

LAW No. 06/L-054

ON COURTS

The Assembly of the Republic of Kosovo,

Based on Article 65 (1) of the Constitution of the Republic of Kosovo,

Approves:

LAW ON COURTS

**CHAPTER I
GENERAL PROVISIONS**

**Article 1
Purpose**

This Law regulates organization, functioning, and jurisdiction of the courts in the Republic of Kosovo.

**Article 2
Definitions**

1. Terms used in this Law shall have the following meanings:

1.1. **Basic Court** - the court of first instance comprised of seven geographic areas operating in accordance to the provisions of this Law;

1.2. **Branch** - a geographical subdivision of a Basic Court;

1.3. **Court of Appeals** - the court of second instance operating in accordance to the provisions of this Law;

1.4. **Department** - a sub-component of a court operating in accordance to the provisions of this Law for purposes of assigning cases according to the subject matter in order to increase the efficiency of the court;

1.5. **Division** - a sub-component of a Department of a court established for purposes of assigning cases according to subject matter in order to increase the efficiency of the court;

1.6. **Kosovo Judicial Council** - the independent institution as foreseen by Article 108 of the Constitution of the Republic of Kosovo;

1.7. **President of the Court** - the judge responsible for the management of the court and ensuring its efficient functioning, as provided for by this Law;

1.8. **Supervising Judge** - the judge in charge of a branch of a Basic Court, who is accountable to the President of a Basic Court for the operations of that branch.

CHAPTER II BASIC PRINCIPLES OF JUDICIAL SYSTEM

Article 3 Exercise of Judicial Power

1. Judicial power in the Republic of Kosovo shall be exercised by the courts established by this Law.
2. Judicial power in the Republic of Kosovo shall be unique, independent, fair, apolitical, impartial, and shall provide equal access to the 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.

Article 5 Composition of the Judiciary

1. The composition of the judiciary shall reflect the ethnic diversity of the Republic of Kosovo in accordance with the Constitution and internationally recognized principles of gender equality.
2. The composition of the judiciary shall reflect the ethnic composition of the territorial jurisdiction of each respective court.

Article 6 Court Decisions

1. Court decisions shall be drafted in writing, in compliance with the Law.
2. Court decisions are binding on all natural and legal persons.
3. The courts shall publish all judgments on their official website within sixty (60) days from the date of issuance of the judgment in accordance with the legislation in force. The Council shall issue sub-legal acts for implementation of this Article.

Article 7

Access to the Courts

1. The courts shall treat all persons in an equal manner, without any discrimination based on race, color, gender, language, religion, political or other opinion, national or social origin, relation to any community, property, economic and social condition, sexual orientation, birth, disability or other personal status.
2. Every person shall have equal access to the courts and no one shall be denied due process of law or equal protection of the law. Every natural or legal person has the right to a fair trial within a reasonable timeframe.
3. Every person has the right to address the courts to protect and enforce his or her legal rights. Every person has the right to pursue legal remedies against judicial or administrative decisions that infringe on his or her rights or interests, in the manner provided by Law.
4. All court hearings shall be open to the public unless otherwise provided by Law.
5. All courts should function in an expeditious and efficient manner to ensure the prompt resolution of cases.

CHAPTER III

ORGANIZATIONAL STRUCTURE AND COMPETENCIES OF THE COURTS

Article 8

Organizational Structure

1. The court system of the Republic of Kosovo consists of: the Basic Courts, the Court of Appeals, and the Supreme Court.
2. Court branches shall be established within the territory of a Basic Court. The establishment of new branches and departments, or the merger thereof, not defined in this law, shall be made in accordance with the law.

Article 9

The Basic Court

1. The Basic Courts shall be the courts of first instance in the territory of the Republic of Kosovo.
2. Seven (7) Basic Courts are established as follows:
 - 2.1. The Basic Court of Prishtina with its seat in Prishtina shall operate within the territory of the Municipalities of Prishtina, Fushë Kosova, Obiliq, Lipjan, Podujeva, Glllogvc, and Graçanica;
 - 2.2. The Basic Court of Gjilan with its seat in Gjilan shall operate within the territory of the Municipalities of Gjilan, Kamenica, Novobërda, Ranilluga, Partesh, Vitia, Klllokot, and Vërboc;

2.3. The Basic Court of Prizren with its seat in Prizren shall operate within the territory of the Municipalities of Prizren, Dragash, Suhareka, and Mamusha;

2.4. The Basic Court of Gjakova with its seat in Gjakova shall operate within the territory of the Municipalities of Gjakova, Malisheva, and Rahovec;

2.5. The Basic Court of Peja with its seat in Peja shall operate within the territory of the Municipalities of Peja, Deçan, Junik, Istog, and Klina;

2.6. The Basic Court of Ferizaj with its seat in Ferizaj shall operate within the territory of the Municipalities of Ferizaj, Kaçanik, Shtime, Shtërpçë, and Hani i Elezit;

2.7. The Basic Court of Mitrovica with its seat in Mitrovica shall function within the territory of the Municipalities of Mitrovica South and Mitrovica North, Leposaviq, Zubin Potok, Zvecan, Skenderaj, and Vushtri.

Article 10

Branches of the Basic Courts

1. In addition to its main seat, each Basic Court shall have its branches as provided in this Law or established by this Law.

2. The Basic Court of Prishtina shall have the following branches:

2.1. Podujeva branch for the municipality of Podujeva;

2.2. Graçanica branch for the municipality of Graçanica;

2.3. Lipjan branch for the municipality of Lipjan;

2.4. Glllogovc branch for the municipality of Glllogovc;

2.5. Fushë Kosova branch for the municipalities of Fushë Kosova and Obiliq.

3. The Basic Court of Gjilan shall have the following branches:

3.1. Kamenica branch for the municipalities of Kamenica and Ranillug;

3.2. Vitia branch for the municipalities of Vitia and Klllokot;

3.3. Novobërda branch for the municipality of Novobërda.

4. The Basic Court of Prizren shall have the following branches:

4.1. Dragash branch for the municipality of Dragash;

4.2. Suhareka branch for the municipality of Suhareka.

5. The Basic Court of Mitrovica shall have the following branches:

- 5.1. Leposaviq branch for the municipality of Leposaviq;
- 5.2. Vushtrri branch for the municipality of Vushtrri;
- 5.3. Zubin Potok branch for the municipality of Zubin Potok;
- 5.4. Skenderaj branch for the municipality of Skenderaj.

6. The Basic Court of Gjakova shall have the following branches:

- 6.1. Malisheva branch for the municipality of Malisheva;
- 6.2. Rahovec branch for the municipality of Rahovec.

7. The Basic Court of Peja shall have the following branches:

- 7.1. Istog branch for the municipality of Istog;
- 7.2. Klina branch for the municipality of Klina;
- 7.3. Deçan branch for the municipality of Deçan;
- 7.4. Junik branch for the municipality of Junik.

8. The Basic Court of Ferizaj shall have the following branches:

- 8.1. Kaçanik branch, for the municipality of Kaçanik;
- 8.2. Hani i Elezit branch for the municipality of Hani i Elezit;
- 8.3. Shtërpcë branch for the municipality of Shtërpcë;
- 8.4. Shtime branch for the municipality of Shtime.

9. Where no branch has been specified for the territory of a municipality, cases from such municipality will fall under the jurisdiction of the main seat of the Basic Court.

Article 11

Establishment of the branch of a Basic Court

1. If, in one of the established municipalities, in accordance with the Law on Administrative Municipal Boundaries, there is no branch, and is considered that a branch needs to be established, the municipality may, by a decision of the Municipal Assembly, submit a request to the Council for the establishment of a branch.

2. The Council shall review such requests, and after evaluating the case load as well as other circumstances, examines the justification of the request and decides. The Council proceeds with the proposal depending on the nature of the municipal request under the law.

3. If the Council approves the request under paragraph 1. of this Article for the establishment of a new branch, the Council shall recommend to the Ministry of Justice to take necessary measures to propose amending and supplementation of this Law.

4. The circumstances that should be taken into account when applying this Article include but are not limited to improving access to justice, population number, geographic position and other relevant factors.

Article 12

Subject Matter Jurisdiction of the Basic Court

1. The Basic Courts shall be competent to adjudicate all cases in first instance, unless otherwise foreseen by Law.

2. The Basic Courts shall be competent to provide international legal assistance and decide on the acceptance of decisions of foreign courts.

3. Commercial matters shall be within the exclusive competence of the Basic Court of Prishtina.

4. Administrative matters shall be within exclusive competence of the Basic Court of Prishtina.

Article 13

Internal Organization of the Basic Court

1. The following Departments shall operate within the Basic Courts for the purpose of allocating cases according to their nature:

1.1. within the Basic Court in Prishtina operates the special department for cases under the jurisdiction of the Special Prosecution of the Republic of Kosovo, with competence for the entire territory of the Republic of Kosovo;

1.2. the department for Commercial Matters operating in the Basic Court in Prishtina and has jurisdiction over the entire territory of the Republic of Kosovo;

1.3. the department for Administrative Matters operating in the Basic Court in Prishtina and has jurisdiction over the entire territory of the Republic of Kosovo;

1.4. department for Serious Crimes operating at the seat of each Basic Court;

1.5. general department operating within the seat of each Basic Court and each branch of the Basic Court;

1.6. department for Minors, operating within each Basic Court.

2. Each Basic Court shall have a President of the Court responsible for the management and operations of the Basic Court. Each branch of the Basic Courts shall have Supervising Judge accountable to the President of the respective Basic Court for the operations of the branch.
3. The assignment of cases in respective departments, within the court, shall be made in compliance with the regulation of the Council, according to the competence of departments.
4. The establishment of new departments and the changes in subject matter jurisdiction of the existing departments shall be made by law.
5. Within the Department for Commercial Matters of the Basic Court of Pristina shall operate the Division for the disputes regarding foreign investments, with jurisdiction for the entire territory of Kosovo.

Article 14

Competences and Responsibilities of the President and Vice-President of the Court

1. The President of the Basic Court and of the Court of Appeal shall be responsible for the day-to-day administration of the court in accordance with the rules and procedures set forth by the Council. The President of the Court organizes and coordinates the functioning of the court; oversees the financial activities of the court; and undertakes certain activities as set out in the rules, procedures or orders issued by the Council.
2. The President of the Court has the following responsibilities:
 - 2.1. authorizes and initiates employment procedures, disciplining and dismissal of non-judicial 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 administration which faces the court. The President of the Court shall, within ninety (90) days, submit to the Council a report on the results of the annual meeting of the judges.

2.11. the President of the Court shall, also, perform other duties determined by the Law and Regulation of the Council. The president for its work shall report to the Council;

2.12. The President of the Court may delegate certain powers.

3. The President of the Court in consultation with the Kosovo Judicial Council shall appoint the Vice-President of the court from the rank of the judges of the respective court. The mandate of the Vice-President of the court is the same as the mandate of the certain President.

4. The Vice-President of the court shall exercise duties of the President of the court in his/her absence or when the president is unable to exercise his duties. The Vice-President shall perform other duties which are delegated to him in writing by the President of the Court.

Article 15 **Supervising Judge**

1. The supervising judge shall be appointed by the Kosovo Judicial Council, in consultation with the President of the respective court.

2. The Supervising Judge shall direct and oversee the activity, organization and activities of the judiciary administration of the branch.

3. The supervising judge shall have general administrative authority over all judicial and non-judicial personnel within the branch. A supervising judge within the branch shall apply rules and orders of the Council and the orders of the President of the Basic Court. The supervising judge shall report to the president of the court on quarterly basis on the needs and actions of the branch.

4. The supervising judge, in written, may delegate the specific administrative responsibilities to the administrative assistant of the branch.

5. In the absence of the supervising judge, the president of the court shall appoint a judge to exercise temporarily the duty of the supervising judge.

Article 16**Department for Commercial Matters of the Basic Court of Prishtina**

1. The Department for Commercial Matters of the Basic Court of Prishtina shall be competent for the following matters:

1.1. disputes between local and foreign business organizations regarding their mutual business issues, including the judicial disputes deriving from the Law on Business Organizations;

1.2. reorganization, bankruptcy, and liquidation of business organizations, unless otherwise provided for by the Law;

1.3. disputes concerning obstruction of possession, with the exception of immovable property, between parties specified in sub-paragraph 1.1. of this paragraph;

1.4. disputes concerning harm of competition, misuse or monopoly, dominant market position, and monopolistic agreements including the assessment of illegality;

1.5. protection of copyright and industrial property rights, including trademarks, patents, industrial design, commercial secrets, market secrets and other forms of industrial property foreseen by respective legislation;

1.6. disputes involving aviation companies for which the Law on Civil Aviation applies, excluding disputes concerning passenger rights;

1.7. other matters as provided by law.

2. All cases before the Department for Commercial Matters of the Basic Court shall be adjudicated by one (1) professional judge, unless otherwise provided by Law.

3. Within the Department for Commercial Matters of the Basic Court of Prishtina shall operate a division for disputes concerning foreign investors, with jurisdiction over the entire territory of Kosovo.

Article 17**Department for Administrative Matters of the Basic Court of Prishtina**

1. Department for Administrative Matters of the Basic Court of Prishtina shall adjudicate and decide on administrative disputes based on the lawsuits against final administrative acts and other matters as defined by the Law.

2. All issues in the Department for Administrative Matters of the Basic Court shall be adjudicated by one (1) professional judge, unless otherwise provided for by this Law.

3. Within the Department for Administrative Matters of the Basic Court of Prishtina, operates the fiscal division, regarding the lawsuit against final administrative acts in matters related to the customs and tax issues, immovable property tax and any tax or other contribution applied in the Republic of Kosovo.

Article 18

Special Department for cases under the jurisdiction of the Special Prosecution of the Republic of Kosovo

1. The Special Department within the Basic Court of Prishtina has the competence to review cases falling under the competence of SPRK in accordance with the Law on Special Prosecution of the Republic of Kosovo, amended and supplemented by subsequent laws.
2. All matters in the Special Department for cases under the jurisdiction of SPRK shall be adjudicated by the panel of three (3) professional judges, one of whom shall be the presiding judge.

Article 19

The Serious Crimes Department of the Basic Court

1. The Serious Crimes Department of the Basic Court shall adjudicate criminal offenses punishable by more than ten (10) years, and criminal offences qualified as serious criminal offenses under the Criminal Code or Criminal Procedure Code of Kosovo.
2. All cases before the Serious Crimes Department of the Basic Court shall be adjudicated by a trial panel of three (3) professional judges, with one (1) of them being the presiding judge.

Article 20

General Department of the Basic Court

1. The General Department of the Basic Court shall adjudicate all first instance cases, unless the cases fall under the competence of another department of the Basic Court.
2. All cases filed to the General Department of the Basic Court shall be adjudicated by one (1) professional judge unless otherwise provided for by law.

Article 21

Court of Appeals

1. The Court of Appeals shall operate as the second instance court with territorial jurisdiction throughout the Republic of Kosovo.
2. The seat of the Court of Appeals shall be in Prishtina.

Article 22

Competencies of Court of Appeals

1. The Court of Appeals is competent to review:
 - 1.1. all appeals filed against decisions of the Basic Courts;
 - 1.2. to decide on the conflicts of jurisdiction between Basic Courts;

1.3. other issues as provided by law.

Article 23
Review of cases at the Court of Appeals

The Court of Appeals shall review and adjudicate cases in a panel of three (3) professional judges, unless otherwise provided by Law.

Article 24
Internal Organization of the Court of Appeals

1. The Court of Appeals shall be organized with the following departments:

1.1. General Department;

1.2. Serious Crimes Department;

1.3. Special department for cases under the jurisdiction of the Special Prosecution of the Republic of Kosovo;

1.4. Department for Commercial Matters;

1.5. Department for Administrative Matters;

1.6. Juvenile Department.

Article 25
Supreme Court

1. The Supreme Court of Kosovo is the highest judicial authority in Kosovo and shall have jurisdiction over the entire territory of the Republic of Kosovo.

2. The Supreme Court includes the Appeals Panel of the Kosovo Property Agency and the Special Chamber of the Supreme Court, judges of which are part of the Supreme Court.

3. The composition of the Supreme Court shall reflect ethnic composition of Kosovo population. At least fifteen percent (15%) of the judges of the Supreme Court, but in no case fewer than three (3) judges, shall be from non-majority communities in Kosovo.

4. The seat of the Supreme Court shall be in Prishtina.

5. The Supreme Court shall have a President as provided in Article 103 of the Constitution of the Republic of Kosovo.

6. The Supreme Court shall review and adjudicate cases in a panel of three (3) professional judges, except when a larger number of judges is provided by Law.

7. The President of the Supreme Court shall have the following responsibilities:

- 7.1. is responsible for the management and operations of the Supreme Court;
- 7.2. assigns judges, as needed, to ensure the efficient adjudication of cases;
- 7.3. ensures that each case filed at the Supreme Court is assigned to a proper panel of judges and shall designate the presiding judge of such panel;
- 7.4. the president may also perform other duties as prescribed by Law.

Article 26

Competencies of the Supreme Court

1. The Supreme Court is competent to:

- 1.1. decide on requests for extraordinary legal remedies against final decisions of the courts of Republic of Kosovo, as provided by law;
- 1.2. review second instance decisions of the courts on contentious matters, as provided by Law;
- 1.3. the Supreme Court decides in the third instance for complaints permitted by law;
- 1.4. define principled attitudes and issues legal opinions and guidelines for unique application of laws by the courts in the territory of Kosovo;
- 1.5. decide on Kosovo Property Agency cases, as defined by law;
- 1.6. decide on Privatization Agency of Kosovo or Kosovo Trust Agency cases before its Special Chamber, as provided by Law;
- 1.7. decide on other matters as provided by law.

Article 27

General session of Supreme Court

- 1. The Supreme Court may convene a general Session of all its judges for issuing principled positions, legal opinions and guides that promote unique application of laws.
- 2. The Supreme Court shall establish regulations necessary for the operation of General Sessions of the Court.

Article 28

Regulations for Internal Organization of Courts

The Kosovo Judicial Council shall adopt regulations on the internal organization of the courts,

unless otherwise provided for by this Law.

Article 29

Court Administrator

1. The court administrator shall be elected and dismissed in accordance with the Law on Civil Service of Kosovo, in an open and competitive process, following the public announcement of the position.

2. The administrator shall respond to the President of the Court. Responsibilities and duties of the court administrator shall be defined by Council regulations.

3. The court administrator shall manage and oversee the administrative functions of the court autonomously, in cooperation with the President of the Court and in coordination with the Council Secretariat. The court administrator shall oversee:

3.1. drafting of the court reports, including statistical reports and ensure that the reports are accurate and timely prepared;

3.2. recording and archiving the court files and closed cases;

3.3. maintenance of court files in full and accurate form;

3.4. court security;

3.5. administrative court staff;

3.6. implementation of regulations for judicial personnel;

3.7. accurate financial maintenance;

3.8. implementation of the council regulations and procedures established by the council;

3.9. the administrator shall assign, if necessary, the administrative staff in certain duties to ensure the efficient and effective court action;

3.10. the administrator shall provide public access to the court records and information that may be disclosed to the public, in accordance with the applicable laws; and

3.11. undertakes other duties and responsibilities as may be determined by the President of the Court or Supervising judge.

CHAPTER IV QUALIFICATIONS, RIGHTS AND DUTIES OF JUDGES

Article 30

Qualifications for appointment as a Judge

1. Candidates for appointment as a judge under Article 104 and Article 108 of the Constitution of the Republic of Kosovo must meet the general qualifications as follows:

- 1.1. be a citizen of the Republic of Kosovo;
- 1.2. have a valid university degree in Law recognized in Kosovo;
- 1.3. have passed the bar examination recognized by the applicable Law of Kosovo;
- 1.4. have high professional reputation and moral integrity;
- 1.5. have not been convicted of a criminal offense with the exception of the criminal offenses committed by negligence;
- 1.6. have at least three (3) years of legal working experience; and
- 1.7. have passed the examination for a judge in compliance with the requirements and procedures set out by special regulation approved by the Council.

2. For purposes of this Article, the experience in the legal field shall include experience, not limited to, legal matters in local and international institutions and organizations.

Article 31

Initial Training

1. Upon the appointment by the President of Kosovo, judges, shall undergo initial training, which will be organized by the Academy of Justice. The initial training will last twelve (12) months, in accordance with the relevant legislation in force.

2. During the initial training, judges may be assigned cases under the supervision of the mentor.

3. Appointed judges shall be assessed after the initial training results, in accordance with the relevant provisions of this Law. The initial training period shall continue for those judges who fail to properly complete the initial training, as defined by the Academy of Justice.

Article 32

Special conditions for judges

1. In addition to the minimum qualifications, all candidates for appointment as judges, for the purpose of appointment or promotion in the courts, must meet the following qualifications:

1.1. to serve as a judge in the Serious Crimes Department or the Juvenile Department of the Basic Court, the candidate should have at least three (3) years of experience as a judge in the field of criminal law;

1.2. to serve as a judge in the Department for Administrative Matters or Department for Commercial Matters of the Basic Court, the judge should have at least six (6) years of experience in the legal field, including experience in administrative and commercial matters;

1.3. to serve as a judge in the Court of Appeals, the judge should have at least five (5) years of experience as a judge;

1.4. to serve as a judge in the Supreme Court, the judge should have at least eight (8) years of experience as a judge.

1.5. to serve as a judge in special department for cases under the jurisdiction of the Special Prosecution Office of the Republic of Kosovo, the candidate should meet the conditions to work as a judge in the Department of Serious Crimes and have a positive assessment of the performance.

Article 33

Lay Judges

1. Lay Judges will serve only when required by the law. Condition and procedures for recruitment of the Lay Judges shall be regulated with sub-legal act approved by the Kosovo Judicial Council.

2. To be appointed as a Lay Judge, the following qualifications must be met:

2.1. be a citizen and resident of Kosovo;

2.2. be at least twenty five (25) years of age;

2.3. have successfully completed training required according to KJC regulation;

2.4. have not been convicted for a criminal offense with the exception of the criminal offenses committed by negligence;

2.5. have a high moral reputation in society and personal integrity.

3. Lay judges shall be compensated for their services according to a compensation schedule that shall be established by the Kosovo Judicial Council.

Article 34

Termination of mandate

1. The mandate of a judge shall end upon:

1.1. resignation;

- 1.2. dismissal;
- 1.3. death;
- 1.4. retirement;
- 1.5. when he/she is not reappointed for a permanent mandate.

Article 35
Salary and Judicial Compensation

1. During their terms of office, judges shall receive the following salaries:

- 1.1. the President of the Supreme Court shall receive a salary not less than that of the Prime Minister of the Republic of Kosovo;
- 1.2. judges of the Supreme Court shall receive a salary equivalent to ninety percent (90%) of the salary of the President of the Supreme Court;
- 1.3. the President of the Court of Appeals shall receive a salary equivalent to that of a judge of the Supreme Court of Kosovo;
- 1.4. all other judges of the Court of Appeals shall receive a salary equivalent to ninety percent (90%) of the salary of the President of the Court of Appeals;
- 1.5. the President of a Basic Court shall receive a salary equivalent to the salary of a judge of the Court of Appeals;
- 1.6. the Supervising Judge of a Branch of the Basic Court shall receive a salary equivalent to ninety-five percent (95%) of the salary of the President of a Basic Court;
- 1.7. all judges of the Basic Court shall receive a salary equivalent to eighty (80%) percent of the President of the Basic Court.

2. The salary of a judge shall not be reduced during the term of office to which the judge is appointed, except as a disciplinary sanction imposed under the authority of the Kosovo Judicial Council.

3. Judges are entitled to annual leave in accordance to the Law on Labour.

Article 36
Protection

Judges have the right to request from the Kosovo Judicial Council special protective measures for themselves and their families, where a threat to their life, or to the life of a family member, derives from or is the result of exercising their judicial responsibilities.

Article 37

Immunity

Judges and lay judges shall enjoy immunity as provided by the Constitution.

Article 38

Professional Activities

1. Judges may, upon prior approval by the Council, take part in professional organizations, scientific meetings that promote independence and protection of professional interests of Judges.
2. Judges may, upon approval by the Presidents of the Courts and the Presidents upon approval by the Council, only outside the working hours, engage in activities that are in line with the Code of Ethics and Professional Conduct of Judges.
3. In accordance to the provisions of the Code of Ethics and Professional Conduct of Judges, judges may engage in professional and scientific writing, but may not publish the substance of court deliberations gathered during or after the end of judicial process, unless expressly permitted by law or sub-legal act, issued by the Council.
4. Judges shall, for activities foreseen in this Article, receive a remuneration, which cannot exceed the value of twenty five percent (25%) of the basic salary, and for this award the Judges shall notify the President of the Court whereas the Presidents of the Court shall notify the Council.

Article 39

Professional collaborators, interns, translators, interpreters and judicial experts

1. Kosovo Judicial Council by sub-legal act shall determine the selection and appointment procedure, criteria, rights and obligations for professional collaborators.
2. Every judge should have at least one professional collaborator serving exclusively the judge in question.
3. Kosovo Judicial Council by sub-legal act defines the certification and the appointment procedures, terms, right and duties of the translators, interpreters and judicial experts, as well as the remuneration amount for their work.

Article 40

Duties of Judges

1. Judges shall act objectively, impartially, and independently, in line with the principles provided under the Code of the Professional Ethics of Judges.
2. During the exercise of their duties, judges shall demonstrate availability, respect for the parties and witnesses, and vigilance in maintaining the highest level of competence.
3. During the exercise of judicial functions, judges shall protect the confidentiality of all non-

public information.

4. Judges shall not comment to the media on the composition, evidence, or decisions of any case. Judges shall not engage in any ex-parte communication with anyone concerning cases.

5. Judges should be engaged in continuing legal education consistent with the regulations approved by the Kosovo Judicial Council.

Article 41

Prohibitions on conduct of judges

1. Judges shall not perform any duty or service that may be perceived as an interference with their independence and impartiality or which may otherwise be incompatible with the duties of a judge or the provisions of the Code of Professional Ethics for Judges in Kosovo.

2. Judges shall not be members of a political entity and cannot participate in any political activity. A Judge will not run, hold or exercise any political office.

CHAPTER V

TRANSITIONAL AND FINAL PROVISIONS

Article 42

Appointment of Judges in Special Department for cases under the Jurisdiction of Special Prosecution Office of the Republic of Kosovo and Completion of Pending Cases

1. Kosovo Judicial Council shall, at the latest six (6) months from entry into force of this Law, elect judges who shall serve in the Special Department for cases under the jurisdiction of the Special Prosecution Office of the Republic of Kosovo, respectively in the Department for cases under jurisdiction of SPRK, within the Basic Court of Prishtina and Court of Appeals, in accordance with provisions of the applicable law.

2. Kosovo Judicial Council shall, also undertake all measures to functionalize Special Department within the Basic Court of Prishtina and the Court of Appeals, including recruitment of supporting staff and professional collaborators.

3. Judges assigned to work in the Special Department of the Basic Court of Prishtina and in the Department for cases under the jurisdiction of the Special Prosecution of the Republic of Kosovo, at the Court of Appeals, may be engaged in trial panels for the adjudication of cases within the Department for Serious Crimes at the basic Court of Prishtina respectively at the Court of Appeals.

4. With the entry into force of this Law, cases of the Special Prosecution Office of the Republic of Kosovo for which the initial hearing has not been held yet shall be transferred for review to the Special Department for cases under jurisdiction of the Special Prosecution Office of the Republic of Kosovo. Cases for which the initial hearing has been held will continue to be examined in the relevant courts until their completion.

5. With the entry into force of this Law, cases of the Special Prosecution Office of the Republic

of Kosovo that are at the Court of Appeal shall continue to be reviewed by the respective panel which has the case under review at the moment of entry into force of this Law. Cases of the Special Prosecution Office of the Republic of Kosovo, which are admitted to the Court of Appeal after the entry into force of this Law, shall be reviewed by the Department for cases under the jurisdiction of the Special Prosecution Office of the Republic of Kosovo.

Article 43
Issuance of sub-legal acts

The regulation set forth in this Law shall be issued within a term of one (1) year after entry into force of this Law.

Article 44
Abrogation of other laws

1. Upon the entry into force of this Law the following laws shall be repealed:

- 1.1. Law no. 03/L-199 on Courts;
- 1.2. Law no. 05/L-032 on Amending and Supplementing Law no. 03/L-199 on Courts;
- 1.3. Law no. 04/L-171 on Amending and Supplementing Law no. 03/L-199 on Courts;
- 1.4. Law no. 04/I-115 on Amending and Supplementing the laws related to the ending of international supervision of independence of Kosovo, Article 10;
- 1.5. Article 215 paragraph 2. of the Code no. 04/L-123 of the Criminal Procedure.

Article 45
Entry into Force

This Law shall enter into force fifteen (15) days after its publication in the Official Gazette of the Republic of Kosovo.

Law No. 06/L-054
23 November 2018

Promulgated by Decree No.DL-059-2018, dated 13.12.2018, President of the Republic of Kosovo Hashim Thaçi.