her unfit to practice mediation. In addition to the above conditions, it is necessary for the person to obtain a mediation license and to be entered in the Register of Mediators maintained by the competent ministry. Only by fulfilling these conditions does the person acquire the status of a registered mediator.
The procedure for obtaining a license is initiated by submitting an application to the competent ministry. In this procedure, it is determined whether the candidate meets all the requirements prescribed by law. If the requirements are met, a mediation license is issued, which is a public document confirming that the person is qualified to practice mediation. The first license is issued for a period of three years.
After obtaining the license, the mediator is entered in the Register of Mediators maintained by the Ministry of Justice. This register contains basic information about the mediator (name, surname, professional qualifications, title, occupation, as well as educational information, contact telephone number, e-mail, etc.), and is publicly available on the ministry's website. Registration in the register of mediators maintained by the Ministry of Justice is a mandatory requirement for practicing mediation.
The license has a limited validity period, and its renewal is required if the person meets the conditions for renewal of the license stipulated by the Law. The application for renewal is submitted before the expiration of the license. In order for the license to be renewed, the mediator must, in addition to the basic requirements, also meet additional criteria: at least ten hours of professional development per year and at least five mediations conducted during the license validity period. Compliance with the code of ethics and legal obligations is also valued. A renewed license is valid for five years.
In the event that a mediator no longer meets the prescribed conditions or does not act in accordance with the law, his license will be revoked, and a decision will be made to remove him from the register of mediators. If the conditions stipulated in Article 33 of the Law cease to exist or the person violates the Code of Ethics and other regulations, a request may be submitted for the revocation of the mediator's license and removal from the register of mediators. The Commission checks the facts relating to the fulfillment of the conditions for performing mediation activities, i.e. whether the mediator complies with the rules of procedure in the mediation procedure in accordance with the Law. The procedure for revocation of the mediation license is conducted by the Commission for the Implementation of the Procedure for Revocation of the Mediation License, and the decision is made by the Minister upon the proposal of the Commission, which consists of one judge, one
Q67 (2025): Other cases include banking services, leasing and insurance, consensual financial restructuring, compensation for damages, workplace harassment - mobbing.
Q67 (2024): The number of commercial, consumer and other cases has significantly increased compared to the previous cycle due to the fact that the Body for out-of-court settlement of consumer disputes was established at the Ministry of Trade, Tourism and Telecommunications. During the establishment of the Body, most of the mediators who were registered in the Register of mediators in the resolution of disputes, which is maintained by the Ministry of Justice, were also registered in the List of bodies for outof- court settlement of consumer disputes compiled and publicly published by the Ministry of Trade, Tourism and Telecommunications, thereby increasing the number of completed mediations related to commercial and consumer disputes.

Q67 (2023): The number of commercial, consumer and other cases has significantly increased compared to the previous cycle due to the fact that the Body for out-of-court settlement of consumer disputes was established at the Ministry of Trade, Tourism and Telecommunications. During the establishment of the Body, most of the mediators who were registered in the Register of mediators in the resolution of disputes, which is maintained by the Ministry of Justice, were also registered in the List of bodies for out-of-court settlement of consumer disputes compiled and publicly published by the Ministry of Trade, Tourism and Telecommunications, thereby increasing the number of completed mediations related to commercial and consumer disputes.
Q67-1 (General Comment): Various alternative dispute resolution methods stand at parties' disposal within the legal framework of Serbia, including mediation (judicial and non-judicial), conciliation and arbitration. To date, however, they are all underutilized. Nonetheless, in the last two years, a steady increase of mediation proceedings has been noted, followed by a strong support of mediation by the Ministry of Justice and Supreme Court of Cassation, and positive activities are noted in the field of arbitration, with the establishment of a new independent arbitration centre. Still, coordinated, joint, continued multi-annual efforts must be made to establish a viable and sustainable alternative dispute resolution system.
Having the above in mind, a strategic approach to improving the use of mediation has been initiated in August 2018, whereby the Ministry of Justice, recognising that increasing and improving mediation culture and mechanisms is not a task to be dealt with only by the judiciary and its respective Ministry, is addressing other line ministries and institutions, such as the National Bank of Serbia, Ministry of Trade and Ministry of Labour, so as to seek to together find best ways to improve the use and quality of mediation in the fields of their respective competences, and in that way, jointly to successfully answer to the benchmark given in that respect within Chapter 23.

Kosovo*

Q65 (General Comment): Law on Mediation provides cases of mandatory mediation. In this regard, this Article provides: Article 9
Mandatory mediation
1. When parties submit a statement of claim before the court, regarding disputes deriving from family relations such as alimony, custody, visits, child support and division of marital property, the judge in the preliminary hearing, after the preliminary review of the indictment, must inform and oblige the parties to mediation procedure.
2. When parties file a statement of claim before a court regarding ownership contests related to rights and obligations deriving from the rights of servitudes and compensation of expropriated properties, the judge in the preliminary hearing, after the preliminary review, is obliged to inform and direct parties to mediation procedure.
3. Under such circumstances, the parties shall meet with a mediator, and will have thirty (30) days to try the commencement of mediation, starting from the day when the judge obliges the parties to try mediation.
4. Parties may chose not to continue with the mediation procedure and they can return to judicial proceedings, not longer than thirty (30) days.
5. Prior to returning the case in judicial proceedings, parties must provide a written evidence, signed by the parties and the mediator, proving that parties have tried mediation procedure.
6. Mandatory mediation does not deprive parties of their right to appear before the court, or employ arbitration procedure, and if no agreement is reached in the mediation procedure, the case shall be sent again to court or arbitration.
7. Parties are not obliged to reach an agreement through mediation against their free will.
Q65 (2024): Mandatory Mediation – refers to the mediation procedure initiated by the competent judge, who obliges the parties to attempt mediation as prescribed by this law.
Based on Article 9, paragraphs 1 and 2 of the Law on Mediation:
When the parties file a lawsuit in court regarding disputes arising from family relations, such as cases related to alimony, custody, visitation rights, child maintenance, and the division of marital property, the judge, during the preparatory session and after the preliminary review of the lawsuit, must inform and oblige the parties to undergo mediation.
When the parties file a lawsuit in court regarding property disputes involving rights and obligations related to servitude rights and compensation for expropriated property, the judge, during the preparatory session and after the preliminary review of the lawsuit, is required to inform and guide the parties toward the mediation procedure.

Q65 (2023): Article 9, https://gzk.rks-gov.net/ActDetail.aspx?ActID=2592
Law on Mediation:
Article 9
Mandatory mediation
1. When parties submit a statement of claim before the court, regarding disputes deriving from family relations such as alimony, custody, visits, child support and division of marital property, the judge in the preliminary hearing, after the preliminary review of the indictment, must inform and oblige the parties to mediation procedure.
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5. Prior to returning the case in judicial proceedings, parties must provide a written evidence, signed by the parties and the mediator, proving that parties have tried mediation procedure.
6. Mandatory mediation does not deprive parties of their right to appear before the court, or employ arbitration procedure, and if no agreement is reached in the mediation procedure, the case shall be sent again to court or arbitration.
7. Parties are not obliged to reach an agreement through mediation against their free will.
8. Additional time limits for mediation are in accordance with Article 16 of this Law.

Q65 (2022): Law on Mediation:
Article 9
Mandatory mediation
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2. When parties file a statement of claim before a court regarding ownership contests related to rights and obligations deriving from the rights of servitudes and compensation of expropriated properties, the judge in the preliminary hearing, after the preliminary review, is obliged to inform and direct parties to mediation procedure.
3. Under such circumstances, the parties shall meet with a mediator, and will have thirty (30) days to try the commencement of mediation, starting from the day when the judge obliges the parties to try mediation.
4. Parties may chose not to continue with the mediation procedure and they can return to judicial proceedings, not longer than thirty (30) days.
5. Prior to returning the case in judicial proceedings, parties must provide a written evidence, signed by the parties and the mediator, proving that parties have tried mediation procedure.
6. Mandatory mediation does not deprive parties of their right to appear before the court, or employ arbitration procedure, and if no agreement is reached in the mediation procedure, the case shall be sent again to court or arbitration.
7. Parties are not obliged to reach an agreement through mediation against their free will.
8. Additional time limits for mediation are in accordance with Article 16 of this Law.
Q65-1 (2025): Disputes arising from family relations related to maintenance (alimony)
Child custody
Child contact and child support
Division of joint marital property
Disputes concerning joint marital property
Property disputes related to rights and obligations arising from servitude rights (easements)
Compensation for expropriated property
Q65-1 (2024): These sessions are not called informational sessions. However, in the cases mentioned above regarding comments on mandatory mediation, specifically in the respective fields, the parties are informed during the preparatory session and after the preliminary review of the lawsuit/claim.
Q65-1 (2022): Mandatory mediation - refers to the mediation procedure initiated by the competent judge who obliges the parties to try the mediation procedure, as provided by this law;

Q65-2 (2022): The mediation procedure can be initiated by the parties, court, prosecution office or a competent administrative body, in accordance with the applicable legislation.
If the case is before the court, the parties agree to undergo mediation, then the judge shall inform and instruct parties to the mediation procedure.
Based on the Law On Mediation, the agreement between parties to commence the mediation procedure, at any phase of the procedure before the competent court or any other competent body, shall be accepted.
Q65-3 (General Comment): Article 5 of the Law on Free Legal Aid specifies that primary legal aid includes information, legal advices and aid in the mediating and arbitral procedures as foreseen by the law in force.
Q65-3 (2024): Cases involving social assistance, poor families, and pensioners often cannot afford mediation services, and unfortunately, the burden falls on mediators who are often forced to mediate pro bono, as neither the judicial nor the prosecutorial council covers these cases. Until now, there is no mechanism that
Q65-3 (2023): As per the Administrative Instruction On Mediators Fee In The Republic Of Kosovo, for the provision of mediation services, for cases referred by court and prosecution office, the parties in the mediation procedure shall not bear any cost, except the costs for experts, translators, lawyers and other costs related to the provision of necessary evidence, if they exist and are necessary.
The mediation procedure for juveniles is charge free for the parties. The costs of the mediation procedure, including payment of the mediator, whilst in cases when the mediator is appointed by the State Prosecutor for juveniles, the costs of the procedure shall be paid from the budget of Kosovo Prosecutorial Council.
Whereas mediation fee for self-initiated case, parties are obliged to pay the fee as per the law on mediation.
Q65-3 (2022): As per the Administrative Instruction On Mediators Fee In The Republic Of Kosovo, for the provision of mediation services, for cases referred by court and prosecution office, the parties in the mediation procedure shall not bear any cost, except the costs for experts, translators, lawyers and other costs related to the provision of necessary evidence, if they exist and are necessary.
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Whereas mediation fee for self-initiated case, parties are obliged to pay the fee as per the law on mediation.

Q66 (2025): Since the introduction of mediation in Kosovo, 189 mediators have been licensed. Some have since changed profession, emigrated, or passed away.
As of 2025, the Chamber of Mediators of Kosovo has 104 active licensed mediators (75 male, 29 female).
Requirements to become a licensed mediator in Kosovo:
- University degree;
- Full legal capacity;
- Successful completion of mediation training, including practical case work under the supervision of a licensed mediator.

Successful candidates receive a certificate, which allows registration in the Register of Mediators.
Certification and licensing are conducted by the Ministry of Justice in accordance with Law No. 06/L-009 on Mediation. Candidates must:
- Be certified as a mediator;
- Have no criminal convictions;
- Possess high professional reputation and moral integrity.

Q66 (2023): https://md.rks-gov.net/page.aspx?id=1,41

Q67 (2025): During 2025, a total of 11,937 cases were resolved through mediation in Kosovo.
- 1,970 cases were resolved in all courts of Kosovo.
- 2,635 cases were resolved in all public prosecutor’s offices in Kosovo.
- 7,332 cases were resolved through self-initiated mediation, outside courts and public prosecutor’s offices, where citizens directly accessed mediation without going through the courts or public prosecutors.

Q67 (2024): Kosovo Mediation Association data: 7,824 mediation cases were resolved in all basic courts of Kosovo.
2,155 mediation cases were resolved in all basic prosecutor's offices of Kosovo.
4,106 mediation cases were resolved by the parties' consent (outside the courts and prosecutors).
However, statistics are lacking regarding the nature of the cases resolved.
Q67 (2022): As for your information, there is still no division of cases (specified) as you have foreseen (requested the data in the above table no. 258)
Q67-1 (General Comment): Yes, arbitration, mediation and conciliation exist in our country.

Indicator 9- Alternative Dispute Resolution

by question No.

Question 65. Does the judicial system provide for mandatory court related mediation with a mediator in some fields?
Question 65-1. In some fields, does the legal system provide for mandatory informative sessions with a mediator?
Question 65-2. Please specify, by type of cases, who provides court-related mediation services:
Question 65-3. Is there a possibility to receive legal aid for court-related mediation or receive these services free of charge?
Question 66. Number of accredited or registered mediators for court-related mediation:
Question 67. Number of court-related mediations:
Question 67-1. Do the following alternative dispute resolution (ADR) methods exist in your country?

Question 65

Albania
(2024): No, in Albanian Law of Medition it is not mandatory but volunteer

Bosnia and Herzegovina
(General Comment): The civil and criminal procedure codes in Bosnia and Herzegovina foresee court-related mediation procedures.
Civil proceedings:
At the preparatory hearing at the latest, the court conducting the civil proceedings may, if it finds it appropriate with regard to the nature of the dispute and the circumstances, propose to the parties the resolution of the dispute through mediation proceedings, as prescribed by a separate law. The parties may jointly put forward such proposal until the conclusion of the main hearing.
The legislation on civil proceedings applies subsidiarily to administrative matters as well
Criminal proceedings:
The court may propose mediation through the mediator to the injured party and the accused or to the defense attorney in accordance with law, if the court considers that the claim under property law is such that it would be purposeful to refer it to the mediation. Injured party, accused and the defense attorney may propose referral to the mediation until the closing of the main trial. In les complex juvenile cases involving issuing educational recommendations (i. e. an apology to the injured party or compensation of damages to the injured party) a prosecutor or a judge may suggest the mediation between the offender and the injured party.

Montenegro

(General Comment): According to the new Law on ADR and Amendments to the Civil Procedure Code, adopted in July 2020, there are two situations: 1. mandatory mediation before going to the court (first meeting with mediator) – according to the Law on ADR (article 11) before initiating court proceedings the party that intends to initiate court proceedings shall apply to the Centre with an intention to try to solve the dispute in mediation procedure, while both parties in the dispute are obliged to attend the first meeting with mediators in following disputes: the disputes stipulated as small value claims according to the law governing civil proceedings; the disputes for damages arising from insurance contracts if one of the parties is an insurance company; the disputes for which special law stipulates the obligation to do so.
2. mandatory first meeting with mediator ordered by the judge – according to the Law on Civil Procedure (Art. 329), the court is obliged to render a special ruling referring the parties to the first meeting with mediator: 1) if one of the parties is Montenegro, Capital, Historic Capital, i.e. municipality; 2) in commercial disputes, except in disputes with international element, in disputes regarding relations to which the status (company) law is applied and in disputes where a party in

(2025): In accordance with article 12 of the Law on Amendments and Supplements to the Law on Alternative Dispute Resolution the party that intends to initiate court proceeding shall apply to the Centre with an intention to try to solve the dispute in mediation procedure in the following disputes:
- the disputes stipulated as small value claims according to the law governing civil proceeding
- the disputes for damages arising from insurance contracts if one of the parties is an insurance company
- the disputes for which special law stipulates the obligation to do so

North Macedonia

(General Comment): According to the Law on Civil Procedure regarding commercial disputes up to 1.000.000,00 MKD (15.000 euros), the parties are obliged to try to resolve the dispute through mediation before filing a lawsuit in front of the court .
According to the Law on Civil Procedure, if the judge considers that the dispute can be resolved through mediation, he can refer the parties to the mediation process.

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According to the Law on Civil Procedure, if the judge considers that the dispute can be resolved through mediation, he can refer the parties to the mediation process.

Serbia

(General Comment): The Law on Prevention of Harassment at Work ("Official Gazette of RS", no. 36/2010) provides that an employee who considers to be subjected to harassment at work („mobbed") by a person other than the employer themselves, director or other responsible person within the company can submit directly to the director/employer a reasoned application for initiation of proceedings for protection from harassment. The employer is then obliged under the law to propose to the parties in the dispute within three days upon receipt of the application mediation as a resolution of the dispute. Mediation proceedings in these cases are urgent. The mediation proceeding is considered terminated within eight working days after the date of the determination or choice of the mediator: 1) By signing of a written agreement between the disputed parties; 2) By a decision of the mediator, after consultation with the parties, to terminate the proceedings because further proceedings are not justified; 3) By a withdrawal statement of a disputed party from further proceedings. Due to justified reasons, the deadline for the completion of the mediation process can be extended to a maximum of 30 days from the date of determination or choice of the mediator. Also, a mandatory attempt at peaceful dispute resolution before initiating civil proceedings is prescribed in some Serbian laws (but not mediation per se). The Law on Compulsory Traffic Insurance ("Official Gazette RS", no. 51/2009, 78/2011, 101/2011, 93/2012 and 7/2013 – CC decision) provides that a person entitled to a claim under third party motor liability insurance must file the claim directly to the insurance company - if the contract provides for this possibility and if this is in accordance with the business policy of the insurance company. In case the insurance company fails to submit a reasoned offer of compensation for damages within 90 days from the date of claim receipt, or in case the insurance company fails to pay the small claim within the deadline, the claimant may file a lawsuit against the company and notify the National Bank of Serbia of such proceedings. Therefore, in this specific situation, the lawsuit is considered to be filed prematurely, unless the claimant previously addresses the insurance company in an attempt at out-of-court settlement.
Further, under the provisions of the Criminal Procedure Code a person who intends to file a lawsuit for compensation for unlawful deprivation of liberty, or wrongful conviction, before the filing of the complaint, shall submit a request to the Ministry of Justice in order to agree on the existence of damage, the type and amount of compensation (Article 588, Paragraph 1 of the CPC). A Commission shall decide on the request, whose composition and method of work is regulated by the Minister of Justice (Article 588, Paragraph 2 of the CPC). A member of the Commission is also a Deputy SA. If the request is not granted or the Commission does not decide on the request within three months, a lawsuit may be filed against the Republic of Serbia (Article 589, Paragraph 1 of the CPC). If agreement is reached partially, related to the claim, the lawsuit may request the remaining part (Article 589, paragraph 2 of the CPC). During the duration of the procedure for reaching agreement, the statute of limitation is not running for the right to compensation under Article 591 (Article 589, paragraph 3 of the CPA). The work and results of these commissions show that the way settlement procedure is devised should be fundamentally revised.

property-related disputes whose subject is the fulfillment of an obligation to perform an act, in other property-related disputes, in family and commercial disputes, in administrative matters, disputes in the field of environmental protection, in consumer disputes, as well as in all other contentious relations in which mediation corresponds to the nature of the disputed relations and can help their resolution. The provisions of this law also apply to mediation in criminal and misdemeanor matters regarding property claims and claims for damages, as well as in labor disputes unless otherwise prescribed by a special law.
Article 9 of the same Law stipulates that the mediation procedure is conducted voluntarily, except in disputes in which the initiation of mediation proceedings is prescribed by a special law as a condition for conducting court or other proceedings. The court or other authority, which under a special law is obliged to inform the parties about the possibility of applying mediation, is required to provide all necessary information in order to fully inform the parties about the possibility of conducting mediation.
The Family Law ("Official Gazette of RS", no. 18/2005, 72/2011 – other law, and 6/2015) in Article 229 prescribes that the mediation procedure includes the procedure for attempting reconciliation and the procedure for attempting to end the dispute by agreement, while Article 230, paragraph 1, stipulates that mediation is regularly conducted alongside proceedings in a marital dispute initiated by a lawsuit filed by one of the spouses. Article 231 of the aforementioned Law prescribes that mediation, as a rule, is conducted by the court. Along with the summons for the mediation hearing, a lawsuit for annulment or divorce of marriage is also submitted.
The Civil Procedure Law (“Official Gazette of RS”, Nos. 72/11, 18/20, … 10/23), in Article 11 prescribes that the court shall refer the parties to mediation or to an informational hearing on mediation, in accordance with the law, or shall indicate to the parties the possibility of out-of-court settlement of the dispute through mediation or another agreed way, while in Article 305, paragraph 3, stipulates that the court shall inform the parties of their right to resolve the dispute through mediation.
The Criminal Procedure Code (“Official Gazette of RS”, No. 72/11…62/21) in Article 505 prescribes that before setting the main hearing for criminal offenses prosecuted under a private lawsuit, the judge shall summon the private prosecutor and the defendant to appear in court on a specified date in order to be informed about the possibility of referral to mediation proceedings.
If, during mediation, the private prosecutor and the defendant reach a settlement and the property claim is satisfied, the private lawsuit shall be considered withdrawn, and the judge shall issue a ruling dismissing the private complaint. In the case of an unsuccessful completion of the mediation procedure, the judge will schedule a main hearing after receiving notification of this.
Some courts in Serbia have established an Info-service to support alternative dispute resolution methods, which helps citizens and parties in the proceedings to familiarize themselves with the mediation process and resolve their dispute peacefully.

Kosovo*

(General Comment): Law on Mediation provides cases of mandatory mediation. In this regard, this Article provides: Article 9
Mandatory mediation
1. When parties submit a statement of claim before the court, regarding disputes deriving from family relations such as alimony, custody, visits, child support and division of marital property, the judge in the preliminary hearing, after the preliminary review of the indictment, must inform and oblige the parties to mediation procedure.
2. When parties file a statement of claim before a court regarding ownership contests related to rights and obligations deriving from the rights of servitudes and compensation of expropriated properties, the judge in the preliminary hearing, after the preliminary review, is obliged to inform and direct parties to mediation procedure.
3. Under such circumstances, the parties shall meet with a mediator, and will have thirty (30) days to try the commencement of mediation, starting from the day when the judge obliges the parties to try mediation.
4. Parties may chose not to continue with the mediation procedure and they can return to judicial proceedings, not longer than thirty (30) days.
5. Prior to returning the case in judicial proceedings, parties must provide a written evidence, signed by the parties and the mediator, proving that parties have tried mediation procedure.
6. Mandatory mediation does not deprive parties of their right to appear before the court, or employ arbitration procedure, and if no agreement is reached in the mediation procedure, the case shall be sent again to court or arbitration.
7. Parties are not obliged to reach an agreement through mediation against their free will.

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Based on Article 9, paragraphs 1 and 2 of the Law on Mediation:
When the parties file a lawsuit in court regarding disputes arising from family relations, such as cases related to alimony, custody, visitation rights, child maintenance, and the division of marital property, the judge, during the preparatory session and after the preliminary review of the lawsuit, must inform and oblige the parties to undergo mediation.
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(2023): Article 9, https://gzk.rks-gov.net/ActDetail.aspx?ActID=2592
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8. Additional time limits for mediation are in accordance with Article 16 of this Law.

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Mandatory mediation
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7. Parties are not obliged to reach an agreement through mediation against their free will.
8. Additional time limits for mediation are in accordance with Article 16 of this Law.

Question 65-1

Albania

(2025): Law No. 10 385, dated 24.2.2011 “ON MEDIATION IN THE RESOLVING OF DISPUTES”, in its article 2, provides for the obligation of the court to notify the parties of the possibility of resolving the matter through mediation. Below we quote the article in question:
1. Mediation, according to this law, is applied to the resolution of disputes provided for in points 2 and 3 of this article, at any time that the parties to the conflict, of their own free will, request and accept mediation as an alternative to resolving the dispute, regardless of whether the dispute has been submitted to the body designated by law for its resolution. The provisions of this law are also applied in those cases when the court or the relevant state body, after initiating the resolution of the dispute, notifies and instructs the parties to mediation, according to points 4 and 5 of this article. 2. Mediation is applied to the resolution of all disputes in the field of civil, commercial, labor and family law, intellectual property, consumer rights, as well as disputes between public administration bodies and private entities. 3. Mediation in the criminal field applies to disputes that are examined by the court at the request of the accusing victim, or upon complaint of the injured party, according to articles 59 and 284 of the Code of Criminal Procedure, as well as in any case where a special law allows it. For mediation in criminal cases involving minors, the provisions of the Juvenile Criminal Justice Code shall apply. 4. The court or the relevant state body, within the powers provided for by law, shall be obliged to notify, instruct and, as the case may be, inform the parties in a clear and understandable manner about the resolution by mediation, in particular, but not limited to, of disputes: a) In civil and family matters, when the interests of minors are intertwined; b) In matters of reconciliation in cases of marriage dissolution, provided for by Article 134 of the Family Code; c) Of a property nature, related to property rights or co-ownership, division of property, lawsuits for the recovery of property, for denial lawsuits and lawsuits for the cessation of infringement of possession, disputes arising from non-fulfillment of contractual obligations, as well as those that have as their object the compensation of non-contractual damage. 5. In the case of disputes in the criminal field, when criminal proceedings have commenced, the court shall compulsorily notify and instruct the parties for the mediation resolution of the disputes provided for in point 3 of this article. 6. If the parties have stipulated in a written contract or agreement that mediation will be the first alternative for resolving the conflict, prior to the judicial one, the court shall not consider the case without this condition being applied. 7. For matters related to procedures not regulated by this law, in the mediation activity, to the extent possible, the legal provisions regulating other procedures shall apply, taking into account the legal nature of the case. 8. The provisions of this law shall apply, to the extent possible, also to the mediation procedure for resolving disputes in cases where only one of the parties has his/her residence in the Republic of Albania.

(2024): for informative session have:
In Code of Civil Procedure (Law 38/2017) in article 25, paraghraph 2, 4 and 6 of article 38, in article 75 , spelling dh and article 76

Montenegro

(2025): The court is obliged to refer the parties to a meeting with a mediator, which shall be held before scheduling the preparatory hearing or the first hearing for the main trial, in the following cases:
when this is prescribed by a special law;
when it assesses that this is in the best interest of the child whose rights and interests are being decided upon;
when civil proceedings have been initiated in property-law disputes in which performance of an obligation (specific performance) is sought, namely in:
disputes in which the defendant is the State of Montenegro,
small claims disputes,
commercial disputes,
disputes involving more than five parties on one side,
disputes concerning the division of marital property.

(2023): in accordance with new Law on ADR and Amendments to the CPC.

(2022): As explained in question 253, in accordance with new Lan on ADR and Amendments to the CPC.

Serbia

(General Comment): Most simply put, in Serbia judges are required to inform the parties of a possibility of mediation, but cannot order it (there are no mandatory mediation provisions). Article 11 of the Law on Civil Procedure provides that the court shall direct the parties to mediation or to informative hearing for mediation, in accordance with the law, or to instruct the parties of the option of pre-trial settlement of dispute by mediation or through another amicable manner while Art. 305 Para. 3 provides that the court shall inform the parties of their right that the procedure can be performed through mediation.

Kosovo*

(2025): Disputes arising from family relations related to maintenance (alimony)
Child custody
Child contact and child support
Division of joint marital property
Disputes concerning joint marital property
Property disputes related to rights and obligations arising from servitude rights (easements)
Compensation for expropriated property

(2024): These sessions are not called informational sessions. However, in the cases mentioned above regarding comments on mandatory mediation, specifically in the respective fields, the parties are informed during the preparatory session and after the preliminary review of the lawsuit/claim.

(2022): Mandatory mediation - refers to the mediation procedure initiated by the competent judge who obliges the parties to try the mediation procedure, as provided by this law;

Question 65-2

Albania
intermediaries.

Law No. 10385, dated 24.02.2011, "On Mediation in Dispute Resolution", along with amendments, regulates mediation procedures and establishes when mediation is encouraged or required.
1. Family Disputes:
   - In cases of divorce, child custody, and parental responsibilities, courts often require parties to attend an informative session with a mediator before proceeding with litigation.
   - Mediation is encouraged in disputes over alimony, property division, and visitation rights.
2. Commercial Disputes:
   - Certain commercial disputes, particularly those related to contractual obligations and business partnerships, may involve mandatory mediation sessions before resorting to court.
3. Labor Disputes:
   - Disputes between employers and employees, such as wrongful termination or discrimination cases, often involve mediation as a first step before court proceedings.
4. Civil Disputes:
   - Some civil cases involving compensation claims, property conflicts, and contractual disagreements may require an informative session about mediation as an alternative to court.
5. Penal Disputes:
   - Some penall cases involving compensation claims, article 59 Code of Penal Procedure are 13 caces and article 284 11 cases , and contractual disagreements may require an informative session about mediation as an alternative to court.

Montenegro

(2025): Mediation is not a private activity in the traditional sense but is conducted within institution Centre for Alternative Dispute Resolution.
Mediators provide mediation services in civile and commercial cases, family cases, labor cases
The Centre is responsible for labor disputes, except for disputes related to the payment of taxes and contributions, as well as collective labor disputes.

Serbia

(General Comment): Family law provides that upon being served the action for annulment or divorce of marriage, the court shall schedule a hearing for conciliation/settlement, which is held only before a sole judge. The judge is under the obligation to recommend the spouses to undergo psycho-social counselling and will at the proposal of the spouses or with their consent entrust mediation to the competent guardianship authority, marriage or family counselling service, or other institution specialised in mediation in family relations (Article 232). The Law on Social Protection ("Official Gazette of the Republic of Serbia" No.24/2011) also provides mediation as a community based social service falling in the counselling-therapeutic and social-educational group of services, also irrespective of court proceedings (in Centers for Social Work of local municipalities). The procedural legal framework has been adopted in order to allow for certain elements of mediation in penal matters. Namely, pursuant to Article 505 of the Criminal Procedure Code ("Official Gazette of RS", no. 72/2011, 101/2011, 121/2012, 32/2013, 45/2013 i 55/2014), before scheduling a trial in connection with criminal offences which are prosecutable by private prosecution, the judge shall summon the private prosecutor and the defendant to the court on a certain date to be informed about the possibility of being referred to a mediation procedure. The Criminal Code ("Official Gazette of RS", Nos. 85/2005, 88/2005, 107/2005, 72/2009, 111/2009, 121/2012, 104/2013, 108/2014 i 94/2016)) also provides a possibility of settlement between the offender and the victim (Article 59). Namely, the court may remit from punishment the perpetrator of a criminal offence punishable by up to three years' imprisonment or a fine if the offender has fulfilled all his/her obligations from an agreement reached with the victim. Therefore, according to previously mentioned provisions, in these matters the only eligible public authority is the court)which can be explained by the very nature of the proceedings).
The Law on Consumer Protection ("Official Gazette of RS", no. 62/2014, 6/2016 and 44/2018) provides two manners of out-court settlement of consumer disputes: mediation (in accordance with the law that regulates mediation in Serbia) and arbitration. Parties in the consumer dispute may assign the resolution of the consumer dispute to one or more mediators chosen from the list of mediators, in accordance with the Law on Mediation.

Kosovo*

(2022): The mediation procedure can be initiated by the parties, court, prosecution office or a competent administrative body, in accordance with the applicable legislation.
If the case is before the court, the parties agree to undergo mediation, then the judge shall inform and instruct parties to the mediation procedure.
Based on the Law On Mediation, the agreement between parties to commence the mediation procedure, at any phase of the procedure before the competent court or any other competent body, shall be accepted.

Question 65-3

Albania

(2025): Yes, following the Memorandum of Cooperation between the National Chamber of Mediation and the Directorate of Free Legal Aid, there is a possibility to receive legal aid for court-related mediation. Based on this cooperation, individuals who meet the criteria for free legal aid may benefit from mediation services free of charge or with financial support, in accordance with the applicable legal framework.

Bosnia and Herzegovina

(General Comment): The legislation on free legal aid regulates that free legal assistance is available for poor litigants within procedures for peaceful settlement of disputes, including the mediation procedures.

(2025): The legislation on free legal aid regulates that free legal assistance is available for poor litigants within procedures for peaceful settlement of disputes, including the mediation procedures.

Montenegro

(General Comment): In proceedings referred to mediation by a court, parties may use the services of lawyers, in accordance with the Law on Free Legal Aid, with the parties in such mediation procedures being exempted from paying remuneration and remuneration to mediators

(2025): In the case of mediation in divorce disputes and other disputes related to family relations according to the law regulating family relations, as well as in the disputes where Montenegro is the defendant, the costs shall be covered from the budget of Montenegro.
Also, in the disputes where the defendant is the Capital, Historic Capital or a municipality the costs referred to the mediation shall be covered from the budget of the Capital, Capital or a municipality.

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North Macedonia

(General Comment): Only exception of this is possibility prescribed in Article 85 of the Law on justice for children - all expenses for mediation for children in criminal procedures are covered from the State Budget.

Serbia

(General Comment): In order to promote mediation, mediators have since 2016 provided mediation services in courts pro bono. Likewise, a judge cannot charge fees for conducting mediation.
The Law on Mediation in Dispute Resolution provides for certain monetary incentives in case of reaching an agreement to resolve the dispute through mediation after the judicial or other proceedings have been initiated and before the conclusion of the first hearing for the main trial, such as that the parties may be exempt from court or administrative fees, in accordance with the law which regulates court and administrative fees (Article 31). The Parliament has enacted the Law on Amendments and Supplements to the Law on Court Fees ("Official Gazette of RS", no. 95/2018), which further encourages parties to resolve their disputes by amicable means, through mediation, negotiated settlement, court settlement or any other amicable way. These amendments, which are applicable from 1 January 2019, postpone the collection of court fees in order to leave the parties the opportunity to once again consider the amicable resolution of the dispute, once the court proceedings have been initiated. Through these provisions, the state offers financial incentives to the parties to consider other viable dispute resolution options early in the court proceedings by exempting them from paying all relevant court fees if they achieve a settlement by the time of the first hearing. Regarding general exemption from court fees please see comment to Q17.
Under the Free Legal Aid Law (2018) applicable from 2019, expenses of mediators, lawyers, etc. are a form of secondary legal aid and may be financed from the budget of the Republic of Serbia, pursuant to the provisions of the FLA Law.

(2025): In accordance with the Law on Free Legal Aid, free legal support may include mediation in the peaceful resolution of disputes (mediation). When submitting a request for free legal aid, the applicant may point out that the legal problem for which he/she is requesting free legal aid is to be resolved through mediation. Also, the local - self governments deciding on the request is obliged, after becoming acquainted with the facts of the specific case disclosed to it by the applicant, to encourage the applicant to resolve the legal problem peacefully, if the nature of the dispute allows it.

Kosovo*

(General Comment): Article 5 of the Law on Free Legal Aid specifies that primary legal aid includes information, legal advices and aid in the mediating and arbitral procedures as foreseen by the law in force.

(2024): Cases involving social assistance, poor families, and pensioners often cannot afford mediation services, and unfortunately, the burden falls on mediators who are often forced to mediate pro bono, as neither the judicial nor the prosecutorial council covers these cases. Until now, there is no mechanism that regulates

(2023): As per the Administrative Instruction On Mediators Fee In The Republic Of Kosovo, for the provision of mediation services, for cases referred by court and prosecution office, the parties in the mediation procedure shall not bear any cost, except the costs for experts, translators, lawyers and other costs related to the provision of necessary evidence, if they exist and are necessary.
The mediation procedure for juveniles is charge free for the parties. The costs of the mediation procedure, including payment of the mediator, whilst in cases when the mediator is appointed by the State Prosecutor for juveniles, the costs of the procedure shall be paid from the budget of Kosovo Prosecutorial Council.
Whereas mediation fee for self-initiated case, parties are obliged to pay the fee as per the law on mediation.

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Whereas mediation fee for self-initiated case, parties are obliged to pay the fee as per the law on mediation.

Question 66

Albania

(2025): The activity of mediation may be carried out either by a natural person or a legal entity, subject to prior licensing and registration in the Register of Mediators. The mediator's license is granted on a nominative and individual basis to each person who fulfills the legal requirements for licensing and registration as a mediator.
Law No. 10385, dated 24 February 2011 "On Mediation in the Resolution of Disputes", as amended, stipulates under Article 5 the conditions that must be satisfied in order to be certified as a mediator.
The requirements for licensing as a mediator are as follows:
1. An Albanian citizen shall cumulatively fulfill the following conditions in order to be licensed as a mediator:
a) Must have completed second-cycle (Master's level) studies in accordance with the legislation on higher education;
b) Must have attained the age of 28;
b/1) Must possess no less than three years of professional experience;
c) Must not have been convicted of intentional criminal offences by a final and binding court decision;
ç) Must have successfully passed the mediator qualification examination upon completion of the initial training program.
Point (a) of Article 5 of Law No. 10385, dated 24 February 2011, as amended, refers to "second-cycle study programs" without prescribing a specific academic background. Nevertheless, mediators handling cases involving the interests of minors are required to possess appropriate qualifications and specialization in the relevant fields and, preferably, hold degrees in psychology, law, or social work. Likewise, mediators dealing with disputes of a commercial nature should possess the relevant qualifications and specialization and, preferably, hold degrees in law, economics, or engineering.
One of the principal requirements is the successful completion of the mediator qualification examination following the completion of the initial training program.
The initial and continuous training programs for mediators are provided at least once per year by the National Chamber of Mediators. The initial training may also be delivered by accredited higher education institutions, provided that their programs receive prior approval from the Ministry of Justice.
Upon completion of the initial training program, the mediator qualification examination is administered. This examination is organized at least once per year by the Ministry of Justice in cooperation with the National Chamber of Mediation.
Upon successfully completing both the initial training program and the qualification examination, the mediator is entitled to submit the required documentation to the Minister of Justice for the issuance of the mediator's license.
The Minister of Justice shall, within 45 days from the submission of the licensing application, grant licenses to applicants who meet the conditions set forth in Article 5 of this Law for the exercise of mediation activity. Such licensed individuals shall subsequently be registered with the tax authorities in accordance with the

Bosnia and Herzegovina

(General Comment): The Law on mediation procedure governs the mediation procedure on the territory of Bosnia and Herzegovina. The mediation tasks are by a separate law transferred to the association of mediators by the procedure set forth in that law. Parties to an individual procedure jointly select a mediator from the list of mediators established by the association of mediators.
The Law on mediation procedure determines the requirements for conducting the mediation as follows.
The mediator may be a person meeting general requirements for employment.
In addition, the mediator must meet the following requirements:
a) a university degree,
b) completed training in mediation according to the program of the association or according to another training programs recognized by the association,
c) entry into the registry of mediators held by the association.
The mediator will submit proof of payment of the registration fee to the Association of Mediators. The person who is successful in completing the training program for mediators shall be issued an appropriate certificate serving as a basis for entry into the registry of mediators in Bosnia and Herzegovina.

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Montenegro

(General Comment): Licensing of mediators is prescribed by the Law on ADR in articles 39 and 41. In order to receive a licence to be a mediators, a person has to hold Montenegrin nationality or nationality of a Member State of the European Union; VII1 level of educational qualification; general health capacity; minimum five years of work experience in the jobs where the VII1 level of education qualification is required; completed a basic training programme for mediators. In addition to these requirements the license should be granted to the person who has not been convicted of any offence which makes him unworthy of conducting mediation; has not been imposed security measure which involved prohibition to take up occupation, perform activity or duty; against whom no criminal proceedings are conducted for the criminal offence for which prosecution is initiated ex officio The person who meets above mentioned requirements shall be granted operating licence for mediator, which is issued by the Ministry for a five-year period and it may be extended by the same period in accordance with the Law on ADR.

(2025): According to the Alternative dispute resolution act license for the work of mediators shall be granted to the person:
- who hold Montenegrin nationality or nationality of a Member State of the European Union
- who holds the VII1 level of educational qualification
- who has general health capacity
- who has minimum five years of work experience in the jobs where the VII1 level of education qualification is required
- who has not been convicted of any offence which makes him unworthy of conduction mediation
- who has not been imposed security measure which involved prohibition to take up occupation, perform activity of duty
- against whom no criminal proceeding was conducted for the criminal offence for which prosecution is initiated ex officio

The training is organized and conducted by the Centre for Alternative Dispute Resolution, which issues a certificate upon completion. A request for the certificate of completed training is submitted to the Ministry of Justice through the Centre. The license is granted for a period of five years and may be renewed for the same duration.

(2024): Female mediators are majority

(2023): Female mediators are majority

(2022): new mediators accredited in the meantime

North Macedonia

(General Comment): A licensed mediator can become a person with faculty education and 3 years of work experience after graduation, with passed psychological test and integrity test, who attended 70 hours of accredited training, passed the exam before the Mediation Board, and obtained a license from the Mediation Board. VII. MEDIATOR Conditions for mediator and mediation Article 46 (1) A mediator may be a legally capable natural person who has a license to perform mediation activities (hereinafter: license for mediator). (2) A license for mediator shall be issued to the person who will pass the exam for checking the theoretical knowledge and practical skills of mediation (hereinafter: exam for mediators) before the Board for ensuring, monitoring and evaluating the quality of mediation activities (hereinafter: the Board) will present a concluded contract for liability insurance in accordance with Article 24 paragraph (4) of this Law. (3) The issued license is valid for five years and it can be extended or revoked depending on the results of the evaluation of the quality of the mediator. (4) The evaluation of the quality of the work of the mediators shall be performed by the Board at least once in five years in accordance with the methodology and the procedure for performing monitoring and evaluation of the quality of the work of the mediators. (5) The form and the content of the license for mediator shall be prescribed by the Minister of Justice. Exam for mediators Article 47 (1) The exam for mediator can be taken by the persons who have submitted an application for taking the exam to the Board together with a proof for: a) completed Faculty education VII / I or 300 credits according to the European Credit Transfer System (ECTS) in the Republic of North Macedonia or a decision for recognition of an appropriate higher education qualification acquired abroad issued by the Ministry of Education and Science; b) completed training according to an accredited training program for mediators of at least 70 hours in the Republic of North Macedonia, i.e abroad, or a decision for recognition of appropriate training completed abroad adopted by the Board; c) at least three years of work experience after graduation; d) followed by at least four mediation procedures conducted by a mediator for which a certificate was issued by a mediator supported together with an excerpt from the Register of Mediation Procedures for the respective procedures; e) conducted psychological test and integrity test issued by a licensed professional; f) certificate of citizenship of the Republic of North Macedonia and g) at least five recommendations from persons who know the applicant professionally.

Serbia

Conditions for mediation

Article 33

A mediator is a natural person who, in an independent, neutral and impartial manner, mediates between the parties in a disputed relationship.

A person must meet the following requirements to perform the work of an intermediary:

1) that it is capable of doing business;

2) that he is a citizen of the Republic of Serbia;

3) that it has completed the basic training for a mediator;

4) to have a university degree;

5) that he has not been sentenced to an unconditional prison sentence for a criminal offense that makes him unfit to perform mediation work;

6) to have a license to mediate;

7) that it is registered in the Register of Intermediaries.

In certain areas, the law may prescribe special conditions for mediation.

In international mediation and mediation in cross-border disputes, the mediator can also be a foreign citizen, provided that he is authorized to engage in mediation in another country, under the condition of reciprocity.

A mediator can also be a citizen of a member state, provided that he is authorized to engage in mediation in a member state.

Judges can mediate exclusively outside of working hours and without compensation.

The procedure for issuing a license for mediation

Article 36

Issuing a license for mediation is a procedure in which it is determined whether a person meets the conditions for performing mediation prescribed by this law.

License to mediate

Article 37

A license for mediation is a public document confirming that a person meets the requirements for mediation.

The right to obtain a license for mediation is granted to a person who fulfills the requirements from Article 33, paragraph 2, point. 1) to 5) and paragraph 3 of this law.

The mediation license is issued for the first time with a validity period of three years, and when it is renewed, it is issued for a period of five years.

The work permit form is prescribed by the minister.

Renewal of the mediation license

(2025): In the Republic of Serbia, the conditions and procedure for obtaining the status of a mediator are regulated by the Law on Mediation in Dispute Resolution (Official Gazette of the Republic of Serbia, No. 55/2014). This law prescribes both the basic conditions that a candidate must meet, and the procedure for obtaining, renewing and revoking a license. A mediator can only be a natural person who acts independently, impartially and neutrally between the parties to the dispute. In order for a person to be able to perform mediation work, he or she must meet several conditions. First of all, he or she must have business capacity and citizenship of the Republic of Serbia (except in the case of international and cross-border mediation, where he or she may also be a foreign citizen under the condition of reciprocity). The candidate must have completed basic training for a mediator, as well as higher education, i.e. a university degree. Also, he/she must not have been sentenced to an unconditional prison sentence for a criminal offense that makes him/her unfit to practice mediation. In addition to the above conditions, it is necessary for the person to obtain a mediation license and to be entered in the Register of Mediators maintained by the competent ministry. Only by fulfilling these conditions does the person acquire the status of a registered mediator.

The procedure for obtaining a license is initiated by submitting an application to the competent ministry. In this procedure, it is determined whether the candidate meets all the requirements prescribed by law. If the requirements are met, a mediation license is issued, which is a public document confirming that the person is qualified to practice mediation. The first license is issued for a period of three years.

After obtaining the license, the mediator is entered in the Register of Mediators maintained by the Ministry of Justice. This register contains basic information about the mediator (name, surname, professional qualifications, title, occupation, as well as educational information, contact telephone number, e-mail, etc.), and is publicly available on the ministry's website. Registration in the register of mediators maintained by the Ministry of Justice is a mandatory requirement for practicing mediation.

The license has a limited validity period, and its renewal is required if the person meets the conditions for renewal of the license stipulated by the Law. The application for renewal is submitted before the expiration of the license. In order for the license to be renewed, the mediator must, in addition to the basic requirements, also meet additional criteria: at least ten hours of professional development per year and at least five mediations conducted during the license validity period. Compliance with the code of ethics and legal obligations is also valued. A renewed license is valid for five years.

In the event that a mediator no longer meets the prescribed conditions or does not act in accordance with the law, his license will be revoked, and a decision will be made to remove him from the register of mediators. If the conditions stipulated in Article 33 of the Law cease to exist or the person violates the Code of Ethics and other regulations, a request may be submitted for the revocation of the mediator's license and removal from the register of mediators. The Commission checks the facts relating to the fulfillment of the conditions for performing mediation activities, i.e. whether the mediator complies with the rules of procedure in the mediation procedure in accordance with the Law. The procedure for revocation of the mediation license is conducted by the Commission for the Implementation of the Procedure for Revocation of the Mediation License, and the decision is made by the Minister upon the proposal of the Commission, which consists of one judge, one

Kosovo*

(2025): Since the introduction of mediation in Kosovo, 189 mediators have been licensed. Some have since changed profession, emigrated, or passed away.
As of 2025, the Chamber of Mediators of Kosovo has 104 active licensed mediators (75 male, 29 female).
Requirements to become a licensed mediator in Kosovo:
- University degree;
- Full legal capacity;
- Successful completion of mediation training, including practical case work under the supervision of a licensed mediator.

Successful candidates receive a certificate, which allows registration in the Register of Mediators.
Certification and licensing are conducted by the Ministry of Justice in accordance with Law No. 06/L-009 on Mediation. Candidates must:
- Be certified as a mediator;
- Have no criminal convictions;
- Possess high professional reputation and moral integrity.

(2023): https://md.rks-gov.net/page.aspx?id=1,41

Question 67

Bosnia and Herzegovina
(General Comment): The Association of Mediators of Bosnia and Herzegovina produced the statistics on mediations. Historically, the number of mediations is small in Bosnia and Herzegovina. The already small number of mediations was further reduced in 2024 compared to 2023. This difference is not large in terms of percentage, thus it was not a significant change in terms of the scope of use of mediation procedures in Bosnia and Herzegovina.

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Montenegro

(2025): The decrease in the number of mediation cases initiated in 2025 is primarily the result of amendments to the Law on Alternative Dispute Resolution ("Official Gazette of Montenegro", No.77/20 and 53/25), which introduced changes to the procedural framework for initiating mediation proceedings, particularly in the area of labour disputes. These amendments affected the inflow of new mediation cases during the reporting period.
At the same time, during 2025 the Centre also focused on the clearance of backlog cases from previous years, which resulted in a significantly higher number of completed mediations cases compared to newly initiated proceedings. For this reason, the number of completed mediations (4,265) exceeded the number of initiated mediations during the same year (1,664), taking into account that a portion of the completed cases originated from previous years.
In addition, certain deviations also arise from methodological approaches to the recording and classification of cases by type of dispute, as well as from updates to the case records during the reporting period, which may affect the comparability of data with the previous reporting cycle.
With regard to labour disputes, the decrease of newly initiated mediations is particularly noticeable and is directly linked to the reduced inflow of cases during 2025, while the number of completed proceedings also includes cases transferred from previous periods.
Therefore, the decrease in the number of mediation cases in 2025 is a consequence of amendments to the legislative framework, changes in the dynamics of incoming cases, particularly in labour disputes, as well as the Centre's focus on resolving backlog cases from previous years.
The number of completed mediations is higher than the number of newly initiated proceedings because completed cases also include cases carried over from previous years.
The comparability of the data was also partially affected by methodological changes in the recording and classification of cases during the reporting period.

(2024): Note: some of data not available comparing to previous cycle due to changed methodology for annual report for 2024 of the Centre for alternative disputes.
Civil and commercial cases include also low value disputes, law suites against state and municipalities, insurance disputes, property related disputes etc.
For court related mediations we only have a number of total initiated in 2024 which is 907
NOTE: decrease of cases of mediation for 2024 comparing to 2023 is due to the fact that high number of claims on 8 January 2024 became statute-barred in accordance to the law.

(2023): The total number of proposed mediations to the Center for Alternative Dispute Resolution in 2023 was 20960 out of which 11784 cases were ongoing.1528 cases were those that was sent by court for mediation. The Law provides conditions when mediation is obligatory before going to court and when the court refers parties to mediation. That is why statistics on agreement of parties is not available as precise. In comparison to the year 2022 there were 30 percent more settlement

(2022): Report on the work of the ADR Centre;
Also, the total number of received requests for mediation in 2022 is 10773. At the end of 2022 there were 2625 cases are pending.

North Macedonia

(General Comment): Source is the Register for recording on mediation procedures that is under authority of the Ministry of justice.
According to our Law, mediation is allowed in property and legal disputes, family disputes, labour disputes, trade disputes, consumer disputes, insurance disputes, disputes in the field of education, environmental protection, disputes regarding discrimination and other disputed relations where mediation is appropriate to the nature of the disputed relations and can help to resolve them. Mediation is allowed in criminal cases if its application is not excluded by a special law.

(2025): For the category of labor disputes, all 22 cases were resolved through mediation before they went to court. According to the explanatory memorandum, the number 22 is placed in the second category too (Number of finished court-related mediations).

(2022): Register for recording on mediation procedures that is under authority of the Ministry of justice.

Serbia

(2025): Other cases include banking services, leasing and insurance, consensual financial restructuring, compensation for damages, workplace harassment -

(2024): The number of commercial, consumer and other cases has significantly increased compared to the previous cycle due to the fact that the Body for out-of-court settlement of consumer disputes was established at the Ministry of Trade, Tourism and Telecommunications. During the establishment of the Body, most of the mediators who were registered in the Register of mediators in the resolution of disputes, which is maintained by the Ministry of Justice, were also registered in the List of bodies for outof- court settlement of consumer disputes compiled and publicly published by the Ministry of Trade, Tourism and Telecommunications, thereby increasing the number of completed mediations related to commercial and consumer disputes.

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Kosovo*

(2025): During 2025, a total of 11,937 cases were resolved through mediation in Kosovo.

- 1,970 cases were resolved in all courts of Kosovo.
- 2,635 cases were resolved in all public prosecutor’s offices in Kosovo.
- 7,332 cases were resolved through self-initiated mediation, outside courts and public prosecutor’s offices, where citizens directly accessed mediation without going through the courts or public prosecutors.

(2024): Kosovo Mediation Association data: 7,824 mediation cases were resolved in all basic courts of Kosovo.
2,155 mediation cases were resolved in all basic prosecutor's offices of Kosovo.
4,106 mediation cases were resolved by the parties' consent (outside the courts and prosecutors).
However, statistics are lacking regarding the nature of the cases resolved.

(2022): As for your information, there is still no division of cases (specified) as you have foreseen (requested the data in the above table no. 258)

Question 67-1

Albania

(2024): In Albania, under the law of Arbitration (Law no 53 /2023) is crated the Permanent Institution of Arbitration, with Decision of Tirana Court no 1943 date 19.09.2024

Bosnia and Herzegovina

(General Comment): The members (i. e. mediators) of the Association of the Mediators of Bosnia and Herzegovina are in charge of conducting court-related mediation and other than court-related mediation.
Conciliation is foreseen by the law in different legal fields (e. g. the conciliation is obligatory as a prerequisite for the divorce proceedings, the conciliation is carried out by the social welfare institution).
As for the arbitration, the civil procedure legislation regulate that the parties may agree to entrust the resolution of the disputes on to the arbitration. An arbitration agreement may be concluded with an existing dispute or on future possible disputes that could stem from certain legal relation. Other ADR procedures are handled by the various public agencies: The Consumer Ombudsman, The Public Agency for Labor cases etc.

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Montenegro

(2024): Early Neutral Assessment of a dispute is the procedure where, on the basis of the parties' agreement, a dispute evaluator gives his assessment of the facts and law elements of their dispute.
Arbitration is regulated by the Law on Arbitration.
There is also peaceful resolution of conflicts in the area of labour etc

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Arbitration is regulated by the Law on Arbitration.
There is also peaceful resolution of conflicts in the area of labour etc.

North Macedonia

(General Comment): Arbitration

The arbitration is also available in the legal provisions , as an alternative measure of judicial procedures in the field of commercial law. As part of the Economic Chamber , the Permanent Court of Arbitration is established, where business partners may settle mutual business relations disputes, who in their contracts have foreseen that possibility. The Arbitration in North Macedonia exists since 1993, The value of disputes resolved through arbitration varies from a few thousand to several million Euros. - Conciliation

There are a significant number of legal grounds that allow friendly settlement of disputes, both before and out-of-court proceedings.

The court settlement

The court settlement is provided in the Law on Litigation Procedure whereby the parties during the course of the whole procedure can settle upon the subject of the dispute. This is one type of judicial mediation. The settlement is concluded on minutes (no court decision) and the parties sign the minutes voluntarily. Although there is no formal court decision, the concluded court settlement is considered res judicata and the parties do not have the possibility to file a dispute again before the court for the same thing. Each party shall bear their own costs when the procedure is completed with a court settlement, if in the settlement is not otherwise agreed.

- According to the Law on Criminal Procedure for offences subject to private prosecution, the judge may summon only the private prosecutor and the defendant to a conciliation hearing if he considers it expedient for the prompt termination of proceedings. On the conciliation hearing the judge may propose the private prosecutor and the defendant to be sent to mediation, if it is agreed by both parties, whilst the settlement reached in front of a mediator shall be submitted to the court, who

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Serbia

(General Comment): Various alternative dispute resolution methods stand at parties' disposal within the legal framework of Serbia, including mediation (judicial and non-judicial), conciliation and arbitration. To date, however, they are all underutilized. Nonetheless, in the last two years, a steady increase of mediation proceedings has been noted, followed by a strong support of mediation by the Ministry of Justice and Supreme Court of Cassation, and positive activities are noted in the field of arbitration, with the establishment of a new independent arbitration centre. Still, coordinated, joint, continued multi-annual efforts must be made to establish a viable and sustainable alternative dispute resolution system.

Having the above in mind, a strategic approach to improving the use of mediation has been initiated in August 2018, whereby the Ministry of Justice, recognising that increasing and improving mediation culture and mechanisms is not a task to be dealt with only by the judiciary and its respective Ministry, is addressing other line ministries and institutions, such as the National Bank of Serbia, Ministry of Trade and Ministry of Labour, so as to seek to together find best ways to improve the use and quality of mediation in the fields of their respective competences, and in that way, jointly to successfully answer to the benchmark given in that respect within Chapter 23.

Kosovo*

(General Comment): Yes, arbitration, mediation and conciliation exist in our country.

10. European Convention of Human Rights (ECHR) - Overview

Number of applications, judgements and cases considered as closed at the European Court of Human Rights in 2025 (Tables 10.1.3 and 10.1.4)

Beneficiaries	Applications allocated to a judicial formation		Number of judgments finding at least one violation of the ECHR		Number of cases considered as closed	
	2025	% Variation 2024 - 2025	2025	% Variation 2024 - 2025	2025	% Variation 2024 - 2025
Albania	169	8,3%	12	-33,3%	8	-50,0%
Bosnia and Herzegovina	339	318,5%	1	-50,0%	6	20,0%
Montenegro	172	29,3%	3	-66,7%	21	2000,0%
North Macedonia	233	-29,0%	6	-40,0%	5	-72,2%
Serbia	1 122	0,4%	24	118,2%	63	-12,5%
Kosovo*	NAP	NAP	NAP	NAP	NAP	NAP
WB Average	407	65,5%	9	-14,4%	21	377,1%

Figure 10.1 Applications allocated to an ECHR judicial formation in 2024 and % variation between 2024 and 2025

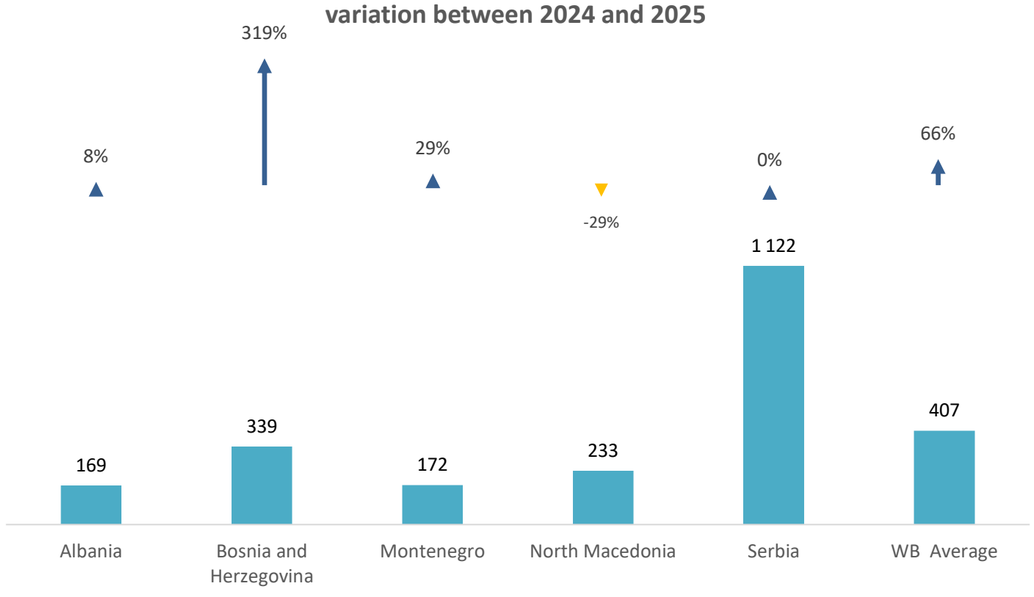
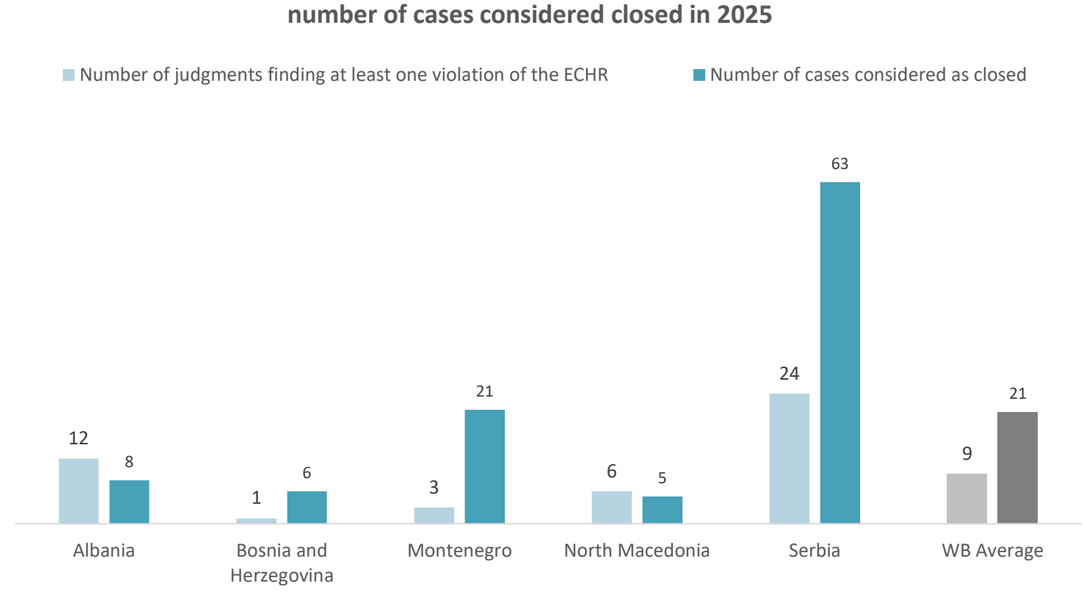


Figure 10.2 Number of judgements finding at least one violation of the ECHR and number of cases considered closed in 2025



Source: European Court of Human Rights and Department of Execution of Judgements of the ECHR of the Council of Europe

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

10. European Convention of Human Rights (ECHR) - List of tables

Table 10.1.1 Follow-up at national level to the established violations by the European Court of Human Rights in 2025 (Q51)

Table 10.1.2 Number of applications to the European Court of Human Rights and number of judgements in 2025 (Q51-1, Q51-2 and Q51-3**)

Table 10.1.3 Number of applications to the European Court of Human Rights and number of judgments, between 2019 and 2025 (Q51-1 and Q51-2**)

Table 10.1.4 Number of cases considered as closed after a judgement of the European Court of Human rights and the execution of judgments process between 2019 and 2025 (Q51-4***)

** Source ECHR

*** Source: Department for the Execution of Judgments of the ECHR

Table 10.1.1 Follow-up at national level to the established violations by the European Court of Human Rights in 2025 (Q51)

Beneficiaries	Follow-up at national level to the established violations by the European Court of Human Rights in 2025														
	Raising awareness					Information/dissemination of the ECHR case law within the judicial system						Possible remedies			
	ECHR case law is part of judge's and public prosecutors' training	Publication of the ECHR case law on official judicial internet pages	Annual report before the Parliament on ECHR case law	Integration of the ECHR case law in the annual courts' report	Other	Within the Ministry of Justice	Within other public institutions	Within courts	Within higher instance courts only	Within public prosecution services	Other	The right to claim damages before national courts (besides the just satisfaction due by the State)	The right to have the case reopened before national courts	Request for annulment of the national court's judgment	Other
Albania															
Bosnia and Herzegovina															
Montenegro															
North Macedonia															
Serbia															
Kosovo*															

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 10.1.2 Number of applications to the European Court of Human Rights and number of judgements in 2025 (Q51-1, Q51-2 and Q51-3**)

Beneficiaries	Number of applications to the European Court of Human Rights and number of judgements in 2025					
	Number of applications allocated to a judicial formation of the European Court of Human Rights	Number of judgements		Number of judgments delivered against the country finding at least one violation of the Article 6 of the European Convention on Human Rights		
		Total	Judgements finding at least one violation	Right to a fair trial	Length of proceedings	Non-enforcement
Albania	169	12	12	10	2	0
Bosnia and Herzegovina	339	3	1	0	0	0
Montenegro	172	3	3	1	2	0
North Macedonia	233	7	6	2	0	1
Serbia	1 122	26	24	7	2	1
Kosovo*	NAP	NAP	NAP	NAP	NAP	NAP
Average	407	10	9	4	1	0
Median	233	7	6	2	2	0
Minimum	169	3	1	0	0	0
Maximum	1122	26	24	10	2	1

** Source ECHR

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 10.1.3 Number of applications to the European Court of Human Rights and number of judgments, between 2019 and 2025 (Q51-1 and Q51-2**)

Beneficiaries	Number of applications to the European Court of Human Rights and number of judgments, between 2019 and 2025														
	Number of applications allocated to a judicial formation of the European Court of Human Rights					Number of judgments									
						Total					Judgments finding at least one violation				
	2019	2022	2023	2024	2025	2019	2022	2023	2024	2025	2019	2022	2023	2024	2025
Albania	88	85	133	156	169	1	8	21	20	12	1	7	20	18	12
Bosnia and Herzegovina	1 784	407	248	81	339	21	10	2	2	3	21	10	2	2	1
Montenegro	427	295	173	133	172	3	3	0	9	3	2	3	0	9	3
North Macedonia	262	367	335	328	233	12	6	11	10	7	9	4	10	10	6
Serbia	2 160	3 289	1 522	1 118	1 122	24	12	9	11	26	22	10	9	11	24
Kosovo*	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Average	944	889	482	363	407	12	8	9	10	10	11	7	8	10	9
Median	427	367	248	156	233	12	8	9	10	7	9	7	9	10	6
Minimum	88	85	133	81	169	1	3	0	2	3	1	3	0	2	1
Maximum	2160	3289	1522	1118	1122	24	12	21	20	26	22	10	20	18	24

** Source ECHR

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Table 10.1.4 Number of cases considered as closed after a judgement of the European Court of Human rights and the execution of judgments process between 2019 and 2025 (Q51-4***)

Beneficiaries	Total number of cases considered as closed after a judgement of the European Court of Human Rights				
	2019	2022	2023	2024	2025
Albania	4	3	4	16	8
Bosnia and Herzegovina	7	15	14	5	6
Montenegro	3	4	7	1	21
North Macedonia	26	28	16	18	5
Serbia	35	57	96	72	63
Kosovo*	NAP	NAP	NAP	NAP	NAP
Average	15	21,4	27,4	22	21
Median	7	15	14	16	8
Minimum	3	3	4	1	5
Maximum	35	57	96	72	63

*** Source: Department for the Execution of Judgments of the ECHR

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Kosovo is not included in the calculation of summary statistics*

Indicator 10- ECtHR

by country

Question 51. What follow-up is given at national level to the established violations by the European Court of Human Rights?

Albania

Q51 (2025): Dissemination of the ECHR case-law is also carried out within public institutions when a case raises issues that are relevant to the mandate or activities of a specific institution.

Bosnia and Herzegovina

Q51 (General Comment): Information/dissemination of the ECHR case law within the judicial system

The ECHR case law is part of annual training programs of both judicial training institutions in Bosnia and Herzegovina, which are responsible for training of judges and prosecutors in two different entities within the state. Each of these institutions is responsible for the provision of training of both judges and prosecutors.

The training regarding the ECHR case law includes: 1) training sessions solely focusing on human rights standards and ECHR case law

2) training sessions that are primarily focused on national law, but is complimented with information of ECHR case law

3) specialized three year program on ECHR standards and case law, with topics ranging from introduction to ECHR, principles of ECHR application, procedural human rights' issues, etc.

4) online learning through access to HELP courses, including the ones with national tutoring.

The training is offered and tailored to the needs of different training groups, starting from interns, judicial and prosecutorial associates, lawyers, law students, newly appointed judges and prosecutors, but also for more experienced judges and prosecutors.

The High Judicial and Prosecutorial Council of Bosnia and Herzegovina publishes online the ECHR case law. Information is accessible through High Judicial and Prosecutorial Council of Bosnia and Herzegovina's specialized web site for knowledge sharing, which is updated weekly. The selection of cases to be disseminated is done in cooperation with the Constitutional Court of Bosnia and Herzegovina. All updates are in local languages. This online publication mechanism makes it possible that judiciary and public in general have easy access to the ECHR decisions few days after they are adopted. Example of the information provided can be found at the following link: Praksa Europskog suda za ljudska prava od 21. i 23. listopada 2025. godine. The High Judicial and Prosecutorial Council of Bosnia and Herzegovina also ensures public access to information on development of the ECHR case law through the abovementioned web site. This information is prepared by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina on quarterly bases in cooperation with the Court of Bosnia and Herzegovina; its content is drawn from the information prepared by the ECHR Jurisconsult. Examples of the quarterly information on the ECHR case law are available at the following link: Kategorije vijesti | pravosudje.ba

Furthermore, reports containing the ECHR case law are regularly distrubuted by HJPC's Department to entire judicial community, but also to law faculties and bar associations operating in Bosnia and Herzegovina, ensuring transparent knowledge sharing and equality of arms. They are distributed mostly on weekly basis via e-mail together with the case law of highest instance courts in Bosnia and Herzegovina. With regards to the question on which institution is competent to disseminate the case law of the European Court of Human Rights, there is an Article 7, paragraph 2 of the Decision on the Representative/Agent of the Council of Ministers of Bosnia and Herzegovina before the European Court of Human Rights and the Office of the Representative/Agent of the Council of Ministers of Bosnia and Herzegovina before the European Court of Human Rights (BiH Official Gazette of BiH, nos. 41/03, 65/05, 22/19, and 36/21), which prescribes that final judgments of the European Court of Human Rights are published in the BiH Official Gazette and formally delivered to the bodies in Bosnia and Herzegovina found to have violated certain rights protected by the European Convention on Human Rights and Fundamental Freedoms and its Additional Protocols, as well as to the bodies competent for the enforcement of the final judgment.

Possible Remedies

Q51 (2025): Information/dissemination of the ECHR case law within the judicial system
The ECHR case law is part of annual training programs of both judicial training institutions in Bosnia and Herzegovina, which are responsible for training of judges and prosecutors in two different entities within the state. Each of these institutions is responsible for the provision of training of both judges and prosecutors.
The training regarding the ECHR case law includes: 1) Training sessions solely focusing on human rights standards and ECHR case law
2) Training sessions that are primarily focused on national law, but is complimented with information of ECHR case law
3) Specialized three year program on ECHR standards and case law, with topics ranging from introduction to ECHR, principles of ECHR application, procedural human rights' issues, etc.
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Possible Remedies

Montenegro
Q51 (2025): There is an Annual report by the Office of State Representative (advocate) before ECHR submitted to the Government on annual basis.

North Macedonia

Q51 (2025): For raising awareness other - newsletter published of the web site of The Bureau for Representation of the North Macedonia before the ECHR
For Information / dissemination of the ECHR decisions within the judicial system, other - associations for judges and public prosecutors, Academy for judges and public prosecutors, the Parliament and the Constitutional Court

Serbia
Q51 (2025): Decisions of the European Court of Human Rights concerning Serbia are published on the websites of the Judicial Academy, the Representative of the RS before the ECtHR, the "Official Gazette of the RS" and the website of the Supreme Court. Also, all decisions and excerpts from judgments with comments are published in the Bulletin of the Supreme Court.
Regarding the reopening of proceedings –
Civil proceedings - According to the provisions of the Civil Procedure Code one of the reasons for reopening of the proceedings is a violation of the human rights found by the ECtHR. It is provided that "…. If the party is afforded the opportunity to use a judgment of the European Court of Human Rights finding a violation of human rights, which may have had the effect of a more favourable decision" (Article 426(1) (11)).
The deadline for submission of a motion for reopening is 60 days from the date on which the party was able to use the final decision which is the reason for the reopening of the proceedings (Article 428(1) (4)). Criminal proceedings - The Criminal Procedure Code stipulates that the request for protection of legality may be filed by the Republic Public Prosecutor, the defendant and his defense counsel (ArtIcle 483 (1)). The Supreme Court of Cassation shall decide upon this legal remedy.
One of the reasons for submission of a request for the protection of legality is that the human rights and freedoms of the defendant or other participant in the proceedings, guaranteed by the Constitution or the European Convention for the Protection of Human Rights and Fundamental Freedoms and additional protocols, have been violated or denied, as found by the Constitutional Court decision or by the Judgment of the European Court of Human Rights. (Article 485 (1) (3)).
Misdemeanour proceedings - The Law on Misdemeanours also provides for the possibility of reopening following the ECtHR judgment. A request for a retrial may be filed, inter alia, when the defendant was afforded the opportunity to use a decision of the ECtHR finding a violation of human rights, which may have had the effect of a more favourable decision on the defendant (Article 280 (1) (5)).
Administrative disputes - The Law on Administrative Disputes stipulates as one of the reasons for reopening of the proceedings that the proceedings concluded by a final judgment or decision will be reopened upon the party's action "if the finding from a subsequently rendered decision of the European Court of Human Rights in the same matter may have an impact on the lawfulness of finally concluded judicial proceedings" (Article 56(1),(7)).
Similarly, by the Law on General Administrative proceedings reopening could be granted if the ECtHR in the same administrative matter found that the rights or freedoms of the applicant were violated (Art. 176, para 1.12).

Kosovo*

Q51 (2025): The Constitution of Kosovo in Article 22 foresees International Agreements and Instruments that are applied directly to our national order. In this regards, the (1) Universal Declaration of Human Rights; (2) European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols; (3) International Covenant on Civil and Political Rights and its Protocols; (4) Council of Europe Framework Convention for the Protection of National Minorities; (5) Convention on the Elimination of All Forms of Racial Discrimination; (6) Convention on the Elimination of All Forms of Discrimination Against Women; (7) Convention on the Rights of the Child; (8) Convention against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment; (9) Council of Europe Convention on preventing and combating violence against women and domestic violence.
ECHR case law is part of the judge's and public prosecutors' training.
ECHR case law is applied directly by the Constitutional Court and can be applied by the regular courts as well.
Constitution of Kosovo provides that citizens of Kosovo have the right to submit a case before the constitutional court after all legal remedies are exhausted, or directly if there are no effective legal remedies available. In this regard, the Court can decide to return the case to regular courts, or to establish the right to claim damages before regular courts.

Indicator 10- ECtHR

by question No.

Question 51. What follow-up is given at national level to the established violations by the European Court of Human Rights?

Question 51

Albania

(2025): Dissemination of the ECHR case-law is also carried out within public institutions when a case raises issues that are relevant to the mandate or activities of a specific institution.

Bosnia and Herzegovina

(General Comment): Information/dissemination of the ECHR case law within the judicial system

The ECHR case law is part of annual training programs of both judicial training institutions in Bosnia and Herzegovina, which are responsible for training of judges and prosecutors in two different entities within the state. Each of these institutions is responsible for the provision of training of both judges and prosecutors.

The training regarding the ECHR case law includes: 1) Training sessions solely focusing on human rights standards and ECHR case law

2) Training sessions that are primarily focused on national law, but is complimented with information of ECHR case law

3) Specialized three year program on ECHR standards and case law, with topics ranging from introduction to ECHR, principles of ECHR application, procedural human rights' issues, etc.

4) Online learning through access to HELP courses, including the ones with national tutoring.

The training is offered and tailored to the needs of different training groups, starting from interns, judicial and prosecutorial associates, lawyers, law students, newly appointed judges and prosecutors, but also for more experienced judges and prosecutors.

The High Judicial and Prosecutorial Council of Bosnia and Herzegovina publishes online the ECHR case law. Information is accessible through High Judicial and Prosecutorial Council of Bosnia and Herzegovina's specialized web site for knowledge sharing, which is updated weekly. The selection of cases to be disseminated is done in cooperation with the Constitutional Court of Bosnia and Herzegovina. All updates are in local languages. This online publication mechanism makes it possible that judiciary and public in general have easy access to the ECHR decisions few days after they are adopted. Example of the information provided can be found at the following link: Praksa Europskog suda za ljudska prava od 21. i 23. listopada 2025. godine. The High Judicial and Prosecutorial Council of Bosnia and Herzegovina also ensures public access to information on development of the ECHR case law through the abovementioned web site. This information is prepared by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina on quarterly bases in cooperation with the Court of Bosnia and Herzegovina; its content is drawn from the information prepared by the ECHR Jurisconsult. Examples of the quarterly information on the ECHR case law are available at the following link: Kategorije vijesti | pravosudje.ba

Furthermore, reports containing the ECHR case law are regularly distrubuted by HJPC's Department to entire judicial community, but also to law faculties and bar associations operating in Bosnia and Herzegovina, ensuring transparent knowledge sharing and equality of arms. They are distributed mostly on weekly basis via e-mail together with the case law of highest instance courts in Bosnia and Herzegovina. With regards to the question on which institution is competent to disseminate the case law of the European Court of Human Rights, there is an Article 7, paragraph 2 of the Decision on the Representative/Agent of the Council of Ministers of Bosnia and Herzegovina before the European Court of Human Rights and the Office of the Representative/Agent of the Council of Ministers of Bosnia and Herzegovina before the European Court of Human Rights (BiH Official Gazette of BiH, nos. 41/03, 65/05, 22/19, and 36/21), which prescribes that final judgments of the European Court of Human Rights are published in the BiH Official Gazette and formally delivered to the bodies in Bosnia and Herzegovina found to have violated certain rights protected by the European Convention on Human Rights and Fundamental Freedoms and its Additional Protocols, as well as to the bodies competent for the enforcement of the final judgment.

Possible Remedies

(2025): Information/dissemination of the ECHR case law within the judicial system

The ECHR case law is part of annual training programs of both judicial training institutions in Bosnia and Herzegovina, which are responsible for training of judges and prosecutors in two different entities within the state. Each of these institutions is responsible for the provision of training of both judges and prosecutors.

The training regarding the ECHR case law includes: 1) Training sessions solely focusing on human rights standards and ECHR case law

2) Training sessions that are primarily focused on national law, but is complimented with information of ECHR case law

3) Specialized three year program on ECHR standards and case law, with topics ranging from introduction to ECHR, principles of ECHR application, procedural human rights' issues, etc.

4) Online learning through access to HELP courses, including the ones with national tutoring.

The training is offered and tailored to the needs of different training groups, starting from interns, judicial and prosecutorial associates, lawyers, law students, newly appointed judges and prosecutors, but also for more experienced judges and prosecutors.

The High Judicial and Prosecutorial Council of Bosnia and Herzegovina publishes online the ECHR case law. Information is accessible through High Judicial and Prosecutorial Council of Bosnia and Herzegovina's specialized web site for knowledge sharing, which is updated weekly. The selection of cases to be disseminated is done in cooperation with the Constitutional Court of Bosnia and Herzegovina. All updates are in local languages. This online publication mechanism makes it possible that judiciary and public in general have easy access to the ECHR decisions few days after they are adopted. Example of the information provided can be found at the following link: Praksa Europskog suda za ljudska prava od 21. i 23. listopada 2025. godine. The High Judicial and Prosecutorial Council of Bosnia and Herzegovina also ensures public access to information on development of the ECHR case law through the abovementioned web site. This information is prepared by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina on quarterly bases in cooperation with the Court of Bosnia and Herzegovina; its content is drawn from the information prepared by the ECHR Jurisconsult. Examples of the quarterly information on the ECHR case law are available at the following link: Kategorije vijesti | pravosudje.ba

Furthermore, reports containing the ECHR case law are regularly distrubuted by HJPC's Department to entire judicial community, but also to law faculties and bar associations operating in Bosnia and Herzegovina, ensuring transparent knowledge sharing and equality of arms. They are distributed mostly on weekly basis via e-mail together with the case law of highest instance courts in Bosnia and Herzegovina. With regards to the question on which institution is competent to disseminate the case law of the European Court of Human Rights, there is an Article 7, paragraph 2 of the Decision on the Representative/Agent of the Council of Ministers of Bosnia and Herzegovina before the European Court of Human Rights and the Office of the Representative/Agent of the Council of Ministers of Bosnia and Herzegovina before the European Court of Human Rights (BiH Official Gazette of BiH, nos. 41/03, 65/05, 22/19, and 36/21), which prescribes that final judgments of the European Court of Human Rights are published in the BiH Official Gazette and formally delivered to the bodies in Bosnia and Herzegovina found to have violated certain rights protected by the European Convention on Human Rights and Fundamental Freedoms and its Additional Protocols, as well as to the bodies competent for the enforcement of the final judgment.

Possible Remedies

Montenegro

(2025): There is an Annual report by the Office of State Representative (advocate) before ECHR submitted to the Government on annual basis.

North Macedonia

(2025): For raising awareness other - newsletter published of the web site of The Bureau for Representation of the North Macedonia before the ECHR
For Information / dissemination of the ECHR decisions within the judicial system, other - associations for judges and public prosecutors, Academy for judges and public prosecutors, the Parliament and the Constitutional Court

Serbia

(2025): Decisions of the European Court of Human Rights concerning Serbia are published on the websites of the Judicial Academy, the Representative of the RS before the ECtHR, the "Official Gazette of the RS" and the website of the Supreme Court. Also, all decisions and excerpts from judgments with comments are published in the Bulletin of the Supreme Court.
Regarding the reopening of proceedings –
Civil proceedings - According to the provisions of the Civil Procedure Code one of the reasons for reopening of the proceedings is a violation of the human rights found by the ECtHR. It is provided that "…. If the party is afforded the opportunity to use a judgment of the European Court of Human Rights finding a violation of human rights, which may have had the effect of a more favourable decision" (Article 426(1) (11)).
The deadline for submission of a motion for reopening is 60 days from the date on which the party was able to use the final decision which is the reason for the reopening of the proceedings (Article 428(1) (4)). Criminal proceedings - The Criminal Procedure Code stipulates that the request for protection of legality may be filed by the Republic Public Prosecutor, the defendant and his defense counsel (ArtIcle 483 (1)). The Supreme Court of Cassation shall decide upon this legal remedy.
One of the reasons for submission of a request for the protection of legality is that the human rights and freedoms of the defendant or other participant in the proceedings, guaranteed by the Constitution or the European Convention for the Protection of Human Rights and Fundamental Freedoms and additional protocols, have been violated or denied, as found by the Constitutional Court decision or by the Judgment of the European Court of Human Rights. (Article 485 (1) (3)).
Misdemeanour proceedings - The Law on Misdemeanours also provides for the possibility of reopening following the ECtHR judgment. A request for a retrial may be filed, inter alia, when the defendant was afforded the opportunity to use a decision of the ECtHR finding a violation of human rights, which may have had the effect of a more favourable decision on the defendant (Article 280 (1) (5)).
Administrative disputes - The Law on Administrative Disputes stipulates as one of the reasons for reopening of the proceedings that the proceedings concluded by a final judgment or decision will be reopened upon the party's action "if the finding from a subsequently rendered decision of the European Court of Human Rights in the same matter may have an impact on the lawfulness of finally concluded judicial proceedings" (Article 56(1),(7)).
Similarly, by the Law on General Administrative proceedings reopening could be granted if the ECtHR in the same administrative matter found that the rights or freedoms of the applicant were violated (Art. 176, para 1.12).

Kosovo*

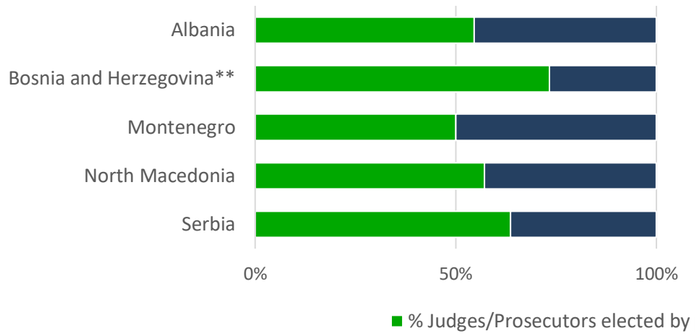
(2025): The Constitution of Kosovo in Article 22 foresees International Agreements and Instruments that are applied directly to our national order. In this regards, the (1) Universal Declaration of Human Rights; (2) European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols; (3) International Covenant on Civil and Political Rights and its Protocols; (4) Council of Europe Framework Convention for the Protection of National Minorities; (5) Convention on the Elimination of All Forms of Racial Discrimination; (6) Convention on the Elimination of All Forms of Discrimination Against Women; (7) Convention on the Rights of the Child; (8) Convention against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment; (9) Council of Europe Convention on preventing and combating violence against women and domestic violence.
ECHR case law is part of the judge's and public prosecutors' training.
ECHR case law is applied directly by the Constitutional Court and can be applied by the regular courts as well.
Constitution of Kosovo provides that citizens of Kosovo have the right to submit a case before the constitutional court after all legal remedies are exhausted, or directly if there are no effective legal remedies available. In this regard, the Court can decide to return the case to regular courts, or to establish the right to claim damages before regular courts.

11. Council(s) for the judiciary - Overview

Number of members of the Council (s) for the judiciary in 2025 (Table 11.1.1)

Beneficiaries	Single Council competent for both judges and prosecutors	Council only for judges	Council only for prosecutors
Albania	NAP	11	11
Bosnia and Herzegovina	15	NAP	NAP
Montenegro	NAP	10	11
North Macedonia	NAP	14	11
Serbia	NAP	11	11
Kosovo*	NAP	13	7

11.1 Composition of the Council only for judges in 2025



11.2 Composition of the Council only for prosecutors in 2025

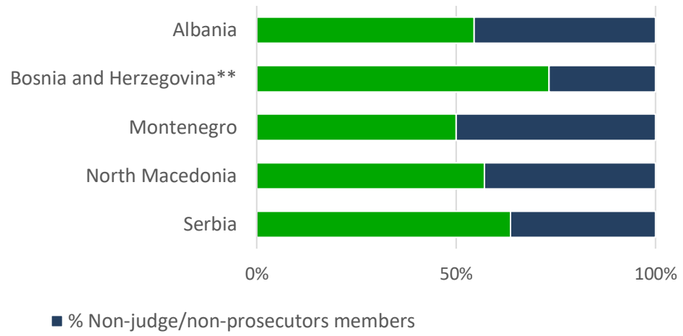


Figure 11.3 Number of members of the Council for judges in 2025

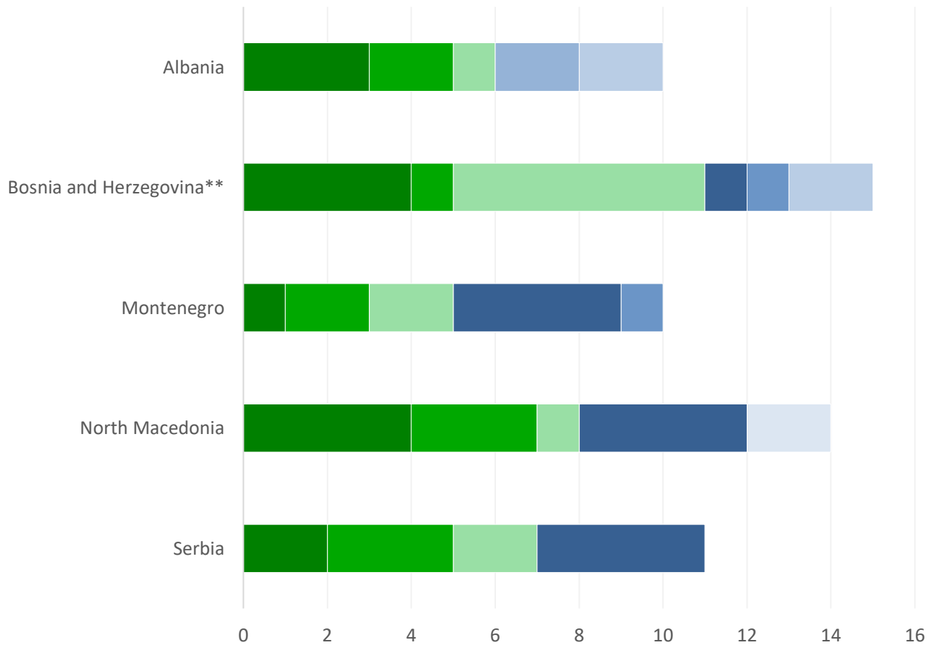
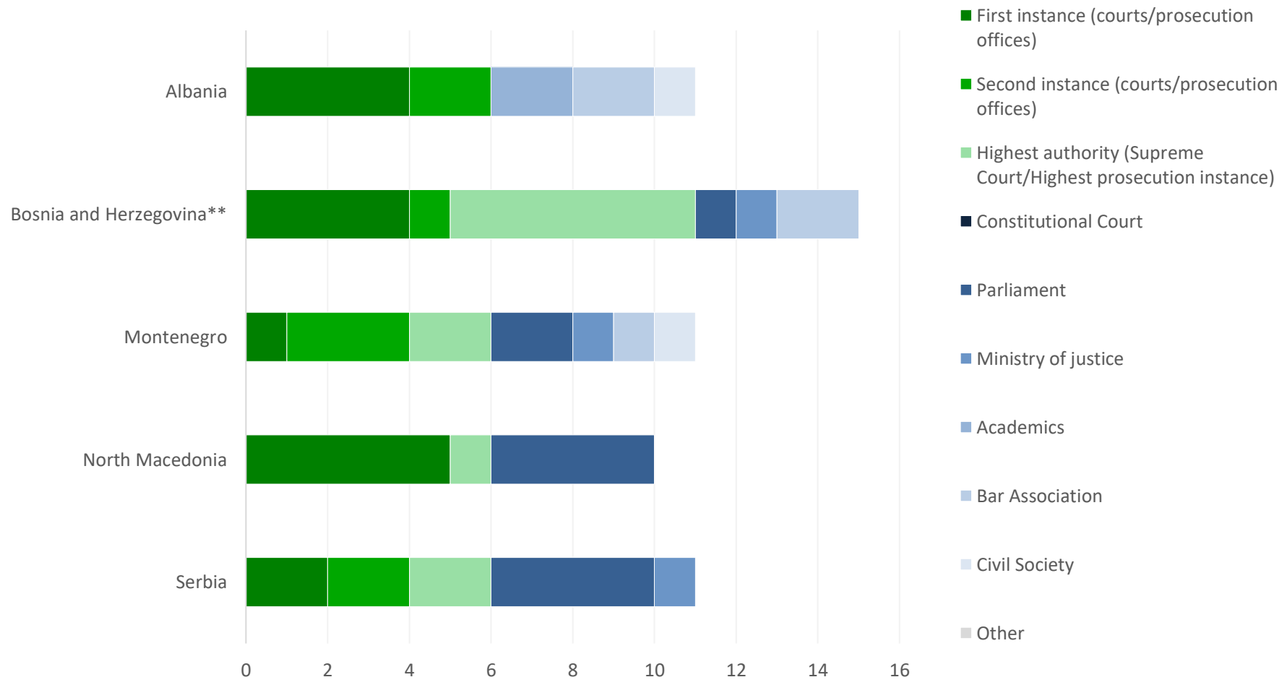


Figure 11.4 Number of members of the Council for prosecutors in 2025



** Please note that **Bosnia and Herzegovina** has a single Council for both judges and prosecutors.

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

11. Council(s) for the judiciary - List of tables

Table 11.1.1 Number of members and composition of the Council(s) for judiciary in 2025 (Q222)

Table 11.1.2 Bodies / Institutions authorised to appoint Council(s) members in 2025 (Q223)

Table 11.1.3 Existence of selection criteria for non-judge/non-prosecutors members in 2025 (Q224)

Table 11.1.4 Term of office and conditions for the term of office for the members of the Council(s) for judiciary in 2025 (Q225 and Q226)

Table 11.1.1 Number of members and composition of the Council(s) for judiciary in 2025 (Q222)

Beneficiaries	Single Council competent for both judges and prosecutors														Council only for judges												Council only for prosecutors											
	Total (1+2)	1. Judges/Prosecutors, elected by peers from:				2. Non-judge/non-prosecutors members, proposed by:									Total (1+2)	1. Judges/Prosecutors, elected by peers from:				2. Non-judge/non-prosecutors members, proposed by:									Total (1+2)	1. Judges/Prosecutors, elected by peers from:				2. Non-judge/non-prosecutors members, proposed by:							
		Sub-total 1	1.1 First instance (courts/prosecution offices)	1.2 Second instance (courts/prosecution offices)	1.3 Highest authority (Supreme Court/Highest prosecution instance)	Sub-total 2	2.1 Constitutional Court	2.2 Parliament	2.3 Ministry of justice	2.4 Academics	2.5 Bar Association	2.6 Civil Society	2.7 Other			Sub-total 1	1.1 First instance (courts/prosecution offices)	1.2 Second instance (courts/prosecution offices)	1.3 Highest authority (Supreme Court/Highest prosecution instance)	Sub-total 2	2.1 Constitutional Court	2.2 Parliament	2.3 Ministry of justice	2.4 Academics	2.5 Bar Association	2.6 Civil Society	2.7 Other		Sub-total 1	1.1 First instance (courts/prosecution offices)	1.2 Second instance (courts/prosecution offices)	1.3 Highest authority (Supreme Court/Highest prosecution instance)	Sub-total 2	2.1 Constitutional Court	2.2 Parliament	2.3 Ministry of justice	2.4 Academics	2.5 Bar Association	2.6 Civil Society	2.7 Other
Albania	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP		11	6	3	2	1	5	NAP	NAP	NAP	2	2	1	NAP	11	6	4	2	NAP	5	NAP	NAP	NAP	2	2	1	NAP
Bosnia and Herzegovina	15	11	4	1	6	4	NAP	1	1	NAP	2	NAP	NAP		NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Montenegro	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP		10	5	1	2	2	5	NAP	4	1	NAP	NAP	NAP	NAP	11	6	1	3	2	5	NAP	2	1	NAP	1	1	NAP
North Macedonia	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP		14	8	4	3	1	6	NAP	4	NAP	NAP	NAP	NAP	2	11	6	5	0	1	5	NAP	4	NAP	NAP	NAP	NAP	1
Serbia	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP		11	7	2	3	2	4	NAP	4	NAP	NAP	NAP	NAP	NAP	11	6	2	2	2	5	NAP	4	1	NAP	NAP	NAP	NAP
Kosovo*	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP		13	7	3	2	2	6	NAP	NAP	NAP	NAP	NAP	NAP	6	7	4	2	1	1	3	NAP	NAP	NAP	NAP	NAP	NAP	3

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 11.1.2 Bodies / Institutions authorised to appoint Council(s) members in 2025 (Q223)

Beneficiaries	Single Council competent for both judges and prosecutors								Council only for judges								Council only for prosecutors							
	1. Judges/ prosecutors members are appointed by:		2. Non-judge/non-prosecutors members are appointed by:						1. Judges members are appointed:		2. Non-judge members are appointed by:						1. Prosecutors members are appointed:		2. Non-prosecutors members are appointed by:					
	1.1 Judges/Prosecutors Assemblies	1.2. Other	2.1. Constitutional Court	2.2. Parliament	2.3. Ministry of Justice	2.4. Academic institution(s)	2.5. Bar Association	2.6. Other	1.1 Judges/Prosecutors Assemblies	1.2. Other	2.1. Constitutional Court	2.2. Parliament	2.3. Ministry of Justice	2.4. Academic institution(s)	2.5. Bar Association	2.6. Other	1.1 Judges/Prosecutors Assemblies	1.2. Other	2.1. Constitutional Court	2.2. Parliament	2.3. Ministry of Justice	2.4. Academic institution(s)	2.5. Bar Association	2.6. Other
Albania																								
Bosnia and Herzegovina																								
Montenegro																								
North Macedonia																								
Serbia																								
Kosovo*																								

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 11.1.3 Existence of selection criteria for non-judge/non-prosecutors members in 2025 (Q224)

Beneficiaries	Existence of selection criteria for non-judge/non-prosecutor members in the council(s)
Albania	
Bosnia and Herzegovina	
Montenegro	
North Macedonia	
Serbia	
Kosovo*	

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 11.1.4 Term of office and conditions for the term of office for the members of the Council(s) for judiciary in 2025 (Q225 and Q226)

Beneficiaries	Term of office as member of the council (in years)			Conditions for the term of office of members of the Council(s)								
				Single Council competent for both judges and prosecutors			Council only for judges			Council only for prosecutors		
	Single Council competent for both judges and prosecutors	Council only for judges	Council only for prosecutors	Term of office of members renewable	Full-time position	If not a full-time position, members subject to evaluation procedure	Term of office of members renewable	Full-time position	If not a full-time position, members subject to evaluation procedure	Term of office of members renewable	Full-time position	If not a full-time position, members subject to evaluation procedure
Albania	NAP	5	5									
Bosnia and Herzegovina	4	NAP	NAP									
Montenegro	NAP	4	5									
North Macedonia	NAP	6	4									
Serbia	NAP	5	5									
Kosovo*	NAP	5	5									

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 11.1.5 Accountability measures and competences of the Council(s) for the judiciary in 2025 (Q228 and Q229)

Beneficiaries	Accountability measures in place regarding the activities of the Council(s)												Council(s) competent when it is evident that there is a breach of the independence or the impartiality of a judge or pressure on a prosecutor			
	Single Council competent for both judges and prosecutors				Council only for judges				Council only for prosecutors				Single Council competent for both judges and prosecutors		Council only for judges	Council only for prosecutors
	Published activity reports	Published decisions	Reasoned decisions	Other	Published activity reports	Published decisions	Reasoned decisions	Other	Published activity reports	Published decisions	Reasoned decisions	Other	For judges	For prosecutors		
Albania																
Bosnia and Herzegovina																
Montenegro																
North Macedonia																
Serbia																
Kosovo*																

Yes
No
NA
NAP

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Table 11.1.6 Different competences of the Council(s) in 2025 (Q227)

Beneficiaries	Different competences of the Council(s) in 2025		
	Single council for the judiciary	Council for judges only	Council for prose
Albania	NAP	The High Judicial Council shall exercise the following powers: a) Appoints, evaluates, promotes and transfers judges of all levels; b) Decides on disciplinary measures on judges of all levels; c) Proposes to the President of the Republic candidates for judges of the High Court, in accordance with the law; ç) Approves the rules of judicial ethics and monitors their observation; d) Directs and manages the administration of the courts with the exception of the management of the information technology structure of the courts, which is regulated upon decision of the Council of Ministers; dh) Proposes and administers its own budget and the budget of the courts; e) Informs the public and the Assembly on the state of the judicial system; ë) Exercises other powers defined by law.	In accordance with the Law no. 115/2016 "On the governance institutions of the justice system", as amended, the High Prosecutoria a) appoints, evaluates, promotes and transfers prosecutors of all levels; b) imposes disciplinary measures on prosecutors of all levels; c) proposes to the Assembly the candidates for General Prosecutor, in accordance with the legislation in force; ç) approves the rules for the ethics of prosecutors and supervises them; d) proposes and administers its budget; dh) informs the public and the Assembly about the situation of the prosecution; e) adopts normative bylaws, in implementation of this law or other laws, with a general binding effect on all prosecutors; ë) approves the acts for the regulation of the internal procedures of the Council; f) approves the Code of Ethics of the Council; g) reviews, as the case may be, the decisions of the commissions; gj) approves non-binding instructions; h) approves the detailed rules for the functioning of the administration of the Council; i) approves the composition of the permanent commissions, of the temporary commissions, as well as detailed rules for their functi
Bosnia and Herzegovina	In accordance to the Law on the HJPC (Article 17), the Council has the following competencies: (1) Appointment of judges, including Court Presidents, lay judges and reserve judges in all courts at the State, Entity, Cantonal, District, Basic and Municipal levels in Bosnia and Herzegovina, including the Brcko District of Bosnia and Herzegovina, but excluding the Constitutional Courts of the State and Entities of Bosnia and Herzegovina; (2) Appointment of Chief Prosecutors, Deputy Chief Prosecutors and prosecutors in all prosecutors' offices at the State, Entity, Cantonal and District levels in Bosnia and Herzegovina, including the Brcko District of Bosnia and Herzegovina; (3) Making proposals to the relevant authorities in relation to, their proposal and election of judges to the Constitutional Court of Republika Srpska and their nomination of judges to the Constitutional Court of the Federation of Bosnia and Herzegovina. When exercising its competence under this paragraph, the Council shall seek a written opinion of the relevant Constitutional Court before it makes its proposal; (4) Receiving complaints against judges	NAP	NAP
Montenegro	NAP	1) Decide on disciplinary liability of judges and court presidents; 2) Provide for the use, functionality and uniformity of the judicial information system, in the part referring to the courts; 3) Take care of the training of judges and court presidents; 4) Keep records of data on judges and court presidents; 5) Consider complaints against the work of judges and court presidents; 6) Inspect complaints of judges and take positions regarding threats to their independence and autonomy; 7) Propose framework criteria on the necessary number of judges and other civil servants and state employees in courts; 8) Issue opinions on the incompatibility of performing certain duties with the exercise of judicial office; 9) Form the Commission for Appraisal of Judges; 10) Appoint the disciplinary prosecutor; 11) Adopt the Rules of Procedure of the Judicial Council; 12) Determine the methodology for preparation of reports on work of courts and the annual work distribution in court; 13) Issue official identity cards of judges and court presidents and keep records of official identity cards; 14) Issue opinions on draft regulations in the field of judiciary; 15) Perform other tasks prescribed by law.	The Prosecutorial Council, in addition to the powers established by the Constitution: 1) determines the number of state prosecutors; 2) determines a proposal for the dismissal of the Supreme State Prosecutor; 3) decides on the disciplinary liability of state prosecutors and heads of state prosecutors' offices; 4) establishes international cooperation in matters within its jurisdiction; 5) monitors the use, functionality and uniformity of the Judicial Information System in the part relating to the State Prosecutor's Offic 6) keeps records of data on state prosecutors and heads of state prosecutors' offices; 7) adopts the Rules of Procedure of the Prosecutorial Council; 8) gives an opinion on the incompatibility of performing certain tasks with performing the prosecutorial function; 9) considers complaints of state prosecutors and heads of state prosecutors' offices and takes positions regarding threats to their i 10) considers complaints about the work of state prosecutors and heads of state prosecutors' offices in terms of the legality of their 11) establishes a Commission for the Evaluation of State Prosecutors; 11a) appoints the Disciplinary Council; 12) elects the Disciplinary Prosecutor and Deputy Disciplinary Prosecutor; 13) determines the methodology for preparing reports on the work of the Prosecutorial Council and the State Prosecutor's Office ar 14) issues official identification cards to state prosecutors and heads of state prosecutors' offices and keeps records of official iden 14a) gives opinions on draft regulations relating to the State Prosecutor's Office, as well as on draft regulations relating to the salari 14b) adopts special rules referred to in Article 100 of the Law on prosecution administration; 15) performs other tasks specified by law.
North Macedonia	NAP	The Judicial Council shall have the competence to: -select and dismiss judges, -select and dismiss the presidents of the courts, -determine termination of the judicial office, -select and dismiss lay judges, -follow and assess the work of the judges, -to decide on the disciplinary responsibility of a member of the Council, -decide on the disciplinary liability of a judge, or president of court, -decide on revoking the immunity of a judge, -decide upon requests for approving detention for a judge, -nominate two judges of the Constitutional Court of the Republic of North Macedonia from among the judges, -examine the annual report of the Supreme Court of the Republic of North Macedonia regarding the determined fundamental principles and fundamental legal opinions upon issues of importance for the purpose of securing unity in the application of the laws, -decide on the temporary suspension of a judge from the judicial office, and a member of a council from performing the office of a member of a council, -determine the number of necessary judicial positions per courts, -review and assess the quarterly and annual reports on the work of the courts and to publish them publicly on its web-site, and, -act upon complaints by citizens and legal entities for the work of the judges, the presidents of the courts and the courts, -care for the reputation of the judges and the trust of the citizens in the judiciary, -submit an annual report on the work, -adopt the Rules of Procedure and other general acts regulating the work within its competence; -determine an orientation number of cases which should be decided by a judge monthly, and -carry out other activities determined by law.	Law on Council of Public Prosecutors Article 9 •to provide an opinion to the Government of the Republic of North Macedonia in relation to the proposal for appointment and dismis •to select and dismiss public prosecutors; •to establish the termination of a public prosecutor's function and decide in second instance within the procedure for determination •to make decisions in regard of incompetent and unconscious performance of duties by a public prosecutor; •to monitor the work of public prosecutors based on the evaluation of their work according to the Law on the Public Prosecution Off •to decide relative to temporary removal from duty of public prosecutors; •to act in regard to reports and complaints from citizens and legal entities regarding the work by public prosecutors; •shall decide upon a submitted request for disciplinary responsibility of a member of the Council; •shall adopt a decision enabling a member of the Council to carry out direct inspection of the work of the public prosecutors; •shall adopt a Code of Ethics for Public Prosecutors upon proposal by the Association of Public Prosecutors; •to establish the total number of public prosecutors in the public prosecution offices with a decision; •by the end of February of any current year, to establish the number of public prosecutorial vacancies with a decision, in the basic p Prosecutors; •to review and evaluate the annual reports from the public prosecution offices; •to enact the Rules of Procedure; •to enact a decision for temporarily placing a public prosecutor's job and function on hold; •to issue and dispossess public prosecutors of their official identity cards; •to maintain a personal record of public prosecutors; •to submit a report about its work and operations; •to provide opinions on laws that are related to the activities and fall within the scope of work of the Council; •to provide opinions on the programs at the Academy for Training of Judges and Public Prosecutors; •to issue a vacancy announcement and carry out a procedure for selection of a public prosecutor who should be temporarily assign •to perform other tasks and duties established by the law.

Table 11.1.6 Different competences of the Council(s) in 2025 (Q227)

Beneficiaries	Different competences of the Council(s) in 2025		
	Single council for the judiciary	Council for judges only	Council for prose
Serbia	NAP	The Law on High Judicial Council („Official Gazette of the Republic of Serbia" No.10/ 23) in Article 17 prescribed the competences of the Council: 1) elects the judges and lay judges; 2) decides on the termination of the function of judges and lay judges; 3) elects the president and vice president of the Council; 4) appoints acting presidents of the Supreme court and presidents of other courts; 5) elects the president of the Supreme court and presidents of other courts; 6) decides on the termination of the function of the president of the Supreme court and presidents of other courts; 7) decides on the permanent relocation, temporary assignment and assingment of a judge; 8) determines the number of judges and lay judges for each court; 9) decides on the removal of a judge, a president of court and a lay judge; 10) decides on the incompatibility of other function, job and private interest with the function of judge and lay judge; 11) decides in the process of evaluating the work of judge and president of court; 12) appoints the Disciplinary Prosecutor, his deputies and members of the Disciplinary Commission, determines the conditions for appointment and the manner of termination of duties, the manner of work and decision-making in disciplinary bodies; 13) decides on the appeal in disciplinary procedure; 14) approves the permanent training programme for judge and court employee, and supervises the implementation of the programme; 15) determines the initial training programme for judge; 16) adopts the Code of Ethics; 17) considers and decides on the report of the Ethics committee on compliance with the Code of Ethics; 18) decides on the existence of undue influence on the work of judge and court, and measure to prevent such undue influence; 19) performs judicial administration task within its jurisdiction; 20) decides of immunity of a judge and an elected member of the Council; 21) proposes the scope and structure of the budget funds and supervises their spending, in accordance with the law; 22) decides on the objection in the election procedure for a member of the Council from among the judges; 23) collects and analyses statistical data, and adopts annual and long-term plans for the purpose of efficient management of the personnel, financial and material resources of court; 24) establishes the working body of the Council and elects and dismisses their member; 25) gives an opinion on amendments and additions to the existing or the adoption of new laws that regulate the position of a judge, the organisation and activities of a court, as well as other systemic law applied by the court or of significance for the performance of judicial function; 26) adopts an annual report on its work; 27) informs the public about its work; 28) cooperates with judicial councils of other countries and international organisations; 29) adopts the act provided by law; 30) performs other competencies and activities provided by law. According to Article 73 of the Law on Organisation of Courts („Official Gazette of the Republic of Serbia" No.10/ 23) the tasks of the judicial administration performed by the High Judicial Council are: supervision of the implementation of the Court Rules of Procedure; determination of general guidelines for the internal organisation of courts; issuance of instructions on the preparation of reports on the work of the courts; monitoring the work of the courts based on collected statistical data and work reports and statistical and analytical processing of data on the work of the courts, in order to increase the quality and efficiency of the work of the judiciary; adoption of by-laws from its jurisdiction; cooperation in the drafting of by-laws on the organisation and work of courts and other judicial bodies under the jurisdiction of the ministry responsible for the judiciary; providing 20 opinions on the rulebook on the internal organisation and systematisation of jobs in the court; ensuring the provision of truthful, timely and complete information to the public about the work of the courts and the functioning of the judicial system; maintaining the personal files of judges and lay judges, and other tasks determined by law.	The High Prosecutorial Council is the central state body responsible for the status, independence, and professional oversight of pu Prosecutor, elects chief public prosecutors and public prosecutors, and decides on the termination of their functions. The Council a prosecution office, and decides on permanent transfers, assignments, suspensions, and incompatibility of other functions or private appointing the Disciplinary Prosecutor, deputies, and members of the Disciplinary Commission, and deciding on disciplinary appea determines the existence of improper influence on prosecutorial work and measures to prevent it. It further approves and supervise competence, and proposes and supervises the use of budgetary resources. The Council also forms working bodies, collects and a prosecution service, cooperates internationally, informs the public about its work, adopts regulatory acts provided by law, and perfo
Kosovo*	NAP	Duties and Responsibilities of the Council The Council exercises the following duties and responsibilities: 1.1. Decides on the organization, management, administration, and oversight of the functioning of courts in accordance with the law; 1.2. Proposes to the President the appointment, reappointment, and dismissal of judges, and ensures that all proposed candidates meet the criteria established by law, following the respective legal procedures; 1.3. Proposes to the President the appointment and dismissal of the President of the Supreme Court of Kosovo, ensuring that the proposed candidate meets the legal criteria and that the respective procedures have been conducted; 1.4. Decides on the selection, appointment, and dismissal of the President of the Court of Appeal, Presidents of Basic Courts, and supervisory judges; 1.5. Ensures the implementation and oversight of the criteria for admission to the judiciary, which must be in line with the principles of merit, equal opportunity, gender equality, non-discrimination, and equal representation, based on public competition and verification of candidates' competence; 1.6. Decides on the announcement of competitions for candidates for judicial positions; 1.7. Decides on the organization of examinations for candidates for judges in accordance with the rules approved by the Council; 1.8. Determines and oversees the implementation of criteria for the ethnic composition of the territorial jurisdiction of the respective court and for filling positions reserved for members of non-majority communities in Kosovo; 1.9. Decides on the number of judges in each jurisdiction; 1.10. Recommends the establishment of new courts and court branches, in accordance with the Law on Courts; 1.11. Conducts judicial inspections; 1.12. Administers the judiciary; 1.13. Prepares and oversees the budget of the judiciary; 1.14. Decides on the promotion, transfer, and disciplinary measures of judges; 1.15. Sets criteria for regular evaluation of judges; 1.16. Determines the caseload of courts; 1.17. Ensures the efficient functioning of the courts; 1.18. Determines and oversees criteria for policies, standards, and guidance regarding the training of judges, lay judges, and other judicial staff, and supervises the implementation of professional training of judges and lay judges; 1.19. Approves the Code of Professional Ethics for members of the Council, judges, and lay judges, as well as the Code of Ethics for judicial administrative staff, violations of which constitute grounds for sanctions, including dismissal from office; 1.20. Approves the uniform scheme of judicial fees applicable throughout the territory of the Republic of Kosovo; 1.21. Ensures the management of the central system of criminal records in accordance with the rules approved by the Council; 1.22. Approves the annual report on the activities of the courts and judicial budget expenditures; 1.23. Cooperates with judicial councils of other states and relevant local and international organizations, provided that it does not affect the independence of its work; 1.24. Approves sub-legal acts in order to implement its duties and responsibilities, in accordance with applicable legislation; 1.25. Performs other tasks as provided by law.	Kosovo Prosecutorial Council exercises the following duties and responsibilities: 1.1. decides on the organization, management, administration and oversight of the functioning of the Prosecution Offices according to the Law; 1.2. proposes to the President the appointment, reappointment and dismissal of prosecutors, and ensures that all proposed candidates meet the requirements established by law, according to relevant legal procedures; 1.3. proposes to the President the appointment and dismissal of the Chief State Prosecutor, and ensures that the proposed candidate meets the requirements established by law and that the respective procedures have been carried out; 1.4. 1.4. decides on the appointment of the Chief Prosecutors of the Appellate Prosecution Office, the Special Prosecution Office, the Basic Prosecution Offices, and at the recommendation of the Chief Prosecutor of the relevant Prosecution Office, decides on the Deputy Chief Prosecutors and Heads of Departments, as determined by the relevant legislation into force. 1.5. ensures the implementation and oversights the requirements for admission to the prosecution office, which should be made in accordance with the principles of merit, equal opportunities, gender equality, non-discrimination and equal representation, on the basis of public vacancy and after verifying candidates' capacity to act; 1.6. announces public vacancies for prosecutors; 1.7. decides on organizing the exam for candidates for prosecutors according to the regulation approved by the Council determines the number of prosecutors for each prosecution office; 1.8. establishes and oversees the implementation of the criteria for the ethnic composition of the territorial jurisdiction of the respective prosecution office and for the filling of vacancies guaranteed for members of non-majority communities in Kosovo; 1.9. decides on the number of prosecutors in each prosecution office; 1.10. prepares, submits and supervises the budget of the State Prosecutor and Prosecutorial Council; 1.11. decides on the promotion, transfer and discipline of prosecutors; 1.12. sets the criteria for the evaluation of prosecutors, for the prosecution offices workload and for efficient functioning of prosecution offices, as well as controls and guarantees the assessment process and reviews prosecutors' appeals regarding assessment; 1.13. sets and oversees the criteria for defining policies, standards and guidelines regarding the training of prosecutors and other staff and overseeing the implementation of training and professional development of prosecutors by the Academy or other associations or training organizations; 1.14. approves the Code of Professional Ethics for members of the Council, whose

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Indicator 11-Council for the judiciary/ Prosecutorial Council

by country

Question 222. What is the number of members in the Council(s) and who proposes them?
Question 223. Who appoints the members of the Council(s)?
Question 224. Are there selection criteria for non-judge/non-prosecutor members in the council(s)?
Question 225. What is the term of office of the members of the Council(s) in years?
Question 226. What are the conditions for the term of office of members of the Council(s)?
Question 227. Please describe the different competences of the Council(s)
Question 228. What accountability measures are in place regarding the activities of the Council(s)?
Question 229. Is(Are) the Council(s) competent when it is evident that there is a breach of the independence or the impartiality of a judge or pressure on a prosecutor?

Albania

Q222 (General Comment): As for the election and appointmend of the members who are not judges or prosecuters the constitutions provides that 5 members are elected by the Assembly in a procedures prescribed by the constitutions and law. Two lay members are elected from the ranks of advocates, two members from the corps of pedagogues of law faculties and the School of Magistrates and one member from civil society. Hence, in the response to the questions, each of these options has been completed.
The procedure for electing laymembers is as follows:
2. The High Judicial Council shall be composed of 11 members, six of which are elected by the judges of all levels of the judicial power and five members are elected by the Assembly among the ranks of lawyers who are not judges.
3. The judge members shall be selected from the ranks of judges of high moral and professional integrity in accordance with an open and transparent procedure that ensures a fair representation of all levels of the judiciary. The lay members shall be selected among the ranks of prominent jurists, with not less than 15 years of professional experience, of high moral and professional integrity. They should not have held political posts in the public administration or leadership positions in a political party in the last past 10 years before running as candidates. Further criteria and the procedure for selecting the candidates shall be regulated by law.
4. Two lay members shall be elected from the ranks of advocates, two members from the corps of pedagogues of law faculties and the School of Magistrates, and one member from civil society. The Secretary General of the Assembly, based on an open and transparent procedure, shall announce the vacancies in accordance with the law.
5. The Secretary General of the Assembly, not later than 10 days from the submission candidatures, shall verify if the candidates fulfil the criteria foreseen in the Constitution and the law and shall assess the professional and moral criteria for the member of the High Judicial Council and shall prepare the list. In case the candidates do not fulfil the criteria and conditions to be elected, the Secretary
General of the Assembly shall not include their names in the list.
6. The Secretary General of the Assembly, upon completion of the verification, shall immediately send the list of candidates who fulfil the formal criteria to the parliamentary subcommittee, in accordance with paragraph 7 of this article. 7. The standing committee responsible for legal affairs in the Assembly shall establish a subcommittee for the further assessment and selection of candidates not later than three days from the submission of the list. The subcommittee is composed of five members of the Assembly, three members nominated by the parliamentary majority and two by the parliamentary minority. The subcommittee may, with at least four votes, include in the list of candidates even those who have been excluded from the list by the Secretary General of the Assembly for failure to comply with formal requirements. The subcommittee shall select the candidates with the support of at least 4 members. In case the required majority cannot be reached, the candidates shall be selected by lot.
8. The names of the candidates selected by the subcommittee are consolidated into one list and sent to the Speaker of the Assembly. Within ten days, the Assembly shall approve the list of candidates by two-thirds of all the members. In case the list is rejected, the procedure shall be repeated in the subcommittee under paragraph 7 of this Article, but not more than two times. In case the Assembly shall, after conducting the procedure for the third time, not approve the presented list, the candidates of this list shall be deemed elected. Detailed procedures shall be regulated by law.
9. The Chairperson of the High Judicial Council shall be elected at the first meeting of the Council from among the lay members in accordance with the law. 10. Members of the High

Q222 (2025): Section 1, articles 7 to 58 of Law no 115/2016 “For Governing Bodies of the Justice System”, foresees the procedure of appointment of members of the High Judicial Council.

Q223 (2025): Section 1, articles 7 to 58 of Law no 115/2016 “For Governing Bodies of the Justice System”, foresees the procedure of appointment of members of the High Judicial Council.Based on the Law no. 115/2016 “On the governance institutions of the justice system”, as amended, the High Prosecutorial Council is a collegial body, consisting of eleven members. Six of the Council members are prosecutors from all levels of the prosecution. The General Meeting of Prosecutors of all levels elects 6 members of the High Prosecutorial Council, according to the following report:
a) three of the elected are first instance prosecutors. At least 1 of them is a prosecutor in a prosecutor's office at the court of first instance outside Tirana;
b) two of the elected are prosecutors of the prosecution offices of the courts of appeal, including the Special Prosecution Office for the fight against corruption and organized crime. At least 1 of them is a prosecutor in a prosecutor's office at an appellate court outside Tirana;
c) one of the elected members is a prosecutor at the General Prosecutors Office.
The General Prosecutor announces the call for the expression of interest by prosecutors interested in the position of a member of the High Prosecutorial Council. Within 15 days of the announcement of the call for the expression of interest, the concerned prosecutors shall express their interest in a written request to the General Prosecutor. Within the deadline for submission of expressions of interest, the General Prosecutors Office shall verify the fulfilment of the conditions by the candidates, according to the provisions of this law. Appeals against decisions to exclude candidates only for serious procedural violations are made to the Administrative Court of Appeal no later than 5 days from the date of notification of the decision.
Not later than two months before the expiry of the term of office of the Prosecuting Members of the High Prosecutorial Council in office, the General Prosecutor convenes the General Meeting of Prosecutors of all levels to elect the members of the Council. The voting for the election of members of the High Prosecutorial Council from the General Meeting of Prosecutors is secret and individual. At the conclusion of the voting process, under the responsibility of the Prosecutor General, members of the voting committee open the ballot boxes in the presence of all prosecutors attending the meeting, count the votes and announce the preliminary election result.
Complaints for violation of procedure related to convening the General Meeting of Prosecutors, verification of participation, voting and counting of votes, ascertaining and declaring invalid and declaring the result during the General Meeting of Prosecutors for the election of Council members of the High Prosecutor's Office shall be filed with the Administrative Court of Appeal no later than 5 days from the day the decision is published on the official website of the General Prosecutor's Office. For the election of the five members coming from the academic field (2 members), bar association (2 members) and civil society organisations (1 member), the Law “On the governance institutions of the justice system”, as amended has established detailed procedures for the verification and evaluation of candidates. In the preliminary assessment process are included bodies such as the National Chamber of Advocacy, the People's Advocate, the faculties of Law and the School of Magistrates as well as civil society organizations.
The candidates presented by the above mentioned bodies are reviewed by the Assembly which decides finally the selected candidates.

Q224 (General Comment): The other five members of the Council (in total are 11 members) are non-judge/non-prosecutor, selected from the ranks of lawyers, law professors and civil society. Non-judicial members who are elected from the ranks of lawyers, faculty of law faculties and the School of Magistrates, as well as civil society are elected by the Assembly, based on a preliminary assessment process of legal conditions and criteria. The 2 lawyers applying for the position of a member of the High Prosecutorial Council must meet the following requirements:
a) to be Albanian nationals;
b) have completed the second cycle of undergraduate law studies with a "Master of Science" degree, or associate's degree, or undergraduate law degree abroad and obtained a unified degree, in accordance with the rules for diploma integration, provided by law;
c) be lawyers licensed under the law;
ç) have regularly settled all tax and financial obligations to the Chamber of Advocates;
d) have not less than 15 years of experience in the legal profession, of which at least 10 years have practiced the law profession without interruption;
dh) have been licensed to practice their profession before the High Court or the Constitutional Court, in accordance with the provisions of the Law “On the profession of lawyer”;
e) have no disciplinary measure in force;
h) have not previously been convicted by a final court decision of committing a criminal offense;
f) have not held political office in public administration or leadership positions in political parties for the past 10 years;
g) have not been members, associates or favoured of the former State Security before July 2, 1991 within the meaning of the Law "On the right to information on former state security documents of the Socialist People's Republic of Albania";
k) not to be collaborators, informants or agents of any intelligence service;
h) at the time of candidacy, have no family member, within the meaning of the law "On the declaration and control of the assets, financial liabilities of the elected and some public servants", as well as first degree relatives who are acting member of the Council or candidate for member.
i) have not been removed from their previous duties as a judge, prosecutor or officer of the Judicial Police by disciplinary action;
j) not to be candidates proposed by the faculty of law faculties and the School of Magistrates, as well as by civil society.
Lawyers who hold leading positions in advocacy chambers or in the governing bodies of interest groups, such as associations and trade unions of lawyers, resign from these leadership positions if they are elected to members of the High Prosecutorial Council. The Assembly elects 2 members of the High Prosecutorial Council from the faculty of law faculties and the School of Magistrates. These candidates must meet the following requirements:
a) to be Albanian nationals;
b) have not less than 15 years of professional experience as a lawyer;
c) at the time of candidacy, to be full-time lecturers not less than 5 years in the law faculty of a higher education institution or internal

Q224 (2025): Subsection II of law 115/2016 “FOR THE GOVERNING BODIES OF THE JUSTICE SYSTEM” provides for the procedure for the election of members of the High Judicial Council by the Bar, specifically:
Article 19 provides for the verification and preliminary evaluation of candidates for members of the High Judicial Council from the legal profession and the conditions for election.
Article 34 provides for professional and moral criteria for ranking candidates.
Subsection III of law 115/2016 “FOR THE GOVERNING BODIES OF THE JUSTICE SYSTEM” provides for the procedure for election of members of the High Judicial Council by the Body of teachers of the faculties of law and the school of magistrates, specifically:
Article 36 provides for the election of members of the High Judicial Council from the body of lecturers of the faculties of law and the School of Magistracy.
Subsection IV provides for the procedure for electing the member of the High Judicial Council representing civil society, specifically:
Article 54 provides for the election of the member of the High Judicial Council representing civil society and the conditions for being elected.

Q224 (2024): The other 5 members of the Council (in total are 11 members) are non-judges/non-prosecutors, selected from the ranks of lawyers (2), law professors (2) and civil society (1). These members who are elected from the ranks of lawyers, faculty of law faculties and the School of Magistrates, as well as civil society are elected by the Assembly of Albania, based on a preliminary assessment process of legal conditions and criteria.
The 2 lawyers (bar association) applying for the position of a member of the High Prosecutorial Council must meet the following requirements:
a) to be Albanian nationals;
b) have completed the second cycle of undergraduate law studies with a "Master of Science" degree, or associate's degree, or undergraduate law degree abroad and obtained a unified degree, in accordance with the rules for diploma integration, provided by law;
c) be lawyers licensed under the law;
ç) have regularly settled all tax and financial obligations to the Chamber of Advocates;
d) have not less than 15 years of experience in the legal profession, of which at least 10 years have practiced the law profession without interruption;
dh) have been licensed to practice their profession before the High Court or the Constitutional Court, in accordance with the provisions of the Law “On the profession of lawyer”;
e) have no disciplinary measure in force;
h) have not previously been convicted by a final court decision of committing a criminal offense;
f) have not held political office in public administration or leadership positions in political parties for the past 10 years;
g) have not been members, associates or favoured of the former State Security before July 2, 1991 within the meaning of the Law "On the right to information on former state security documents of the Socialist People's Republic of Albania";
k) not to be collaborators, informants or agents of any intelligence service;
h) at the time of candidacy, have no family member, within the meaning of the law "On the declaration and control of the assets, financial liabilities of the elected and some public servants", as well as first degree relatives who are acting member of the Council or candidate for member.
i) have not been removed from their previous duties as a judge, prosecutor or officer of the Judicial Police by disciplinary action;
j) not to be candidates proposed by the faculty of law faculties and the School of Magistrates, as well as by civil society.
Lawyers who hold leading positions in advocacy chambers or in the governing bodies of interest groups, such as associations and trade unions of lawyers, resign from these leadership positions if they are elected to members of the High Prosecutorial Council.
The Assembly elects 2 members of the High Prosecutorial Council from the faculty of law faculties and the School of Magistrates.
These candidates must meet the following requirements:
a) to be Albanian nationals;
b) have not less than 15 years of professional experience as a lawyer;

Q224 (2023): The other five members of the Council (in total are 11 members) are non-judges/non-prosecutors, selected from the ranks of lawyers (2), law professors (2) and civil society (1). These members who are elected from the ranks of lawyers, faculty of law faculties and the School of Magistrates, as well as civil society are elected by the Assembly of Albania, based on a preliminary assessment process of legal conditions and criteria.
The 2 lawyers applying for the position of a member of the High Prosecutorial Council must meet the following requirements:
a) to be Albanian nationals;
b) have completed the second cycle of undergraduate law studies with a "Master of Science" degree, or associate's degree, or undergraduate law degree abroad and obtained a unified degree, in accordance with the rules for diploma integration, provided by law;
c) be lawyers licensed under the law;
ç) have regularly settled all tax and financial obligations to the Chamber of Advocates;
d) have not less than 15 years of experience in the legal profession, of which at least 10 years have practiced the law profession without interruption;
dh) have been licensed to practice their profession before the High Court or the Constitutional Court, in accordance with the provisions of the Law “On the profession of lawyer”;
e) have no disciplinary measure in force;
h) have not previously been convicted by a final court decision of committing a criminal offense;
f) have not held political office in public administration or leadership positions in political parties for the past 10 years;
g) have not been members, associates or favoured of the former State Security before July 2, 1991 within the meaning of the Law "On the right to information on former state security documents of the Socialist People's Republic of Albania";
k) not to be collaborators, informants or agents of any intelligence service;
h) at the time of candidacy, have no family member, within the meaning of the law "On the declaration and control of the assets, financial liabilities of the elected and some public servants", as well as first degree relatives who are acting member of the Council or candidate for member.
i) have not been removed from their previous duties as a judge, prosecutor or officer of the Judicial Police by disciplinary action;
j) not to be candidates proposed by the faculty of law faculties and the School of Magistrates, as well as by civil society.
Lawyers who hold leading positions in advocacy chambers or in the governing bodies of interest groups, such as associations and trade unions of lawyers, resign from these leadership positions if they are elected to members of the High Prosecutorial Council.
The Assembly elects 2 members of the High Prosecutorial Council from the faculty of law faculties and the School of Magistrates.
These candidates must meet the following requirements:
a) to be Albanian nationals;
b) have not less than 15 years of professional experience as a lawyer;

Q225 (General Comment): Only for the first term of the HJC, 5 members will serve a 3-years mandate and 6 members will serve a 5 – years mandate. This, according to Law 115/2016, serves the purpose of diversifying the membership and ensuring continuity for the coming mandates.
Q226 (General Comment): As per article 3.4, Law 115/2016 “The member of the High Judicial Council, unless circumstances for early termination of the mandate have been established, shall hold office for 5 years, with no right to consecutive re-election”.
Q226 (2025): In regard of article 3 paragraph 4 of law. 115/2016, the members of the High Judicial Council are appointed for a 5-year term, without no right to consecutive re-election.

Q226 (2024): The members of the High Judicial Council are appointed for a 5-year term, without no right to consecutive re-election.
Q226 (2023): The members of the High Judicial Council are appointed for a 5-year term, without no right to consecutive re-election.
Q228 (2025): Decisions are published after their approval from the Council or after the finalizing their reasoning. https://klgj.al/vendime/ In addition to the publication of reports and reasoned decisions, on the website of the High Prosecutorial Council are published regularly the agenda and detailed announcements after each plenary meeting where are reflected the results of each meeting and the decisions taken by the Council. Also, full audio registering of the plenary meeting is published within 24 hours. The relevant links are below: https://klp.al/category/aktivitete/ https://klp.al/category/seanca-plenare/

Q229 (General Comment): According to Article 185, of the Law "On the governance institutions of the justice system", as amended, the High Prosecutorial Council may, on its own initiative or on the basis of prosecutors' requests, make public statements in defense of individual prosecutors when it deems that their human rights are at risk of being violated because of the performance of their duties or that the exercise of their legal functions is endangered or may be endangered as a result of the actions or attitudes of any public or private entity.
The justice system in the Republic of Albania is governed based on the principles of independence, accountability, transparency, and efficiency. The Council has the obligation to react publicly and take any legal action to protect the independence or impartiality of a judge.
Q229 (2025): The Council, ex officio or based on the requests of judges, may make public statements to protect certain judges when it deems that their human rights are in danger of being violated due to the performance of their duty or that the performance of their legal functions is being endangered or may be endangered as a result of actions or positions of any public or private subject.
The magistrate and his/her family shall, during or because of the exercise of the function, benefit specific state protection for life, health and assets. The magistrate who is no longer in the office or has retired shall enjoy this special protection if he/she/requests it, as well as in case of endangerment due to a previous exercise of the function as magistrate. 2. If the life, health or property of the magistrates or the magistrate's family is endangered, the state shall provide special protection, as well as physical protection, under the criteria and procedures set out by a decision of the Council of Ministers, following a consultation with Councils. According to Article 185, of the Law no. 115/2016 "On the governance institutions of the justice system", as amended, the High Prosecutorial Council may, on its own initiative or on the basis of prosecutors' requests, make public statements in defence of individual prosecutors when it deems that their human rights are at risk of being violated because of the performance of their duties or that the exercise of their legal functions is endangered or may be endangered as a result of the actions or attitudes of any public or private entity.

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Q229 (2023): HPC - According to Article 185, of the Law no. 115/2016 "On the governance institutions of the justice system", as amended, the High Prosecutorial Council may, on its own initiative or on the basis of prosecutors' requests, make public statements in defence of individual prosecutors when it deems that their human rights are at risk of being violated because of the performance of their duties or that the exercise of their legal functions is endangered or may be endangered as a result of the actions or attitudes of any public or private entity.
HJC - The Council, ex officio or based on the requests of judges, may make public statements to protect certain judges when it deems that their human rights are in danger of being violated due to the performance of their duty or that the performance of their legal functions is being endangered or may be endangered as a result of actions or positions of any public or private subject.
The magistrate and his/her family shall, during or because of the exercise of the function, benefit specific state protection for life, health and assets. The magistrate who is no longer in the office or has retired shall enjoy this special protection if he/she/requests it, as well as in case of endangerment due to a previous exercise of the function as magistrate. 2. If the life, health or property of the magistrates or the magistrate's family is endangered, the state shall provide special protection, as well as physical protection, under the criteria and procedures set out by a decision of the Council of Ministers, following a consultation with Councils

Bosnia and Herzegovina

Q222 (General Comment): There is a single regulatory body in Bosnia and Herzegovina (BiH), the High Judicial and Prosecutorial Council of Bosnia and Herzegovina (HJPC), which is responsible for all judges, as well as prosecutors in BiH. The HJPC was established by the Law on the HJPC as an independent and autonomous body, with the task of ensuring the maintenance of an independent, impartial and professional judiciary.
The independence of the HJPC is ensured through the autonomous status of this body, which is not in a hierarchical relationship with the legislative or executive authority, nor is a part of the state administration system.
The independence of the institution is reflected in the structure of the HJPC members, as well as in a system in which they are elected.
Out of the 15 HJPC members, 11 members are judges and prosecutors elected by their colleagues. The other 4 members of the HJPC are elected by the legislative and executive authority of BiH and the two Entity Bar Chambers.
The HJPC consists of 15 members as follows:
1. one (1) member who is a judge from the Court of BiH, elected by the judges of that Court;
2. one (1) member who is a judge from the Supreme Court of the Federation of BiH, elected by the judges of that Court;
3. one (1) member who is a judge from the Supreme Court of the Republika Srpska, elected by the judges of that 4. one (1) member who is a judge from either a Cantonal or Municipal level court from the Federation of BiH, elected by the Cantonal and
Municipal court judges;
5. one (1) member who is a judge from a District or Basic level court of the Republika Srpska, elected by the district and basic courts
judges (including judges of the Higher Commercial and District Commercial Courts in RS);
6. one (1) member who is a prosecutor from the Prosecutor's Office of BiH, elected by the prosecutors of that Office;
7. one (1) member who is a prosecutor from the Prosecutor's Office of the Federation of BiH, elected by the prosecutors of that Office;
8. one (1) member who is a prosecutor from the Prosecutor's Office of the Republika Srpska, elected by the prosecutors of that Office;
9. one (1) member who is a prosecutor from a Cantonal level prosecutor's office of the Federation of BiH, elected by the Cantonal prosecutors;
10. one (1) member who is a prosecutor from a District level prosecutor's office of the Republika Srpska, elected by the district prosecutors;
11. one (1) member who is a judge or prosecutor elected by the Brcko District of BiH Judicial Commission;
(Judges/prosecutors members are appointed by Other: The process for selection of the HJPC members from the members of judiciary is conducted at all levels of the judiciary in BiH. The judges and prosecutors elect their representatives directly at the respective levels. Selections are conducted within the courts and prosecutor's offices of a certain level, with an exception with regard to one segment of the judiciary (i e Brcko District of Bosnia and Herzegovina), within which one HJPC member (i.e. judge or prosecutor) is not elected directly by the judges and prosecutors, but by the Brcko District Judicial Commission. The elected member may be a judge of the Brcko District Court of Appeal or Basic Court, or a prosecutor of the Brcko District Prosecutor's Office.)

Q223 (General Comment): The process for selection of the HJPC members from the members of judiciary is conducted at all levels of the judiciary in BiH. The judges and prosecutors elect their representatives directly at the respective levels. Selections are conducted within the courts and prosecutor's offices of a certain level, with an exception with regard to one segment of the judiciary (i e Brcko District), where the HJPC member is not elected directly by the judges and prosecutors, but by the Brcko District Judicial Commission. The elected member may be a judge of the Brcko District Court of Appeal or Basic Court, or a prosecutor of the Brcko District Prosecutor's Office. The House of Representatives of the Parliamentary Assembly of BiH, the Council of Ministers of BiH and the Entity Bar Chambers carry out the procedure of selection of their representatives in the HJPC in accordance with their own rules, by respecting the basic rules defined by the HJPC Rulebook on Selection of the HJPC Members. The Rulebook on the selection of HJPC members specifies the rules on ethnicity and gender structure, and defines

Q223 (2025): Judges/prosecutors members are appointed by Other: The process for selection of the HJPC members from the members of judiciary is conducted at all levels of the judiciary in BiH. The judges and prosecutors elect their representatives directly at the respective levels. Selections are conducted within the courts and prosecutor's offices of a certain level, with an exception with regard to one segment of the judiciary (i e Brcko District of Bosnia and Herzegovina), within which one HJPC member (i.e. judge or prosecutor) is not elected directly by the judges and prosecutors, but by the Brcko District Judicial Commission. The elected member may be a judge of the Brcko District Court of Appeal or Basic Court, or a prosecutor of the Brcko District Prosecutor's Office.

Q224 (General Comment): According to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, a member of the HJPC who is elected by the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina must not be a member of the judiciary or a member of the Parliamentary Assembly of Bosnia and Herzegovina. In addition, a member of the HJPC who is elected by the Council of Ministers of Bosnia and Herzegovina must not be a member of the judiciary or a member of the Council of Ministers of Bosnia and Herzegovina. Finally, two members of the HJPC who are lawyers are elected by the Entity Bar Chambers.
The House of Representatives of the Parliamentary Assembly of BiH, the Council of Ministers of BiH and the Entity Bar Chambers carry out the procedure of selection of their representatives in the HJPC in accordance with their own rules and also by respecting the basic rules defined by the HJPC Rulebook on Selection of the HJPC Members. The Rulebook on the selection of HJPC members specifies the rules on ethnicity and gender structure and defines the basics of the procedure for selection of HJPC members.

Q224 (2025): According to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, a member of the HJPC who is elected by the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina must not be a member of the judiciary or a member of the Parliamentary Assembly of Bosnia and Herzegovina. In addition, a member of the HJPC who is elected by the Council of Ministers of Bosnia and Herzegovina must not be a member of the judiciary or a member of the Council of Ministers of Bosnia and Herzegovina. Finally, two members of the HJPC who are lawyers are elected by the Entity Bar Chambers.
The House of Representatives of the Parliamentary Assembly of BiH, the Council of Ministers of BiH and the Entity Bar Chambers carry out the procedure of selection of their representatives in the HJPC in accordance with their own rules and also by respecting the basic rules defined by the HJPC Rulebook on Selection of the HJPC Members. The Rulebook on the selection of HJPC members specifies the rules on ethnicity and gender structure and defines the basics of the procedure for selection of HJPC members.

Q224 (2024): According to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, a member of the HJPC who is elected by the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina must not be a member of the judiciary or a member of the Parliamentary Assembly of Bosnia and Herzegovina. In addition, a member of the HJPC who is elected by the Council of Ministers of Bosnia and Herzegovina must not be a member of the judiciary or a member of the Council of Ministers of Bosnia and Herzegovina. Finally, two members of the HJPC who are lawyers are elected by the Entity Bar Chambers.
The House of Representatives of the Parliamentary Assembly of BiH, the Council of Ministers of BiH and the Entity Bar Chambers carry out the procedure of selection of their representatives in the HJPC in accordance with their own rules and also by respecting the basic rules defined by the HJPC Rulebook on Selection of the HJPC Members. The Rulebook on the selection of HJPC members specifies the rules on ethnicity and gender structure and defines the basics of the procedure for selection of HJPC members.

Q224 (2023): In accordance to the Law on the HJPC: One member of the HJPC who is elected by the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina must not be a member of the judiciary or a member of the Parliamentary Assembly of Bosnia and Herzegovina.
Also, one member of the HJPC who is elected by the Council of Ministers of Bosnia and Herzegovina must not be a member of the judiciary or a member of the Council of Ministers of Bosnia and Herzegovina.
Q224 (2022): In accordance to the Law on the HJPC: One member of the HJPC who is elected by the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina must not be a member of the judiciary or a member of the Parliamentary Assembly of Bosnia and Herzegovina.
Also, One member of the HJPC who is elected by the Council of Ministers of Bosnia and Herzegovina must not be a member of the judiciary or a member of the Council of Ministers of Bosnia and Herzegovina.

Q226 (General Comment): In accordance to the Law on the HJPC (Article 5), the HJPC members have a mandate of four (4) years and may have a maximum of two (2) consecutive mandate of four years. A person who has held two (2) consecutive mandates as a member of the HJPC may not be appointed again as a member of the HJPC until the expiration of four (4) years since the end of his/her previous mandate as a member of the HJPC. One year after the end of the Council Member's mandate, he/she may not apply or be elected to vacant positions in the judiciary which would constitute a career advancement, including the Constitutional Court of the Federation of Bosnia and Herzegovina and the Constitutional Court of Republika Srpska, and may not apply for vacant positions of chief disciplinary counsel or deputy in the Office of Disciplinary Counsel and the Director and the Deputy in the HJPC Secretariat. There is no specific procedure for renewing the mandate of a HJPC member. The HJPC member who wishes to be reappointed applies for the member position and goes through the selection process as other candidates. The HJPC has a President and two (2) Vice-Presidents. The President and two Vice-Presidents of the HJPC are elected by simple majority vote of the members present and voting. The mandate of the President of the HJPC shall be four (4) years or until the expiration or termination of his/her mandate for other reasons. Only the President and up to three members work on a full-time basis in the HJPC.

Q227 (General Comment): In accordance to the Law on the HJPC (Article 17), the Council has the following competencies:
(1) Appointment of judges, including Court Presidents, lay judges and reserve judges in all courts at the State, Entity, Cantonal, District, Basic and Municipal levels in Bosnia and Herzegovina, including the Brcko District of Bosnia and Herzegovina, but excluding the Constitutional Courts of the State and Entities of Bosnia and Herzegovina;
(2) Appointment of Chief Prosecutors, Deputy Chief Prosecutors and prosecutors in all prosecutors' offices at the State, Entity, Cantonal and District levels in Bosnia and Herzegovina, including the Brcko District of Bosnia and Herzegovina;
(3) Making proposals to the relevant authorities in relation to, their proposal and election of judges to the Constitutional Court of Republika Srpska and their nomination of judges to the Constitutional Court of the Federation of Bosnia and Herzegovina. When exercising its competence under this paragraph, the Council shall seek a written opinion of the

Q228 (General Comment): Annual reporting:
In accordance with Article 17, item 27 of the Law on the HJPC BiH, the Council shall, not later than 1 May each year, prepare an annual report documenting its activities and describing the state of the judiciary and prosecutorial authority, including recommendations for improvement. The report shall be delivered to the Parliamentary Assembly of Bosnia and Herzegovina, the Council of Ministers of Bosnia and Herzegovina, the Parliament of the Federation of Bosnia and Herzegovina, the Cantonal Parliaments, the National Assembly of Republika Srpska, the State and Entity Ministries of Justice, and the Assembly of Brcko District of Bosnia and Herzegovina for information. The report shall be available to the public.
Publishing Reasoned Decisions: In accordance with the Law on the High Judicial and Prosecutorial Council of BiH, decisions on the appointment of judges and prosecutors, which contain reasoning on the application of appointment criteria, are published on the website of the HJPC of BiH. Decisions of the disciplinary commissions of the HJPC of BiH made in disciplinary proceedings against judges and prosecutors are also published on the HJPC BiH website, after prior anonymization.
Other: 1. On the website of the HJPC BiH, announcements are published about the scheduled sessions of the HJPC BiH, with the planned agenda of each session, as well as announcements about the adopted conclusions and decisions that the HJPC BiH has made at each session.
2. In accordance with the HJPC Law (Article 14), the HJPC BiH acts and decides as a single body. Decisions are made by a majority vote of the members present and voting. The quorum requires the presence of at least 11 the HJPC BiH members. In matters on which the votes are divided, a vote shall be taken by roll call of the members, and the vote of the President or the Vice-President has the casting vote. In a case that the HJPC BiH member who is present but abstains from voting, it will be deemed to have cast an abstention vote, and this abstention vote will not be included in the vote count. The HJPC BiH may delegate certain decisions within its jurisdiction, with the exception of appointment decisions, to standing committees. The powers of standing committees to make decisions relate to less complex issues (eg simpler queries on compatibility of functions, opinions on laws that are not systemic and organizational and do not regulate the status of judicial office holders, shorter absences from office etc). In disciplinary proceedings against judges and prosecutors, decisions are taken by the competent disciplinary commissions, as well as by the HJPC BiH when in the third instance, the HJPC BiH decides on appeal against the decision of the second instance disciplinary commission. Members of the First Instance and the
Second Instance Disciplinary Committees have the right to participate in the decision making process of the HJPC BiH a whole, unless their exemption is requested for reasons other than their earlier participation in the decision on the same matter. In accordance
with the Rules of Procedure of the HJPC BiH, the HJPC BiH members are required to inform the President of the HJPC BiH on any possible conflict of interest it may arise during their work, and must state the reasons for the exemption in writing or orally in the minutes of
the HJPC BiH session. If any the HJPC BiH member considers that another member should be exempted from participating in the proceedings, he/she informs the President of the HJPC BiH on that issue. In accordance with the HJPC Law (Article 10a) a conflict of interest for a HJPC Member shall be deemed to exist when a HJPC BiH member or his/her blood relative in direct line of descent, the child of the spouse, a spouse or a civil-law partner, adoptive parent and adopted child, applies for a vacant position in the judiciary including the Constitutional Court of the Federation of Bosnia and Herzegovina and the Constitutional Court of Republika Srpska or a vacant position of a chief disciplinary counsel and

Q229 (General Comment): In accordance with Article 17, item 27 of the Law on the HJPC BiH, the Council provides its opinion on complaints submitted by a judge or prosecutor who considers that his/her rights established by this or another law, or his/her independence, are endangered. These opinions are issued in order to identify threats to the independence of judicial institutions, that is holders of judicial functions, and to publicize it, as well as to invite relevant participants to refrain from further activities that threaten the independence of the judiciary. The Law does not provide for sanctions that the Council may impose in these situations.
The criminal laws in BiH contain chapters dedicated to the judiciary. The object of the criminal protection of this group of crimes is the functioning of the judiciary. The main objective of the prescribed criminals is to ensure and protect the independence of the judiciary and the legitimate work of the judiciary and other bodies. Most of the offenses in this group relate to endangering the criminal proceedings, endangering the smooth conduct of criminal proceedings and executing the criminal sanctions, ie protecting the special categories of subjects in criminal proceedings.
The criminal laws contain provisions by which obstruction of the judiciary is criminalized (eg. Article 241 of the Criminal Code BiH, Article 339 of the Criminal Code RS, 358, 359, 359a of the Criminal Code FBiH, Articles 352, 353 of the Criminal Code BD BiH) in such a way that attacks, threats or intimidation of a judge or prosecutor in connection with the exercise of judicial or prosecutorial duties, are prescribed as criminal offenses.

Montenegro

Q222 (General Comment): CONSTITUTION OF MONTENEGRO (“Official Gazette of Montenegro”, No. 1/2007, 38/2013)
„Composition of the Judicial Council
Article 127
The Judicial Council shall have a president and nine members. The members of the Judicial Council shall be:
1) president of the Supreme Court;
2) four judges to be elected and released from duty by the Conference of Judges, taking into account equal representation of courts and judges;
3) four reputable lawyers that are elected and released from duty by the Parliament at proposal of the competent working body of the
Parliament upon announced public invitation;
4) Minister in charge of judicial affairs.“
The Law on Judicial Council and Judges specifies that the members of the Judicial Council from among the judges shall be: 1) three members from among the judges of the Supreme Court of Montenegro (hereinafter referred to as "the Supreme Court"), the Appellate Court of Montenegro (hereinafter referred to as "the Appellate Court"), the Administrative Court of Montenegro (hereinafter referred to as "the Administrative Court"), High Misdemeanour Court of Montenegro (hereinafter referred to as "the High Misdemeanour Court"), Commercial Court of Montenegro (hereinafter referred to as "the Commercial Court") and High Courts, having at least ten years of work experience as judges; 2) One member from among the judges of the Basic Courts and Misdemeanour Courts, having at least five years of work experience as judges (article 12). Moreover, the same legal provision provides for that a judge who received a grade of not satisfactory or who was pronounced a disciplinary sanction may not be appointed as a member of the Judicial Council from among the judges.
According to the Law on State Prosecution, Prosecutorial Council shall have a president and ten members.
The Supreme State Prosecutor shall be the President of the Prosecutorial Council. The following shall be the members of the Prosecutorial Council:
1) five state prosecutors who have a permanent position and at least five years of work experience in performing the prosecutorial function, of which three from the Supreme State Prosecutor's Office, Special State Prosecutor's Office and higher state prosecutor's offices, and one from basic state prosecutor's offices elected and dismissed by the Conference of State prosecutors;
2) 2 reputable lawyers who are not defence lawyers (attorney) elected and dismissed by the Parliament of Montenegro (hereinafter: the Parliament), at the proposal of the competent working body;
3) 1 representative of the state administration body responsible for judicial affairs (hereinafter: the Ministry of Justice), appointed by the Minister of Justice from among the employees of the Ministry of Justice;
4) 1 reputable lawyer as a representative of non-governmental organizations in the field of rule of law, work of the state prosecutor's office or fight against corruption and organized crime, proposed by non-governmental organizations that meet the requirements of this law, and elected and dismissed by the Parliament.

Q223 (2025): supreme state prosecutor is a president of the council by law
president of the supreme court is member of the council by Constitution

Q224 (General Comment): JUDICIAL COUNCIL
A person, who has at least fifteen years of work experience on legal affairs and enjoys personal and professional reputation and was not convicted of criminal offences that render judges unworthy for the exercise of judicial office in accordance with the present Law, may be
appointed as a member of the Judicial Council from among eminent lawyers.
The competent working body of the Parliament of Montenegro shall issue a public call for the appointment of a member of the Judicial Council from among eminent lawyers in the Official Gazette of Montenegro and in at least one of the print media based in Montenegro. The public call for the appointment of a member of the Judicial Council from among eminent lawyers shall be published by the competent working body of the Parliament of Montenegro on the website of the Parliament of Montenegro (hereinafter: the Parliament).
The deadline for applications by candidates shall be 15 days from the announcement of the public call.
On the website of the Parliament, the competent working body of the Parliament shall publish a list of applicants, which shall be available to the public at least ten days from the date of publication.
The competent working body of the Parliament shall submit the proposal for the appointment of a member of the Judicial Council from among eminent lawyers to the Parliament.
PROSECUTORIAL COUNCIL - Article 26, paragraph 1 of the Law on State Prosecutor's Office
"Election of the Prosecutorial Council Members from Among Eminent Lawyers Article 26 A person with at least ten years of experience in law who has earned personal and professional reputation and if he/she is not convicted of an offence that makes him/her unworthy of discharging prosecutorial duties in accordance with this Law can be elected a Prosecutorial Council member from among eminent lawyers."

Q224 (2025): A person who is a spouse or common-law spouse or a partner in a same-sex life partnership or a relative of a member of parliament, a member of the Government of Montenegro (hereinafter: the Government) and the President of Montenegro or a person elected, appointed or appointed by the Parliament, the President of Montenegro or the Government, in a direct line regardless of the degree of kinship, in a collateral line up to the second degree of kinship or a relative by in-laws up to the first degree, may not be elected as a member of the Prosecutorial Council from among state prosecutors.
A state prosecutor who has been assessed as unsatisfactory or who has been subject to a disciplinary sanction may not be elected as a member of the Prosecutorial Council from among state prosecutors.

Q226 (General Comment): A member of the Judicial Council from among the judges or eminent lawyers may be re-appointed as a member of the Judicial Council after the expiry of four years from the termination of the previous mandate in the Judicial Council.
Q228 (2025): Prosecutorial council on the base of the Law on prosecution administration (article 41) prepares an annual work report containing data on the work of the Prosecutorial Council, a description and analysis of the situation in the State Prosecutor's Office, detailed data for each State Prosecutor's Office relating to the number of cases received and resolved during the year for which the report is being prepared, problems and shortcomings in their work, as well as measures to be taken to eliminate the identified shortcomings.
All decisions of the Prosecutoril council are published on the site: https://tuzilastvo.me/tuzilacki-savjet/

Q228 (2024): Law on the State Prosecutor's Office "Official Gazette of Montenegro", no. 11/2015, 42/2015, 80/2017, 10/2018, 76/2020, 59/2021 and 54/2024
Article 30-dismissal and Article 32 temporary removal
Q229 (General Comment): Judges shall adjudicate and decide independently and autonomously. The judicial office shall not be exercised under anyone's influence.
No one shall influence judges in the exercise of judicial office. Independence, autonomy, accountability and professionalism of courts and judges shall be provided by the Judicial Council.
State Prosecutor's Office: Article 136 of the Constitution of Montenegro CONSTITUTION OF MONTENEGRO (Official Gazette of Montenegro", No. 1/2007, 38/2013)
Council of Prosecutors Article 136
The Prosecution Council shall ensure the autonomy of the state prosecution. The Supreme State Prosecutor shall chair the Prosecution Council except in a disciplinary proceeding. The composition, election, mandate, organization and manner of work of the Prosecution Council shall be regulated by law. The Prosecution Council shall: 1) establish the proposal for the election of the Supreme State Prosecutor;
2) elect and release from the duty the heads of the state prosecution offices and state prosecutors; 3) establish the termination of the function of the heads of state prosecution offices and state prosecutors; 4) propose to the Government the amount of funds for the work of the state prosecution; 5) submit the Report on Performance of the State Prosecution to the Parliament; 6) perform other activities as defined by the law. The Prosecution Council shall make decisions by majority vote of all its members.

Q229 (2025): On the base of article 37 point 9 Prosecutorial council considers complaints from state prosecutors and heads of state prosecutors' offices and takes positions regarding threats to their independence

North Macedonia
Q222 (General Comment): LAW ON THE COUNCIL OF PUBLIC PROSECUTORS Commission for preparation of lists of candidates Article 18 (1) The Council, from among its members, shall form a three-member Commission for preparation of candidate lists. (2) The Commission shall prepare candidate lists out of the duly submitted candidacies of the candidates that fulfill the requirements referred to in Article 16 of this Law and shall submit them to the Council. (3) The candidate lists shall be prepared according to electoral units where only one candidate is elected, as follows: - as a general list for a candidate from the region of the Higher Public Prosecution Office in Bitola, polling place number 1, - as a general list for a candidate from the region of the Higher Public Prosecution Office in Gostivar, polling place number 2, - as a general list for a candidate from the region of the Higher Public Prosecution Office in Skopje, polling place number 3, - as a general list for a candidate from the region of the Higher Public Prosecutor's Office in Shtip, with election district number 4, - as a general list for a candidate from the region of the Public Prosecution Office of the Republic of North Macedonia, polling place number 5 and - as a single special list of candidates from among the public prosecutors that belong to all the communities that are not in majority of the population in the Republic of North Macedonia, for the whole territory of the Republic of North Macedonia, with polling places as for a general list.

Q222 (2025): The data is for the status for beginning of 2026.
Other - Two members of the Council shall be proposed by the president of the Republic of North Macedonia and formally elected by the Assembly of the Republic of North Macedonia.
For the Parliament column, just a small clarification, these members are proposed by the Commission for Elections and Appointments, which is a working body within the Parliament.
According to the Constitution and the Law on Judicial Council, Council consist of 15 members, out of whom: -the president of the Supreme Court of the Republic of North Macedonia and the Minister of Justice shall be ex officio members; -eight members of the Council shall be elected by the judges from among their ranks,
- three of the elected members shall be members of the communities that are not in majority in the Republic of North Macedonia, where the principle of equitable representation of citizens belonging to all the communities shall be observed; -the Assembly of the Republic of North Macedonia shall elect three members of the Council with a majority of votes from the total number of representatives, wherefore there has to be majority of votes of the representatives belonging to the communities that are not in majority in the Republic of North Macedonia, and -two members of the Council shall be proposed by the president of the Republic of North Macedonia and elected by the Assembly of the Republic of North Macedonia, one of whom shall be a member of the communities that are not in majority in the Republic of North Macedonia. Members of the Council by function participate in the work of the Council without the right to vote.
According to the Article 16 of the Law on Judicial Council, in the election of the members of the Council from among the judges, the following representation of the members from all the regional appellate courts shall be taken into consideration, as follows: -one member is elected from the appellate region Skopje, -one member is elected from the appellate region Bitola, -one member is elected from the appellate region Gostivar, -one member is elected from the appellate region Štip,
-one member is elected from the Supreme Court of the Republic of North Macedonia, -two members are elected from among the judges that belong to all the communities that are more than 20% of the population in the Republic of North Macedonia by all the judges that are registered in the Judicial Electoral Directory and -one member is elected from among the judges that belong to all the communities that are less than 20% of the population in the Republic of North Macedonia by all the judges that are registered in the Judicial Electoral Directory.
According to the Law on Council of Public Prosecutors, the Council of public prosecutors is composed of 11 members, of which:
- ex officio members of the Council are the public prosecutor of the Northern Republic
Macedonia,
- one member of the Council is elected by the public prosecutors in the Public Prosecutor's Office
of the Republic of North Macedonia, from its ranks,
- one member of the Council is elected by the public prosecutors from the areas of
the higher public prosecutor's offices of Bitola, Gostivar, Skopje and Shtip, from their ranks,

Q224 (General Comment): 1. Criteria for non-judge members in the Judicial Council (article 11 - Law on the Judicial Council)
Any person who meets the following requirements in the moment of publication of the announcement may apply to the announcement for selection of a member of the Council on a proposal of the Assembly of the Republic of North Macedonia or on a proposal of the President the Republic of North Macedonia - to be a citizen of the Republic of North Macedonia, - to be a law graduate with at least 15 years of work experience in the legal profession and a passed bar examination and who, in the practice of the legal professional, distinguishes himself by scientific or professional work or by public activities,
- not to be convicted with an effective court decision for the criminal offense misuse of official duty and authorizations or other criminal offence with unconditional imprisonment of at least six months that makes him unworthy to perform his function as a Council member and
- has a reputation and integrity in the exercise of the office of a member of the Council.
The members of the Council elected by the Parliament, as well as the members elected by the Parliament that were proposed by the President of the Republic of North Macedonia, are from among the university law professors, lawyers, former Constitutional Court judges, international judges and other prominent lawyers.
2. Criteria for non-prosecutor members in the Council of Public Prosecutors (article 32 Law on the Public Prosecutors)
(1) A member of the Council elected by the Parliament may be a person who meets the following requirements:
- to be a citizen of the Republic of North Macedonia,
- to be Bachelor of law with at least 15 years of work experience in the legal profession, having passed the bar exam and has excelled in the performance of the legal profession with scientific or professional work or with their public action and - to not have been convicted by an effective court verdict of a criminal offense of abuse of official position and authorization in the performance of their function or other criminal offense of unconditional imprisonment of at least six months, thus rendering
them unworthy to perform the function of a member of the Council.
(2) The members of the Council elected by the Parliament shall be university professors of law, attorneys, former judges of the Constitutional Court, international judges and other prominent lawyers, two of whom shall be members of the non-majority communities in the Republic of North Macedonia.
Q225 (2023): The terms of office of the ex officio members of the Councils cease upon termination of her/his office.
Q225 (2022): The terms of office of the ex officio members of the Councils cease upon termination of her/his office.
Q226 (2024): According to the Article 7 of the Law on Judicial Council, the members of the Council elected by the judges have a six-year term of office with the right to another term after the expiration of at least six years following the termination of the previous term of office at the Judicial Council. The members of the Council elected by the Parliament of the Republic of North Macedonia have a six-year term of office with the right to another term. The term of office of the president of the Supreme Court of the Republic of North Macedonia and of the Minister of Justice in the Council shall cease upon termination of their functions. The term of office of the member who is elected at additional elections, due to early termination of the term of office of the member of the Council in whose place he is elected, shall last six years. According to the Law on Council of Public Prosecutors, the mandate of the members of the Council elected by the public prosecutors
lasts four years with the right to another election after the expiration of at least four years from the termination of the previous mandate in the Council. The mandate of the members of the Council elected by the Assembly lasts four years years with the right to another election. The mandate of a member of the Council who was elected in additional elections, due to premature termination of the term of office of a member of the Council in whose place he was elected, lasts four years. The elected members of the Council from among the public prosecutors, while their mandate in the Council lasts, their position as public prosecutor is suspended. A member of the Council shall cease to hold office upon termination of office and the mandate in the Council.

Q226 (2023): According to the Article 7 of the Law on Judicial Council, the members of the Council elected by the judges have a six-year term of office with the right to another term after the expiration of at least six years following the termination of the previous term of office at the Judicial Council. The members of the Council elected by the Parliament of the Republic of North Macedonia have a six-year term of office with the right to another term. The term of office of the president of the Supreme Court of the Republic of North Macedonia and of the Minister of Justice in the Council shall cease upon termination of their functions. The term of office of the member who is elected at additional elections, due to early termination of the term of office of the member of the Council in whose place he is elected, shall last six years. According to the Law on Council of Public Prosecutors, the mandate of the members of the Council elected by the public prosecutors
lasts four years with the right to another election after the expiration of at least four years from the termination of the previous mandate in the Council. The mandate of the members of the Council elected by the Assembly lasts four years years with the right to another election. The mandate of a member of the Council who was elected in additional elections, due to premature termination of the term of office of a member of the Council in whose place he was elected, lasts four years. The elected members of the Council from among the public prosecutors, while their mandate in the Council lasts, their position as public prosecutor is suspended. A member of the Council shall cease to hold office upon termination of office and the mandate in the Council.
Q228 (2024): http://sud.mk/wps/portal/ssrm/sud/odluki/!ut/p/z1/pY-9DoIwFEafxYHR3guFWtxYhKgJUyN2MUAqkFBKAG18e2E08Wfw277knOGAhAxkl9-bKp8a0-Xt_M-SXVjs-8gPeIzdlGMkUsHCZOeFCYPTN0AICvIPfwEWHz8swtmXv5A9yKbQxJaaIOEuDajHWeB7Pt8wdymMuoLyCuSgrmpQA7kNc3g9Tf24ddBBay2pjKlaRUqjHXyn1GacIHslodciw7UsHjZaPQFInDWh/dz/d5/L2dBISEvZ0FBIS9nQSEh/?uri=nm%3Aoid%3AZ6_6G4408K0LG1O80AUOU69HF29H6
http://sjorm.gov.mk/odluki/

Q228 (2023): http://sud.mk/wps/portal/ssrm/sud/odluki/!ut/p/z1/pY-9DoIwFEafxYHR3guFWtxYhKgJUyN2MUAqkFBKAG18e2E08Wfw277knOGAhAxkl9-bKp8a0-Xt_M-SXVjs-8gPeIzdlGMkUsHCZOeFCYPTN0AICvIPfwEWHz8swtmXv5A9yKbQxJaaIOEuDajHWeB7Pt8wdymMuoLyCuSgrmpQA7kNc3g9Tf24ddBBay2pjKlaRUqjHXyn1GacIHslodciw7UsHjZaPQFInDWh/dz/d5/L2dBISEvZ0FBIS9nQSEh/?uri=nm%3Aoid%3AZ6_6G4408K0LG1O80AUOU69HF29H6
http://sjorm.gov.mk/odluki/

Q229 (General Comment): The Judicial Council of the Republic of North Macedonia is an autonomous and independent judicial body that ensure and guarantee the autonomy and independence of the judicial authority, through performing its function in accordance with the Constitution and the laws. According to article 11 of Law on courts, the judge shall decide impartially by applying the law on the basis of free evaluation of the evidence. Any form of influence on the independence, impartiality and autonomy of the judge in the exercise of the judicial office on any grounds and by any entity shall be prohibited.
The judicial office is incompatible with the office of a member of the parliament, that is, member of a council in the municipality, that is, the City of Skopje, and the offices in state bodies, the municipality and the City of Skopje, expect for cases provided by law. The judge cannot hold any other public office or practice a profession, except an office determined by law which is not contrary to his/her independence and autonomy in the exercise of the judicial office. The judge cannot be a member of a managing or supervisory board of a trade company, or another legal entity established for the purpose of gaining profit. The judge may be an educator or may deliver lectures in the Academy for Judges and Public Prosecutors and in a higher education institution and may participate in scientific projects. The Judge must not use his office or the reputation of the court to accomplish his personal interests. The judge cannot be a member or hold a political office within a political party or carry out political or party activity. In this case, The Judicial Council shall at the latest within ten days from the day of knowing of the fulfillment of these conditions determine the termination of the judicial office, except when the judicial function is in abeyance under conditions determined by law. The judge cannot accept gifts or enjoy privileges and conveniences during the exercise of the judicial office. According to articles 74 and 75 of Law on courts, the judge shall be dismissed from the judicial office due to serious disciplinary offence that makes him/her discreditable to exercise the judicial office prescribed by law. Decision on dismissal of the judge shall be adopted by Judicial Council, if the violation is committed with the intention or apparent negligence by the fault of the judge without justified reasons and if the injury caused severe consequences. Serious disciplinary offences are:
1) gross influence and interference in the performance of the judicial function of another judge;
2) manifestly violation of the rules for exemption in situations in which the judge knew or should have known about the existence of one of the grounds for exemption provided for by law.
In the exercise of the judicial office, the judges shall enjoy immunity. A judge cannot be held criminally liable for a stated opinion and manner of deciding during the adoption of a court decision. A judge cannot be taken in without an approval from the Judicial Council, unless caught in commission of a crime for which an imprisonment sentence in duration of at least five years is foreseen. The Judicial Council of the Republic of North Macedonia shall decide upon revocation of the immunity of judges. The procedure for deciding about revocation of a judge's immunity shall be urgent. The judge shall be suspended from exercising the judicial office while in custody, or while the procedure for the crime for which an imprisonment sentence of at least five years is foreseen is ongoing. The judge shall be suspended from exercising the judicial office in case of initiated procedure for establishing liability, in accordance with law and when there are justified reasons for suspension from exercising judicial office. The decision to suspend the judge from exercising the judicial office shall be adopted by the Judicial Council of the Republic of North Macedonia.
According to the article 7 from the Law on PPO, the public prosecutor shall perform their function in a lawful, impartial and objective manner, shall respect and protect human and civil rights and freedoms, and the rights of other legal entities and within the scope of their competencies, they shall ensure the efficiency of the criminal prosecution.

Q229 (2023): Please, see the general comment.
Q229 (2022): Please, see the general comment.

Serbia

Q222 (General Comment): THE LAW
on the High Council of the Judiciary
("Official Gazette of RS", 10/2023)
Composition of the Council
Article 7.
The Council has 11 members.
The members of the Council are six judges elected by the judges, four prominent lawyers elected by the National Assembly and the President of the Supreme Court, as a member ex officio.
2. Selection of candidates chosen by the National Assembly
Article 43.
The National Assembly elects four members of the Council from prominent lawyers with at least ten years of experience in the legal profession from eight candidates proposed by the National Assembly's committee responsible for the judiciary (hereinafter: the Committee), after a public competition, with the votes of two-thirds of all MPs.
Conditions for the election of a member of the CouncilArticle 44.
A candidate for a member of the Council can be a person who, in addition to the conditions from Article 43 of this law, also meets the following conditions:
1) that he meets the general requirements for working in a state body;
2) to have acquired higher education at basic academic studies at the Faculty of Law in the amount of at least 240 ESPB points or higher education acquired at basic studies at the Faculty of Law for a duration of at least four years;
3) to have experience and knowledge relevant to the work of the judiciary;4) that it is worthy to perform the function of a member of the Council;
5) that he has not reached the age of 65;
6) not to perform the function of judge or public prosecutor;
7) that he was not elected to a public office directly by the citizens, that he does not perform the function to which he is elected by the National Assembly, that is, that he does not perform the function of a judge of the Constitutional Court or the Secretary of State;
8) not to strongly influence the making of political decisions;
9) that he did not exert undue influence on the work of a judge, court or holder of the office of public prosecutor and public prosecutor's office;
10) that in a public appearance he did not represent a position that threatens the independence of the judiciary or the independence of the public prosecutor's office.
THE LAW
ON THE HIGH COUNCIL OF THE PROSECUTION

Q222 (2025): LAW ON THE HIGH JUDICIAL COUNCIL ("Official Gazette of the Republic of Serbia", No. 10/2023) Composition of the Council
Composition of the Council - Article 7
The Council has 11 members.
The members of the Council are six judges elected by judges, four prominent lawyers elected by the National Assembly, and the President of the Supreme Court, as an ex officio member.
LAW ON THE HIGH PROSECUTORIAL COUNCIL ("Official Gazette of the Republic of Serbia", No. 10/2023)
Composition of the Council - Article 7.
The Council has 11 members.
The members of the Council are five public prosecutors elected by the holders of the public prosecutorial function, four prominent lawyers elected by the National Assembly, and the Supreme Public Prosecutor and the Minister of Justice, as ex officio members.

Q223 (General Comment): Law on the High Judicial Council "Official Gazette of the Republic of Serbia", No. 10 of 9 February 2023.
III. PROCEDURE FOR ELECTION OF A COUNCIL MEMBER
1. Election of a candidate for a member of the Council from among judges
Decision on initiating the procedure
Article 25.
The decision on initiating the procedure for the election of a candidate for an elective member of the Council from among judges shall be made by the President of the Council no later than six months before the expiration of the term of office of an elective member of the Council from among judges.
The decision referred to in paragraph 1 of this Article shall be published in the "Official Gazette of the Republic of Serbia" and on the Council's website and shall be submitted to the President of the Council's Election Commission (hereinafter: the Election Commission).
Representation of courts
Article 26.
Elective members of the Council from among judges shall be elected from the following courts:
1) one from the Supreme Court;
2) one from the courts of appeal and the Administrative Court;
3) one from the higher courts;
4) one from the commercial courts and the Commercial Court of Appeal;
5) one from the basic courts;
6) one from the misdemeanor courts and the Misdemeanor Court of Appeal.
Requirements for candidacy for a member of the Council from among judges
Article 27.
Any judge may be a candidate for a member of the Council from among judges.
A judge may be elected as a member of the Council if he or she is proposed by a session of all judges of one or more courts according to the type and level of the court (Article 26) in which the judge serves as a judge.
A session of all judges of one court may propose only one candidate.
At a session of all judges, a secret vote shall be held on the proposed candidate.
A judge may also be elected as a member of the Council if he or she is supported by at least 20 judges according to the type and level of the court in which he or she serves as a judge (Article 26). A judge may support only one candidate.

Q223 (2025): Comment by HJC:
The Law on High Judicial Council („Official Gazette of the Republic of Serbia“ No.10/ 23) prescribed that the Council has 11 members. The members of the Council are six judges elected by the judges, four prominent lawyers elected by the National Assembly and the president of the Supreme Court, as a member elected according to function.
The Council has a president of the Council who is elected by the Council from among the elected members of the Council who are judges, for a term of five years, and the vice president of the Council who is elected from among the members elected by the National Assembly for a term of five years.
The procedure for the election of Council members is regulated by Law on High Judicial Council.
According to the Law on High Judicial Council (Article 26), elective members of the Council from the ranks of judges are elected from the following courts: one from the Supreme Court; one from the Appellate courts and the Administrative Court; one from the Higher courts; one of the Commercial courts and the Commercial Appellate Court; one of the Basic courts and one from the Misdemeanour courts and the Misdemeanour Appellate Court. Any judge can be a candidate for a member of the Council from the rank of judges.
A judge nominated by a session of all judges of one or more courts according to the type and level of the court in which the judge performs judicial function can be elected as a member of the Council.
A session of all judges of a court can propose only one candidate.
At the meeting of all judges, the proposed candidate is voted on secretly.
A judge who is supported by at least 20 judges according to the type and level of the court in which he/she performs the judicial function can be elected as a member of the Council. A judge can support only one candidate.
As an exception, a candidate for an elective member of the Council from the rank of judges of the Supreme Court, the Misdemeanour Appellate Court, the Commercial Appellate Court and the Administrative Court acquires the status of a candidate by submitting an application.
The president of the court and acting president of the court cannot be a candidate for a member of the Council (Article 27).
The Law on High Judicial Council from Article 43 to Article 53 stipulates the procedure for election of non-judicial members of the Council in a transparent and merit-based manner. The National Assembly elects four members of the Council from prominent lawyers with at least ten years of experience in the legal profession from eight candidates proposed by the National Assembly's committee responsible for the judiciary, after a public competition, with the votes of two-thirds of all MPs. (Article 43) the National Assembly's Committee organizes a public hearing for the purpose of presenting candidates, which is attended by representatives of the general and professional public. (Article 50) If the National Assembly does not elect all the members of the Council to be elected within the stipulated period by law, the remaining members of the Council, from among all the candidates who meet the conditions for election, are elected by a commission consisting of the President of the National Assembly, the President of the Constitutional Court, the President of the Supreme court, the Supreme Public Prosecutor and the Ombudsperson, by majority vote. (Article 51)
The Law on High Judicial Council ("Official Gazette of the Republic of Serbia” no. 10/2023, February 9th, 2023) stipulates that legislative is involved in a procedure of electing non-judicial members, but it is not involved in termination of non-judicial members. The National Assembly elects four members of the Council from prominent lawyers with at least ten

Q224 (General Comment): THE LAW
on the High Council of the Judiciary
("Official Gazette of RS", 10/2023)
Composition of the Council
Article 7.
The Council has 11 members.
The members of the Council are six judges elected by the judges, four prominent lawyers elected by the National Assembly and the President of the Supreme Court, as a member ex officio.
2. Selection of candidates chosen by the National Assembly
Article 43.
The National Assembly elects four members of the Council from prominent lawyers with at least ten years of experience in the legal profession from eight candidates proposed by the National Assembly's committee responsible for the judiciary (hereinafter: the Committee), after a public competition, with the votes of two-thirds of all MPs.
Conditions for the election of a member of the Council
Article 44.
A candidate for a member of the Council can be a person who, in addition to the conditions from Article 43 of this law, also meets the following conditions:
1) that he meets the general requirements for working in a state body;
2) to have acquired higher education at basic academic studies at the Faculty of Law in the amount of at least 240 ESPB points or higher education acquired at basic studies at the Faculty of Law for a duration of at least four years;
3) to have experience and knowledge relevant to the work of the judiciary;4) that it is worthy to perform the function of a member of the Council;
5) that he has not reached the age of 65;
6) not to perform the function of judge or public prosecutor;
7) that he was not elected to a public office directly by the citizens, that he does not perform the function to which he is elected by the National Assembly, that is, that he does not perform the function of a judge of the Constitutional Court or the Secretary of State;
8) not to strongly influence the making of political decisions;
9) that he did not exert undue influence on the work of a judge, court or holder of the office of public prosecutor and public prosecutor's office;
10) that in a public appearance he did not represent a position that threatens the independence of the judiciary or the independence of the public prosecutor's office.
THE LAW

Q224 (2025): Comment by HJC: The Law on High Judicial Council prescribed that the National Assembly elects four members of the Council among the prominent lawyers with at least ten years of experience in the legal profession among the eight candidates proposed by the National Assembly's committee responsible for the judiciary, after a public competition, with the votes of two thirds of all members of the Parliament.
Comment by HPC: Articles 43 and 44 of the Law on in High Prosecutorial Council state the following criteria:
The National Assembly elects four members of the Council from prominent lawyers with at least ten years of experience in the legal profession from eight candidates proposed by the National Assembly's committee responsible for the judiciary, after a public competition, with the votes of two-thirds of all MPs.
A candidate for a member of the Council can be a person who also meets the following conditions:
1) that he meets the general requirements for work in state bodies;
2) to have acquired higher education at basic academic studies at the Faculty of Law in the amount of at least 240 ESPB points or higher education acquired at basic studies at the Faculty of Law for a duration of at least four years;
3) to have experience and knowledge relevant to the work of the judiciary;
4) that it is worthy to perform the function of a member of the Council;
5) that he has not reached the age of 65;
6) not to perform the function of public prosecutor or judge;
7) that he was not elected to a public office directly by the citizens, that he does not perform a function to which he is elected by the National Assembly, that is, that he does not perform the function of a judge of the Constitutional Court or the Secretary of State;
8) not to strongly influence the making of political decisions;
9) that he did not exert undue influence on the work of a holder of the public prosecutor's office and the public prosecutor's office or a judge and the court;
10) that in public appearances he did not advocate positions that threaten the independence of the public prosecution or the independence of the judiciary.
Dignity implies moral qualities that a member of the Council should possess and conduct in accordance with those qualities. The moral qualities are: honesty, conscientiousness, fairness, dignity, perseverance and exemplary behavior, and behavior in accordance with these qualities means safeguarding the reputation of the Council and the Public Prosecutor's Office in and outside the office, awareness of social responsibility, preservation of independence, impartiality, integrity and dignity in the exercise of the office and outside it, and ensuring the preservation of trust in the work and authority of the Council and the Public Prosecutor's Office in the public.
During the election, professional or scientific work of importance for the work of the judiciary, as well as an understanding of the judiciary and advocacy in professional work or public action for the independence of the public prosecutor's office, are especially valued.

Q224 (2024): THE LAW on the High Council of the Judiciary ("Official Gazette of RS", 10/2023)
Composition of the Council Article 7.
The Council has 11 members.
The members of the Council are six judges elected by the judges, four prominent lawyers elected by the National Assembly and the President of the Supreme Court, as a member ex officio.
2. Selection of candidates chosen by the National Assembly Article 43.
The National Assembly elects four members of the Council from prominent lawyers with at least ten years of experience in the legal profession from eight candidates proposed by the National Assembly's committee responsible for the judiciary (hereinafter: the Committee), after a public competition, with the votes of two-thirds of all MPs. Conditions for the election of a member of the Council Article 44.
A candidate for a member of the Council can be a person who, in addition to the conditions from Article 43 of this law, also meets the following conditions:
1) that he meets the general requirements for working in a state body;
2) to have acquired higher education at basic academic studies at the Faculty of Law in the amount of at least 240 ESPB points or highereducation acquired at basic studies at the Faculty of Law for a duration of at least four years;
3) to have experience and knowledge relevant to the work of the judiciary;4) that it is worthy to perform the function of a member of the
Council;
5) that he has not reached the age of 65;
6) not to perform the function of judge or public prosecutor;
7) that he was not elected to a public office directly by the citizens, that he does not perform the function to which he is elected by the
National Assembly, that is, that he does not perform the function of a judge of the Constitutional Court or the Secretary of State;
8) not to strongly influence the making of political decisions;
9) that he did not exert undue influence on the work of a judge, court or holder of the office of public prosecutor and public prosecutor'soffice;
10) that in a public appearance he did not represent a position that threatens the independence of the judiciary or the independence of thepublic prosecutor's office.
THE LAW ON THE HIGH COUNCIL OF THE PROSECUTION ("Official Gazette of RS", No. 10/2023)
Composition of the Council
Article 7
The Council has 11 members.
The members of the Council are five public prosecutors elected by the holders of the office of public prosecutor, four prominent lawyers elected by the National Assembly, and the

Q224 (2023): THE LAW
on the High Council of the Judiciary
("Official Gazette of RS", 10/2023)
Composition of the Council
Article 7.
The Council has 11 members.
The members of the Council are six judges elected by the judges, four prominent lawyers elected by the National Assembly and the President of the Supreme Court, as a member ex officio.
2. Selection of candidates chosen by the National Assembly
Article 43.
The National Assembly elects four members of the Council from prominent lawyers with at least ten years of experience in the legal profession from eight candidates proposed by the National Assembly's committee responsible for the judiciary (hereinafter: the Committee), after a public competition, with the votes of two-thirds of all MPs.
Conditions for the election of a member of the Council
Article 44.
A candidate for a member of the Council can be a person who, in addition to the conditions from Article 43 of this law, also meets the following conditions:
1) that he meets the general requirements for working in a state body;
2) to have acquired higher education at basic academic studies at the Faculty of Law in the amount of at least 240 ESPB points or higher education acquired at basic studies at the Faculty of Law for a duration of at least four years;
3) to have experience and knowledge relevant to the work of the judiciary;4) that it is worthy to perform the function of a member of the Council;
5) that he has not reached the age of 65;
6) not to perform the function of judge or public prosecutor;
7) that he was not elected to a public office directly by the citizens, that he does not perform the function to which he is elected by the National Assembly, that is, that he does not perform the function of a judge of the Constitutional Court or the Secretary of State;
8) not to strongly influence the making of political decisions;
9) that he did not exert undue influence on the work of a judge, court or holder of the office of public prosecutor and public prosecutor's office;
10) that in a public appearance he did not represent a position that threatens the independence of the judiciary or the independence of the public prosecutor's office.
THE LAW

Q225 (General Comment): The mandate of a member of the Councilc lasts for five years, except for the ex officio member.
An elective member of the Council cannot be re-elected to that position.
Q225 (2024): Ex off members
Q225 (2023): Ex off members
Q226 (General Comment): An elective member of the Council cannot be re-elected to that position.

Q226 (2024): THE LAW ON THE HIGH COUNCIL OF THE JUDICIARY ("Official Gazette of RS", 10/2023) Rights from the employment relationship Article 13.
An elected member of the Council exercises rights from the employment relationship in the Council in accordance with the regulations governing the rights from the employment relationship of judges, unless otherwise specified by this law.
During the term of office, the rights of an elected member of the Council from the employment relationship that he exercised until the election as a member of the Council are suspended.
Exceptionally from paragraph 2 of this article, an elective member of the Council elected by the National Assembly, who is a teacher at the Faculty of Law, may exercise rights from employment at the Faculty of Law.
The mandate of a member of the Council lasts for five years, except for the ex officio member.
An elective member of the Council cannot be re-elected to that position.
THE LAW ON THE HIGH COUNCIL OF THE PROSECUTION ("Official Gazette of RS", No. 10/2023)
Rights from the employment relationship Article 13.
An elected member of the Council exercises rights from the employment relationship in the Council in accordance with the regulations governing the rights from the employment relationship of the holder of the office of public prosecutor, unless otherwise stipulated by this law.
During the term of office, the rights of the elected member of the Council from the employment relationship that he exercised until the election as a member of the Council are suspended.
Exceptionally from paragraph 2 of this article, an elective member of the Council elected by the National Assembly, who is a teacher at the Faculty of Law, may exercise rights from employment at the Faculty of Law.
The mandate of a member of the Council lasts for five years, except for the ex officio member. An elective member of the Council cannot be re-elected to that position.

Q226 (2023): THE LAW
on the High Council of the Judiciary
("Official Gazette of RS", 10/2023)
Rights from the employment relationship
Article 13.
An elected member of the Council exercises rights from the employment relationship in the Council in accordance with the regulations governing the rights from the employment relationship of judges, unless otherwise specified by this law.
During the term of office, the rights of an elected member of the Council from the employment relationship that he exercised until the election as a member of the Council are suspended.
Exceptionally from paragraph 2 of this article, an elective member of the Council elected by the National Assembly, who is a teacher at the Faculty of Law, may exercise rights from employment at the Faculty of Law.
The mandate of a member of the Council lasts for five years, except for the ex officio member.
An elective member of the Council cannot be re-elected to that position.
THE LAW
ON THE HIGH COUNCIL OF THE PROSECUTION
("Official Gazette of RS", No. 10/2023)Rights from the employment relationship
Article 13.
An elected member of the Council exercises rights from the employment relationship in the Council in accordance with the regulations governing the rights from the employment relationship of the holder of the office of public prosecutor, unless otherwise stipulated by this law.
During the term of office, the rights of the elected member of the Council from the employment relationship that he exercised until the election as a member of the Council are suspended.
Exceptionally from paragraph 2 of this article, an elective member of the Council elected by the National Assembly, who is a teacher at the Faculty of Law, may exercise rights from employment at the Faculty of Law.
The mandate of a member of the Council lasts for five years, except for the ex officio member.
An elective member of the Council cannot be re-elected to that position.

Q226 (2022): The elective members may be re-elected, but not consecutively.

Q227 (General Comment): Jurisdiction
Article 17
Advice:
1) elects judges and lay judges;
2) decides on the termination of the office of judge and lay judge;
3) elects the president and vice president of the Council;
4) appoints acting presidents of the Supreme Court and presidents of other courts;
5) elects the president of the Supreme Court and presidents of other courts;
6) decides on the termination of the office of the president of the Supreme Court and the president of other courts;
7) decides on the permanent transfer, temporary assignment or assignment of a judge;
8) determines the number of judges and lay judges for each court;
9) decides on the removal of a judge, court president and lay judge;
10) decides on the incompatibility of the performance of another job function or private interest with the function of judge and lay judge;
11) decides on the appeal in the evaluation procedure of the work of the judge and the president of the court;
12) appoints the Disciplinary Prosecutor, his deputies and members of the Disciplinary Commission, determines the conditions for appointment and the manner of termination of duties, the manner of work and decision-making in disciplinary bodies;
13) decides on the appeal in the disciplinary procedure;
14) approves the permanent training program for judges and court employees and supervises its implementation;
15) determines the initial training program for judges;
16) adopts the Code of Ethics;
17) considers and decides on the report of the Ethics Committee on compliance with the Code of Ethics;
18) decides on the existence of undue influence on the work of judges and courts and measures to prevent undue influence;
19) performs the work of the judicial administration within its jurisdiction;
20) decides on the immunity of a judge and an elected member of the Council;
21) proposes the scope and structure of budget funds and supervises their spending, in accordance with the law;
22) decides on an objection in the procedure of election for a member of the Council from the ranks of judges;
23) collects and analyzes statistical data and adopts annual and multi-year plans in order to efficiently manage the personnel, financial and material resources of the court;

Q228 (2022): Annual Report of HJC, in Serbian:
https://vss.sud.rs/sites/default/files/attachments/%D0%98%D0%B7%D0%B2%D0%B5%D1%88%D1%82%D0%B0%D1%98%20%D0%BE%20%D1%80%D0%B0%D0%B4%D1%83%20%D0%92%D0%A1%D0%A1%20%D0%B7%D0%B0%202022.%20%D0%B3%D0%BE%D0%B4%D0%B8%D0%BD%D1%83.pdf

Q229 (General Comment): According to Art 4 of Law on judges („Official Gazette of the Republic of Serbia“ No.10/ 23) a judge is required to preserve confidence in his independence and impartiality at all times. All state bodies and officials are required to preserve, with their actions and behaviour, the confidence in independence and impartiality of judges and courts.
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A judge is required to conduct proceedings impartially according to his conscience, in accordance with his own assessment of facts and interpretation of law, ensuring fair trial and compliance with procedural rights of parties guaranteed by the Constitution, ratified international treaties, laws, and the generally accepted rules of international law.
The Law on High Judicial Council prescribed that Council decides on the existence of undue influence on the work of judge and court, and measure to prevent such undue influence. According to Law on Judges a judge may submit a request with the High Judicial Council for protection against undue influence. The manner of submission of the request and the procedure against the request for protection against undue influence are regulated by Rulebook on the protection of judges and courts from undue influence.
In order to protect against any undue influence on the performance of the judicial function, the Council appointed one member of the Council from among the judges to proceed in cases of undue influence on the work of judge and court. The action of the elected member of the Council and the Council, in cases of undue influence, is regulated by Rulebook on the protection of judges and courts from undue influence („Official Gazette of the Republic of Serbia“ No.110/ 23)
During 2023, seven requests of judges for protection from undue influence were submitted to the Council, which were delivered to the competent judge. In two cases, a decision was made to suspend the proceedings, and for the other five, the proceedings are ongoing.
THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
Prohibition of undue influence

Q229 (2025): Comment by HJC: According to Art 4 of Law on judges („Official Gazette of the Republic of Serbia“ No.10/ 23) a judge is required to preserve confidence in his independence and impartiality at all times. All state bodies and officials are required to preserve, with their actions and behaviour, the confidence in independence and impartiality of judges and courts.
A judge is required to conduct proceedings impartially according to his conscience, in accordance with his own assessment of facts and interpretation of law, ensuring fair trial and compliance with procedural rights of parties guaranteed by the Constitution, ratified international treaties, laws, and the generally accepted rules of international law. The Law on High Judicial Council prescribed that Council decides on the existence of undue influence on the work of judge and court, and measure to prevent such undue influence. According to Article 30 of Law on Judges a judge may submit a request with the High Judicial Council for protection against undue influence. The manner of submission of the request and the procedure against the request for protection against undue influence are regulated by Rulebook on the protection of judges and courts from undue influence („Official Gazette of the Republic of Serbia“ No.110/ 23). The Rulebook on the protection of judges and courts from undue influence regulates the appointment and manner of work of a judge competent to act upon a request for protection from undue influence, as well as the decision-making procedure of the High Council of the Judiciary on the existence of undue influence on the work of the judge and the court. The High Judicial Council appointed a member of the High Judicial Council from the rank of judges to act in cases concerning undue influence on the holders of judicial office and judiciary
In 2025, four requests for protection from undue influence were submitted. At the session on May 15, 2025, a decision was made on one request received by the Council in 2024. By decision of May 15, 2025, the Council determined that there was undue influence on the work of the Basic and High Courts in Novi Sad. The decision was published on the website of the High Judicial Council. The procedure regarding the remaining requests is ongoing.
Comment by HPC: Apart from public condemnation, Council does not have any other mechanisms by which it could influence entities outside the public prosecution in order to stop and prevent undue influence or pressure on a public prosecutor. The introduction of competences that would give additional powers to the Council in this sense would be most welcome but remains beyond the competence of the Council itself and implies the activity of the National Assembly – amendment of relevant laws. In the domain of what the competence of the Council is, specifically the Rules of Procedure of the High Prosecutorial Council regarding undue influence on the work of the public prosecutor and the public prosecutor's office that regulate the work of the Commissioner for Autonomy, some members of the Council have publicly indicated the need to make changes in this act that would unequivocally oblige the Commissioner to clarify and explain his position even when he believes that there is no undue influence in the specific case, and not as he has done so far, i.e. to give an explanation only when he believes that undue influence exists.

Q229 (2024): According to Art 4 of Law on judges („Official Gazette of the Republic of Serbia“ No.10/ 23) a judge is required to preserve confidence in his independence and impartiality at all times. All state bodies and officials are required to preserve, with their actions and behaviour, the confidence in independence and impartiality of judges and courts.

Art 81

A judge is required to conduct proceedings impartially according to his conscience, in accordance with his own assessment of facts and interpretation of law, ensuring fair trial and compliance with procedural rights of parties guaranteed by the Constitution, ratified international treaties, laws, and the generally accepted rules of international law.

The Law on High Judicial Council prescribed that Council decides on the existence of undue influence on the work of judge and court, and measure to prevent such undue influence. ccording to Law on Judges a judge may submit a request with the High Judicial Council for protection against undue influence. The manner of submission of the request and the procedure against the request for protection against undue influence are regulated by Rulebook on the protection of judges and courts from undue influence.

In order to protect against any undue influence on the performance of the judicial function, the Council appointed one member of the Council from among the judges to proceed in cases of undue influence on the work of judge and court. The action of the elected member of the Council and the Council, in cases of undue influence, is regulated by Rulebook on the protection of judges and courts from undue influence („Official Gazette of the Republic of Serbia“ No.110/ 23)

During 2023, seven requests of judges for protection from undue influence were submitted to the Council, which were delivered to the competent judge. In two cases, a decision was made to suspend the proceedings, and for the other five, the proceedings are ongoing.

THE LAW ON THE PUBLIC PROSECUTOR'S OFFICE

("Official Gazette of RS", No. 10/2023)

Prohibition of undue influence

Article 6

In order to preserve the authority and impartiality of the public prosecutor's office, undue influence on the holder of the public prosecutor's office in the performance of the public prosecutor's office is prohibited, especially any form of threat and coercion against the holder of the public prosecutor's office, the use of public positions, the media and public speaking, which influence the actions of the public prosecutor's office. Any other inappropriate influence on the public prosecutor's office, as well as pressure on the participant in the proceedings before the public prosecutor's office, is prohibited.

The use of legally prescribed rights of participants in the proceedings, reporting on the work of the public prosecution in accordance with the regulations governing public information, as well as expert analysis of the actions of the public prosecution, cannot be considered under undue influence from paragraph 1 of this article.

The Supreme Public Prosecutor, the Chief Public Prosecutor and the Public Prosecutor are obliged to reject any action that represents an undue influence on the independence of the Public Prosecutor's Office, as well as to report such influence to the High Council of the Prosecutor's Office.

The holder of the office of public prosecutor may submit a request for protection against undue influence to the High Council of Prosecutors.

Q229 (2023): According to Art 4 of Law on judges („Official Gazette of the Republic of Serbia“ No.10/ 23) a judge is required to preserve confidence in his independence and impartiality at all times. All state bodies and officials are required to preserve, with their actions and behaviour, the confidence in independence and impartiality of judges and courts.
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A judge is required to conduct proceedings impartially according to his conscience, in accordance with his own assessment of facts and interpretation of law, ensuring fair trial and compliance with procedural rights of parties guaranteed by the Constitution, ratified international treaties, laws, and the generally accepted rules of international law.
The Law on High Judicial Council prescribed that Council decides on the existence of undue influence on the work of judge and court, and measure to prevent such undue influence. According to Law on Judges a judge may submit a request with the High Judicial Council for protection against undue influence. The manner of submission of the request and the procedure against the request for protection against undue influence are regulated by Rulebook on the protection of judges and courts from undue influence.
In order to protect against any undue influence on the performance of the judicial function, the Council appointed one member of the Council from among the judges to proceed in cases of undue influence on the work of judge and court. The action of the elected member of the Council and the Council, in cases of undue influence, is regulated by Rulebook on the protection of judges and courts from undue influence („Official Gazette of the Republic of Serbia“ No.110/ 23)
During 2023, seven requests of judges for protection from undue influence were submitted to the Council, which were delivered to the competent judge. In two cases, a decision was made to suspend the proceedings, and for the other five, the proceedings are ongoing.
THE LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
Prohibition of undue influence

Kosovo*
Q222 (General Comment): The council consists of 13 members, 7 members will be judges elected by members of the judiciary, 2 judges of the Supreme Court, 2 judges of the Court of Appeal and 3 new judges of the Basic Court, and two (2) members elect the deputies of the Assembly from representatives of other communities, one of these two must be a judge, and two (2) members elect MPs from representatives of the Serbian community, at least one must be a judge.

Q222 (2025): The distribution of the KPC members may vary with the new Law on KPC. First instance is considered the 7 basic prosecution offices and the Special Prosecution office. Second instance is the Appellate Prosecution office and third instance is the Office of the Chief State Prosecutor. Based on the Law there should be 4 prosecutor members (3 elected, 1 - Chief state prosecutor - ex officio). Of the 3 elected, 2 should be from the Basic Prosecution offices, and 1 should be either from Special Prosecution Office, Appellate Prosecution Office or Chief State Prosecutor's Office. So, if the 3rd member is selected from Special prosecution the first instance could have 3 members (together with the 2 from BPOs), if the third member is elected from the Appellate prosecution the second instance will have 1 member and if the 3rd member is selected from Office of chief state prosecutors the third instance will have 2 members (together with Chief state prosecutor as an ex-officio member).
Article 6 of the new Law on Kosovo Prosecutorial Council
Article 9 of the basic Law shall be reworded as follows:
Article 9 Composition of Council members
1. The Council shall consist of seven (7) members. Council members shall be:
1.1. Chief State Prosecutor ex officio;
1.2. three (3) prosecutor members, elected by the prosecutorial system, as follows:
1.2.1. one (1) prosecutor elected from among prosecutors of the Special
Prosecution Office, Appellate Prosecution Office or Chief State Prosecutor's Office;
1.2.2. two (2) prosecutors elected from among the Basic Prosecution Offices; and
1.3. three (3) non-prosecutor members, elected by the Assembly
The three (3) Council non-prosecutor members, elected by the Assembly, according to Article 65 (10) of the Constitution, shall be elected by secret ballot, with the majority of votes of the deputies present and voting, based on the shortlist of the candidates for each position announced by public competition.
The candidate for appointment as non-prosecutor member of the Council must meet the
following requirements:
2.1. be a citizen of the Republic of Kosovo;
2.2. have a university degree in the field of law, criminology, economy, management or
public administration;
2.3. have at least five (5) years of professional experience in legal matters, in the area of
human rights, criminology, economy, management or public administration;
2.4. show and demonstrate high integrity and managerial skills;
2.5. not to be a member or exercise a function in any political entity, association or

Q223 (2025): Other – The Chief State Prosecutor – ex-officio

Election of prosecutor members

1. The process of selecting the prosecutor members shall be based on the principles of competition, non-discrimination, transparency, integrity and objectivity.
2. Elections for the Council members shall be announced by the Council at least six (6) months before the end of the term of the Council member.
3. The duration of the public announcement for prosecutor members shall be fifteen (15) days.
4. In cases when the term of any of the prosecutor members of the Council ceases before the end of the term, the Council shall take a decision and announce the public announcement immediately.
5. Having published the public announcement, the Council shall establish the Election Commission for the administration of the electoral process, with the following composition:
5.1. one (1) prosecutor member that is a member of the Prosecutorial Council - Chair;
5.2. one (1) prosecutor member from the Office of the Chief State Prosecutor; and
5.3. one (1) prosecutor member assigned by the Prosecutorial Council.
6. Election Commission of the Council shall be supported by the Secretariat of the Council.
7. The members of the Election Commission of the Council can be replaced by the persons of the institution they represent in case of objective impossibility or conflict of interest, to be part of the Commission.
8. The term of the members from paragraph 5 of this Article shall run until the end of the election process of the prosecutor members of the Council.
9. After the end of the public announcement deadline, the Commission shall, within fifteen (15) days, evaluate whether the candidates meet the requirements to be elected members of the Council according to Article 8 paragraph 1 of the Law, except the requirement of the high integrity and managerial skills, and shall reject the candidacies who do not meet the requirements set by the Law.
10. Prosecutors who are not confirmed in the candidacy shall have the right to appeal before the Council within twenty-four (24) hours from the notification of the Commission decision. The Council shall review the appeals and finally decide within three (3) days.
11. Each candidate for a Council member shall prepare a concept with data and practical examples, according to the structure of the concept that is approved and published by the Council, to prove his/her integrity, competency and managerial skills to be a Council member. This concept shall be submitted to the Commission at least fifteen (15) days before the voting is conducted and it shall be published on the Council's website.

Q224 (General Comment): According to Article 10 points 3, 4, 5, 6, 7, 8, 9 and 10 of Law no. 06/L-055 on the Judicial Council of Kosovo
Article 9 of the Law on the Kosovo Prosecutorial Council:
Three (3) non-prosecutor members of the Council, elected by the Assembly, in accordance with Article 65 (10) of the Constitution, shall be elected by secret ballot, by a majority vote of the Deputies present and voting, based on a list of two (2) candidates for each position proposed by the relevant bodies, which includes:
3.1. one (1) member from the Kosovo Chamber of Advocates;
3.2. one (1) professor from the law faculties of the Republic of Kosovo;
3.3 "one (1) representative from civil society. The representative of the civil society is selected through a public competition announced by the Assembly, which must have high professional training, proven knowledge in the field of justice, knowledge in the field of human rights, work experience in legal matters of five (5) years, and the support of at least five (5) civil society organizations in the field of justice.

Q224 (2025): KPC Comment: The candidate for appointment as non-prosecutor member of the Council must meet the following requirements:
2.1. be a citizen of the Republic of Kosovo;
2.2. have a university degree in the field of law, criminology, economy, management or public administration;
2.3. have at least five (5) years of professional experience in legal matters, in the area of human rights, criminology, economy, management or public administration;
2.4. show and demonstrate high integrity and managerial skills;
2.5. not to be a member or exercise a function in any political entity, association or foundation affiliated with any political entity, or should not be directly elected by elections or be a member of the Government, or a political appointee, in the last five (5) years;
2.6. not to be in a marital relationship, or not to be related by blood in a straight line, or in an indirect line up to the second degree, or by a relationship by affinity up to the second degree, with prosecutors, deputies of the Assembly of Kosovo, members of the Government or the President of Kosovo;
2.7. have not exercised the function of a prosecutor in the last five (5) years;
2.8. have no indictment filed against him/her;
2.9. not to be convicted for criminal offence, excluding criminal offences committed by
negligence. KJC Comment: • Members must have professional qualifications and expertise relevant to the functioning of the courts in Kosovo.
• Can include experts in management, finance, information technology, or social sciences.
• Must be able to contribute effectively to the Council's work.
• Must reflect multi-ethnic representation (Serb community, other non-majority communities) and comply with gender equality principles.
• Recommended only by members of the Council elected by Parliament, following the rules in Articles 8.3–8.5 of the Law Nr. 06/L-055.

Q224 (2024): KPC Comment: Article 9 of the Law on the Kosovo Prosecutorial Council:
Three (3) non-prosecutor members of the Council, elected by the Assembly, in accordance with Article 65 (10) of the Constitution, shall be elected by secret ballot, by a majority vote of the Deputies present and voting, based on a list of two (2) candidates for each position proposed by the relevant bodies, which includes:
3.1. one (1) member from the Kosovo Chamber of Advocates;
3.2. one (1) professor from the law faculties of the Republic of Kosovo;
3.3 “one (1) representative from civil society. The representative of the civil society is selected through a public competition announced by the Assembly, which must have high professional training, proven knowledge in the field of justice, knowledge in the field of human rights, work experience in legal matters of five (5) years, and the support of at least five (5) civil society organizations in the field of justice.
KJC comment: The Assembly announces the competition for the election of Council members in written and electronic media and in the official language.
The relevant committee of the Assembly (hereinafter: the Committee) determines the competition criteria for the election of a member. The duration of the competition cannot be shorter than fifteen (15) days or longer than twenty (20) days.
After the deadline specified in paragraph 4 of this article expires, the Committee, within fifteen (15) days, evaluates whether the candidates meet the conditions to be elected as Council members and rejects applications that do not meet the criteria set in the competition.
The Committee conducts interviews with each candidate who meets the requirements to be elected as a Council member and, based on the submitted information and interview results, prepares a shortlist of candidates.
The list for the Assembly session includes two (2) candidates for each position.
The Assembly elects Council members through a secret ballot.
If, in the first round, the candidates proposed by the relevant Committee of the Assembly do not receive the majority of votes from all present and voting deputies, then in the second round, the candidate with the highest number of votes is considered elected.
The dismissal of members elected by the Assembly is carried out by the Assembly with the majority of votes of all deputies, upon the proposal of the relevant Committee or the Council.

Q224 (2023): ccording to Article 10 points 3, 4, 5, 6, 7, 8, 9 and 10 of Law no. 06/L-055 on the Judicial Council of Kosovo
Article 9 of the Law on the Kosovo Prosecutorial Council:
Three (3) non-prosecutor members of the Council, elected by the Assembly, in accordance with Article 65 (10) of the Constitution, shall be elected by secret ballot, by a majority vote of the Deputies present and voting, based on a list of two (2) candidates for each position proposed by the relevant bodies, which includes:
3.1. one (1) member from the Kosovo Chamber of Advocates;
3.2. one (1) professor from the law faculties of the Republic of Kosovo;
3.3 “one (1) representative from civil society. The representative of the civil society is selected through a public competition announced by the Assembly, which must have high professional training, proven knowledge in the field of justice, knowledge in the field of human rights, work experience in legal matters of five (5) years, and the support of at least five (5) civil society organizations in the field of justice.

Q225 (2025): The Chief State Prosecutor as an ex-officio member stays in the Council until his mandate as Chief State Prosecutor ends (7 years).

Q226 (2025): The Prosecutorial Council members shall remain in office for a five (5) year mandate, without the right of re-election in the next regular term.
The Council members, other than the Chief State Prosecutor, shall serve in the Council on a full-time basis.
Council members, except the Chief State Prosecutor can not simultaneously exercise the duty of the chief prosecutor of any prosecution office. The Council prosecutor members, other than the Chief State Prosecutor, shall suspend the duty of prosecutor during their service as the Council members, but they shall not lose the status of prosecutor and shall have the right to be reinstated to service as prosecutor of the Prosecution Office in which they were appointed before the commencement of the term of Council member.
During the exercise of the function of Council member, the same cannot get promoted as well as cannot be appointed Chief Prosecutor of the respective Prosecution Office. Unless otherwise provided by the Law, a Council member shall not, during the term, exercise the function of a judge, lawyer, employee of the administration, including the performance of duties in the Government or in administrative bodies, institutions established by the Constitution or Law. KJC Comment:
- Mandate: Members of then Judicial Council are elected for a five (5) year term without the right to reappointment as Council members.
- Chair, Vice-Chair, and three full-time committee chairs: The Chair, Vice-Chair, Chair of the Normative Committee, Chair of the Performance Evaluation Committee, and Chair for Court Administration serve full-time in the Council and suspend their judicial duties during their mandate. The Chair and Vice-Chair are elected from among the Council's members for a three (3) year term, which does not extend the member's 5-year term. They may be re-elected as Chair or Vice-Chair within their 5-year membership term.
- Performance evaluation: All members of the Council are subject to performance evaluation in accordance with the respective decisions of the High Judicial Council (KGJK).
- Part-time members: Members who are not Chair, Vice-Chair, or one of the three full-time committee chairs serve part-time.

Q226 (2024): KPC comment: The Council members shall remain in office for a five (5) year mandate, without the right of re-election.
The position of a member of the Council is full time only for the following members: Chairman of the Council, Deputy Chairman of the Council, Chairman of the Commission for Normative Acts, Chairman of the Commission for Evaluation of Performance of Prosecutors and Chairman of the Commission for the administration of prosecution offices. These members suspend the position of prosecutor during the exercise of these functions.
The other members of the Council continue their work as prosecutors and their performance is evaluated according to the regulation on the evaluation of the performance of prosecutors.
Q226 (2023): The Council members shall remain in office for a five (5) year mandate, without the right of re-election.
The position of a member of the Council is full time only for the following members: Chairman of the Council, Deputy Chairman of the Council, Chairman of the Commission for Normative Acts, Chairman of the Commission for Evaluation of Performance of Prosecutors and Chairman of the Commission for the administration of prosecution offices. These members suspend the position of prosecutor during the exercise of these functions.
The other members of the Council continue their work as prosecutors and their performance is evaluated according to the regulation on the evaluation of the performance of prosecutors.

Q226 (2022): Council members may not be re-elected for a second term.
The position of a member of the Council is full time only for the following members: Chairman of the Council, Deputy Chairman of the Council, Chairman of the Commission for Normative Affairs, Chairman of the Commission for Evaluation of Performance of Prosecutors and Chairman of the Commission for the administration of prosecution offices. These members suspend the position of prosecutor during the exercise of these functions.
The other members of the Council continue their work as prosecutors and their performance is evaluated according to the regulation on the evaluation of the performance of prosecutors.

Q228 (2025): On the Judicial Council's website, the following are published:
1. Sub-legal acts and strategic documents, including public consultations, as regulated by the Law on the Council and acts approved by the Council.
2. Disciplinary decisions in accordance with the Law on Disciplinary Liability of Judges and Prosecutors and acts approved by the Council.
3. Decisions of the Supreme Court on appeals against the Council's disciplinary decisions.
4. Work plans of the Council.
5. Statistical reports on the efficiency of judges and courts.
6. Reports of the Council's Committees.
7. Calendar of meetings and online sessions of the Council and Assembly.
8. Decisions of the Parole Panel.
9. Opinions of the Ethics Committee.
10. News and announcements.
11. Employment opportunities within the judiciary.
12. Other acts and documents approved by the Council.

Publication Deadlines – Based on Administrative Instruction 04/2025 on the Content of the Website of the Kosovo Judicial Council and Courts of the Republic of Kosovo
- Council Decisions: Published within 5 days from approval (Art. 6.1) – all decisions must be published.
- Council Disciplinary Decisions: Published within 15 days from final decision (Art. 6.2) – all decisions must be published.
- Supreme Court Decisions on Appeals Against Council Disciplinary Decisions: Published within 15 days from decision (Art. 6.3 & 6.5) – all decisions must be published.
- Work Plans (Council and Court): Published within 15 days from approval (Art. 7.1) – annual or as updated.
- Statistical Reports of Courts and Judges: Published within 15 days from approval (Art. 8) –, quarterly and annual.
- Annual Calendar of Council Meetings: Published at the beginning of each year (Art. 9.1) – yearly.
- Agenda of Meetings: Published at least 48 hours before regular meetings (Art. 9.2) – per meeting.
- Parole Panel Decisions: Published within 30 days from issuance; Supreme Court decisions on appeals within 15 days (Art. 10) – all decisions must be published.
- Ethics Committee Opinions: Published within 7 days from issuance (Art. 11) – all opinions must be published.
- Court Hearing Schedules (Open to Public): Published 24 hours before hearing unless law provides otherwise (Art. 15.1) – per hearing.
- Monthly Reports on Hearing Efficiency: Published by the 15th day of each month for the previous month (Art. 16.3) – monthly.
- Reports on Published Decisions: Published by the 15th day of each month for the previous month (Art. 17.2) – monthly.
- Supreme Court and Court of Appeal Bulletins/Summaries: Published within 15 days after approval (Art. 18) – all bulletins/summaries must be published.

Q228 (2024): Kosovo Prosecutorial Council comment: KPC meetings are transmitted live online, except when foreseen by law otherwise.
Kosovo Judicial Council comment: www.gjyqesori-rks.org
Q228 (2023): In each KPC meeting the media, civil society and international partners are invited to follow the meetings, except when foreseen by law otherwise.
Q228 (2022): www.gjyqesori-rks.org In each KPC meeting the media, civil society and international partners are invited to follow the meetings, except when foreseen by law otherwise.

Q229 (General Comment): Article 3 of Law on Kosovo prosecutorial council: https://gzk.rks-gov.net/ActDetail.aspx?ActID=2709
The Council:
1.1. is a fully independent institution in the exercise of its functions in order to provide an independent, professional and impartial prosecutorial system as defined by the Constitution and by law;
1.2. ensures that the Prosecution Offices reflect the multi-ethnic nature of the Republic of Kosovo and takes the necessary measures in increasing the number of prosecutors from non-majority communities in Kosovo, in accordance with internationally accepted
gender equality principles;
1.3. ensures that all the persons have equal access to justice;
1.4. ensures that the Prosecution Offices respect the principles of non-discrimination and proportionality, as well as human rights and gender equality, guaranteed by the Constitution and international agreements and instruments applied in the Republic of Kosovo;
1.5. in exercising duties and competencies, the Council acts in a manner that respects and preserves the independence of prosecutors while they perform their prosecution functions. The Council shall not order or influence, attempt to influence or otherwise undertake any action or make any statement which could reasonably be considered as an interference or attempt to interfere with the independence of the prosecution function in relation to any person, investigation or subject.

Q229 (2025): KJC Comment: Competence of the Council regarding threats to judges' independence or impartiality
The Council is competent to act when it is evident that the independence or impartiality of a judge is being threatened by an external party. This competence is regulated under Article 32 of Administrative Regulation No. 03-2020 on the Organization and Functioning of the Kosovo Judicial Council.
- Requests for intervention can be submitted by judges, court presidents, or Council members.
- The Council evaluates the request, gathers relevant information, and votes on a Resolution.
- In urgent cases, the Resolution may be adopted electronically.
- Once approved, the Resolution is immediately published on the Council's official website and/or announced through a press release.

This procedure ensures that any external interference with a judge's independence or authority is addressed formally and transparently.
KPC Comment: Regarding security and independence of prosecutors, KPC, in its Strategic Plan 2025-2027 has foreseen as a first objective the commitment to avoiding undue influence on the work of the prosecutorial system. This objective has foreseen the establishment of mechanisms to track and report cases of undue influence, advancing capacity building programs for prosecutors and staff to recognize and resist undue influence, strengthen whistle-blower protection, enhance security measures for prosecutors facing threats or undue pressure in cooperation with Kosovo Police. During the last years the prosecutorial system was faced with cases of attempts of political influence through public declarations towards cases that were treated by prosecutors especially those of high level, and also towards activities of members of KPC. Also, there were cases of threats against prosecutors as a result of their work. In this regard, KPC from 2022 until now has published a total of 37 public releases in the form of reactions towards these actions that attempted to put pressure on the work of prosecutors or threaten them which came as a result of prosecutors' actions towards the completion of their constitutional and legal mandate. We also have the Association of Prosecutors which also reacts in such cases and stands in the protection of the work of prosecutors.
When there are more serious cases of threats against the security of prosecutors, close protection is provided to the prosecutors and their families, when necessary.
In the Republic of Kosovo, close protection (or "special protective/security measures") for prosecutors who are threatened is regulated by the Law on the State Prosecutor.
Article 36 of the Law on the State Prosecutor states that prosecutors "have the right to request from the Kosovo Prosecutorial Council (KPC) special protective measures for themselves and their families when the threat to their life or the life of a family member arises as a result of exercising prosecutorial duties."
Special protective measures are executed by the Kosovo Police, typically through a specialized close-protection unit, who provide physical protection to the prosecutor and their family. This is confirmed by several publicly known cases where threatened prosecutors were placed under 24-hour police protection.
Special protection may be requested and granted when there is a credible threat to the life or physical safety of a prosecutor or their family, arising from cases handled in the line of duty.

Q229 (2023): Article 3 of Law on Kosovo prosecutorial council: https://gzk.rks-gov.net/ActDetail.aspx?ActID=2709

Indicator 11-Council for the judiciary/ Prosecutorial Council

by question No.

Question 222. What is the number of members in the Council(s) and who proposes them?
Question 223. Who appoints the members of the Council(s)?
Question 224. Are there selection criteria for non-judge/non-prosecutor members in the council(s)?
Question 225. What is the term of office of the members of the Council(s) in years?
Question 226. What are the conditions for the term of office of members of the Council(s)?
Question 227. Please describe the different competences of the Council(s)
Question 228. What accountability measures are in place regarding the activities of the Council(s)?
Question 229. Is(Are) the Council(s) competent when it is evident that there is a breach of the independence or the impartiality of a judge or pressure on a prosecutor?

Question 222

Albania

(General Comment): As for the election and appointmend of the members who are not judges or prosecuters the constitutions provides that 5 members are elected by the Assembly in a procedures prescribed by the constitutions and law. Two lay members are elected from the ranks of advocates, two members from the corps of pedagogues of law faculties and the School of Magistrates and one member from civil society. Hence, in the response to the questions, each of these options has been completed.
The procedure for electing laymembers is as follows:
2. The High Judicial Council shall be composed of 11 members, six of which are elected by the judges of all levels of the judicial power and five members are elected by the Assembly among the ranks of lawyers who are not judges.
3. The judge members shall be selected from the ranks of judges of high moral and professional integrity in accordance with an open and transparent procedure that ensures a fair representation of all levels of the judiciary. The lay members shall be selected among the ranks of prominent jurists, with not less than 15 years of professional experience, of high moral and professional integrity. They should not have held political posts in the public administration or leadership positions in a political party in the last past 10 years before running as candidates. Further criteria and the procedure for selecting the candidates shall be regulated by law.
4. Two lay members shall be elected from the ranks of advocates, two members from the corps of pedagogues of law faculties and the School of Magistrates, and one member from civil society. The Secretary General of the Assembly, based on an open and transparent procedure, shall announce the vacancies in accordance with the law.
5. The Secretary General of the Assembly, not later than 10 days from the submission candidatures, shall verify if the candidates fulfil the criteria foreseen in the Constitution and the law and shall assess the professional and moral criteria for the member of the High Judicial Council and shall prepare the list. In case the candidates do not fulfil the criteria and conditions to be elected, the Secretary
General of the Assembly shall not include their names in the list.
6. The Secretary General of the Assembly, upon completion of the verification, shall immediately send the list of candidates who fulfil the formal criteria to the parliamentary subcommittee, in accordance with paragraph 7 of this article. 7. The standing committee responsible for legal affairs in the Assembly shall establish a subcommittee for the further assessment and selection of candidates not later than three days from the submission of the list. The subcommittee is composed of five members of the Assembly, three members nominated by the parliamentary majority and two by the parliamentary minority. The subcommittee may, with at least four votes, include in the list of candidates even those who have been excluded from the list by the Secretary General of the Assembly for failure to comply with formal requirements. The subcommittee shall select the candidates with the support of at least 4 members. In case the required majority cannot be reached, the candidates shall be selected by lot.
8. The names of the candidates selected by the subcommittee are consolidated into one list and sent to the Speaker of the Assembly. Within ten days, the Assembly shall approve the list of candidates by two-thirds of all the members. In case the list is rejected, the procedure shall be repeated in the subcommittee under paragraph 7 of this Article, but not more than two times. In case the Assembly shall, after conducting the procedure for the third time, not approve the presented list, the candidates of this list shall be deemed elected. Detailed procedures shall be regulated by law.
9. The Chairperson of the High Judicial Council shall be elected at the first meeting of the Council from among the lay members in accordance with the law. 10. Members of the High

(2025): Section 1, articles 7 to 58 of Law no 115/2016 “For Governing Bodies of the Justice System”, foresees the procedure of appointment of members of the High Judicial Council.

Bosnia and Herzegovina

(General Comment): There is a single regulatory body in Bosnia and Herzegovina (BiH), the High Judicial and Prosecutorial Council of Bosnia and Herzegovina (HJPC), which is responsible for all judges, as well as prosecutors in BiH. The HJPC was established by the Law on the HJPC as an independent and autonomous body, with the task of ensuring the maintenance of an independent, impartial and professional judiciary.
The independence of the HJPC is ensured through the autonomous status of this body, which is not in a hierarchical relationship with the legislative or executive authority, nor is a part of the state administration system.
The independence of the institution is reflected in the structure of the HJPC members, as well as in a system in which they are elected.
Out of the 15 HJPC members, 11 members are judges and prosecutors elected by their colleagues. The other 4 members of the HJPC are elected by the legislative and executive authority of BiH and the two Entity Bar Chambers.
The HJPC consists of 15 members as follows:
1. one (1) member who is a judge from the Court of BiH, elected by the judges of that Court;
2. one (1) member who is a judge from the Supreme Court of the Federation of BiH, elected by the judges of that Court;
3. one (1) member who is a judge from the Supreme Court of the Republika Srpska, elected by the judges of that 4. one (1) member who is a judge from either a Cantonal or Municipal level court from the Federation of BiH, elected by the Cantonal and
Municipal court judges;
5. one (1) member who is a judge from a District or Basic level court of the Republika Srpska, elected by the district and basic courts
judges (including judges of the Higher Commercial and District Commercial Courts in RS);
6. one (1) member who is a prosecutor from the Prosecutor's Office of BiH, elected by the prosecutors of that Office;
7. one (1) member who is a prosecutor from the Prosecutor's Office of the Federation of BiH, elected by the prosecutors of that Office;
8. one (1) member who is a prosecutor from the Prosecutor's Office of the Republika Srpska, elected by the prosecutors of that Office;
9. one (1) member who is a prosecutor from a Cantonal level prosecutor's office of the Federation of BiH, elected by the Cantonal prosecutors;
10. one (1) member who is a prosecutor from a District level prosecutor's office of the Republika Srpska, elected by the district prosecutors;
11. one (1) member who is a judge or prosecutor elected by the Brcko District of BiH Judicial Commission;
(Judges/prosecutors members are appointed by Other: The process for selection of the HJPC members from the members of judiciary is conducted at all levels of the judiciary in BiH. The judges and prosecutors elect their representatives directly at the respective levels. Selections are conducted within the courts and prosecutor's offices of a certain level, with an exception with regard to one segment of the judiciary (i e Brcko District of Bosnia and Herzegovina), within which one HJPC member (i.e. judge or prosecutor) is not elected directly by the judges and prosecutors, but by the Brcko District Judicial Commission. The elected member may be a judge of the Brcko District Court of Appeal or Basic Court, or a prosecutor of the Brcko District Prosecutor's Office.)

Montenegro

(General Comment): CONSTITUTION OF MONTENEGRO (“Official Gazette of Montenegro”, No. 1/2007, 38/2013)
„Composition of the Judicial Council
Article 127
The Judicial Council shall have a president and nine members. The members of the Judicial Council shall be:
1) president of the Supreme Court;
2) four judges to be elected and released from duty by the Conference of Judges, taking into account equal representation of courts and judges;
3) four reputable lawyers that are elected and released from duty by the Parliament at proposal of the competent working body of the
Parliament upon announced public invitation;
4) Minister in charge of judicial affairs.“
The Law on Judicial Council and Judges specifies that the members of the Judicial Council from among the judges shall be: 1) three members from among the judges of the Supreme Court of Montenegro (hereinafter referred to as "the Supreme Court"), the Appellate Court of Montenegro (hereinafter referred to as "the Appellate Court"), the Administrative Court of Montenegro (hereinafter referred to as "the Administrative Court"), High Misdemeanour Court of Montenegro (hereinafter referred to as "the High Misdemeanour Court"), Commercial Court of Montenegro (hereinafter referred to as "the Commercial Court") and High Courts, having at least ten years of work experience as judges; 2) One member from among the judges of the Basic Courts and Misdemeanour Courts, having at least five years of work experience as judges (article 12). Moreover, the same legal provision provides for that a judge who received a grade of not satisfactory or who was pronounced a disciplinary sanction may not be appointed as a member of the Judicial Council from among the judges.
According to the Law on State Prosecution, Prosecutorial Council shall have a president and ten members.
The Supreme State Prosecutor shall be the President of the Prosecutorial Council. The following shall be the members of the Prosecutorial Council:
1) five state prosecutors who have a permanent position and at least five years of work experience in performing the prosecutorial function, of which three from the Supreme State Prosecutor's Office, Special State Prosecutor's Office and higher state prosecutor's offices, and one from basic state prosecutor's offices elected and dismissed by the Conference of State prosecutors;
2) 2 reputable lawyers who are not defence lawyers (attorney) elected and dismissed by the Parliament of Montenegro (hereinafter: the Parliament), at the proposal of the competent working body;
3) 1 representative of the state administration body responsible for judicial affairs (hereinafter: the Ministry of Justice), appointed by the Minister of Justice from among the employees of the Ministry of Justice;
4) 1 reputable lawyer as a representative of non-governmental organizations in the field of rule of law, work of the state prosecutor's office or fight against corruption and organized crime, proposed by non-governmental organizations that meet the requirements of this law, and elected and dismissed by the Parliament.

North Macedonia

(General Comment): LAW ON THE COUNCIL OF PUBLIC PROSECUTORS Commission for preparation of lists of candidates Article 18 (1) The Council, from among its members, shall form a three-member Commission for preparation of candidate lists. (2) The Commission shall prepare candidate lists out of the duly submitted candidacies of the candidates that fulfill the requirements referred to in Article 16 of this Law and shall submit them to the Council. (3) The candidate lists shall be prepared according to electoral units where only one candidate is elected, as follows: - as a general list for a candidate from the region of the Higher Public Prosecution Office in Bitola, polling place number 1, - as a general list for a candidate from the region of the Higher Public Prosecution Office in Gostivar, polling place number 2, - as a general list for a candidate from the region of the Higher Public Prosecution Office in Skopje, polling place number 3, - as a general list for a candidate from the region of the Higher Public Prosecutor's Office in Shtip, with election district number 4, - as a general list for a candidate from the region of the Public Prosecution Office of the Republic of North Macedonia, polling place number 5 and - as a single special list of candidates from among the public prosecutors that belong to all the communities that are not in majority of the population in the Republic of North Macedonia, for the whole territory of the Republic of North Macedonia, with polling places as for a general list.

(2025): The data is for the status for beginning of 2026.
Other - Two members of the Council shall be proposed by the president of the Republic of North Macedonia and formally elected by the Assembly of the Republic of North Macedonia.
For the Parliament column, just a small clarification, these members are proposed by the Commission for Elections and Appointments, which is a working body within the Parliament.
According to the Constitution and the Law on Judicial Council, Council consist of 15 members, out of whom: -the president of the Supreme Court of the Republic of North Macedonia and the Minister of Justice shall be ex officio members; -eight members of the Council shall be elected by the judges from among their ranks,
- three of the elected members shall be members of the communities that are not in majority in the Republic of North Macedonia, where the principle of equitable representation of citizens belonging to all the communities shall be observed; -the Assembly of the Republic of North Macedonia shall elect three members of the Council with a majority of votes from the total number of representatives, wherefore there has to be majority of votes of the representatives belonging to the communities that are not in majority in the Republic of North Macedonia, and -two members of the Council shall be proposed by the president of the Republic of North Macedonia and elected by the Assembly of the Republic of North Macedonia, one of whom shall be a member of the communities that are not in majority in the Republic of North Macedonia. Members of the Council by function participate in the work of the Council without the right to vote.
According to the Article 16 of the Law on Judicial Council, in the election of the members of the Council from among the judges, the following representation of the members from all the regional appellate courts shall be taken into consideration, as follows: -one member is elected from the appellate region Skopje, -one member is elected from the appellate region Bitola, -one member is elected from the appellate region Gostivar, -one member is elected from the appellate region Štip,
-one member is elected from the Supreme Court of the Republic of North Macedonia, -two members are elected from among the judges that belong to all the communities that are more than 20% of the population in the Republic of North Macedonia by all the judges that are registered in the Judicial Electoral Directory and -one member is elected from among the judges that belong to all the communities that are less than 20% of the population in the Republic of North Macedonia by all the judges that are registered in the Judicial Electoral Directory.
According to the Law on Council of Public Prosecutors, the Council of public prosecutors is composed of 11 members, of which:
- ex officio members of the Council are the public prosecutor of the Northern Republic
Macedonia,
- one member of the Council is elected by the public prosecutors in the Public Prosecutor's Office
of the Republic of North Macedonia, from its ranks,
- one member of the Council is elected by the public prosecutors from the areas of
the higher public prosecutor's offices of Bitola, Gostivar, Skopje and Shtip, from their ranks,

Serbia

(General Comment): THE LAW
on the High Council of the Judiciary
("Official Gazette of RS", 10/2023)
Composition of the Council
Article 7.
The Council has 11 members.
The members of the Council are six judges elected by the judges, four prominent lawyers elected by the National Assembly and the President of the Supreme Court, as a member ex officio.
2. Selection of candidates chosen by the National Assembly
Article 43.
The National Assembly elects four members of the Council from prominent lawyers with at least ten years of experience in the legal profession from eight candidates proposed by the National Assembly's committee responsible for the judiciary (hereinafter: the Committee), after a public competition, with the votes of two-thirds of all MPs.
Conditions for the election of a member of the CouncilArticle 44.
A candidate for a member of the Council can be a person who, in addition to the conditions from Article 43 of this law, also meets the following conditions:
1) that he meets the general requirements for working in a state body;
2) to have acquired higher education at basic academic studies at the Faculty of Law in the amount of at least 240 ESPB points or higher education acquired at basic studies at the Faculty of Law for a duration of at least four years;
3) to have experience and knowledge relevant to the work of the judiciary;4) that it is worthy to perform the function of a member of the Council;
5) that he has not reached the age of 65;
6) not to perform the function of judge or public prosecutor;
7) that he was not elected to a public office directly by the citizens, that he does not perform the function to which he is elected by the National Assembly, that is, that he does not perform the function of a judge of the Constitutional Court or the Secretary of State;
8) not to strongly influence the making of political decisions;
9) that he did not exert undue influence on the work of a judge, court or holder of the office of public prosecutor and public prosecutor's office;
10) that in a public appearance he did not represent a position that threatens the independence of the judiciary or the independence of the public prosecutor's office.
THE LAW
ON THE HIGH COUNCIL OF THE PROSECUTION

(2025): LAW ON THE HIGH JUDICIAL COUNCIL ("Official Gazette of the Republic of Serbia", No. 10/2023) Composition of the Council
Composition of the Council - Article 7
The Council has 11 members.
The members of the Council are six judges elected by judges, four prominent lawyers elected by the National Assembly, and the President of the Supreme Court, as an ex officio member.
LAW ON THE HIGH PROSECUTORIAL COUNCIL ("Official Gazette of the Republic of Serbia", No. 10/2023)
Composition of the Council - Article 7.
The Council has 11 members.
The members of the Council are five public prosecutors elected by the holders of the public prosecutorial function, four prominent lawyers elected by the National Assembly, and the Supreme Public Prosecutor and the Minister of Justice, as ex officio members.

Kosovo*

(General Comment): The council consists of 13 members, 7 members will be judges elected by members of the judiciary, 2 judges of the Supreme Court, 2 judges of the Court of Appeal and 3 new judges of the Basic Court, and two (2) members elect the deputies of the Assembly from representatives of other communities, one of these two must be a judge, and two (2) members elect MPs from representatives of the Serbian community, at least one must be a judge.

(2025): The distribution of the KPC members may vary with the new Law on KPC. First instance is considered the 7 basic prosecution offices and the Special Prosecution office. Second instance is the Appellate Prosecution office and third instance is the Office of the Chief State Prosecutor. Based on the Law there should be 4 prosecutor members (3 elected, 1 - Chief state prosecutor - ex officio). Of the 3 elected, 2 should be from the Basic Prosecution offices, and 1 should be either from Special Prosecution Office, Appellate Prosecution Office or Chief State Prosecutor's Office. So, if the 3rd member is selected from Special prosecution the first instance could have 3 members (together with the 2 from BPOs), if the third member is elected from the Appellate prosecution the second instance will have 1 member and if the 3rd member is selected from Office of chief state prosecutors the third instance will have 2 members (together with Chief state prosecutor as an ex-officio member).
Article 6 of the new Law on Kosovo Prosecutorial Council
Article 9 of the basic Law shall be reworded as follows:
Article 9 Composition of Council members
1. The Council shall consist of seven (7) members. Council members shall be:
1.1. Chief State Prosecutor ex officio;
1.2. three (3) prosecutor members, elected by the prosecutorial system, as follows:
1.2.1. one (1) prosecutor elected from among prosecutors of the Special
Prosecution Office, Appellate Prosecution Office or Chief State Prosecutor's Office;
1.2.2. two (2) prosecutors elected from among the Basic Prosecution Offices; and
1.3. three (3) non-prosecutor members, elected by the Assembly
The three (3) Council non-prosecutor members, elected by the Assembly, according to Article 65 (10) of the Constitution, shall be elected by secret ballot, with the majority of votes of the deputies present and voting, based on the shortlist of the candidates for each position announced by public competition.
The candidate for appointment as non-prosecutor member of the Council must meet the
following requirements:
2.1. be a citizen of the Republic of Kosovo;
2.2. have a university degree in the field of law, criminology, economy, management or
public administration;
2.3. have at least five (5) years of professional experience in legal matters, in the area of
human rights, criminology, economy, management or public administration;
2.4. show and demonstrate high integrity and managerial skills;
2.5. not to be a member or exercise a function in any political entity, association or

Question 223

Albania

(2025): Section 1, articles 7 to 58 of Law no 115/2016 “For Governing Bodies of the Justice System”, foresees the procedure of appointment of members of the High Judicial Council.Based on the Law no. 115/2016 “On the governance institutions of the justice system”, as amended, the High Prosecutorial Council is a collegial body, consisting of eleven members. Six of the Council members are prosecutors from all levels of the prosecution. The General Meeting of Prosecutors of all levels elects 6 members of the High Prosecutorial Council, according to the following report:
a) three of the elected are first instance prosecutors. At least 1 of them is a prosecutor in a prosecutor's office at the court of first instance outside Tirana;
b) two of the elected are prosecutors of the prosecution offices of the courts of appeal, including the Special Prosecution Office for the fight against corruption and organized crime. At least 1 of them is a prosecutor in a prosecutor's office at an appellate court outside Tirana;
c) one of the elected members is a prosecutor at the General Prosecutors Office.
The General Prosecutor announces the call for the expression of interest by prosecutors interested in the position of a member of the High Prosecutorial Council. Within 15 days of the announcement of the call for the expression of interest, the concerned prosecutors shall express their interest in a written request to the General Prosecutor. Within the deadline for submission of expressions of interest, the General Prosecutors Office shall verify the fulfilment of the conditions by the candidates, according to the provisions of this law. Appeals against decisions to exclude candidates only for serious procedural violations are made to the Administrative Court of Appeal no later than 5 days from the date of notification of the decision.
Not later than two months before the expiry of the term of office of the Prosecuting Members of the High Prosecutorial Council in office, the General Prosecutor convenes the General Meeting of Prosecutors of all levels to elect the members of the Council. The voting for the election of members of the High Prosecutorial Council from the General Meeting of Prosecutors is secret and individual. At the conclusion of the voting process, under the responsibility of the Prosecutor General, members of the voting committee open the ballot boxes in the presence of all prosecutors attending the meeting, count the votes and announce the preliminary election result.
Complaints for violation of procedure related to convening the General Meeting of Prosecutors, verification of participation, voting and counting of votes, ascertaining and declaring invalid and declaring the result during the General Meeting of Prosecutors for the election of Council members of the High Prosecutor's Office shall be filed with the Administrative Court of Appeal no later than 5 days from the day the decision is published on the official website of the General Prosecutor's Office. For the election of the five members coming from the academic field (2 members), bar association (2 members) and civil society organisations (1 member), the Law “On the governance institutions of the justice system”, as amended has established detailed procedures for the verification and evaluation of candidates. In the preliminary assessment process are included bodies such as the National Chamber of Advocacy, the People's Advocate, the faculties of Law and the School of Magistrates as well as civil society organizations.
The candidates presented by the above mentioned bodies are reviewed by the Assembly which decides finally the selected candidates.

Bosnia and Herzegovina

(General Comment): The process for selection of the HJPC members from the members of judiciary is conducted at all levels of the judiciary in BiH. The judges and prosecutors elect their representatives directly at the respective levels. Selections are conducted within the courts and prosecutor's offices of a certain level, with an exception with regard to one segment of the judiciary (i e Brcko District), where the HJPC member is not elected directly by the judges and prosecutors, but by the Brcko District Judicial Commission. The elected member may be a judge of the Brcko District Court of Appeal or Basic Court, or a prosecutor of the Brcko District Prosecutor's Office. The House of Representatives of the Parliamentary Assembly of BiH, the Council of Ministers of BiH and the Entity Bar Chambers carry out the procedure of selection of their representatives in the HJPC in accordance with their own rules, by respecting the basic rules defined by the HJPC Rulebook on Selection of the HJPC Members. The Rulebook on the selection of HJPC members specifies the rules on ethnicity and gender structure, and defines

(2025): Judges/prosecutors members are appointed by Other: The process for selection of the HJPC members from the members of judiciary is conducted at all levels of the judiciary in BiH. The judges and prosecutors elect their representatives directly at the respective levels. Selections are conducted within the courts and prosecutor's offices of a certain level, with an exception with regard to one segment of the judiciary (i e Brcko District of Bosnia and Herzegovina), within which one HJPC member (i.e. judge or prosecutor) is not elected directly by the judges and prosecutors, but by the Brcko District Judicial Commission. The elected member may be a judge of the Brcko District Court of Appeal or Basic Court, or a prosecutor of the Brcko District Prosecutor's Office.

Montenegro

(2025): supreme state prosecutor is a president of the council by law
president of the supreme court is member of the council by Constitution

Serbia

(General Comment): Law on the High Judicial Council "Official Gazette of the Republic of Serbia", No. 10 of 9 February 2023.

III. PROCEDURE FOR ELECTION OF A COUNCIL MEMBER

1. Election of a candidate for a member of the Council from among judges

Decision on initiating the procedure

Article 25.

The decision on initiating the procedure for the election of a candidate for an elective member of the Council from among judges shall be made by the President of the Council no later than six months before the expiration of the term of office of an elective member of the Council from among judges.

The decision referred to in paragraph 1 of this Article shall be published in the "Official Gazette of the Republic of Serbia" and on the Council's website and shall be submitted to the President of the Council's Election Commission (hereinafter: the Election Commission).

Representation of courts

Article 26.

Elective members of the Council from among judges shall be elected from the following courts:

1) one from the Supreme Court;

2) one from the courts of appeal and the Administrative Court;

3) one from the higher courts;

4) one from the commercial courts and the Commercial Court of Appeal;

5) one from the basic courts;

6) one from the misdemeanor courts and the Misdemeanor Court of Appeal.

Requirements for candidacy for a member of the Council from among judges

Article 27.

Any judge may be a candidate for a member of the Council from among judges.

A judge may be elected as a member of the Council if he or she is proposed by a session of all judges of one or more courts according to the type and level of the court (Article 26) in which the judge serves as a judge.

A session of all judges of one court may propose only one candidate.

At a session of all judges, a secret vote shall be held on the proposed candidate.

A judge may also be elected as a member of the Council if he or she is supported by at least 20 judges according to the type and level of the court in which he or she serves as a judge (Article 26). A judge may support only one candidate.

(2025): Comment by HJC:
The Law on High Judicial Council („Official Gazette of the Republic of Serbia“ No.10/ 23) prescribed that the Council has 11 members. The members of the Council are six judges elected by the judges, four prominent lawyers elected by the National Assembly and the president of the Supreme Court, as a member elected according to function.
The Council has a president of the Council who is elected by the Council from among the elected members of the Council who are judges, for a term of five years, and the vice president of the Council who is elected from among the members elected by the National Assembly for a term of five years.
The procedure for the election of Council members is regulated by Law on High Judicial Council.
According to the Law on High Judicial Council (Article 26), elective members of the Council from the ranks of judges are elected from the following courts: one from the Supreme Court; one from the Appellate courts and the Administrative Court; one from the Higher courts; one of the Commercial courts and the Commercial Appellate Court; one of the Basic courts and one from the Misdemeanour courts and the Misdemeanour Appellate Court. Any judge can be a candidate for a member of the Council from the rank of judges.
A judge nominated by a session of all judges of one or more courts according to the type and level of the court in which the judge performs judicial function can be elected as a member of the Council.
A session of all judges of a court can propose only one candidate.
At the meeting of all judges, the proposed candidate is voted on secretly.
A judge who is supported by at least 20 judges according to the type and level of the court in which he/she performs the judicial function can be elected as a member of the Council. A judge can support only one candidate.
As an exception, a candidate for an elective member of the Council from the rank of judges of the Supreme Court, the Misdemeanour Appellate Court, the Commercial Appellate Court and the Administrative Court acquires the status of a candidate by submitting an application.
The president of the court and acting president of the court cannot be a candidate for a member of the Council (Article 27).
The Law on High Judicial Council from Article 43 to Article 53 stipulates the procedure for election of non-judicial members of the Council in a transparent and merit-based manner. The National Assembly elects four members of the Council from prominent lawyers with at least ten years of experience in the legal profession from eight candidates proposed by the National Assembly's committee responsible for the judiciary, after a public competition, with the votes of two-thirds of all MPs. (Article 43) the National Assembly's Committee organizes a public hearing for the purpose of presenting candidates, which is attended by representatives of the general and professional public. (Article 50) If the National Assembly does not elect all the members of the Council to be elected within the stipulated period by law, the remaining members of the Council, from among all the candidates who meet the conditions for election, are elected by a commission consisting of the President of the National Assembly, the President of the Constitutional Court, the President of the Supreme court, the Supreme Public Prosecutor and the Ombudsperson, by majority vote. (Article 51)
The Law on High Judicial Council ("Official Gazette of the Republic of Serbia” no. 10/2023, February 9th, 2023) stipulates that legislative is involved in a procedure of electing non-judicial members, but it is not involved in termination of non-judicial members. The National Assembly elects four members of the Council from prominent lawyers with at least ten

Kosovo*

(2025): Other – The Chief State Prosecutor – ex-officio
Election of prosecutor members
1. The process of selecting the prosecutor members shall be based on the principles of competition, non-discrimination, transparency, integrity and objectivity.
2. Elections for the Council members shall be announced by the Council at least six (6) months before the end of the term of the Council member.
3. The duration of the public announcement for prosecutor members shall be fifteen (15) days.
4. In cases when the term of any of the prosecutor members of the Council ceases before the end of the term, the Council shall take a decision and announce the public announcement immediately.
5. Having published the public announcement, the Council shall establish the Election
Commission for the administration of the electoral process, with the following composition:
5.1. one (1) prosecutor member that is a member of the Prosecutorial Council - Chair;
5.2. one (1) prosecutor member from the Office of the Chief State Prosecutor; and
5.3. one (1) prosecutor member assigned by the Prosecutorial Council.
6. Election Commission of the Council shall be supported by the Secretariat of the Council.
7. The members of the Election Commission of the Council can be replaced by the persons of the institution they represent in case of objective impossibility or conflict of interest, to be part of the Commission.
8. The term of the members from paragraph 5 of this Article shall run until the end of the election
process of the prosecutor members of the Council.
9. After the end of the public announcement deadline, the Commission shall, within fifteen (15) days, evaluate whether the candidates meet the requirements to be elected members of the Council according to Article 8 paragraph 1 of the Law, except the requirement of the high integrity and managerial skills, and shall reject the candidacies who do not meet the
requirements set by the Law.
10. Prosecutors who are not confirmed in the candidacy shall have the right to appeal before the Council within twenty-four (24) hours from the notification of the Commission decision. The Council shall review the appeals and finally decide within three (3) days.
11. Each candidate for a Council member shall prepare a concept with data and practical examples, according to the structure of the concept that is approved and published by the Council, to prove his/her integrity, competency and managerial skills to be a Council member. This concept shall be submitted to the Commission at least fifteen (15) days before the voting is
conducted and it shall be published on the Council's website.

Question 224

Albania

(General Comment): The other five members of the Council (in total are 11 members) are non-judge/non-prosecutor, selected from the ranks of lawyers, law professors and civil society. Non-judicial members who are elected from the ranks of lawyers, faculty of law faculties and the School of Magistrates, as well as civil society are elected by the Assembly, based on a preliminary assessment process of legal conditions and criteria. The 2 lawyers applying for the position of a member of the High Prosecutorial Council must meet the following requirements:
a) to be Albanian nationals;
b) have completed the second cycle of undergraduate law studies with a "Master of Science" degree, or associate's degree, or undergraduate law degree abroad and obtained a unified degree, in accordance with the rules for diploma integration, provided by law;
c) be lawyers licensed under the law;
ç) have regularly settled all tax and financial obligations to the Chamber of Advocates;
d) have not less than 15 years of experience in the legal profession, of which at least 10 years have practiced the law profession without interruption;
dh) have been licensed to practice their profession before the High Court or the Constitutional Court, in accordance with the provisions of the Law “On the profession of lawyer”;
e) have no disciplinary measure in force;
h) have not previously been convicted by a final court decision of committing a criminal offense;
f) have not held political office in public administration or leadership positions in political parties for the past 10 years;
g) have not been members, associates or favoured of the former State Security before July 2, 1991 within the meaning of the Law "On the right to information on former state security documents of the Socialist People's Republic of Albania";
k) not to be collaborators, informants or agents of any intelligence service;
h) at the time of candidacy, have no family member, within the meaning of the law "On the declaration and control of the assets, financial liabilities of the elected and some public servants", as well as first degree relatives who are acting member of the Council or candidate for member.
i) have not been removed from their previous duties as a judge, prosecutor or officer of the Judicial Police by disciplinary action;
j) not to be candidates proposed by the faculty of law faculties and the School of Magistrates, as well as by civil society.
Lawyers who hold leading positions in advocacy chambers or in the governing bodies of interest groups, such as associations and trade unions of lawyers, resign from these leadership positions if they are elected to members of the High Prosecutorial Council. The Assembly elects 2 members of the High Prosecutorial Council from the faculty of law faculties and the School of Magistrates. These candidates must meet the following requirements:
a) to be Albanian nationals;
b) have not less than 15 years of professional experience as a lawyer;
c) at the time of candidacy, to be full-time lecturers not less than 5 years in the law faculty of a higher education institution or internal

(2025): Subsection II of law 115/2016 “FOR THE GOVERNING BODIES OF THE JUSTICE SYSTEM” provides for the procedure for the election of members of the High Judicial Council by the Bar, specifically:
Article 19 provides for the verification and preliminary evaluation of candidates for members of the High Judicial Council from the legal profession and the conditions for election.
Article 34 provides for professional and moral criteria for ranking candidates.
Subsection III of law 115/2016 “FOR THE GOVERNING BODIES OF THE JUSTICE SYSTEM” provides for the procedure for election of members of the High Judicial Council by the Body of teachers of the faculties of law and the school of magistrates, specifically:
Article 36 provides for the election of members of the High Judicial Council from the body of lecturers of the faculties of law and the School of Magistracy.
Subsection IV provides for the procedure for electing the member of the High Judicial Council representing civil society, specifically:
Article 54 provides for the election of the member of the High Judicial Council representing civil society and the conditions for being elected.

(2024): The other 5 members of the Council (in total are 11 members) are non-judges/non-prosecutors, selected from the ranks of lawyers (2), law professors (2) and civil society (1). These members who are elected from the ranks of lawyers, faculty of law faculties and the School of Magistrates, as well as civil society are elected by the Assembly of Albania, based on a preliminary assessment process of legal conditions and criteria.
The 2 lawyers (bar association) applying for the position of a member of the High Prosecutorial Council must meet the following requirements:
a) to be Albanian nationals;
b) have completed the second cycle of undergraduate law studies with a "Master of Science" degree, or associate's degree, or undergraduate law degree abroad and obtained a unified degree, in accordance with the rules for diploma integration, provided by law;
c) be lawyers licensed under the law;
ç) have regularly settled all tax and financial obligations to the Chamber of Advocates;
d) have not less than 15 years of experience in the legal profession, of which at least 10 years have practiced the law profession without interruption;
dh) have been licensed to practice their profession before the High Court or the Constitutional Court, in accordance with the provisions of the Law “On the profession of lawyer”;
e) have no disciplinary measure in force;
h) have not previously been convicted by a final court decision of committing a criminal offense;
f) have not held political office in public administration or leadership positions in political parties for the past 10 years;
g) have not been members, associates or favoured of the former State Security before July 2, 1991 within the meaning of the Law "On the right to information on former state security documents of the Socialist People's Republic of Albania";
k) not to be collaborators, informants or agents of any intelligence service;
h) at the time of candidacy, have no family member, within the meaning of the law "On the declaration and control of the assets, financial liabilities of the elected and some public servants", as well as first degree relatives who are acting member of the Council or candidate for member.
i) have not been removed from their previous duties as a judge, prosecutor or officer of the Judicial Police by disciplinary action;
j) not to be candidates proposed by the faculty of law faculties and the School of Magistrates, as well as by civil society.
Lawyers who hold leading positions in advocacy chambers or in the governing bodies of interest groups, such as associations and trade unions of lawyers, resign from these leadership positions if they are elected to members of the High Prosecutorial Council.
The Assembly elects 2 members of the High Prosecutorial Council from the faculty of law faculties and the School of Magistrates.
These candidates must meet the following requirements:
a) to be Albanian nationals;
b) have not less than 15 years of professional experience as a lawyer;

(2023): The other five members of the Council (in total are 11 members) are non-judges/non-prosecutors, selected from the ranks of lawyers (2), law professors (2) and civil society (1). These members who are elected from the ranks of lawyers, faculty of law faculties and the School of Magistrates, as well as civil society are elected by the Assembly of Albania, based on a preliminary assessment process of legal conditions and criteria.
The 2 lawyers applying for the position of a member of the High Prosecutorial Council must meet the following requirements:
a) to be Albanian nationals;
b) have completed the second cycle of undergraduate law studies with a "Master of Science" degree, or associate's degree, or undergraduate law degree abroad and obtained a unified degree, in accordance with the rules for diploma integration, provided by law;
c) be lawyers licensed under the law;
ç) have regularly settled all tax and financial obligations to the Chamber of Advocates;
d) have not less than 15 years of experience in the legal profession, of which at least 10 years have practiced the law profession without interruption;
dh) have been licensed to practice their profession before the High Court or the Constitutional Court, in accordance with the provisions of the Law “On the profession of lawyer”;
e) have no disciplinary measure in force;
h) have not previously been convicted by a final court decision of committing a criminal offense;
f) have not held political office in public administration or leadership positions in political parties for the past 10 years;
g) have not been members, associates or favoured of the former State Security before July 2, 1991 within the meaning of the Law "On the right to information on former state security documents of the Socialist People's Republic of Albania";
k) not to be collaborators, informants or agents of any intelligence service;
h) at the time of candidacy, have no family member, within the meaning of the law "On the declaration and control of the assets, financial liabilities of the elected and some public servants", as well as first degree relatives who are acting member of the Council or candidate for member.
i) have not been removed from their previous duties as a judge, prosecutor or officer of the Judicial Police by disciplinary action;
j) not to be candidates proposed by the faculty of law faculties and the School of Magistrates, as well as by civil society.
Lawyers who hold leading positions in advocacy chambers or in the governing bodies of interest groups, such as associations and trade unions of lawyers, resign from these leadership positions if they are elected to members of the High Prosecutorial Council.
The Assembly elects 2 members of the High Prosecutorial Council from the faculty of law faculties and the School of Magistrates.
These candidates must meet the following requirements:
a) to be Albanian nationals;
b) have not less than 15 years of professional experience as a lawyer;

Bosnia and Herzegovina

(General Comment): According to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, a member of the HJPC who is elected by the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina must not be a member of the judiciary or a member of the Parliamentary Assembly of Bosnia and Herzegovina. In addition, a member of the HJPC who is elected by the Council of Ministers of Bosnia and Herzegovina must not be a member of the judiciary or a member of the Council of Ministers of Bosnia and Herzegovina. Finally, two members of the HJPC who are lawyers are elected by the Entity Bar Chambers.
The House of Representatives of the Parliamentary Assembly of BiH, the Council of Ministers of BiH and the Entity Bar Chambers carry out the procedure of selection of their representatives in the HJPC in accordance with their own rules and also by respecting the basic rules defined by the HJPC Rulebook on Selection of the HJPC Members. The Rulebook on the selection of HJPC members specifies the rules on ethnicity and gender structure and defines the basics of the procedure for selection of HJPC members.

(2025): According to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, a member of the HJPC who is elected by the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina must not be a member of the judiciary or a member of the Parliamentary Assembly of Bosnia and Herzegovina. In addition, a member of the HJPC who is elected by the Council of Ministers of Bosnia and Herzegovina must not be a member of the judiciary or a member of the Council of Ministers of Bosnia and Herzegovina. Finally, two members of the HJPC who are lawyers are elected by the Entity Bar Chambers.
The House of Representatives of the Parliamentary Assembly of BiH, the Council of Ministers of BiH and the Entity Bar Chambers carry out the procedure of selection of their representatives in the HJPC in accordance with their own rules and also by respecting the basic rules defined by the HJPC Rulebook on Selection of the HJPC Members. The Rulebook on the selection of HJPC members specifies the rules on ethnicity and gender structure and defines the basics of the procedure for selection of HJPC members.

(2024): According to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, a member of the HJPC who is elected by the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina must not be a member of the judiciary or a member of the Parliamentary Assembly of Bosnia and Herzegovina. In addition, a member of the HJPC who is elected by the Council of Ministers of Bosnia and Herzegovina must not be a member of the judiciary or a member of the Council of Ministers of Bosnia and Herzegovina. Finally, two members of the HJPC who are lawyers are elected by the Entity Bar Chambers.
The House of Representatives of the Parliamentary Assembly of BiH, the Council of Ministers of BiH and the Entity Bar Chambers carry out the procedure of selection of their representatives in the HJPC in accordance with their own rules and also by respecting the basic rules defined by the HJPC Rulebook on Selection of the HJPC Members. The Rulebook on the selection of HJPC members specifies the rules on ethnicity and gender structure and defines the basics of the procedure for selection of HJPC members.

(2023): In accordance to the Law on the HJPC: One member of the HJPC who is elected by the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina must not be a member of the judiciary or a member of the Parliamentary Assembly of Bosnia and Herzegovina.
Also, one member of the HJPC who is elected by the Council of Ministers of Bosnia and Herzegovina must not be a member of the judiciary or a member of the Council of Ministers of Bosnia and Herzegovina.

(2022): In accordance to the Law on the HJPC: One member of the HJPC who is elected by the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina must not be a member of the judiciary or a member of the Parliamentary Assembly of Bosnia and Herzegovina.
Also, One member of the HJPC who is elected by the Council of Ministers of Bosnia and Herzegovina must not be a member of the judiciary or a member of the Council of Ministers of Bosnia and Herzegovina.

Montenegro

(General Comment): JUDICIAL COUNCIL
A person, who has at least fifteen years of work experience on legal affairs and enjoys personal and professional reputation and was not convicted of criminal offences that render judges unworthy for the exercise of judicial office in accordance with the present Law, may be
appointed as a member of the Judicial Council from among eminent lawyers.
The competent working body of the Parliament of Montenegro shall issue a public call for the appointment of a member of the Judicial Council from among eminent lawyers in the Official Gazette of Montenegro and in at least one of the print media based in Montenegro. The public call for the appointment of a member of the Judicial Council from among eminent lawyers shall be published by the competent working body of the Parliament of Montenegro on the website of the Parliament of Montenegro (hereinafter: the Parliament).
The deadline for applications by candidates shall be 15 days from the announcement of the public call.
On the website of the Parliament, the competent working body of the Parliament shall publish a list of applicants, which shall be available to the public at least ten days from the date of publication.
The competent working body of the Parliament shall submit the proposal for the appointment of a member of the Judicial Council from among eminent lawyers to the Parliament.
PROSECUTORIAL COUNCIL - Article 26, paragraph 1 of the Law on State Prosecutor's Office
"Election of the Prosecutorial Council Members from Among Eminent Lawyers Article 26 A person with at least ten years of experience in law who has earned personal and professional reputation and if he/she is not convicted of an offence that makes him/her unworthy of discharging prosecutorial duties in accordance with this Law can be elected a Prosecutorial Council member from among eminent lawyers."

(2025): A person who is a spouse or common-law spouse or a partner in a same-sex life partnership or a relative of a member of parliament, a member of the Government of Montenegro (hereinafter: the Government) and the President of Montenegro or a person elected, appointed or appointed by the Parliament, the President of Montenegro or the Government, in a direct line regardless of the degree of kinship, in a collateral line up to the second degree of kinship or a relative by in-laws up to the first degree, may not be elected as a member of the Prosecutorial Council from among state prosecutors.
A state prosecutor who has been assessed as unsatisfactory or who has been subject to a disciplinary sanction may not be elected as a member of the Prosecutorial Council from among state prosecutors.

North Macedonia

(General Comment): 1. Criteria for non-judge members in the Judicial Council (article 11 - Law on the Judicial Council)

Any person who meets the following requirements in the moment of publication of the announcement may apply to the announcement for selection of a member of the Council on a proposal of the Assembly of the Republic of North Macedonia or on a proposal of the President the Republic of North Macedonia - to be a citizen of the Republic of North Macedonia, - to be a law graduate with at least 15 years of work experience in the legal profession and a passed bar examination and who, in the practice of the legal professional, distinguishes himself by scientific or professional work or by public activities,

- not to be convicted with an effective court decision for the criminal offense misuse of official duty and authorizations or other criminal offence with unconditional imprisonment of at least six months that makes him unworthy to perform his function as a Council member and
- has a reputation and integrity in the exercise of the office of a member of the Council.

The members of the Council elected by the Parliament, as well as the members elected by the Parliament that were proposed by the President of the Republic of North Macedonia, are from among the university law professors, lawyers, former Constitutional Court judges, international judges and other prominent lawyers.

2. Criteria for non-prosecutor members in the Council of Public Prosecutors (article 32 Law on the Public Prosecutors)

(1) A member of the Council elected by the Parliament may be a person who meets the following requirements:

- to be a citizen of the Republic of North Macedonia,
- to be Bachelor of law with at least 15 years of work experience in the legal profession, having passed the bar exam and has excelled in the performance of the legal profession with scientific or professional work or with their public action and - to not have been convicted by an effective court verdict of a criminal offense of abuse of official position and authorization in the performance of their function or other criminal offense of unconditional imprisonment of at least six months, thus rendering them unworthy to perform the function of a member of the Council.

(2) The members of the Council elected by the Parliament shall be university professors of law, attorneys, former judges of the Constitutional Court, international judges and other prominent lawyers, two of whom shall be members of the non-majority communities in the Republic of North Macedonia.

Serbia

(General Comment): THE LAW
on the High Council of the Judiciary
("Official Gazette of RS", 10/2023)
Composition of the Council
Article 7.
The Council has 11 members.
The members of the Council are six judges elected by the judges, four prominent lawyers elected by the National Assembly and the President of the Supreme Court, as a member ex officio.
2. Selection of candidates chosen by the National Assembly
Article 43.
The National Assembly elects four members of the Council from prominent lawyers with at least ten years of experience in the legal profession from eight candidates proposed by the National Assembly's committee responsible for the judiciary (hereinafter: the Committee), after a public competition, with the votes of two-thirds of all MPs.
Conditions for the election of a member of the Council
Article 44.
A candidate for a member of the Council can be a person who, in addition to the conditions from Article 43 of this law, also meets the following conditions:
1) that he meets the general requirements for working in a state body;
2) to have acquired higher education at basic academic studies at the Faculty of Law in the amount of at least 240 ESPB points or higher education acquired at basic studies at the Faculty of Law for a duration of at least four years;
3) to have experience and knowledge relevant to the work of the judiciary;4) that it is worthy to perform the function of a member of the Council;
5) that he has not reached the age of 65;
6) not to perform the function of judge or public prosecutor;
7) that he was not elected to a public office directly by the citizens, that he does not perform the function to which he is elected by the National Assembly, that is, that he does not perform the function of a judge of the Constitutional Court or the Secretary of State;
8) not to strongly influence the making of political decisions;
9) that he did not exert undue influence on the work of a judge, court or holder of the office of public prosecutor and public prosecutor's office;
10) that in a public appearance he did not represent a position that threatens the independence of the judiciary or the independence of the public prosecutor's office.
THE LAW

(2025): Comment by HJC: The Law on High Judicial Council prescribed that the National Assembly elects four members of the Council among the prominent lawyers with at least ten years of experience in the legal profession among the eight candidates proposed by the National Assembly's committee responsible for the judiciary, after a public competition, with the votes of two thirds of all members of the Parliament.
Comment by HPC: Articles 43 and 44 of the Law on in High Prosecutorial Council state the following criteria:
The National Assembly elects four members of the Council from prominent lawyers with at least ten years of experience in the legal profession from eight candidates proposed by the National Assembly's committee responsible for the judiciary, after a public competition, with the votes of two-thirds of all MPs.
A candidate for a member of the Council can be a person who also meets the following conditions:
1) that he meets the general requirements for work in state bodies;
2) to have acquired higher education at basic academic studies at the Faculty of Law in the amount of at least 240 ESPB points or higher education acquired at basic studies at the Faculty of Law for a duration of at least four years;
3) to have experience and knowledge relevant to the work of the judiciary;
4) that it is worthy to perform the function of a member of the Council;
5) that he has not reached the age of 65;
6) not to perform the function of public prosecutor or judge;
7) that he was not elected to a public office directly by the citizens, that he does not perform a function to which he is elected by the National Assembly, that is, that he does not perform the function of a judge of the Constitutional Court or the Secretary of State;
8) not to strongly influence the making of political decisions;
9) that he did not exert undue influence on the work of a holder of the public prosecutor's office and the public prosecutor's office or a judge and the court;
10) that in public appearances he did not advocate positions that threaten the independence of the public prosecution or the independence of the judiciary.
Dignity implies moral qualities that a member of the Council should possess and conduct in accordance with those qualities. The moral qualities are: honesty, conscientiousness, fairness, dignity, perseverance and exemplary behavior, and behavior in accordance with these qualities means safeguarding the reputation of the Council and the Public Prosecutor's Office in and outside the office, awareness of social responsibility, preservation of independence, impartiality, integrity and dignity in the exercise of the office and outside it, and ensuring the preservation of trust in the work and authority of the Council and the Public Prosecutor's Office in the public.
During the election, professional or scientific work of importance for the work of the judiciary, as well as an understanding of the judiciary and advocacy in professional work or public action for the independence of the public prosecutor's office, are especially valued.

(2024): THE LAW on the High Council of the Judiciary ("Official Gazette of RS", 10/2023)
Composition of the Council Article 7.
The Council has 11 members.
The members of the Council are six judges elected by the judges, four prominent lawyers elected by the National Assembly and the President of the Supreme Court, as a member ex officio.
2. Selection of candidates chosen by the National Assembly Article 43.
The National Assembly elects four members of the Council from prominent lawyers with at least ten years of experience in the legal profession from eight candidates proposed by the National Assembly's committee responsible for the judiciary (hereinafter: the Committee), after a public competition, with the votes of two-thirds of all MPs. Conditions for the election of a member of the Council Article 44.
A candidate for a member of the Council can be a person who, in addition to the conditions from Article 43 of this law, also meets the following conditions:
1) that he meets the general requirements for working in a state body;
2) to have acquired higher education at basic academic studies at the Faculty of Law in the amount of at least 240 ESPB points or highereducation acquired at basic studies at the Faculty of Law for a duration of at least four years;
3) to have experience and knowledge relevant to the work of the judiciary;4) that it is worthy to perform the function of a member of the
Council;
5) that he has not reached the age of 65;
6) not to perform the function of judge or public prosecutor;
7) that he was not elected to a public office directly by the citizens, that he does not perform the function to which he is elected by the
National Assembly, that is, that he does not perform the function of a judge of the Constitutional Court or the Secretary of State;
8) not to strongly influence the making of political decisions;
9) that he did not exert undue influence on the work of a judge, court or holder of the office of public prosecutor and public prosecutor'soffice;
10) that in a public appearance he did not represent a position that threatens the independence of the judiciary or the independence of thepublic prosecutor's office.
THE LAW ON THE HIGH COUNCIL OF THE PROSECUTION ("Official Gazette of RS", No. 10/2023)
Composition of the Council
Article 7
The Council has 11 members.
The members of the Council are five public prosecutors elected by the holders of the office of public prosecutor, four prominent lawyers elected by the National Assembly, and the

(2023): THE LAW
on the High Council of the Judiciary
("Official Gazette of RS", 10/2023)
Composition of the Council
Article 7.
The Council has 11 members.
The members of the Council are six judges elected by the judges, four prominent lawyers elected by the National Assembly and the President of the Supreme Court, as a member ex officio.
2. Selection of candidates chosen by the National Assembly
Article 43.
The National Assembly elects four members of the Council from prominent lawyers with at least ten years of experience in the legal profession from eight candidates proposed by the National Assembly's committee responsible for the judiciary (hereinafter: the Committee), after a public competition, with the votes of two-thirds of all MPs.
Conditions for the election of a member of the Council
Article 44.
A candidate for a member of the Council can be a person who, in addition to the conditions from Article 43 of this law, also meets the following conditions:
1) that he meets the general requirements for working in a state body;
2) to have acquired higher education at basic academic studies at the Faculty of Law in the amount of at least 240 ESPB points or higher education acquired at basic studies at the Faculty of Law for a duration of at least four years;
3) to have experience and knowledge relevant to the work of the judiciary;4) that it is worthy to perform the function of a member of the Council;
5) that he has not reached the age of 65;
6) not to perform the function of judge or public prosecutor;
7) that he was not elected to a public office directly by the citizens, that he does not perform the function to which he is elected by the National Assembly, that is, that he does not perform the function of a judge of the Constitutional Court or the Secretary of State;
8) not to strongly influence the making of political decisions;
9) that he did not exert undue influence on the work of a judge, court or holder of the office of public prosecutor and public prosecutor's office;
10) that in a public appearance he did not represent a position that threatens the independence of the judiciary or the independence of the public prosecutor's office.
THE LAW

Kosovo*

(General Comment): According to Article 10 points 3, 4, 5, 6, 7, 8, 9 and 10 of Law no. 06/L-055 on the Judicial Council of Kosovo
Article 9 of the Law on the Kosovo Prosecutorial Council:
Three (3) non-prosecutor members of the Council, elected by the Assembly, in accordance with Article 65 (10) of the Constitution, shall be elected by secret ballot, by a majority vote of the Deputies present and voting, based on a list of two (2) candidates for each position proposed by the relevant bodies, which includes:
3.1. one (1) member from the Kosovo Chamber of Advocates;
3.2. one (1) professor from the law faculties of the Republic of Kosovo;
3.3 "one (1) representative from civil society. The representative of the civil society is selected through a public competition announced by the Assembly, which must have high professional training, proven knowledge in the field of justice, knowledge in the field of human rights, work experience in legal matters of five (5) years, and the support of at least five (5) civil society organizations in the field of justice.

(2025): KPC Comment: The candidate for appointment as non-prosecutor member of the Council must meet the following requirements:
2.1. be a citizen of the Republic of Kosovo;
2.2. have a university degree in the field of law, criminology, economy, management or public administration;
2.3. have at least five (5) years of professional experience in legal matters, in the area of human rights, criminology, economy, management or public administration;
2.4. show and demonstrate high integrity and managerial skills;
2.5. not to be a member or exercise a function in any political entity, association or foundation affiliated with any political entity, or should not be directly elected by elections or be a member of the Government, or a political appointee, in the last five (5) years;
2.6. not to be in a marital relationship, or not to be related by blood in a straight line, or in an indirect line up to the second degree, or by a relationship by affinity up to the second degree, with prosecutors, deputies of the Assembly of Kosovo, members of the Government or the President of Kosovo;
2.7. have not exercised the function of a prosecutor in the last five (5) years;
2.8. have no indictment filed against him/her;
2.9. not to be convicted for criminal offence, excluding criminal offences committed by
negligence. KJC Comment: • Members must have professional qualifications and expertise relevant to the functioning of the courts in Kosovo.
• Can include experts in management, finance, information technology, or social sciences.
• Must be able to contribute effectively to the Council's work.
• Must reflect multi-ethnic representation (Serb community, other non-majority communities) and comply with gender equality principles.
• Recommended only by members of the Council elected by Parliament, following the rules in Articles 8.3–8.5 of the Law Nr. 06/L-055.

(2024): KPC Comment: Article 9 of the Law on the Kosovo Prosecutorial Council:
Three (3) non-prosecutor members of the Council, elected by the Assembly, in accordance with Article 65 (10) of the Constitution, shall be elected by secret ballot, by a majority vote of the Deputies present and voting, based on a list of two (2) candidates for each position proposed by the relevant bodies, which includes:
3.1. one (1) member from the Kosovo Chamber of Advocates;
3.2. one (1) professor from the law faculties of the Republic of Kosovo;
3.3 "one (1) representative from civil society. The representative of the civil society is selected through a public competition announced by the Assembly, which must have high professional training, proven knowledge in the field of justice, knowledge in the field of human rights, work experience in legal matters of five (5) years, and the support of at least five (5) civil society organizations in the field of justice.
KJC comment: The Assembly announces the competition for the election of Council members in written and electronic media and in the official language.
The relevant committee of the Assembly (hereinafter: the Committee) determines the competition criteria for the election of a member. The duration of the competition cannot be shorter than fifteen (15) days or longer than twenty (20) days.
After the deadline specified in paragraph 4 of this article expires, the Committee, within fifteen (15) days, evaluates whether the candidates meet the conditions to be elected as Council members and rejects applications that do not meet the criteria set in the competition.
The Committee conducts interviews with each candidate who meets the requirements to be elected as a Council member and, based on the submitted information and interview results, prepares a shortlist of candidates.
The list for the Assembly session includes two (2) candidates for each position.
The Assembly elects Council members through a secret ballot.
If, in the first round, the candidates proposed by the relevant Committee of the Assembly do not receive the majority of votes from all present and voting deputies, then in the second round, the candidate with the highest number of votes is considered elected.
The dismissal of members elected by the Assembly is carried out by the Assembly with the majority of votes of all deputies, upon the proposal of the relevant Committee or the Council.

(2023): ccording to Article 10 points 3, 4, 5, 6, 7, 8, 9 and 10 of Law no. 06/L-055 on the Judicial Council of Kosovo
Article 9 of the Law on the Kosovo Prosecutorial Council:
Three (3) non-prosecutor members of the Council, elected by the Assembly, in accordance with Article 65 (10) of the Constitution, shall be elected by secret ballot, by a majority vote of the Deputies present and voting, based on a list of two (2) candidates for each position proposed by the relevant bodies, which includes:
3.1. one (1) member from the Kosovo Chamber of Advocates;
3.2. one (1) professor from the law faculties of the Republic of Kosovo;
3.3 "one (1) representative from civil society. The representative of the civil society is selected through a public competition announced by the Assembly, which must have high professional training, proven knowledge in the field of justice, knowledge in the field of human rights, work experience in legal matters of five (5) years, and the support of at least five (5) civil society organizations in the field of justice.

Question 225

Albania

(General Comment): Only for the first term of the HJC, 5 members will serve a 3-years mandate and 6 members will serve a 5 – years mandate. This, according to Law 115/2016, serves the purpose of diversifying the membership and ensuring continuity for the coming mandates.

North Macedonia

(2023): The terms of office of the ex officio members of the Councils cease upon termination of her/his office.

(2022): The terms of office of the ex officio members of the Councils cease upon termination of her/his office.

Serbia

(General Comment): The mandate of a member of the Councilc lasts for five years, except for the ex officio member.
An elective member of the Council cannot be re-elected to that position.

(2024): Ex off members

(2023): Ex off members

Kosovo*

(2025): The Chief State Prosecutor as an ex-officio member stays in the Council until his mandate as Chief State Prosecutor ends (7 years).

Question 226

Albania

(General Comment): As per article 3.4, Law 115/2016 “The member of the High Judicial Council, unless circumstances for early termination of the mandate have been established, shall hold office for 5 years, with no right to consecutive re-election”.

(2025): In regard of article 3 paragraph 4 of law. 115/2016, the members of the High Judicial Council are appointed for a 5-year term, without no right to consecutive re-election.

(2024): The members of the High Judicial Council are appointed for a 5-year term, without no right to consecutive re-election.

(2023): The members of the High Judicial Council are appointed for a 5-year term, without no right to consecutive re-election.

Bosnia and Herzegovina

(General Comment): In accordance to the Law on the HJPC (Article 5), the HJPC members have a mandate of four (4) years and may have a maximum of two (2) consecutive mandate of four years. A person who has held two (2) consecutive mandates as a member of the HJPC may not be appointed again as a member of the HJPC until the expiration of four (4) years since the end of his/her previous mandate as a member of the HJPC. One year after the end of the Council Member's mandate, he/she may not apply or be elected to vacant positions in the judiciary which would constitute a career advancement, including the Constitutional Court of the Federation of Bosnia and Herzegovina and the Constitutional Court of Republika Srpska, and may not apply for vacant positions of chief disciplinary counsel or deputy in the Office of Disciplinary Counsel and the Director and the Deputy in the HJPC Secretariat. There is no specific procedure for renewing the mandate of a HJPC member. The HJPC member who wishes to be reappointed applies for the member position and goes through the selection process as other candidates. The HJPC has a President and two (2) Vice-Presidents. The President and two Vice-Presidents of the HJPC are elected by simple majority vote of the members present and voting. The mandate of the President of the HJPC shall be four (4) years or until the expiration or termination of his/her mandate for other reasons. Only the President and up to three members work on a full-time basis in the HJPC.

Montenegro

(General Comment): A member of the Judicial Council from among the judges or eminent lawyers may be re-appointed as a member of the Judicial Council after the expiry of four years from the termination of the previous mandate in the Judicial Council.

North Macedonia

(2024): According to the Article 7 of the Law on Judicial Council, the members of the Council elected by the judges have a six-year term of office with the right to another term after the expiration of at least six years following the termination of the previous term of office at the Judicial Council. The members of the Council elected by the Parliament of the Republic of North Macedonia have a six-year term of office with the right to another term. The term of office of the president of the Supreme Court of the Republic of North Macedonia and of the Minister of Justice in the Council shall cease upon termination of their functions. The term of office of the member who is elected at additional elections, due to early termination of the term of office of the member of the Council in whose place he is elected, shall last six years. According to the Law on Council of Public Prosecutors, the mandate of the members of the Council elected by the public prosecutors
lasts four years with the right to another election after the expiration of at least four years from the termination of the previous mandate in the Council. The mandate of the members of the Council elected by the Assembly lasts four years years with the right to another election. The mandate of a member of the Council who was elected in additional elections, due to premature termination of the term of office of a member of the Council in whose place he was elected, lasts four years. The elected members of the Council from among the public prosecutors, while their mandate in the Council lasts, their position as public prosecutor is suspended. A member of the Council shall cease to hold office upon termination of office and the mandate in the Council.

(2023): According to the Article 7 of the Law on Judicial Council, the members of the Council elected by the judges have a six-year term of office with the right to another term after the expiration of at least six years following the termination of the previous term of office at the Judicial Council. The members of the Council elected by the Parliament of the Republic of North Macedonia have a six-year term of office with the right to another term. The term of office of the president of the Supreme Court of the Republic of North Macedonia and of the Minister of Justice in the Council shall cease upon termination of their functions. The term of office of the member who is elected at additional elections, due to early termination of the term of office of the member of the Council in whose place he is elected, shall last six years. According to the Law on Council of Public Prosecutors, the mandate of the members of the Council elected by the public prosecutors
lasts four years with the right to another election after the expiration of at least four years from the termination of the previous mandate in the Council. The mandate of the members of the Council elected by the Assembly lasts four years years with the right to another election. The mandate of a member of the Council who was elected in additional elections, due to premature termination of the term of office of a member of the Council in whose place he was elected, lasts four years. The elected members of the Council from among the public prosecutors, while their mandate in the Council lasts, their position as public prosecutor is suspended. A member of the Council shall cease to hold office upon termination of office and the mandate in the Council.

Serbia

(General Comment): An elective member of the Council cannot be re-elected to that position.

(2024): THE LAW ON THE HIGH COUNCIL OF THE JUDICIARY ("Official Gazette of RS", 10/2023) Rights from the employment relationship Article 13.
An elected member of the Council exercises rights from the employment relationship in the Council in accordance with the regulations governing the rights from the employment relationship of judges, unless otherwise specified by this law.
During the term of office, the rights of an elected member of the Council from the employment relationship that he exercised until the election as a member of the Council are suspended.
Exceptionally from paragraph 2 of this article, an elective member of the Council elected by the National Assembly, who is a teacher at the Faculty of Law, may exercise rights from employment at the Faculty of Law.
The mandate of a member of the Council lasts for five years, except for the ex officio member.
An elective member of the Council cannot be re-elected to that position.
THE LAW ON THE HIGH COUNCIL OF THE PROSECUTION ("Official Gazette of RS", No. 10/2023)
Rights from the employment relationship Article 13.
An elected member of the Council exercises rights from the employment relationship in the Council in accordance with the regulations governing the rights from the employment relationship of the holder of the office of public prosecutor, unless otherwise stipulated by this law.
During the term of office, the rights of the elected member of the Council from the employment relationship that he exercised until the election as a member of the Council are suspended.
Exceptionally from paragraph 2 of this article, an elective member of the Council elected by the National Assembly, who is a teacher at the Faculty of Law, may exercise rights from employment at the Faculty of Law.
The mandate of a member of the Council lasts for five years, except for the ex officio member. An elective member of the Council cannot be re-elected to that position.

(2023): THE LAW
on the High Council of the Judiciary
("Official Gazette of RS", 10/2023)
Rights from the employment relationship
Article 13.
An elected member of the Council exercises rights from the employment relationship in the Council in accordance with the regulations governing the rights from the employment relationship of judges, unless otherwise specified by this law.
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The mandate of a member of the Council lasts for five years, except for the ex officio member.
An elective member of the Council cannot be re-elected to that position.
THE LAW
ON THE HIGH COUNCIL OF THE PROSECUTION
("Official Gazette of RS", No. 10/2023)Rights from the employment relationship
Article 13.
An elected member of the Council exercises rights from the employment relationship in the Council in accordance with the regulations governing the rights from the employment relationship of the holder of the office of public prosecutor, unless otherwise stipulated by this law.
During the term of office, the rights of the elected member of the Council from the employment relationship that he exercised until the election as a member of the Council are suspended.
Exceptionally from paragraph 2 of this article, an elective member of the Council elected by the National Assembly, who is a teacher at the Faculty of Law, may exercise rights from employment at the Faculty of Law.
The mandate of a member of the Council lasts for five years, except for the ex officio member.
An elective member of the Council cannot be re-elected to that position.

(2022): The elective members may be re-elected, but not consecutively.

Kosovo*

(2025): The Prosecutorial Council members shall remain in office for a five (5) year mandate, without the right of re-election in the next regular term.
The Council members, other than the Chief State Prosecutor, shall serve in the Council on a full-time basis.
Council members, except the Chief State Prosecutor can not simultaneously exercise the duty of the chief prosecutor of any prosecution office. The Council prosecutor members, other than the Chief State Prosecutor, shall suspend the duty of prosecutor during their service as the Council members, but they shall not lose the status of prosecutor and shall have the right to be reinstated to service as prosecutor of the Prosecution Office in which they were appointed before the commencement of the term of Council member.
During the exercise of the function of Council member, the same cannot get promoted as well as cannot be appointed Chief Prosecutor of the respective Prosecution Office. Unless otherwise provided by the Law, a Council member shall not, during the term, exercise the function of a judge, lawyer, employee of the administration, including the performance of duties in the Government or in administrative bodies, institutions established by the Constitution or Law. KJC Comment:
- Mandate: Members of then Judicial Council are elected for a five (5) year term without the right to reappointment as Council members.
- Chair, Vice-Chair, and three full-time committee chairs: The Chair, Vice-Chair, Chair of the Normative Committee, Chair of the Performance Evaluation Committee, and Chair for Court Administration serve full-time in the Council and suspend their judicial duties during their mandate. The Chair and Vice-Chair are elected from among the Council's members for a three (3) year term, which does not extend the member's 5-year term. They may be re-elected as Chair or Vice-Chair within their 5-year membership term.
- Performance evaluation: All members of the Council are subject to performance evaluation in accordance with the respective decisions of the High Judicial Council (KGJK).
- Part-time members: Members who are not Chair, Vice-Chair, or one of the three full-time committee chairs serve part-time.

(2024): KPC comment: The Council members shall remain in office for a five (5) year mandate, without the right of re-election.
The position of a member of the Council is full time only for the following members: Chairman of the Council, Deputy Chairman of the Council, Chairman of the Commission for Normative Acts, Chairman of the Commission for Evaluation of Performance of Prosecutors and Chairman of the Commission for the administration of prosecution offices. These members suspend the position of prosecutor during the exercise of these functions.
The other members of the Council continue their work as prosecutors and their performance is evaluated according to the regulation on the evaluation of the performance of prosecutors.

(2023): The Council members shall remain in office for a five (5) year mandate, without the right of re-election.
The position of a member of the Council is full time only for the following members: Chairman of the Council, Deputy Chairman of the Council, Chairman of the Commission for Normative Acts, Chairman of the Commission for Evaluation of Performance of Prosecutors and Chairman of the Commission for the administration of prosecution offices. These members suspend the position of prosecutor during the exercise of these functions.
The other members of the Council continue their work as prosecutors and their performance is evaluated according to the regulation on the evaluation of the performance of prosecutors.

(2022): Council members may not be re-elected for a second term.
The position of a member of the Council is full time only for the following members: Chairman of the Council, Deputy Chairman of the Council, Chairman of the Commission for Normative Affairs, Chairman of the Commission for Evaluation of Performance of Prosecutors and Chairman of the Commission for the administration of prosecution offices. These members suspend the position of prosecutor during the exercise of these functions.
The other members of the Council continue their work as prosecutors and their performance is evaluated according to the regulation on the evaluation of the performance of prosecutors.

Question 227

Bosnia and Herzegovina

(General Comment): In accordance to the Law on the HJPC (Article 17), the Council has the following competencies:
(1) Appointment of judges, including Court Presidents, lay judges and reserve judges in all courts at the State, Entity, Cantonal, District, Basic and Municipal levels in Bosnia and Herzegovina, including the Brcko District of Bosnia and Herzegovina, but excluding the Constitutional Courts of the State and Entities of Bosnia and Herzegovina;
(2) Appointment of Chief Prosecutors, Deputy Chief Prosecutors and prosecutors in all prosecutors' offices at the State, Entity, Cantonal and District levels in Bosnia and Herzegovina, including the Brcko District of Bosnia and Herzegovina;
(3) Making proposals to the relevant authorities in relation to, their proposal and election of judges to the Constitutional Court of Republika Srpska and their nomination of judges to the Constitutional Court of the Federation of Bosnia and Herzegovina. When exercising its competence under this paragraph, the Council shall seek a written opinion of the

Serbia

(General Comment): Jurisdiction
Article 17
Advice:
1) elects judges and lay judges;
2) decides on the termination of the office of judge and lay judge;
3) elects the president and vice president of the Council;
4) appoints acting presidents of the Supreme Court and presidents of other courts;
5) elects the president of the Supreme Court and presidents of other courts;
6) decides on the termination of the office of the president of the Supreme Court and the president of other courts;
7) decides on the permanent transfer, temporary assignment or assignment of a judge;
8) determines the number of judges and lay judges for each court;
9) decides on the removal of a judge, court president and lay judge;
10) decides on the incompatibility of the performance of another job function or private interest with the function of judge and lay judge;
11) decides on the appeal in the evaluation procedure of the work of the judge and the president of the court;
12) appoints the Disciplinary Prosecutor, his deputies and members of the Disciplinary Commission, determines the conditions for appointment and the manner of termination of duties, the manner of work and decision-making in disciplinary bodies;
13) decides on the appeal in the disciplinary procedure;
14) approves the permanent training program for judges and court employees and supervises its implementation;
15) determines the initial training program for judges;
16) adopts the Code of Ethics;
17) considers and decides on the report of the Ethics Committee on compliance with the Code of Ethics;
18) decides on the existence of undue influence on the work of judges and courts and measures to prevent undue influence;
19) performs the work of the judicial administration within its jurisdiction;
20) decides on the immunity of a judge and an elected member of the Council;
21) proposes the scope and structure of budget funds and supervises their spending, in accordance with the law;
22) decides on an objection in the procedure of election for a member of the Council from the ranks of judges;
23) collects and analyzes statistical data and adopts annual and multi-year plans in order to efficiently manage the personnel, financial and material resources of the court;

Question 228

Albania

(2025): Decisions are published after their approval from the Council or after the finalizing their reasoning. https://klgj.al/vendime/ In addition to the publication of reports and reasoned decisions, on the website of the High Prosecutorial Council are published regularly the agenda and detailed announcements after each plenary meeting where are reflected the results of each meeting and the decisions taken by the Council. Also, full audio registering of the plenary meeting is published within 24 hours. The relevant links are below: https://klp.al/category/aktivitete/ https://klp.al/category/seanca-plenare/

Bosnia and Herzegovina

(General Comment): Annual reporting:
In accordance with Article 17, item 27 of the Law on the HJPC BiH, the Council shall, not later than 1 May each year, prepare an annual report documenting its activities and describing the state of the judiciary and prosecutorial authority, including recommendations for improvement. The report shall be delivered to the Parliamentary Assembly of Bosnia and Herzegovina, the Council of Ministers of Bosnia and Herzegovina, the Parliament of the Federation of Bosnia and Herzegovina, the Cantonal Parliaments, the National Assembly of Republika Srpska, the State and Entity Ministries of Justice, and the Assembly of Brcko District of Bosnia and Herzegovina for information. The report shall be available to the public.
Publishing Reasoned Decisions: In accordance with the Law on the High Judicial and Prosecutorial Council of BiH, decisions on the appointment of judges and prosecutors, which contain reasoning on the application of appointment criteria, are published on the website of the HJPC of BiH. Decisions of the disciplinary commissions of the HJPC of BiH made in disciplinary proceedings against judges and prosecutors are also published on the HJPC BiH website, after prior anonymization.
Other: 1. On the website of the HJPC BiH, announcements are published about the scheduled sessions of the HJPC BiH, with the planned agenda of each session, as well as announcements about the adopted conclusions and decisions that the HJPC BiH has made at each session.
2. In accordance with the HJPC Law (Article 14), the HJPC BiH acts and decides as a single body. Decisions are made by a majority vote of the members present and voting. The quorum requires the presence of at least 11 the HJPC BiH members. In matters on which the votes are divided, a vote shall be taken by roll call of the members, and the vote of the President or the Vice-President has the casting vote. In a case that the HJPC BiH member who is present but abstains from voting, it will be deemed to have cast an abstention vote, and this abstention vote will not be included in the vote count. The HJPC BiH may delegate certain decisions within its jurisdiction, with the exception of appointment decisions, to standing committees. The powers of standing committees to make decisions relate to less complex issues (eg simpler queries on compatibility of functions, opinions on laws that are not systemic and organizational and do not regulate the status of judicial office holders, shorter absences from office etc). In disciplinary proceedings against judges and prosecutors, decisions are taken by the competent disciplinary commissions, as well as by the HJPC BiH when in the third instance, the HJPC BiH decides on appeal against the decision of the second instance disciplinary commission. Members of the First Instance and the
Second Instance Disciplinary Committees have the right to participate in the decision making process of the HJPC BiH a whole, unless their exemption is requested for reasons other than their earlier participation in the decision on the same matter. In accordance
with the Rules of Procedure of the HJPC BiH, the HJPC BiH members are required to inform the President of the HJPC BiH on any possible conflict of interest it may arise during their work, and must state the reasons for the exemption in writing or orally in the minutes of
the HJPC BiH session. If any the HJPC BiH member considers that another member should be exempted from participating in the proceedings, he/she informs the President of the HJPC BiH on that issue. In accordance with the HJPC Law (Article 10a) a conflict of interest for a HJPC Member shall be deemed to exist when a HJPC BiH member or his/her blood relative in direct line of descent, the child of the spouse, a spouse or a civil-law partner, adoptive parent and adopted child, applies for a vacant position in the judiciary including the Constitutional Court of the Federation of Bosnia and Herzegovina and the Constitutional Court of Republika Srpska or a vacant position of a chief disciplinary counsel and

Montenegro

(2025): Prosecutorial council on the base of the Law on prosecution administration (article 41) prepares an annual work report containing data on the work of the Prosecutorial Council, a description and analysis of the situation in the State Prosecutor's Office, detailed data for each State Prosecutor's Office relating to the number of cases received and resolved during the year for which the report is being prepared, problems and shortcomings in their work, as well as measures to be taken to eliminate the identified shortcomings. All decisions of the Prosecutoril council are published on the site: https://tuzilastvo.me/tuzilacki-savjet/

(2024): Law on the State Prosecutor's Office "Official Gazette of Montenegro", no. 11/2015, 42/2015, 80/2017, 10/2018, 76/2020, 59/2021 and 54/2024
Article 30-dismissal and Article 32 temporary removal

North Macedonia

(2024): http://sud.mk/wps/portal/ssrm/sud/odluki/!ut/p/z1/pY-9DoIwFEafxYHR3guFWtxYhKgJUyN2MUAqkFBKAG18e2E08Wfw277knOGAhAxkl9-bKp8a0-Xt_M-SXVjs-8gPeIzdlGMkUsHCZOeFCYPTN0AICvIPfwEWHz8swtmXv5A9yKbQxJaaIOEuDajHWeB7Pt8wdymMuoLyCuSgrmpQA7kNc3g9Tf24ddBBay2pjKlaRUqjHXyn1GacIHslodciw7UsHjZaPQFInDWh/dz/d5/L2dBISEvZ0FBIS9nQSEh/?uri=nm%3Aoid%3AZ6_6G4408K0LG1O80AUOU69HF29H6
http://sjorm.gov.mk/odluki/

(2023): http://sud.mk/wps/portal/ssrm/sud/odluki/!ut/p/z1/pY-9DoIwFEafxYHR3guFWtxYhKgJUyN2MUAqkFBKAG18e2E08Wfw277knOGAhAxkl9-bKp8a0-Xt_M-SXVjs-8gPeIzdlGMkUsHCZOeFCYPTN0AICvIPfwEWHz8swtmXv5A9yKbQxJaaIOEuDajHWeB7Pt8wdymMuoLyCuSgrmpQA7kNc3g9Tf24ddBBay2pjKlaRUqjHXyn1GacIHslodciw7UsHjZaPQFInDWh/dz/d5/L2dBISEvZ0FBIS9nQSEh/?uri=nm%3Aoid%3AZ6_6G4408K0LG1O80AUOU69HF29H6
http://sjorm.gov.mk/odluki/

Serbia

(2022): Annual Report of HJC, in Serbian:
https://vss.sud.rs/sites/default/files/attachments/%D0%98%D0%B7%D0%B2%D0%B5%D1%88%D1%82%D0%B0%D1%98%20%D0%BE%20%D1%80%D0%B0%D0%B4%D1%83%20%D0%92%D0%A1%D0%A1%20%D0%B7%D0%B0%202022.%20%D0%B3%D0%BE%D0%B4%D0%B8%D0%BD%D1%83.pdf

Kosovo*

(2025): On the Judicial Council's website, the following are published:

1. Sub-legal acts and strategic documents, including public consultations, as regulated by the Law on the Council and acts approved by the Council.
2. Disciplinary decisions in accordance with the Law on Disciplinary Liability of Judges and Prosecutors and acts approved by the Council.
3. Decisions of the Supreme Court on appeals against the Council's disciplinary decisions.
4. Work plans of the Council.
5. Statistical reports on the efficiency of judges and courts.
6. Reports of the Council's Committees.
7. Calendar of meetings and online sessions of the Council and Assembly.
8. Decisions of the Parole Panel.
9. Opinions of the Ethics Committee.
10. News and announcements.
11. Employment opportunities within the judiciary.
12. Other acts and documents approved by the Council.

Publication Deadlines – Based on Administrative Instruction 04/2025 on the Content of the Website of the Kosovo Judicial Council and Courts of the Republic of Kosovo

- Council Decisions: Published within 5 days from approval (Art. 6.1) – all decisions must be published.
- Council Disciplinary Decisions: Published within 15 days from final decision (Art. 6.2) – all decisions must be published.
- Supreme Court Decisions on Appeals Against Council Disciplinary Decisions: Published within 15 days from decision (Art. 6.3 & 6.5) – all decisions must be published.
- Work Plans (Council and Court): Published within 15 days from approval (Art. 7.1) – annual or as updated.
- Statistical Reports of Courts and Judges: Published within 15 days from approval (Art. 8) –, quarterly and annual.
- Annual Calendar of Council Meetings: Published at the beginning of each year (Art. 9.1) – yearly.
- Agenda of Meetings: Published at least 48 hours before regular meetings (Art. 9.2) – per meeting.
- Parole Panel Decisions: Published within 30 days from issuance; Supreme Court decisions on appeals within 15 days (Art. 10) – all decisions must be published.
- Ethics Committee Opinions: Published within 7 days from issuance (Art. 11) – all opinions must be published.
- Court Hearing Schedules (Open to Public): Published 24 hours before hearing unless law provides otherwise (Art. 15.1) – per hearing.
- Monthly Reports on Hearing Efficiency: Published by the 15th day of each month for the previous month (Art. 16.3) – monthly.
- Reports on Published Decisions: Published by the 15th day of each month for the previous month (Art. 17.2) – monthly.
- Supreme Court and Court of Appeal Bulletins/Summaries: Published within 15 days after approval (Art. 18) – all bulletins/summaries must be published.

(2024): Kosovo Prosecutorial Council comment: KPC meetings are transmitted live online, except when foreseen by law otherwise.
Kosovo Judicial Council comment: www.gjyqesori-rks.org

(2023): In each KPC meeting the media, civil society and international partners are invited to follow the meetings, except when foreseen by law otherwise.

(2022): www.gjyqesori-rks.org In each KPC meeting the media, civil society and international partners are invited to follow the meetings, except when foreseen by law otherwise.

Question 229

Albania

(General Comment): According to Article 185, of the Law “On the governance institutions of the justice system”, as amended, the High Prosecutorial Council may, on its own initiative or on the basis of prosecutors' requests, make public statements in defense of individual prosecutors when it deems that their human rights are at risk of being violated because of the performance of their duties or that the exercise of their legal functions is endangered or may be endangered as a result of the actions or attitudes of any public or private entity.
The justice system in the Republic of Albania is governed based on the principles of independence, accountability, transparency, and efficiency. The Council has the obligation to react publicly and take any legal action to protect the independence or impartiality of a judge.

(2025): The Council, ex officio or based on the requests of judges, may make public statements to protect certain judges when it deems that their human rights are in danger of being violated due to the performance of their duty or that the performance of their legal functions is being endangered or may be endangered as a result of actions or positions of any public or private subject.
The magistrate and his/her family shall, during or because of the exercise of the function, benefit specific state protection for life, health and assets. The magistrate who is no longer in the office or has retired shall enjoy this special protection if he/she/requests it, as well as in case of endangerment due to a previous exercise of the function as magistrate. 2. If the life, health or property of the magistrates or the magistrate’s family is endangered, the state shall provide special protection, as well as physical protection, under the criteria and procedures set out by a decision of the Council of Ministers, following a consultation with Councils. According to Article 185, of the Law no. 115/2016 “On the governance institutions of the justice system”, as amended, the High Prosecutorial Council may, on its own initiative or on the basis of prosecutors' requests, make public statements in defence of individual prosecutors when it deems that their human rights are at risk of being violated because of the performance of their duties or that the exercise of their legal functions is endangered or may be endangered as a result of the actions or attitudes of any public or private entity.

(2024): In addition to the publication of reports and reasoned decisions, on the website of the High Prosecutorial Council are published regularly the agenda and detailed announcements after each plenary meeting where are reflected the results of each meeting and the decisions taken by the Council. Also, full audio registering of the plenary meeting is published within 24 hours. The relevant links are below: https://klp.al/category/aktivitete/ https://klp.al/category/seanca-plenare/ The Council, ex officio or based on the requests of judges, may make public statements to protect certain judges when it deems that their human rights are in danger of being violated due to the performance of their duty or that the performance of their legal functions is being endangered or may be endangered as a result of actions or positions of any public or private subject.
The magistrate and his/her family shall, during or because of the exercise of the function, benefit specific state protection for life, health and assets. The magistrate who is no longer in the office or has retired shall enjoy this special protection if he/she/requests it, as well as in case of endangerment due to a previous exercise of the function as magistrate. 2. If the life, health or property of the magistrates or the magistrate's family is endangered, the state shall provide special protection, as well as physical protection, under the criteria and procedures set out by a decision of the Council of Ministers, following a consultation with Councils

(2023): HPC - According to Article 185, of the Law no. 115/2016 "On the governance institutions of the justice system", as amended, the High Prosecutorial Council may, on its own initiative or on the basis of prosecutors' requests, make public statements in defence of individual prosecutors when it deems that their human rights are at risk of being violated because of the performance of their duties or that the exercise of their legal functions is endangered or may be endangered as a result of the actions or attitudes of any public or private entity.
HJC - The Council, ex officio or based on the requests of judges, may make public statements to protect certain judges when it deems that their human rights are in danger of being violated due to the performance of their duty or that the performance of their legal functions is being endangered or may be endangered as a result of actions or positions of any public or private subject.
The magistrate and his/her family shall, during or because of the exercise of the function, benefit specific state protection for life, health and assets. The magistrate who is no longer in the office or has retired shall enjoy this special protection if he/she/requests it, as well as in case of endangerment due to a previous exercise of the function as magistrate. 2. If the life, health or property of the magistrates or the magistrate's family is endangered, the state shall provide special protection, as well as physical protection, under the criteria and procedures set out by a decision of the Council of Ministers, following a consultation with Councils

Bosnia and Herzegovina

(General Comment): In accordance with Article 17, item 27 of the Law on the HJPC BiH, the Council provides its opinion on complaints submitted by a judge or prosecutor who considers that his/her rights established by this or another law, or his/her independence, are endangered. These opinions are issued in order to identify threats to the independence of judicial institutions, that is holders of judicial functions, and to publicize it, as well as to invite relevant participants to refrain from further activities that threaten the independence of the judiciary. The Law does not provide for sanctions that the Council may impose in these situations.
The criminal laws in BiH contain chapters dedicated to the judiciary. The object of the criminal protection of this group of crimes is the functioning of the judiciary. The main objective of the prescribed criminals is to ensure and protect the independence of the judiciary and the legitimate work of the judiciary and other bodies. Most of the offenses in this group relate to endangering the criminal proceedings, endangering the smooth conduct of criminal proceedings and executing the criminal sanctions, ie protecting the special categories of subjects in criminal proceedings.
The criminal laws contain provisions by which obstruction of the judiciary is criminalized (eg. Article 241 of the Criminal Code BiH, Article 339 of the Criminal Code RS, 358, 359, 359a of the Criminal Code FBiH, Articles 352, 353 of the Criminal Code BD BiH) in such a way that attacks, threats or intimidation of a judge or prosecutor in connection with the exercise of judicial or prosecutorial duties, are prescribed as criminal offenses.

Montenegro

(General Comment): Judges shall adjudicate and decide independently and autonomously. The judicial office shall not be exercised under anyone’s influence.
No one shall influence judges in the exercise of judicial office. Independence, autonomy, accountability and professionalism of courts and judges shall be provided by the Judicial Council.
State Prosecutor's Office: Article 136 of the Constitution of Montenegro CONSTITUTION OF MONTENEGRO (Official Gazette of Montenegro”, No. 1/2007, 38/2013)
Council of Prosecutors Article 136
The Prosecution Council shall ensure the autonomy of the state prosecution. The Supreme State Prosecutor shall chair the Prosecution Council except in a disciplinary proceeding. The composition, election, mandate, organization and manner of work of the Prosecution Council shall be regulated by law. The Prosecution Council shall: 1) establish the proposal for the election of the Supreme State Prosecutor;
2) elect and release from the duty the heads of the state prosecution offices and state prosecutors; 3) establish the termination of the function of the heads of state prosecution offices and state prosecutors; 4) propose to the Government the amount of funds for the work of the state prosecution; 5) submit the Report on Performance of the State Prosecution to the Parliament; 6) perform other activities as defined by the law. The Prosecution Council shall make decisions by majority vote of all its members.

(2025): On the base of article 37 point 9 Prosecutorial council considers complaints from state prosecutors and heads of state prosecutors' offices and takes positions regarding threats to their independence

North Macedonia

(General Comment): The Judicial Council of the Republic of North Macedonia is an autonomous and independent judicial body that ensure and guarantee the autonomy and independence of the judicial authority, through performing its function in accordance with the Constitution and the laws. According to article 11 of Law on courts, the judge shall decide impartially by applying the law on the basis of free evaluation of the evidence. Any form of influence on the independence, impartiality and autonomy of the judge in the exercise of the judicial office on any grounds and by any entity shall be prohibited.
The judicial office is incompatible with the office of a member of the parliament, that is, member of a council in the municipality, that is, the City of Skopje, and the offices in state bodies, the municipality and the City of Skopje, expect for cases provided by law. The judge cannot hold any other public office or practice a profession, except an office determined by law which is not contrary to his/her independence and autonomy in the exercise of the judicial office. The judge cannot be a member of a managing or supervisory board of a trade company, or another legal entity established for the purpose of gaining profit. The judge may be an educator or may deliver lectures in the Academy for Judges and Public Prosecutors and in a higher education institution and may participate in scientific projects. The Judge must not use his office or the reputation of the court to accomplish his personal interests. The judge cannot be a member or hold a political office within a political party or carry out political or party activity. In this case, The Judicial Council shall at the latest within ten days from the day of knowing of the fulfillment of these conditions determine the termination of the judicial office, except when the judicial function is in abeyance under conditions determined by law. The judge cannot accept gifts or enjoy privileges and conveniences during the exercise of the judicial office. According to articles 74 and 75 of Law on courts, the judge shall be dismissed from the judicial office due to serious disciplinary offence that makes him/her discreditable to exercise the judicial office prescribed by law. Decision on dismissal of the judge shall be adopted by Judicial Council, if the violation is committed with the intention or apparent negligence by the fault of the judge without justified reasons and if the injury caused severe consequences. Serious disciplinary offences are:
1) gross influence and interference in the performance of the judicial function of another judge;
2) manifestly violation of the rules for exemption in situations in which the judge knew or should have known about the existence of one of the grounds for exemption provided for by law.
In the exercise of the judicial office, the judges shall enjoy immunity. A judge cannot be held criminally liable for a stated opinion and manner of deciding during the adoption of a court decision. A judge cannot be taken in without an approval from the Judicial Council, unless caught in commission of a crime for which an imprisonment sentence in duration of at least five years is foreseen. The Judicial Council of the Republic of North Macedonia shall decide upon revocation of the immunity of judges. The procedure for deciding about revocation of a judge's immunity shall be urgent. The judge shall be suspended from exercising the judicial office while in custody, or while the procedure for the crime for which an imprisonment sentence of at least five years is foreseen is ongoing. The judge shall be suspended from exercising the judicial office in case of initiated procedure for establishing liability, in accordance with law and when there are justified reasons for suspension from exercising judicial office. The decision to suspend the judge from exercising the judicial office shall be adopted by the Judicial Council of the Republic of North Macedonia.
According to the article 7 from the Law on PPO, the public prosecutor shall perform their function in a lawful, impartial and objective manner, shall respect and protect human and civil rights and freedoms, and the rights of other legal entities and within the scope of their competencies, they shall ensure the efficiency of the criminal prosecution.

(2023): Please, see the general comment.

(2022): Please, see the general comment.

Serbia

(General Comment): According to Art 4 of Law on judges („Official Gazette of the Republic of Serbia“ No.10/ 23) a judge is required to preserve confidence in his independence and impartiality at all times. All state bodies and officials are required to preserve, with their actions and behaviour, the confidence in independence and impartiality of judges and courts.

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A judge is required to conduct proceedings impartially according to his conscience, in accordance with his own assessment of facts and interpretation of law, ensuring fair trial and compliance with procedural rights of parties guaranteed by the Constitution, ratified international treaties, laws, and the generally accepted rules of international law.

The Law on High Judicial Council prescribed that Council decides on the existence of undue influence on the work of judge and court, and measure to prevent such undue influence. According to Law on Judges a judge may submit a request with the High Judicial Council for protection against undue influence. The manner of submission of the request and the procedure against the request for protection against undue influence are regulated by Rulebook on the protection of judges and courts from undue influence.

In order to protect against any undue influence on the performance of the judicial function, the Council appointed one member of the Council from among the judges to proceed in cases of undue influence on the work of judge and court. The action of the elected member of the Council and the Council, in cases of undue influence, is regulated by Rulebook on the protection of judges and courts from undue influence („Official Gazette of the Republic of Serbia“ No.110/ 23)

During 2023, seven requests of judges for protection from undue influence were submitted to the Council, which were delivered to the competent judge. In two cases, a decision was made to suspend the proceedings, and for the other five, the proceedings are ongoing.

THE LAW

ON THE PUBLIC PROSECUTOR'S OFFICE

("Official Gazette of RS", No. 10/2023)

Prohibition of undue influence

(2025): Comment by HJC: According to Art 4 of Law on judges („Official Gazette of the Republic of Serbia“ No.10/ 23) a judge is required to preserve confidence in his independence and impartiality at all times. All state bodies and officials are required to preserve, with their actions and behaviour, the confidence in independence and impartiality of judges and courts.
A judge is required to conduct proceedings impartially according to his conscience, in accordance with his own assessment of facts and interpretation of law, ensuring fair trial and compliance with procedural rights of parties guaranteed by the Constitution, ratified international treaties, laws, and the generally accepted rules of international law. The Law on High Judicial Council prescribed that Council decides on the existence of undue influence on the work of judge and court, and measure to prevent such undue influence. According to Article 30 of Law on Judges a judge may submit a request with the High Judicial Council for protection against undue influence. The manner of submission of the request and the procedure against the request for protection against undue influence are regulated by Rulebook on the protection of judges and courts from undue influence („Official Gazette of the Republic of Serbia“ No.110/ 23). The Rulebook on the protection of judges and courts from undue influence regulates the appointment and manner of work of a judge competent to act upon a request for protection from undue influence, as well as the decision-making procedure of the High Council of the Judiciary on the existence of undue influence on the work of the judge and the court. The High Judicial Council appointed a member of the High Judicial Council from the rank of judges to act in cases concerning undue influence on the holders of judicial office and judiciary
In 2025, four requests for protection from undue influence were submitted. At the session on May 15, 2025, a decision was made on one request received by the Council in 2024. By decision of May 15, 2025, the Council determined that there was undue influence on the work of the Basic and High Courts in Novi Sad. The decision was published on the website of the High Judicial Council. The procedure regarding the remaining requests is ongoing.
Comment by HPC: Apart from public condemnation, Council does not have any other mechanisms by which it could influence entities outside the public prosecution in order to stop and prevent undue influence or pressure on a public prosecutor. The introduction of competences that would give additional powers to the Council in this sense would be most welcome but remains beyond the competence of the Council itself and implies the activity of the National Assembly – amendment of relevant laws. In the domain of what the competence of the Council is, specifically the Rules of Procedure of the High Prosecutorial Council regarding undue influence on the work of the public prosecutor and the public prosecutor's office that regulate the work of the Commissioner for Autonomy, some members of the Council have publicly indicated the need to make changes in this act that would unequivocally oblige the Commissioner to clarify and explain his position even when he believes that there is no undue influence in the specific case, and not as he has done so far, i.e. to give an explanation only when he believes that undue influence exists.

(2024): According to Art 4 of Law on judges („Official Gazette of the Republic of Serbia“ No.10/ 23) a judge is required to preserve confidence in his independence and impartiality at all times. All state bodies and officials are required to preserve, with their actions and behaviour, the confidence in independence and impartiality of judges and courts.
Art 81
A judge is required to conduct proceedings impartially according to his conscience, in accordance with his own assessment of facts and interpretation of law, ensuring fair trial and compliance with procedural rights of parties guaranteed by the Constitution, ratified international treaties, laws, and the generally accepted rules of international law.
The Law on High Judicial Council prescribed that Council decides on the existence of undue influence on the work of judge and court, and measure to prevent such undue influence. ccording to Law on Judges a judge may submit a request with the High Judicial Council for protection against undue influence. The manner of submission of the request and the procedure against the request for protection against undue influence are regulated by Rulebook on the protection of judges and courts from undue influence.
In order to protect against any undue influence on the performance of the judicial function, the Council appointed one member of the Council from among the judges to proceed in cases of undue influence on the work of judge and court. The action of the elected member of the Council and the Council, in cases of undue influence, is regulated by Rulebook on the protection of judges and courts from undue influence („Official Gazette of the Republic of Serbia“ No.110/ 23)
During 2023, seven requests of judges for protection from undue influence were submitted to the Council, which were delivered to the competent judge. In two cases, a decision was made to suspend the proceedings, and for the other five, the proceedings are ongoing.
THE LAW ON THE PUBLIC PROSECUTOR'S OFFICE
("Official Gazette of RS", No. 10/2023)
Prohibition of undue influence
Article 6
In order to preserve the authority and impartiality of the public prosecutor's office, undue influence on the holder of the public prosecutor's office in the performance of the public prosecutor's office is prohibited, especially any form of threat and coercion against the holder of the public prosecutor's office, the use of public positions, the media and public speaking, which influence the actions of the public prosecutor's office. Any other inappropriate influence on the public prosecutor's office, as well as pressure on the participant in the proceedings before the public prosecutor's office, is prohibited.
The use of legally prescribed rights of participants in the proceedings, reporting on the work of the public prosecution in accordance with the regulations governing public information, as well as expert analysis of the actions of the public prosecution, cannot be considered under undue influence from paragraph 1 of this article.
The Supreme Public Prosecutor, the Chief Public Prosecutor and the Public Prosecutor are obliged to reject any action that represents an undue influence on the independence of the Public Prosecutor's Office, as well as to report such influence to the High Council of the Prosecutor's Office.
The holder of the office of public prosecutor may submit a request for protection against undue influence to the High Council of Prosecutors.
The method of submission and the procedure for the request for protection against undue influence is prescribed by the act of the High Council of the Prosecutor's Office.

(2023): According to Art 4 of Law on judges („Official Gazette of the Republic of Serbia“ No.10/ 23) a judge is required to preserve confidence in his independence and impartiality at all times. All state bodies and officials are required to preserve, with their actions and behaviour, the confidence in independence and impartiality of judges and courts.

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A judge is required to conduct proceedings impartially according to his conscience, in accordance with his own assessment of facts and interpretation of law, ensuring fair trial and compliance with procedural rights of parties guaranteed by the Constitution, ratified international treaties, laws, and the generally accepted rules of international law.

The Law on High Judicial Council prescribed that Council decides on the existence of undue influence on the work of judge and court, and measure to prevent such undue influence. According to Law on Judges a judge may submit a request with the High Judicial Council for protection against undue influence. The manner of submission of the request and the procedure against the request for protection against undue influence are regulated by Rulebook on the protection of judges and courts from undue influence.

In order to protect against any undue influence on the performance of the judicial function, the Council appointed one member of the Council from among the judges to proceed in cases of undue influence on the work of judge and court. The action of the elected member of the Council and the Council, in cases of undue influence, is regulated by Rulebook on the protection of judges and courts from undue influence („Official Gazette of the Republic of Serbia“ No.110/ 23)

During 2023, seven requests of judges for protection from undue influence were submitted to the Council, which were delivered to the competent judge. In two cases, a decision was made to suspend the proceedings, and for the other five, the proceedings are ongoing.

THE LAW

ON THE PUBLIC PROSECUTOR'S OFFICE

("Official Gazette of RS", No. 10/2023)

Prohibition of undue influence

Kosovo*

(General Comment): Article 3 of Law on Kosovo prosecutorial council: https://gzk.rks-gov.net/ActDetail.aspx?ActID=2709
The Council:
1.1. is a fully independent institution in the exercise of its functions in order to provide an independent, professional and impartial prosecutorial system as defined by the Constitution and by law;
1.2. ensures that the Prosecution Offices reflect the multi-ethnic nature of the Republic of Kosovo and takes the necessary measures in increasing the number of prosecutors from non-majority communities in Kosovo, in accordance with internationally accepted
gender equality principles;
1.3. ensures that all the persons have equal access to justice;
1.4. ensures that the Prosecution Offices respect the principles of non-discrimination and proportionality, as well as human rights and gender equality, guaranteed by the Constitution and international agreements and instruments applied in the Republic of Kosovo;
1.5. in exercising duties and competencies, the Council acts in a manner that respects and preserves the independence of prosecutors while they perform their prosecution functions. The Council shall not order or influence, attempt to influence or otherwise undertake any action or make any statement which could reasonably be considered as an interference or attempt to interfere with the independence of the prosecution function in relation to any person, investigation or subject.

(2025): KJC Comment: Competence of the Council regarding threats to judges' independence or impartiality

The Council is competent to act when it is evident that the independence or impartiality of a judge is being threatened by an external party. This competence is regulated under Article 32 of Administrative Regulation No. 03-2020 on the Organization and Functioning of the Kosovo Judicial Council.

- Requests for intervention can be submitted by judges, court presidents, or Council members.
- The Council evaluates the request, gathers relevant information, and votes on a Resolution.
- In urgent cases, the Resolution may be adopted electronically.
- Once approved, the Resolution is immediately published on the Council's official website and/or announced through a press release.

This procedure ensures that any external interference with a judge's independence or authority is addressed formally and transparently.

KPC Comment: Regarding security and independence of prosecutors, KPC, in its Strategic Plan 2025-2027 has foreseen as a first objective the commitment to avoiding undue influence on the work of the prosecutorial system. This objective has foreseen the establishment of mechanisms to track and report cases of undue influence, advancing capacity building programs for prosecutors and staff to recognize and resist undue influence, strengthen whistle-blower protection, enhance security measures for prosecutors facing threats or undue pressure in cooperation with Kosovo Police. During the last years the prosecutorial system was faced with cases of attempts of political influence through public declarations towards cases that were treated by prosecutors especially those of high level, and also towards activities of members of KPC. Also, there were cases of threats against prosecutors as a result of their work. In this regard, KPC from 2022 until now has published a total of 37 public releases in the form of reactions towards these actions that attempted to put pressure on the work of prosecutors or threaten them which came as a result of prosecutors' actions towards the completion of their constitutional and legal mandate. We also have the Association of Prosecutors which also reacts in such cases and stands in the protection of the work of prosecutors.

When there are more serious cases of threats against the security of prosecutors, close protection is provided to the prosecutors and their families, when necessary.

In the Republic of Kosovo, close protection (or "special protective/security measures") for prosecutors who are threatened is regulated by the Law on the State Prosecutor.

Article 36 of the Law on the State Prosecutor states that prosecutors "have the right to request from the Kosovo Prosecutorial Council (KPC) special protective measures for themselves and their families when the threat to their life or the life of a family member arises as a result of exercising prosecutorial duties."

Special protective measures are executed by the Kosovo Police, typically through a specialized close-protection unit, who provide physical protection to the prosecutor and their family. This is confirmed by several publicly known cases where threatened prosecutors were placed under 24-hour police protection.

Special protection may be requested and granted when there is a credible threat to the life or physical safety of a prosecutor or their family, arising from cases handled in the line of duty.

(2023): Article 3 of Law on Kosovo prosecutorial council: https://gzk.rks-gov.net/ActDetail.aspx?ActID=2709

12 Reforms

Reforms - List of tables

Reforms - List of tables

Table 12.1.1 Current reforms in 2025 (Q68)

Beneficiaries	Current reforms
Albania	In 2016, the Albanian Parliament adopted a radical and comprehensive constitutional and Justice Reform for the organization and functioning of the justice system. As a result, High Prosecutorial Council was established as an institution that guarantees the independence, accountability, discipline, status and career of prosecutors. It is responsible for the appointment, evaluation, promotion and transfer of prosecutors of all levels, decides on disciplinary measures against prosecutors of all levels, proposes candidates for Prosecutor General to the Parliament, approves the rules on the ethics of prosecutors and supervises their compliance, proposes and administers its budget, informs the public and the Parliament on the state of the prosecution, etc. Through this reform, also were created other institutions such as the High Judicial Council, the High Inspector of Justice, the Council for Judicial Appointments, and was resized the mandate of the School of Magistrates. This mosaic of institutions has complemented and strengthened the independence and autonomy of the justice system as one of the three branches of government, compared to the previous model. The above institutions are in the phase of implementing the legal provisions adopted with the Justice Reform by consolidating work practices to guarantee the independence, accountability, efficiency and transparency of the justice system. Also, in 2024, the Assembly of Albania established the special Parliamentary Committee for Deepening Reforms for Good Governance, Rule of Law and Anti-Corruption for Albania 2030 in the European Union. The purpose of the work of this special Committee is to further consolidate the Justice Reform and deepen the implementation of the legal and institutional reform framework by ensuring effective cooperation of justice institutions, allocation of sufficient resources and efficient functioning of the justice sector. The work of this Committee is ongoing and is in the early stages.
Bosnia and Herzegovina	The High Judicial and Prosecutorial Council of Bosnia and Herzegovina (HJPC BiH) has been implementing a number of reform activities to improve the efficiency, transparency and quality of justice. The judicial reform entails numerous concurrent activities pertaining to institutional capacity-building, funding, digitalization, and procedural improvements. The key priorities are as follows: increasing the efficiency in processing complex corruption, organised and economic crime cases; transparency and accountability in the funding of judicial institutions; the use of modern technologies as well as digitalization of the preparation and monitoring of court and prosecutor's office budgets. Processing of corruption and organised crime cases A Special Department for Corruption, Organised and Intercantonal Crime (FBiH Prosecutor's Office) has been established. The Department officially began operating in May 2025, thereby implementing the FBiH Law on Suppression of Corruption and Organised Crime from 2014. This Department has been created to facilitate more effective processing of the most complex cases of corruption, organised crime and economic crime, as well as other corruption-related offences posing a serious threat to legal security, the rule of law, and social stability. The HJPC BiH has issued the guidelines requiring the courts to ensure uninterrupted course of the proceedings in organised crime and corruption cases, with the progress being monitored on a regular basis. The Asset Declarations Department has began operating in June 2025, establishing a functional system for verification of asset declarations of judicial office holders and members of the HJPC BiH. Asset declarations are published on the HJPC website, while guaranteeing the protection of personal data, and an online functionality for reporting irregularities is also available. For the purpose of data verification, there have been a number of agreements concluded with competent authorities and public registry managers. The plan is to digitalize the process using secure web services for data exchange and validation. Transparency Current judicial reforms in BiH are focused on strengthening transparency and harmonisation of case law. A new work model of the case law harmonisation panels was piloted, with meetings held in the seats of the BiH's highest courts and the new rules of the panels adopted in July 2025. The central database of court decisions has been significantly expanded to include decisions from all courts in BiH, and a faster search engine has also been added, along with a reminder to users that when downloading parts of judgements, they must provide the number, date and name of the court that rendered the decision, and with a warning to external users about the consequences of unauthorized downloading of court decisions. The Case Law Portal and High-Profile Case Map are operational and regularly updated. The HJPC Guidelines for the publication of court and prosecutorial decisions, acts and case-related information and the Book of Rules of Republika Srpska governing the publication of court decisions are in effect, thereby increasing the accessibility of court decisions and high-profile cases and ensuring greater understandability of court decisions and other content published on the aforementioned IT platforms and on the websites of judicial institutions in accordance with the new, improved Instruction for anonymisation. Also, in an effort to increase public confidence the HJPC BiH is taking measures to make disciplinary actions against judicial office holders more transparent. Following the completion of the proceedings, the HJPC BiH regularly publishes anonymised disciplinary decisions and announcements of upcoming hearings in disciplinary cases that are open to the public. Every year, summaries of all disciplinary actions completed the year before are posted on the website, thus ensuring a systematic insight into the practice. The establishment of a centralised, searchable database of disciplinary decisions is underway. The database will make it possible to filter data based on predetermined parameters, facilitate the work of disciplinary panels by enabling faster comparison of comparable cases, and increase the access to information for the public and judicial office holders. The implementation of this activity is underway, with the focus being placed on the comprehensive search functionality. Training In parallel, the training concept for newly appointed judges and prosecutors has been improved, and in line with the long-standing EU recommendations, efforts have been stepped up to strengthen the coordination role of the HJPC BiH in the training process and to assess the training effects based on the Kirckpatrick four-level framework. In cooperation with the EU4Justice project, the piloting of the Preparatory Training Programme for candidates for judicial office is underway. In parallel, a mentoring system has already been applied in the BiH Federation and the Brcko District of BiH, and the plan is to introduce it in Republika Srpska as well. Performance appraisal According to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, the High Judicial and Prosecutorial Council of Bosnia and Herzegovina adopts two sets of criteria - criteria for evaluating the performance of judges and criteria for evaluating the performance of prosecutors. The evaluation of the work results of all judges and prosecutors is carried out once a year. The performance of judges is assessed by the president of the court, whereas the chief prosecutor evaluates the work of prosecutors in accordance with the criteria established by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. In December 2024, the High Judicial and Prosecutorial Council of Bosnia and Herzegovina adopted new criteria for evaluating the work of judges and prosecutors. With the adoption of the new criteria, analytical evaluation was introduced into the evaluation system for judicial function holders. This involves a qualitative element of work evaluation („Analytical evaluation of prosecutor's work“ and „Analytical quality of judge's work and decisions“) which will enable a better assessment of the professional competencies of each judge and prosecutor. Thus, a reform of the evaluation system was initiated, which had previously been predominantly based on the assessment of results according to quantitative indicators. This reform was undertaken after the recommendations of experts engaged by the European Commission for the preparation of a 'Peer Review on the evaluation of the work of judges and prosecutors' from 2017 were accepted, suggesting that it is necessary to strengthen quality criteria in the evaluation system. The presidents of courts and chief prosecutors have evaluated the work of the holders of judicial functions according to new criteria during the first quarter of 2026. The criteria and points structure for the annual performance evaluation of judges are as follows: Quantity of work (i.e. annual quota) – up to 30 points, Percentage of realization of individual case resolution plan - up to 10 points, Analytical quality of judge's work and decisions – up to 10 points, Statistical quality of decisions (i.e. confirmation rate) – up to 50 points. The criteria and points structure for the annual performance evaluation of prosecutors are as follows: Quantity of work (i.e. annual quota) – up to 30 points, Percentage of realization of individual case resolution plan - up to 10 points, Analytical evaluation of prosecutor's work - 10 points, Statistical quality of decisions – up to 50 points. The chief prosecutor determines the analytical evaluation of the prosecutor's work based on a reasoned assessment of the prosecutor's work according to the following elements: a) the ability to determine the established facts relevant for making prosecutorial decisions; b) the ability to handle complex cases; c) timeliness in making decisions and compliance with legal deadlines; d) the ability to organize and efficiently conduct investigations in a proactive manner; e) the professional level of prosecutorial decisions, demonstrated legal knowledge, and use of legal remedies. The president of the court determines the analytical assessment of a judge's work based on a reasoned evaluation of the judge's work according to the following elements: a) the consistency of the introduction, ruling, and reasoning of the court decision from the perspective of responding to all requests and significant objections or essential appeal claims, as well as the existence of clear instructions to the higher court in case of annulment of the decision. b) the quality of the reasoning of court decisions in terms of the ability to correctly assess evidence and properly and fully determine the factual situation, legal analysis of analytical reasoning, consistency of argumentation in the reasoning, knowledge of the application of regulations and case law, including the application of international treaties, case law of the European Court of Human Rights, and other international courts. c) the skill of oral and written expression, particularly the ability to express oneself clearly and concisely, and the use of appropriate legal terminology. e) quality of conducting the proceedings, with particular regard to: - the ability to handle complex cases, - preparation for trial through proper preparation of the main hearing/session, precise definition of actions to be carried out at the hearing and evidence to be presented, as well as concentration of evidence, - conducting the proceedings in accordance with the principle of efficiency and economy, avoiding unjustified postponement and adjournment of hearings, and taking legally prescribed measures to ensure the presence of the accused, or parties to the proceedings, witnesses, and experts, taking measures to prevent abuse of procedural rights by the parties and other participants in the proceedings, compliance with statutory deadlines for scheduling and continuing hearings/sessions/proceedings, and taking legally prescribed actions, which must be recorded in the hearing minutes, for the conclusion of the dispute through a judicial settlement, - timely drafting of court decisions. Digitalization The judiciary is one of the most digitally advanced branches of government in BiH. The main priorities in further digitisation of the Judicial Information System (JIS) are as follows: the consolidation and expansion of the JIS to ensure full coverage and stability of the system, the introduction and mandatory integration of electronic signatures, ensuring the privacy and security of system users, the digitalisation of public services, including the expansion of online services (e.g. certificates of no pending criminal proceedings) and the reduction of physical visits to courts, the automation and efficiency of the processes: the implementation of AI tools for the anonymisation of court decisions and Speech-to-Text solutions, as well as the strengthening of human resources. Other reform activities The reforms also cover criminal and civil procedures, enforcement departments, digitalization of enforcement proceedings, strategic planning and gender equality. The status of implementation indicates that while some measures are currently discussed or piloted, others are already continuously implemented. The reform activities are also focused on the improvement of courts and prosecutor's offices performance, institutional capacity- building, modernisation of business processes, and digitization, with a particular focus on case management, enforcement, financing, professional development and transparency. One of the key priorities is the efficiency in managing criminal trials, where pilot courts seek to reduce the length of trials, improve trial preparation and procedural discipline. The reform of enforcement procedure is very important. Modernising the current system and exploring the prospect of transferring the enforcement of judgements to state agencies or private enforcement agents are the objectives. This is also connected to the digitalization of the enforcement procedure, which would make it possible for courts and other institutions to effectively share information about debtors' assets.
Montenegro	Special law on the salaries of judges has been adopted increasing salaries for judiciary. Drafting of the Law on Court Administration, is in progress. The amendments to the Constitution are planned in the context of EU accession to align with relevant recommendations that minister of justice will not be member of the judicial council. Also, there is undergoing work on amendments to the Criminal Code, Criminal Procedure Code, Law on treatment of minors in criminal proceedings, Law on Constitutional Court, Law on prosecution, Law on courts implementing rationalisation of the network of courts etc. Law on Prevention of Corruption will be amended improving the provisions related to asset declaration etc. Plans for formation of the Special Court for organised crime, corruption and other serious crimes are under consideration. A new Law on Judicial Cooperation in criminal matters with EU member states is to be adopted during this year, which will be harmonised with EU acquis and which will entry into force on the first day of EU membership.

North Macedonia	Law on Judicial Council - adopted and entered into force on 06.01.2026 -Regulating the procedure for dismissing the President of the Judicial Council -Further specifying the requirements for candidates for members of the Judicial Council who are elected by the Parliament following a public announcement or upon the proposal of the President – especially the term “prominent lawyer” in Article 12 of the Draft Law -Increasing publicity and transparency in the procedure for electing members by the Parliament, through a public debate at which candidates will be able to present themselves and be asked questions about their professional experience and expertise -Strengthening the legitimacy in the process for electing members from among judges -Further regulating the procedure for determining the responsibility of a member of the Judicial Council, including his/her dismissal -Establishing a clear obligation of the Judicial Council to specify, individualize and explain the decisions for the election and determination of the responsibility of judges -Establishing precise deadlines within which actions should be taken to determining disciplinary liability of judges -Clarifying the grounds and procedure for appealing against the decision of the Judicial Council on determining the liability of a judge or court president Law on Courts - under discussion -Harmonization of the Law on Courts with the Law on the Judicial Council regarding the disciplinary procedure for judges -Reorganization and optimization of the court network -Revising the function, role and status of lay judges in the court system -Improving the efficiency and transparency of the court system Law on Public Prosecution - in parliamentary procedure -Strengthening the independence of the role -Improving the efficiency and quality of the actions of the public prosecution office -Strengthening the mechanisms for -Strengthening the capacities and efficiency of the public prosecution office -Strengthening the criteria for selecting public prosecutors -Prosecutors who are subject to disciplinary proceedings have all guarantees for a fair trial in accordance with the provisions of these two laws -Harmonization with the draft Law on Courts Law on Council of Public Prosecutors - in parliamentary procedure -Strengthening the role of the Council of Public Prosecutors of the Republic of North Macedonia for the successful implementation of the competence for guarantees of the independence of the public prosecution service -Strengthening the accountability mechanisms -Strengthening the criteria for the selection of public prosecutors -Prosecutors who are subject to disciplinary proceedings have all guarantees for a fair trial -Alignment with the Law on the Public Prosecution Law on Academy for Judges and Public Prosecutors - under discussion -A clearer distribution of competencies between the Director, the Management Board and the Program Council, thus strengthening institutional governance, accountability and efficiency in decision-making. -Introducing ex officio members to the Management Board, in order to improve institutional coordination and alignment with broader policies of the justice system. -Strengthening the role of the Program Council, especially in relation to the development, implementation and quality of initial and continuous training programs. -Reform of the entrance exam, with a focus on objective assessment of candidates’ legal knowledge and foreign language skills, by abolishing psychological testing and integrity checks. -Annual admission of candidates to the Academy, based on projections and staffing needs determined by the Judicial Council and the Council of Public Prosecutors. The projections will determine the needs for each basic court and each basic public prosecutor’s office separately, within the four appellate areas in the country (Skopje, Shtip, Bitola and Gostivar). -Introduction of merit-based ranking rules, whereby candidates with the highest scores on the entrance exams will have priority in the selection of placements after completing the training, according to a model inspired by the French judicial training system. -Strengthening continuous training, by ensuring regular, structured and high-quality training for judges and public prosecutors throughout their careers. Law on Court budget-under discussion -The preparation of amendments to this law is in an early phase as it is initially pending the completion of the law on courts and the planned amendments are mainly aimed at greater financial independence of the courts and financial management.
Serbia	The current judicial reforms in the Republic of Serbia are focused on strengthening judicial independence, improving efficiency, reducing case backlogs, and modernising court administration in line with European and international standards. Constitutional and legislative amendments aimed at strengthening the independence of the judiciary and the autonomy of the public prosecutor’s office have already been adopted. These reforms introduced a stronger institutional framework for the independence of the High Judicial Council and the High Prosecutorial Council, including enhanced budgetary autonomy. The Councils independently prepare and approve their budget proposals through their secretariats and budget commissions. The Ministry of Finance provides an opinion on the proposals but cannot unilaterally amend them. In cases of disagreement, consultation mechanisms are foreseen, while the Government may not suspend or limit the implementation of approved funds without the consent of the Councils. These arrangements strengthen the financial independence of judicial institutions. The legal framework governing the jurisdiction of courts and public prosecutors’ offices remains regulated by the Law on the Organisation of Courts and the Law on the Seats and Territories of Courts and Public Prosecutors’ Offices. The current implementation phase focuses on improving the organisation and management of courts and prosecutors’ offices, with the objective of increasing efficiency and improving access to justice. Key ongoing measures include optimisation of the judicial network and court organisation, more rational use of budgetary and human resources, improved allocation and training of judicial staff, implementation of digitalisation and modern case management tools, strengthening coordination between courts, prosecutors’ offices, and other judicial bodies. Particular emphasis is placed on reducing the backlog of cases. According to the Supreme Court, the Working Group for Monitoring the Implementation of the Unified Programme for Resolving Backlogs in the Republic of Serbia for the Period 2021–2025 regularly monitored the implementation of measures and recommendations by the courts. Digitalisation measures are also being implemented in parallel, including the introduction of modern information technologies enabling improved case tracking, easier access to information, and more efficient court administration. During 2025, the Working Group considered proposals for the preparation of the new Unified Programme for the Resolution of Backlogged Cases in the Republic of Serbia for the period 2026–2030. At its meeting held on 20 March 2026, the Working Group discussed the results of court performance in 2025 and initiated the preparation of a new methodology and objectives for the future backlog reduction programme. The new programme will be based on statistical data contained in the Annual Report on the Work of the Courts for 2025 and is expected to further strengthen efficiency, case management, and timely adjudication.
Kosovo*	KJC ANSWER: The Kosovo Judicial Council (KJC), in cooperation with other justice institutions, has initiated the drafting and finalization of legislation derived from the Joint Declaration of Commitment,(the reform package), with the aim of advancing judicial reforms. The legislative drafts have been reviewed with particular focus on enhancing the efficiency, independence, and transparency of the judicial system. The Civil Procedure Code for Kosovo is a legislative initiative aimed at harmonizing and modernizing civil procedures by consolidating them into a comprehensive document. The drafting process so far has involved joint work among the Ministry of Justice, the KJC, international partners, and other stakeholders, with a focus on efficiency, legal clarity, and practical implementation. The KJC has been part of the working group and has made significant contributions in this regard, providing recommendations and expertise. The Code is in the final stages of drafting. Establishment of the Administrative Court in Kosovo The establishment of the Administrative Court is part of the reforms under the Strategy for the Rule of Law and the Declaration of Commitment, aiming to increase efficiency and specialization in handling administrative cases. Steps taken by the KJC: The KJC has identified secondary legislation derived from the Law on Administrative Conflicts: 1.Regulation No. 01/2026 – On internal organization and the systematization of positions in the Administrative Court 2.KJC Decision No. 156/2026 – Approves Version 3 of the criteria for case distribution in the courts of the Republic of Kosovo through the Case Management Information System (SMIL) and the manner of implementation, supplemented with criteria for the Administrative Court 3.KJC Decision No. 155/2026 – Determines the conditions for transferring cases to the Administrative Court Professional judges and collaborators have been transferred to the Administrative Court. The KJC has decided that the Administrative Court will commence operations on May 5, 2026. KPC ANSWER: During 2025, the new Law on Kosovo Prosecutorial Council entered into force. This law changed the composition of the KPC, where from 13 members it now is foreseen to have 7 members. Also the permanent Committees of the KPC were reduced from 4 to 3. The changes with this law affected the administration as well. The Prosecutors’ performance review unit was removed from the law. In this regard, KPC is in the process of finalizing all sublegal acts that had to be changed because of these legal changes. MoJ Comment: Under discussion/in the process of adoption: The Joint Commitment Statement is one of the key reforms that Kosovo is taking in the justice sector. The Joint Commitment Statement includes laws on recruitment, performance evaluation, integrity control, and status of judges and prosecutors; amendments to the laws on the Kosovo Judicial Council, Kosovo Prosecutorial Council, disciplinary liability of judges and prosecutors, the Academy of Justice, and the administration of the judicial and prosecutorial systems. In November 2024, the Ministry requested an opinion from the Venice Commission on the draft laws, focusing on performance evaluation, asset declarations and integrity checks, retirement age, and disciplinary procedures. Between January and March 2025, consultations were held with Venice Commission experts, resulting in three opinions adopted at its 142nd Plenary Session. A final opinion on the Prosecutorial Council law was received on 14 October 2025. These draft laws finished public consultation process on 28 April 2026. Adopted and implemented: The reform of the administrative justice has taken its final shape. Following the Decision of the Constitutional Court issued on 9 January 2026, the Law on the Administrative Court, which was drafted by the Ministry of Justice, entered into force. This law establishes for the first time a specialized Administrative Court in the Republic of Kosovo. The Court exercises first-instance jurisdiction over all administrative disputes and labor disputes between natural persons and public bodies, as well as disputes between public bodies. It was functionalized officially on 5 May2026. Pending adoption: The Law on the State Bureau for Verification and Confiscation of Unjustifiable Assets, the Decision of the Constitutional Court issued on 9 January 2026, provided that the parliamentary procedure for its approval was not in accordance with the Constitution, therefore the Law could not enter into force. Following the establishment of the new Government, on 30 March 2026, the Government of the Republic of Kosovo approved the Draft Law on the State Bureau for Verification and Confiscation of Unjustifiable Assets. The Draft Law was approved in First Reading in the Assembly on 17 April 2026, and remains under review by the Assembly, pending approval in Second Reading following the completion of these reviews. However, this draft law differs from the existing legislation, as its scope is limited to the verification of wealth in the context of civil proceedings. The draft law establishes, organizes and determines the powers of the State Bureau for Verification and Confiscation of Unjustifiable Assets, a specialized authority responsible for monitoring, verifying and initiating confiscation proceedings concerning unjustifiable wealth, as well as determining the procedure for the verification and confiscation of unjustifiable assets. It establishes clear rules regarding the categories of persons subject to asset verification, the scope of assets to be declared, the timing and manner of declarations, and the institutional responsibilities for verification and confiscation. The draft law is broadly aligned with the EU acquis and, in particular, with the safeguards deriving from the Charter of Fundamental Rights of the European Union. It is also aligned, mutatis mutandis, with relevant secondary EU legislation, including Regulation (EU) 2018/1805, Directive 2014/42/EU and Directive (EU) 2024/1260, notwithstanding that these instruments primarily regulate criminal confiscation regimes. Additionally other planned reforms are: Approval of the Civil Code; The amendment of the Law on Mediation; The drafting and approval of the Civil Procedure Code; Amendment of the Law on Free Legal Aid; Amendment of the Criminal Code and Criminal Procedure Code; The amendment of the Law on Courts.

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Annex 1

List of the tables presented in the Study

Table 0.0.1 General information (Q1, Q2, Q3, Q4 and Q5)

1.Budget - Overview

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