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to the independency and
efficiency of the prosecution?**

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Rreze Hoxha Zhuja



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COMPARING THE CITIZEN'S PERCEPTION IN 2016 AND 2021: WHAT DO CITIZENS THINK IN REGARDS TO THE INDEPENDENCY AND EFFICIENCY OF THE PROSECUTION?

By: Rreze Hoxha Zhuja – Senior Research Fellow at the Group for Legal and Political Studies

Citizen's perception means the impression of citizens of a country regarding the performance of certain institutions, in this case the performance of institutions that have been established to implement legal norms. The Rule of Law Performance Index in Kosovo (RoLPIK) for seven years now serves as a tool to better understand what Kosovars think in regards to the performance of courts, prosecution, Kosovo Police and EULEX. This note will analyze how the citizen's perception regarding the performance of the prosecution in Kosovo has changed along the years. In order to do so, findings of the [1st edition](#) will be compared with the findings of the [7th edition](#).

It is very important to mention that citizen's positive opinion regarding the overall improvement of the justice sector has increased. This has been observed when citizens have been asked directly if they think that **the justice system has improved**. 36% of the citizens responded positively in 2016, while 37.3% of the citizens responded positively in 2021. Moreover in 2016, 24% of the citizens believed that the justice system had improved regarding accountability and transparency, 25.1% believed that the justice system had improved regarding the period of resolving cases faster, 19.1% of citizens believed that the system had improved regarding independence from politicians, and 31% believed that the system had improved in regards to investigating corruption cases. On the other hand, in 2021, 34.5% of the citizens believed that the justice system had improved regarding accountability and transparency, 20.2% believed that the justice system had improved regarding the period of resolving cases faster, 15.1% of citizens believed that the system had improved regarding independence from politicians, 29.6% believed that the system had improved in regards to investigating corruption cases. One can easily understand that the citizen's perception regarding the improvements on the justice sector is focused mainly on issues of accountability and transparency, while in regards to the effectiveness on solving cases, independence from politics and efficiency on investigating corruption cases the citizens perception has mainly decrease.

Going back to the issue in hand, in 2016, 61.1% of Kosovars thought that **persons with political influence are less likely to be punished by law**. This percentage changed for 1.1% in 2021, where only 60% of citizen's answered in the affirmative to the question. Moreover in 2016, 51.4% of respondents believed that prosecution represents the institution which is most influenced by politics, while in 2021, only 31.3% of the respondents held the same belief. **Although not satisfactory enough, progress has been noticed in the citizen's perception in regards to the prosecution's independence from political influence.**

In regards to **bribery**, the citizens of the Republic of Kosovo believe that justice institutions are affected by this phenomenon. In 2016, when asked which officials of which institution (courts, prosecution, EULEX) require/acquire bribery according to their opinion, 54.9% of them chose prosecution, while in 2021, only 32.3% chose prosecution. So, the percentage of citizens believing that employees and officials of the rule of law institutions, especially the ones working in prosecution do not accept briberies has **increased for 22.6%**.

In addition, besides the Kosovo Police which is the institution which enjoys the highest trust of citizens in their **efforts on fighting corruption**, the prosecution is ranked second. In 2016, 3.9 % of the respondents choose prosecution as the most effective institution in the fight against corruption, while in 2021, 9.1% of the respondents choose prosecution. Hence, the percentage of the people who believe that prosecution is the most effective institution in the fight against corruption has **increased**.

Moreover, when asked which of the institutions (including courts, prosecution, police, EULEX) are able to **perform their duties/responsibilities independently**, in 2016, 8.6% of the respondents ranked prosecution as the institution that can perform their duties and responsibilities independently. While in 2021, this percentage **increased** to 15.9%. Although the result shows that there has been an increase on the perception for more than 7 points, still, such a result shows that Kosovars think that the principle of independence in investigation procedures is not being applied enough.

Contrary to the above, the citizen's **satisfaction** regarding the performance of the rule of law institutions has **decreased** along the years. When comparing the results of 2016 which show that only 3.93% of the respondents are satisfied with the work of the prosecution with the results of 2021 which this percentage has decreed to 3.59%, one can conclude that Kosovo's citizens are not satisfied with the performance of the prosecution. Moreover, this satisfaction rate has decreased even more.

When concluding on all of the above, one can notice there is a positive trend on the citizen's perception on the performance of prosecution in fighting corruption within and outside the system, much needs to be done in order to achieve a satisfactory result. These data show that the trust of the citizens has increased in regards to the independency of officials engaged in prosecution offices, prosecutor's independence from political influence, and their efforts on fighting corruption. Still, for 7 years now the justice sector, more precisely the prosecutorial system, has undergone so many reforms to only have such results. The lack of satisfaction of citizens in regards to this institutional performance in fighting corruption is the best reflection of the current state of the system.

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