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Institucioni i Avokatit të Popullit • Institucija Ombudsmana • Ombudsperson Institution

REPORT WITH RECOMMENDATIONS

PREK KRASNIQI

Complaint no: 72/2015

Regarding the lack of effective legal remedies

To: Mr. Arban Abrashi, Minister
Ministry of Labour and Social Welfare

Mr. Hamdi Ibrahim, president
Basic Court in Prishtine,

Prishtina, 17 October 2016

Purpose of the Report

This Report is based on individual complaint of Mr. Prek Krasniqi and aims to point out some of omissions of institutional actions in handling of this case as well to draw attention of the Department of Martyrs' Families, War Invalids and Civilian War Victims (DMFWICWV), actually the Ministry of Labour and Social Welfare (MLSW) and the Basic Court in Prishtina related to provision of guaranteed constitutional and legal opportunities for effective legal remedies.

According to facts

I. CIRCUMSTANCES OF THE CASE

Facts which could be confirmed so far are based on the documents presented by the complainant, as well as based on other information available with the Ombudsperson can be presented as below:

1. In February 2009, Mrs Marije Krasniqi, from village Ramoc, Municipality of Gjakova, filed a request with DMFWICWV through which she requested the recognition of the right to family pensions and victims of the war, about her murdered son, the deceased Pashk Gjon Abazi.
2. On 18 March 2009, DMFWICWV, after reviewing the request (*No.04-03/412*) of Mrs Marije Krasniqi for recognition of the right to pension of families of civilian war victims issued a decision through which it rejected the request of Mrs Krasniqi, with reasoning that submission documents contain three different family names.
3. On 22 April 2009, the complaint sector within DMFWICWV acting as a second instance body to the complaint of Mrs Krasniqi, decided that the first instance body decision to remain in force, instructing the aggrieved party to initiate an administrative dispute within the legal time with the Supreme Court of Kosovo (*Decision no.04-03/412, dated 22 April 2009*).
4. On 20 August 2009, Supreme Court of Kosovo, carrying out the administrative dispute according to the suit of Mrs Krasniqi, against the decision of the second instance of DMFWICWV (*Decision no.04-03/412, dated 22 April 2009*), decided that the complainant's suit is founded and the case to be returned to DMFWICWV for review and settlement (*Judgement A.no.330, dated 20 August 2009*).
5. On 9 September 2009, DMFWICWV acting in accordance with the judgment of Supreme Court of Kosovo (*A.no.330/2009, dated 20 August 2009*) reviewed the case of Mrs Krasniqi and took a decision through which: "*Complaint is rejected*", on reasoning that: "*Upon deciding according to the case, it was again ascertained that legal conditions for family pension of the civilian victim are not satisfied. The complaint does not provide evidence that legal change of personal name of the deceased Pashk Gjon Abazi to Krasniqi occurred, as well as with other family members in conformity with Law No. 02/L-118 on Personal Name*", instructing the aggrieved party to initiate again an administrative dispute, within legal time, with Supreme Court of Kosovo (*Decision No.04-03/412, dated 9 September 2009*).

6. On 14 September 2012, Supreme Court of Kosovo, by carrying out the administrative dispute according to the suit of Mrs Krasniqi, against the decision of DMFWICWV (*Decision no.04-03/412, dated 9 September 2009*), delivered a judgment: “*Suit is approved. Decision of the Ministry of Labour and Social Welfare – Department for Martyrs’ Families, War Invalids and Civil Victims in Prishtina, no.04-03/412, dated 09.9.2009, is annulled*”. In the reasoning of the judgement, the court points out that: “*Complainant as the mother of the deceased changed her name from Abazi to Krasniqi together with all other members of the family, however upon the change of the last name nothing changed regarding family relationship between her deceased son Pashk and the complainant as his mother [...]. At the end of the reasoning of judgment: “The court obliges the accused body to act in procedure according to remarks provided by this judgment and upon eliminating the deficiencies mentioned, it should take a fair decision based on law”*. (*Judgment A.no.848/2009, dated 14 September 2012*).
7. On 9 October 2012, DMFWICWV acting in accordance with the judgment of Supreme Court of Kosovo (*A.nr.848/2009, dated 14 September 2014*) reviewed again the case of Mrs Krasniqi and again took a decision: “*Complaint is rejected*”, on reasoning that: “*Upon deciding according to the case, it was again ascertained that legal conditions for family pension of the civil victim are not satisfied. Based on the fact that no evidence was provided that legal change of personal name of the deceased Pashk Gjon Abazi occurred, as well as with other family members of the complainant in conformity Law No.02/L-118 on Personal Name [...]*” instructing the aggrieved party to initiate again an administrative dispute, within legal time, with Supreme Court of Kosovo (*Decision No.04-03/412, dated 9 October 2012*).
8. On 21 March 2014, Basic Court in Prishtina, Department for Administrative Matters took a decision requesting Mrs Krasniqi to supplement the suit in a period of eight (8) days (*Decision A.no.1354/2012, dated 21 March 2014*).
9. On 15 October 2014, Basic Court in Prishtina, Department for Administrative Matters delivered a judgement: “*The complainant’s suit of Marije Krasniqi from village Ramoc, MA Gjakova is approved. Decision of the Government of Kosovo – Ministry of Labour and Social Welfare, Department for Martyrs’ Families, War Invalids and Civil Victims in Prishtina, no.04-03/412, dated 09.10.2012 is annulled and the issue of the complainant is returned to settlement*”. (*Judgment A.1354/2012, dated 15 October 2014*).
10. On 15 December 2014, DMFWICWV on the procedure of review of the issue of Mrs Krasniqi, acting in accordance with the judgment of Basic Court in Prishtina, Department for Administrative Matters (*A.1354/2012, dated 15 October 2014*) took a decision to recognise to Mrs Krasniqi the right to a pension for Families of Civil War Victims from 1 November 2014.
11. On 12 January 2015, the complaints’ sector within DMFWICWV, acting as a second instance body to the complaint of Mrs Krasniqi, for recognition of the right to compensation from the date of application (18 March 2009), has decided to reject her complaint, instructing the aggrieved party to initiate an administrative dispute with Basic Court in Prishtina, Department for Administrative Matters (*Decision No.04-03/412, dated 12 January 2015*).

12. On 3 february 2015, Mr. Prek Krasniqi has lodged a complaint with the Ombudsperson Institution on behalf of his mother Mrs. Marije Krasniqi, against the Ministry of Labour and Social Welfare (MLSW), namely the Department of Martyrs' Families, War Invalids and Civilian War Victims (DMFWICWV), regarding refusal of the request for recognition of family pension of civil war victim from the date of application.
13. On 6 February 2015, Mrs. Krasniqi again filed a suit for initiating an administrative dispute requesting the retroactive compensation of the right to Family Pension for Civil War Victims (*Court case A.25/15, dated 6 February 2015*).

II. RELEVANT LEGAL INSTRUMENTS

14. Article 21, paragraph 2 and 3 of Constitution of the Republic of Kosovo (hereinafter "Constitution") determines the following:

"The Republic of Kosovo protects and guarantees human rights and fundamental freedoms as provided by this Constitution."

"Everyone must respect the human rights and fundamental freedoms of others."
15. Article 24, paragraph 1 of Constitution determines the following: *"All are equal before the law. Everyone enjoys the right to equal legal protection without discrimination"*, while Article 32 of Constitution determines: *"Every person has the right to pursue legal remedies against judicial and administrative decisions which infringe on his/her rights or interests, in the manner provided by law."*
16. Article 53 of Constitution determines: *"Human rights and fundamental freedoms guaranteed by this Constitution shall be interpreted consistent with the court decisions of the European Court of Human Rights"*, while Article 54 determines: *"Everyone enjoys the right of judicial protection if any right guaranteed by this Constitution or by law has been violated or denied and has the right to **an effective legal remedy if found that such right has been violated**"*.
17. Article 6 of European Convention on the Protection of Human Rights and Fundamental Freedoms (4 November 1950), (hereinafter "European Convention on Human Rights", or "Convention") in paragraph 1, determines: *"In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal [...]"*.
18. Article 13 of European Convention on Human Rights determines *"Everyone whose rights and freedoms as set forth in this Convention are violated shall have an effective remedy before a national authority notwithstanding that the violation has been committed by persons acting in an official capacity"*.
19. Article 14 of European Convention on Human Rights determines: *"The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status"*.
20. Article 2 of **Law No. 02/L-2** on the Status and the Rights of the Martyrs, Invalids, Veterans, Members of Kosova Liberation Army, Civilian Victims of War and their Families, in paragraph 6 determines: *"Civilian Victim of War is considered*

the person who has died as a result of the war in Kosovo, from 27.02.1998 up to 20.06.1999, as well as the persons gone missing during this period of time, and the persons who have suffered from explosive devices left out from the war”, while paragraph 11 of this Article determines: “Members of close family in terms of this law are: husband, wife, children, out-of-marriage children, the adopted children, step children, parents, step father, step mother, parents, and out-of-marriage husband/wife”.

21. Article 11 of Law No. 02/L-2 on the Status and the Rights of the Martyrs, Invalids, Veterans, Members of Kosova Liberation Army, Civilian Victims of War and their Families determines: *“Members of the family of civilian victims of war, according to the terms and criteria set forth in this Law, use these rights:*

- a) Civilian Family Pension of War;*
- b) Primary health-care without compensation in public health-care institutions;*
- c) Acquittal from taxation on real-estate, if the family is in grave financial situation;*
- d) Cheap and reduced tariff of electricity consumption, if the family is in grave financial situation;*
- e) Pension users, as per the line are: husband/wife, children, out-of-marriage children, adopted children, stepchild, parents (father, mother, stepfather, stepmother).”*

22. Article 1 of Law No. 04/L-054 on the Status and the Rights of the Martyrs, Invalids, Veterans, Members of Kosova Liberation Army, Civilian Victims of War and their Families determines: *“The purpose of issuing this Law is to determine the status and financial support through pensions and special benefits for categories of the war emerged from the KLA, who with their contribution and sacrifice were crucial factors for freedom and liberation of the country”, while Article 3, paragraph 1.10, determines: “Civilian Victim of War - the person who has died or got wounded, by the enemy forces, and later has died from period 27.02.1998 up to 20.06.1999, as well as the persons who have suffered as a consequence of the war within three (3) years after the war ended from explosive devices left out from the war”.*

23. Article 5, paragraph 1 of Law No. 04/L-054 on the Status and the Rights of the Martyrs, Invalids, Veterans, Members of Kosova Liberation Army, Civilian Victims of War and their Families determines: *“In accordance with the recognition and determination of status for the categories turned out from war, pensions defined in this Law are: Family pension which is realized by martyr’s close family, close family member of the missing KLA, close family of the civilian victim of war [...]”, while Article 22, paragraph 1 determines: “All requirements presented in the responsible body of the Ministry according to the Law No. 02/L-02 On the status and the rights of the Martyrs` Families, Invalids, Veterans and Members of Kosovo Liberation Army and Families of Civilian Victims of War which are under consideration, after the entry into force of this Law shall be regulated and defined under the provisions of this Law”.*

24. Article 12 of Law No. 03/L-202 on Administrative Conflicts determines: *“The court decisions issued in administrative conflicts are mandatory”, while Article 43, paragraph 3 determines: “In case the annulment of the administrative act according to paragraph 2 of this Article and repeated proceeding in the competent*

*administrative body would cause any harm to the claimant, harm that is difficult to be repaired, or in case if based in official documents or other evidences in the documents of the case it is clear that the factual state differs from the state ascertained in the administrative proceeding, or if the **administrative act has been once annulled in the similar administrative conflict**, whereas **the competent administrative body has not acted according to the adjudication, the court itself can ascertain the factual state or by another body and based on certified factual situation issues the adjudication respectively decision**”.*

25. Article 46, paragraph 4 of Law No. 03/L-202 on Administrative Conflicts determines: “*When the court concludes that the contested administrative act is to be annulled, it may, if the nature of the issue allows or if the data and facts administered during the proceeding give a secure base for such a thing, **decide through adjudication on the administrative issue. Such adjudication wholly replaces the annulled act**”, while Article 67, paragraph 1 determines: “*If the competent body after the annulment of the administrative act issues an administrative act in contradiction with the court aspects, or in contradiction with remarks of the court regarding procedure, whereas the claimant submits new indictment, the court shall annul contested act and **as a rule, the court shall decide on the matter by a judgment. Such judgment shall substitute the act of the competent body**”.**

Analysis of the case

26. Constitution as the highest legal act protects and guarantees human rights and fundamental freedoms; therefore, the practical implementation and realisation of these rights is in the interest of the functioning of the rule of law. Constitutional guarantees serve to protection of human dignity and functioning of the rule of law. Constitution in Article 21 explicitly sets forth the obligation of all bodies to respect the human rights and fundamental freedoms of others; therefore, this principle is imperative and must be respected by all, including DMFWICWV and court institutions.
27. Article 24, of Constitution in paragraph 1 determines that all are equal before the law. Everyone enjoys the right to equal legal protection without discrimination, while Article 32 of Constitution determines that every person has the **right to pursue legal remedies** against judicial and administrative decisions which infringe on his/her rights or interests, in the manner provided by law. Therefore, taking this fact into account, a wide range of legal basis and other associated (sublegal) acts are created, including lately the establishment of Department for Administrative Matters within Basic Court in Prishtina, with a competence to decide on all administrative disputes in the Republic of Kosovo. Lawmakers have envisioned the regulation of this area as important; therefore, the same is regulated by imperative norms.
28. Ombudsperson points out that in conformity with Article 53 of Constitution, Human rights and fundamental freedoms guaranteed by this Constitution shall be interpreted consistent with the court decisions of the European Court of Human Rights (hereinafter “European Court”), while Article 54 of Constitution determines that se Everyone enjoys the right of judicial protection if any right guaranteed by this Constitution or by law has been violated or denied and has the right to an **effective legal remedy** if found that such right has been violated. From

legal analysis of this case, it is seen that irrespective that violation of the right of Mrs Krasniqi by DMFWICWV was found, and despite the fact that legislation in force had provided appropriate guarantees to legal remedies, these remedies have not proved effective.

29. In the decision of European Court, in the case *Leshçenko & Toliupas vs. Ukraine* (case no. 56918/00, dated 8 November 2005), regarding complainants' claims that duration of proceedings in their issue exceeded the request of "**reasonable time**" set out in Article 6, par. 1 of Convention, the Court had found violation, irrespective that government claimed that proceedings were complex and there were no considerable periods of delay to be attributed to internal authorities trying to argument that applicants were responsible about the delays of the issue which lasted ten years and has been ended with the final decision of the Supreme Court, which concluded that there was violation of Article 6, paragraph 1 of the European Court and that the **complexity of issue** and the behaviour of the applicants and representatives **cannot explain the excessive delay of proceedings**.
30. In the decision of European Court in the case of *Lukenda vs. Slovenia*, dated 6 October 2005, the applicant complained that **legal remedies** available in Slovenia on the issues for procedural delays, **were not effective**. The decision was mainly based on Article 13 of Convention which sets forth: "*Everyone whose rights and freedoms as set forth in this Convention are violated shall have an effective remedy before a national authority notwithstanding that the violation has been committed by persons acting in an official capacity.*" The Court, after having reviewed this case, declared it admissible, it assessed that there was a violation of Article 6, par. 1 of Convention, also found that there was violation of Article 13 of Convention, and established that **violations found originate from the malfunctioning of legislation and internal practices**. It can similarly be established that it also occurred in the case of the complainant; because irrespective that it was found that legal remedies available are on the favour of Mrs Krasniqi, they were proved **ineffective**, because they were not considered by DMFWICWV and have not placed her complainant on the right place.
31. In the decisions of the European Court on the case of "*Qufajco. shpk vs. Albania,*" dated 2 October 2003, and case "*Ramadhi and others vs. Albania,*" dated 13 November 2007, regarding the violation of the rights of complainants to a fair trial, as a result of the failure of responsible authorities to enforce final administrative decisions and final court decisions, the Court draw the attention that the enforcement of decisions is an integral part of "trial" for the purposes of Article 6 and the delays in the execution of decision may violate the essence of the right to a fair trial. European Court observes that, **notwithstanding the fact that we are before a final court or administrative decision, the domestic law and Convention set forth that the decision must be executed, otherwise there is violation of Article 6, paragraph 1 of Convention**.
32. In the light of the provision of Article 14 of European Convention on Human Rights, Ombudsperson recalls that Convention determines that the enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status. In the light of this provision, one can see that there is an unequal treatment of Mrs Krasniqi in relation to other

beneficiaries, which were benefiting pensions according to social schemes for persons of this category; therefore, we can conclude that the action of DMFWICWV was discriminatory.

33. Article 2 of **Law No. 02/L-2** on the Status and the Rights of the Heroes, Invalids, Veterans, Members of KLA, and Families of Civilian Victims of War in paragraph 6 determines that Civilian Victim of War is considered the person who has died as a result of the war in Kosovo, from 27 February 1998 up to 20 June 1999, as well as the persons gone missing during this period of time, and the persons who have suffered from explosive devices left out from the war, while paragraph 11 of this Article determines that members of close family in terms of this law are: husband, wife, children, out-of-marriage children, the adopted children, step children, **parents**, step father, step mother, and out-of-marriage husband/wife. From the analysis of this case it can be seen that Mrs Krasniqi had filed an application for recognition of the right to a pension for her murdered son, according to this legal provision, but her request was rejected by DMFWICWV in contradiction with law.
34. Article 1 of Law **No. 04/L-054** on the Status and the Rights of the Martyrs, Invalids, Veterans, Members of Kosova Liberation Army, Civilian Victims of War and their Families determines (*which abrogates Law no. 02/L-2*) determines that the purpose of issuing this Law is to determine the status and **financial support through pensions and special benefits** for categories of the war emerged from the KLA, who with their contribution and sacrifice were crucial factors for freedom and liberation of the country, while Article 3, paragraph 1.10, determines that **civilian victim of war** is the person who has died or got wounded, by the enemy forces, and later has died from period 27 February 1998 up to 20 June 1999, as well as the persons who have suffered as a consequence of the war within three (3) years after the war ended from explosive devices left out from the war. Ombudsperson is right when he raises the question whether the concrete case was treated based on merits, in accordance with the purpose of this law, which determines that these categories emerged from the KLA war, with their contribution and sacrifice were crucial factors for freedom and liberation of the country?
35. Article 5, paragraph 1 of Law **No. 04/L-054** on the Status and the Rights of the Martyrs, Invalids, Veterans, Members of Kosova Liberation Army, Civilian Victims of War and their Families determines that in accordance with the recognition and determination of status for the categories turned out from war, pensions defined in this Law are **family pension** which is realized by martyr's close family, close family member of the missing KLA, **close family of the civilian victim of war**, etc., while Article 22, paragraph 1 determines that all requirements presented to the responsible body of the MLSW according to Law No.02/L-02 on the status and the rights of the Martyrs` Families, Invalids, Veterans and Members of Kosovo Liberation Army and Families of Civilian Victims of War **which are under consideration, after the entry into force of this Law** shall be regulated and defined under the provisions of this Law. Irrespective that this Law entered into force during the time when complaint of Mrs Krasniqi was being reviewed, amending of Law had no effect to the solution of this issue, however, the request of Mrs Krasniqi continued to circulate from one institution to the other, according to the relation MLSW -Court and vice versa.

36. Article 12 of Law No. 03/L-202 on Administrative Conflicts determines that the court decisions issued in administrative conflicts **are mandatory** to the parties they are addressed, while Article 43, paragraph 3 determines the possibility in case the annulment of the administrative act and repeated proceeding in the competent administrative body would cause any harm to the claimant, harm that is difficult to be repaired, or in case if based in official documents or other evidences in the documents of the case it is clear that the **factual state differs** from the state ascertained in the administrative proceeding, or if the **administrative act has been once annulled in the similar administrative conflict**, whereas **the competent administrative body has not acted according to the adjudication, the court itself can ascertain the factual state or by another body and based on certified factual situation issues the adjudication respectively decision**. From circumstances of the case it is seen that there is a repetition of procedures and constant rejection of the request by DMFWICWV, but none of the Courts used the legal possibility in their procedures to issue a decision on the merits regarding the dispute.
37. Article 46, paragraph 4 of Law No. 03/L-202 on Administrative Conflicts determine the possibility that in any case when the court concludes that the contested administrative act is to be annulled, it may, if the nature of the issue allows or if the data and facts administered during the proceeding give a secure base for such a thing, therefore the court may **decide through adjudication on the administrative issue. Such adjudication wholly replaces the annulled act**, while Article 67, paragraph 1 determines situations if the competent body after the annulment of the administrative act issues an administrative act in contradiction with the court aspects, or in contradiction with remarks of the court regarding procedure, whereas the claimant submits new indictment, the court shall annul contested act and **as a rule, the court shall decide on the matter by a judgment**. From analysis of this case it is clearly seen that the court had available all legal possibilities to solve the issue of the complainant in substance, because after the annulment of the administrative act, it was clear that another administrative act of DMFWICWV was again issued in contradiction with the legal views of the court and in contradiction with the remarks of the court regarding the procedure, therefore, when Mrs Krasniqi filed a new suit, **the court should have put this legal provision to life, should have annulled the contested act and as a rule, the court should have decided on the matter by a judgment**.

Findings of the Ombudsperson

38. Based on evidences presented and facts gathered, as well as relevant laws, Ombudsperson **finds that the complainant's complaint is reasonable and there was violation of Human Rights and Fundamental Freedoms**. Based on facts and circumstances described above, Ombudsperson considers that DMFWICWV delivered unfounded and unlawful decisions through which it refused the right to family pension to Mrs Krasniqi, irrespective that courts found that administrative decisions of DMFWICWV were unfounded. The courts had recommended DMFWICWV to consider the deficiencies found in its decisions, justifying that the change of the family name in the complainant's issue changed no circumstances in relation to the member of the family, as well as the change of the family name was allowed according to decision no. 201-82 dated 3 May 2002.

39. Ombudsperson considers that Courts in none of their procedures in this case (see paragraphs 6, 8 and 11 of this report) considered the implementation of the substantive right in the issue of Mrs Krasniqi and this deficiency accompanied courts also in administrative contests systematically, since they had only found legal violations in the decisions of DMFWICWV, but **have not used** the possibility and legal powers to redress these violations, by changing the decision of DMFWICWV by a judgment, in conformity with Law on Administrative Conflicts (see paragraph 38).
40. Ombudsperson finds that by returning the case to the administrative body for settlement, the court made the judgments inefficient and for justice not to be brought to the right place. The fact is meaningless that in the decisions of the court (in all three judgments), only legal violations were found, but no actions were taken to force the perpetrator (DMFWICWV) to take actions necessary to eliminate violations and compensate the party damaged, upon which case the power and the trust on the judiciary was diminished.
41. Ombudsperson, based on the above-mentioned, and in conformity with Article 135, par. 3 of Constitution of the Republic of Kosovo: *“The Ombudsperson is eligible to make recommendations and propose actions when violations of human rights and freedoms by the public administration and other state authorities are observed”*. In the light of Article 16, paragraph 8, of Law on Ombudsperson No. 05/L-019, Ombudsperson has the following powers: *“The Ombudsperson may provide general recommendations on the functioning of the judicial system”*, while according to Article 18, paragraph 1.2 of this Law, Ombudsperson has the following responsibilities: *“to draw attention to cases when the institutions violate human rights and to make recommendation to stop such cases and when necessary to express his/her opinion on attitudes and reactions of the relevant institutions relating to such cases”*.

Therefore, Ombudsperson

RECOMMENDS

Ministry of Labour and Social Welfare:

- ***In conformity with powers and authority deriving from Law, MLSW should treat requests and complaints of citizens on the basis of evidences presented and should pay special attention to the courts’ judgments and assess them in order to take a decision on the merits for parties and should not return them to judicial proceedings.***

Basic Court in Prishtina, *Department for Administrative Matters*:

- ***In conformity with powers and legal authority, Department for Administrative Matters should undertake all actions necessary in the suit to decide not only about procedural violations for administrative dispute but also on the issue of the merits of parties, since in many cases of decisions for procedural violations, parties are refused again the request by the administrative body.***

In conformity with Article 132, paragraph 3 of Constitution of the Republic of Kosovo (“Every organ, institution or other authority exercising legitimate power of the Republic of Kosovo is bound to respond to the requests of the Ombudsperson and shall submit all requested documentation and information in conformity with the law”) and Article 28 of

Law no. 05/L-019 on Ombudsperson (“Authorities to which the Ombudsperson has addressed recommendation, request or proposal for undertaking concrete actions, ... must respond within thirty (30) days. The answer should contain written reasoning regarding actions undertaken about the issue in question”), will you kindly inform us on actions to be undertaken about this issue.

Sincerely,

Hilmi Jashari
Ombudsperson