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Institucioni i Avokatit të Popullit • Institucija Ombudsmana • Ombudsperson Institution**

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## **The Ombudsperson,**

Pursuant to Article 132 and Article 133 of the Constitution of Republic of Kosovo, Article 37 of Law No. 05 / L-019 on Ombudsperson, Constitutional Court's Judgments KO73 / 16 (8.12.2016), KO171 / 18 (20.5.2018) and KO203 / 19 (9.7.2020),

**issues:**

# **REGULATION NO. 03 / 2022 ON INTERNAL ORGANIZATION AND SYSTEMATIZATION OF JOB POSITIONS IN THE OMBUDSPERSON INSTITUTION**

## **I. GENERAL PROVISIONS**

### **Article 1**

#### **Purpose**

This Regulation defines the internal organization and systematization of job positions, functions and responsibilities of Departments, Divisions, Special Offices and other structures within the organizational chart as well as other organizational issues of the Ombudsperson Institution.

### **Article 2**

#### **Scope**

This Regulation is implemented by all organizational units of the Ombudsperson as well as by all staff of the Ombudsperson Institution.

### **Article 3**

#### **Definitions and abbreviations**

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

- 1.1. **Ombudsperson Institution (OI)** – shall mean the independent constitutional Institution as well as legal mechanism for monitoring and protection of human rights and fundamental

freedoms of natural and legal persons from unlawful and irregular actions or inactions of the public authorities, pursuant with the Constitution, the Law, with this Regulation as well as with the relevant legislation in force;

- 1.2. **Public authority** - shall mean public authorities, institutions and other persons or authorities which exercise public authority in the Republic of Kosovo;
  - 1.3. **Staff** – shall mean employees in the Ombudsperson Institution, according to Article 32 of the Law on the Ombudsperson;
  - 1.4. **Ombudsperson’s Cabinet** – cabinet of the Ombudsperson;
  - 1.5. **Constitution** - The Constitution of the Republic of Kosovo;
  - 1.6. **Secretary** - Secretary General of the Ombudsperson Institution;
  - 1.7. **Law** - Law no. 05 / L-019 on the Ombudsperson (Official Gazette, No. 16, 26 June 2015);
  - 1.8. **Cabinet employee** - is an official appointed by the Ombudsperson, acting in Ombudsperson’s Cabinet;
  - 1.9. **Supervisors** - as defined by the Law on the Ombudsperson and by this Regulation, are as follows:
    - i. The Ombudsperson for the Deputies of the Ombudsperson, for the Secretary and for all other positions within the OI;
    - ii. The Secretary for Directors of the Departments and for positions directly responding to the Secretary;
    - iii. The Department Director for the Heads of Divisions and for the positions that respond directly to the Director;
    - iv. The Head of Division for all employees of other positions;
    - v. In case of delegation of special tasks, the direct supervisor is considered the authority that delegates these tasks.
  - 1.10. **HRMD**- Human Resources Management Division, within the OI;
  - 1.11. **NPM** - National Preventive Mechanism against Torture and other Cruel, Inhuman and Degrading Treatments and Punishments. ;
2. Other terms used in this Regulation shall have the same meaning as in the definitions of the Law on the Ombudsperson.

## **II. ESTABLISHMENT AND THE STATUS**

### **Article 4**

#### **Establishment and the Status of the Ombudsperson**

1. The Ombudsperson is independent Institution, established by the Constitution and has public legal subjectivity with rights, duties and responsibilities defined by the Constitution, the Law, this Regulation and relevant legislation in force;

#### **Article 5**

##### **Ombudsperson's headquarter and regional offices**

1. The seat of the Ombudsperson is in Prishtina, including the regional offices.
2. The Ombudsperson, based on needs, may establish regional offices, in accordance with this Regulation, as well as responding to the objectives and the nature of the work.

#### **Article 6**

##### **Visual identity of the Ombudsperson**

1. The Ombudsperson decides on the visual identity of the Institution, which includes the emblem and the seal.
2. The emblem of the Ombudsperson is used in all papers and documents of the Institution, alongside the coat of arms of the Republic of Kosovo.
3. The Ombudsperson has his own stamp.
4. The Ombudsperson, if necessary, issues a decision on the use of his coat of arms and the seal.
5. The Ombudsperson, by decision can change the logo, seal, coat of arms and visual identity of the Ombudsperson Institution.

#### **Article 7**

##### **Language**

Working languages of the Ombudsperson Institution are the official languages envisaged by the Constitution and Law.

### **III. COMPETENCIES AND RESPONSIBILITIES OF THE OMBUDSPERSON**

#### **Article 8**

##### **Competencies and responsibilities of the Ombudsperson**

1. The Ombudsperson monitors and protects the rights and freedoms of individuals from unlawful or irregular actions or inactions of public authorities. The Ombudsperson is entrusted with the powers and responsibilities defined by the Constitution, the Law on the Ombudsperson, the Law no. 05 / L-021 on Protection from Discrimination, the Law on Gender Equality, the Law on Child Protection as well as other laws and acts in effect in the Republic of Kosovo, which define the mandate of the Ombudsperson.

2. The Ombudsperson acts as an independent Institution for the protection of human rights, the National Mechanism for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, as well as the Equality Body, based on its constitutional and legal mandate.
3. The staff within the organizational structure of the OI is responsible for performing the duties and responsibilities defined by the Constitution, Articles 16 and 18 of the Law on the Ombudsperson and the relevant legislation in force, which defines the mandate of the Ombudsperson, and this Regulation.
4. The Ombudsperson, by exercising his constitutional and legal competencies:
  - 4.1. Runs the OI;
  - 4.2. Approves action policies, strategies and development programs;
  - 4.3. Can issue decisions, guidelines, Regulations, Codes of Good Practice, authorizations;
  - 4.4. Monitors the execution and observance of the legal framework and rules of procedure within the scope of its responsibilities and mandate;
  - 4.5. Ensures that the OI clearly formulates and sets priorities for the allocation of funds available to it from the Budget of the Republic of Kosovo or from external donors;
  - 4.6. Takes measures and supervises the administration of the OI, in order to ensure its continuous operation;
  - 4.7. Represents the OI in front of local and international institutions;
  - 4.8. Concludes agreements of understanding and cooperation on behalf of the OI;
  - 4.9. Delegates certain duties and responsibilities to the Deputies of the Ombudsperson or to the staff of the OI, in accordance with the assessments, circumstances and needs presented;
  - 4.10. Performs other tasks and responsibilities, based on the constitutional and legal mandate and in order to ensure appropriate and efficient OI functioning.

#### **IV. INTERNAL ORGANIZATION AND SYSTEMATIZATION OF JOB POSITIONS**

##### **Article 9 Composition of the OI**

1. Ombudsperson Institution is composed of:
  - 1.1. The Ombudsperson,
  - 1.2. Five (5) Deputy Ombudspersons,
  - 1.3. OI staff.

**Article 10**  
**Organization of the OI**

1. OI Organizational structure is composed of:
  - 1.1. The Ombudsperson;
  - 1.2. Five (5) Deputy Ombudspersons;
  - 1.3. Ombudsperson's Cabinet;
  - 1.4. Secretary General;
  - 1.5. Department for Standardization and Coordination;
  - 1.6. National Preventive Mechanism of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (NPMT);
  - 1.7. Department for Admission and Administration of Complaints;
    - 1.7.1. Regional Offices:
      - 1.7.1.1. Ferizaj;
      - 1.7.1.2. Gracanica;
      - 1.7.1.3. Gjakova;
      - 1.7.1.4. Gjilan;
      - 1.7.1.5. South Mitrovica;
      - 1.7.1.6 North Mitrovica;
      - 1.7.1.7. Peja;
      - 1.7.1.8. Prizren.
  - 1.8. Department for Protection from Discrimination;
  - 1.9. Department for the Protection of Children's Rights;
  - 1.10. Department on Cooperation, Reporting and Promotion of Human Rights;
  - 1.11. Department of Legal Affairs and Investigations;
  - 1.12. Office of Internal Audit;
  - 1.13. Office for Public Communication and Media;
  - 1.14. Office of International Relations;
  - 1.15. Department of Administration;
  - 1.16. Division for Human Resources Management;
  - 1.17. Division for Budget and Finance;
  - 1.18. Procurement Division;

1.19. Division of Information Technology;

1.20. Common Services Division

2. Directors of Departments and Heads of Offices, including the staff in the Department of Administration and the Office of the General Secretary, are selected, appointed and dismissed based on the Law on the Ombudsperson and the Regulations in force issued by the Ombudsperson as well as appropriately according to the legislation in force for civil servants, preserving the organizational independence of the OI.

### **Article 11**

#### **Cooperation within the organizational structure of the OI**

1. The relations of the units in the organizational structure of the OI shall be relations of cooperation, coordination and interaction, in order to fulfill the constitutional and legal mandate of the Ombudsperson.
2. All units within the organizational structure within the OI serve to support the Ombudsperson in the exercise of powers and in fulfilling the responsibilities set out in the Constitution, as well as other relevant legislation in force.
3. OI staff, according to their duties, is responsible for ensuring and providing professional, administrative, technical and other support services to the OI.
4. During the mutual cooperation of the units within the organizational structure of the OI, it is required that they exchange the necessary data and information, their experience and expertise for the performance of works and tasks of their units and other units, as needed.
5. In the course of duties exercising, OI personnel shall report responsibly on the tasks assigned to the direct supervisor, in accordance with this Regulation and the applicable legal provisions.
6. All OI staff has the obligation to provide the Ombudsperson with full necessary assistance, which is required in accordance with applicable law and this Regulation.

### **Article 12**

#### **Number of employees in the OI**

1. The number of employees, systematization and job positions in the organizational structure of the OI are determined by this Regulation, as presented in Annex 1 of this Regulation.
2. Depending on the priorities set, this organizational structure, set out in this Regulation and set out in Annex 1, may be changed at any time by the Ombudsperson, by supplementing and amending Annex 1.
3. The schematic presentation of the structure in Annex 1 of this Regulation also defines the dependence of the structures on each other.

4. Annex 1 of this Regulation is an integral part of it and is considered part of Regulation's structure both in textual and interpretation viewpoint.

### **Article 13**

#### **OI staff**

1. OI staff is fully engaged as per enabling the Ombudsperson to fulfill his functions and exercise his competencies effectively and efficiently, within the budgetary resources allocated to the OI.
2. OI staff is selected among the citizens of the Republic of Kosovo, in an open and transparent process, based on professional criteria, skills and merit, through competition, in accordance with the Law on the Ombudsperson and in accordance with the civil service legislation, insofar as they find application in concrete cases as well as with the sublegal acts of the OI, based on and taking into account the specifics of the work in the OI and the features of the positions.
3. The provisions of the civil service legislation shall apply to the status of the OI staff, to the extent that they do not affect and infringe the independence of the OI, guaranteed by Article 132, paragraph 2, and Article 133, paragraph 1, of the Constitution and Article 3 and Article 32, paragraph 2, of the Law on the Ombudsperson, as well as the practice established by the Constitutional Court of the Republic of Kosovo, through its judgments.
4. In full respect of the independence of the OI and in compliance with the law, the Ombudsperson approves staff regulations and procedures, including: planning, terms of employment and staff recruitment, working hours and leaves, allowances and compensations, employees' discipline and complaints procedures, capacity building and training, performance assessment and any other policy or procedure that the Ombudsperson considers as reasonable and necessary for the independent management of human resources within the OI.
5. Personnel classifications, advancements and promotions is made in accordance with the relevant legal acts of the OI and with the criteria and conditions set out in the civil service legislation, as long as the constitutional independence of the OI is not violated and as long as they are applicable in concrete cases, given the specifics of the work in the OI.
6. OI staff salaries, allowances and compensations are provided from the OI budget line, in accordance with the legal framework in force, insofar as the independence of the OI is not violated, according to the practice established by the Constitutional Court.

## **V. DEPUTIES OF THE OMBUDSPERSON**

### **Article 14**

#### **Responsibilities of the Deputies of the Ombudsperson**

1. The Deputies of Ombudsperson perform their duties and responsibilities in accordance with the Law, the relevant legislation in force as well as with this Regulation and sublegal acts.

2. The Deputies of the Ombudsperson exercise the responsibilities, as following:
  - 2.1. Provide assistance to the Ombudsperson as per monitoring and promotion of human rights and freedoms in the Republic of Kosovo as well as other issues that fall within the competencies and responsibilities of the Ombudsperson;
  - 2.2. Accomplishment of tasks assigned from the Ombudsperson in fulfillment of certain functions and responsibilities;
  - 2.3. Support the Ombudsperson on overseeing the respect of human rights and non-discrimination and propose solutions to cases;
  - 2.4. Provide contribution on drafting of annual and special reports of the OI, provide recommendations as well as are engaged and involved in other tasks as well, and at the same time provide contribution on resolving issues according to Ombudsperson's instructions;
  - 2.5. Contribute to the formulation and development of policies and recommendations;
  - 2.6. Undertake supportive initiatives in promotion and advancement of human rights in cooperation with relevant institutions and civil society;
  - 2.7. Substitute the Ombudsperson, with his special authorization, for the transfer of duties;
  - 2.8. Represent the OI in activities, inside and outside Kosovo, delegated by the Ombudsperson;
  - 2.9. Participate in the meetings of the OI bodies, contributing to the competent treatment of the issues proposed for discussion and decision;
  - 2.10. Engage in accomplishment of other duties, which are delegated by the Ombudsperson.
3. Delegation of competencies from the Ombudsperson to Deputies is done by authorization.
4. Ombudsperson's authorization determines duties and responsibilities that can be performed by a Deputy Ombudsperson, in the case of delegation.

#### **Article 15**

##### **Ombudsperson's Principal Deputy**

1. The Ombudsperson appoints one of the deputies as his Principal Deputy.
2. The Ombudsperson is replaced by his Principal Deputy in case of absence.
3. The mandate of the Ombudsperson's Principal Deputy is one year.

#### **Article 16**

##### **Replacement of the Ombudsperson**

1. In case of absence, according to the circumstances defined by the Law, the Ombudsperson is replaced by his Principal Deputy or by other Deputies.



2. In case of absence of the Deputy Ombudspersons, in order to replace the Ombudsperson, the Ombudsperson is substituted by the most senior staff member in the OI.

## **VI. OMBUDSPERSON'S CABINET**

### **Article 17**

#### **Ombudsperson's Cabinet**

1. The Ombudsperson's Cabinet is composed of a staff that assists and supports the Ombudsperson in carrying out daily tasks within the constitutional and legal mandate.
2. Ombudsperson's Cabinet:
  - 2.1. Assists the Ombudsperson in running the OI, through advising, provision of proposals and recommendations, as well as following and monitoring the implementation of his decisions, instructions and suggestions;
  - 2.2. Organizes and coordinates the activities and work processes between the Cabinet, the Deputy Ombudspersons and the bodies within the structure of the OI to timely provide professional and administrative support for the Ombudsperson;
  - 2.3. Implements Ombudsperson's instructions by pointing out needs and priorities for setting agendas and Institution's policies;
  - 2.4. Reviews the correspondence addressed to the Ombudsperson and addresses them to the Directors of the respective Departments, according to the Ombudsperson's instruction.
  - 2.5. Cooperates with Deputies of the Ombudsperson, the General Secretary, Heads of Departments and other Offices, for each OI official activity, by undertaking initiatives, drafting documents and drafting programs for OI needs;
  - 2.6. Transmits Ombudsperson's instructions to the Deputies of the Ombudsperson, the General Secretary, Directors of Departments and Heads of Offices, according to their relevance, and monitors their implementation;
  - 2.7. Prepares materials, MEMOS, analysis, statistics and various reports related to arrangements and activities of the Ombudsperson and the Deputies of the Ombudsperson;
  - 2.8. Cooperates with counterpart offices and other international institutions inside and outside the country, dealing with human rights, for the provision of any required information and the performance of the tasks assigned by the Ombudsperson in these fields;
  - 2.9. Gives due concern and is responsible for the Ombudsperson's agenda and daily meetings and activities performed within the country and abroad;
  - 2.10. Performs and undertakes other actions assigned by the Ombudsperson.

**Article 18**  
**Composition of the Ombudsperson's Cabinet**

1. The Ombudsperson's Cabinet consists of:
  - 1.1. Chief of Cabinet;
  - 1.2. Advisors;
  - 1.3. Assistants
  - 1.4. Driver

**Article 19**  
**Appointment and dismissal of the staff of the Ombudsperson's Cabinet**

1. The Ombudsperson appoints and dismisses the Cabinet staff.
2. The duty mandate of the Cabinet staff ceases with the termination of the Ombudsperson's mandate or if this employment relationship is not terminated earlier by Ombudsperson's decision.
3. The basic salary, allowances and compensations for the employees in the Ombudsperson's Cabinet is determined by a decision of the Ombudsperson, in accordance with the legislation in force.
4. The number of employees in the Ombudsperson's cabinet is defined in Annex 1 of this Regulation and Ombudsperson's needs should be taken into account.

**Article 20**  
**Duties and responsibilities of the staff of Ombudsperson's Cabinet**

1. The duties and responsibilities of the Chief of Cabinet are assigned by the Ombudsperson upon his appointment, based on the scope and duties of the Cabinet, in accordance with this Regulation, other sublegal acts and the relevant legislation in force.
2. The duties and responsibilities of the advisors in the Ombudsperson's Cabinet and the Cabinet's officials are assigned by the Ombudsperson, upon their appointment, based on the scope and duties of the Cabinet, according to this Regulation, other sublegal acts and the relevant legislation in force.

**VII. SECRETARY GENERAL**

**Article 21**  
**Secretary General**

1. The Secretary General is the Chief Administrative Official in the OI.

2. The Secretary General reports directly to the Ombudsperson and performs his duties in close cooperation with the Ombudsperson.
3. The Secretary has the following powers:
  - 3.1. Administration and management of the OI in accordance with the applicable laws for the Chief Administrative Officer (CAO)
  - 3.2. Effective and efficient management of OI resources, including human, material, financial, budget and donations;
  - 3.3. Implementation of non-discriminatory policy towards OI staff;
4. The Secretary General may issue decisions on the exercise of his powers;
5. In case of absence, the Secretary General is replaced by one of the Directors of the Departments, appointed by the Ombudsperson.

## **VIII. DEPARTMENTS IN THE FUNCTION OF THE MANDATE**

### **Article 22**

#### **General principles of organization of OI departments**

1. Departments support the Ombudsperson in performing the functions and responsibilities defined by the Constitution, sublegal acts as well as the legislation in force.
2. Departments are conducted by Department Directors.
3. Directors of the Departments are civil servants, appointed and dismissed in accordance with the Law on the Ombudsperson and pursuant with the legislation in force on the civil service, as long as the organizational independence of the OI is not violated, as well as internal Regulations issued by the Ombudsperson.
4. OI departments are:
  - 4.1. Department for Standardization and Coordination;
  - 4.2. National Preventive Mechanism of Torture (NPM);
  - 4.3. Department for Admission and Administration of Complaints:
    - 4.3.1. Regional offices:
      - 4.3.1.1. Ferizaj;
      - 4.3.1.2. Gracanica;
      - 4.3.1.3. Gjakova;
      - 4.3.1.4. Gjilan;
      - 4.3.1.5. South Mitrovica;

- 4.3.1.6. North Mitrovica;
- 4.3.1.7. Peja;
- 4.3.1.8. Prizren.
- 4.4. Department on Protection from Discrimination;
- 4.5. Department for the Protection of the Rights of Children;
- 4.6. Department on Cooperation, Reporting and Promotion;
- 4.7. Department of Legal Affairs and Investigation.
- 5. OI departments consist of:
  - 5.1. Directors of Departments;
  - 5.2. Senior Legal Advisers;
  - 5.3. Legal advisers;
  - 5.4. Legal Officials
- 6. All documents, decisions, reports, recommendations issued by the relevant Departments must be signed by the Ombudsperson.

**Article 23**  
**Department for Standardization and Coordination**

- 1. Duties and responsibilities of the Department for Standardization and Coordination are:
  - 1.1. Conducts controls and standardization of case reports well as all documents and case letters issued by OI Departments, prior to being signed and approved by the Ombudsperson;
  - 1.2. Disseminates reports, opinions and recommendation letters of the Departments of the Deputy of the Ombudsperson and the Cabinet, prior to being sent for signature to the Ombudsperson;
  - 1.3. Reviews letters admitted from the Departments, by assessing their uniform structure, legal basis and other methodology aspects, prior to being sent for signature to the Ombudsperson;
  - 1.4. Provides concrete recommendations to the Ombudsperson, for all types of documents received from other Departments and units within the structure, prior to being signed by the Ombudsperson;
  - 1.5. With the recommendation and according to the decision of the Ombudsperson, it can return the certain documents to the relevant Departments, based on the Department that has reviewed the relevant case;

2. The Department for standardization and Coordination is headed by the Director of the Department, who responds and reports to the Ombudsperson.

#### **Article 24**

#### **National Preventive Mechanism of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (NPM)**

1. In accordance with Article 17 of the Law on the Ombudsperson Institution, the Ombudsperson acts as the National Preventive Mechanism against Torture and Other Cruel, Inhuman and Degrading Treatment and Punishment.
2. Pursuant to this constitutional and legal mandate, the Ombudsperson may adopt a special sub-legal act related to the NMP.
3. NMP staff, in addition to lawyers, must include professionals of various fields, especially psychologists and social workers, doctors experienced in this field.
4. The duties and responsibilities of NMP are as follows:
  - 4.1. Undertakes regular and unannounced visits to places where persons deprived of their liberty are held, including police detention, detention on remand, stay at health institutions, customs detention, immigration detention, and every other places where there are suspects on violation of human rights and freedom;
  - 4.2. Investigates alleged violations from persons deprived of liberty;
  - 4.3. Monitors and identifies violations and undertakes ex-officio action;
  - 4.4. Visits places where people deprived of their liberty are confined, with the right to take photos and conduct radio and audio recording, enjoying protection from external interference into their work as well as the right not to provide data, information or explanation concerning findings while performing their duties in this area;
  - 4.5. Visits remand detainees and corresponds with them without prior notification and without supervision of pre-trial judge, the single trial judge or the presiding judge of the panel or any other person appointed by such judge;
  - 4.6. Communicates confidentially with detainees in writing or verbally.
  - 4.7. Has access on information about the health situation of persons deprived of liberty, including access to their medical files and personal data of such persons.
  - 4.8. Provides recommendations on the compatibility of laws and other sublegal or administrative acts, instructions and applicable practices in Kosovo with the Constitution of the Republic of Kosovo and international standards on prevention against torture and other cruel, inhuman and degrading treatment or punishment.

- 4.9. Cooperates with national and international mechanisms in the field of prevention of torture as well as other forms of cruel treatment or inhuman and degrading punishment.
- 4.10. Provides suggestions and recommendations to responsible persons and institutions where persons deprived of liberty are held, regardless of the type or building and the circumstances of their detention, for improvement of detainees' conditions and treatment;
- 4.11. Collects and systematizes data concerning the situation and protection aspects of rights of persons deprived of their liberty on the basis of which parts of Ombudsperson's Annual Report are prepared as per respect of rules, standards and recommendations of relevant national and international mechanisms on their rights;
- 4.12. In cooperation with the competent Department, promotes human rights within the respective scope.
5. Experts and specialized persons assigned by the Ombudsperson for the needs of the NMP have the same rights and obligations as the other staff of the Ombudsperson, including the right to visit places where people deprived of their liberty are confined, right to take photos and conduct radio and audio recording, enjoying protection from external interference into their work as well as the right not to provide data, information or explanation concerning findings while performing their duties in this area.
6. The NMP is led by the Director, who responds and reports to the Ombudsperson.

## **Article 25**

### **Department for Admission and Administration of Complaints**

1. Duties and responsibilities of the Department for Admission and Administration of Complaints are as follows:
  - 1.1. Receives complaints, requests and notifications, not only from people who come in person in the OI's head office and Regional offices, but also complaints in writing, which are sent by mail, electronic mail, or by fax addressed to OI, through phone calls, or even mailboxes;
  - 1.2. Examines whether the complaints, requests or notifications received are within OI powers and responsibilities.
  - 1.3. Establishes and manages computer systems and paper-based registered complaints and monitors recorded complaints, but which are not completed yet.
  - 1.4. Assists individuals who may have claims to understand the procedure of the appeal which they may pursue or undertake actions that could resolve their complaints.
  - 1.5. Assists complainants during interviewing process to identify the causes of their concerns, identifies issues which are of crucial importance to be known and understood, in order to assess whether there is ground for complaint or other alternative way to resolve their complaints.

- 1.6. Requires necessary data from the complainant to determine most appropriate manner and the way of action or to identify the issue the complainant deems important to be reviewed by the Ombudsperson.
- 1.7. Once the case, complaint, request or notification is received, it initiates procedure for carrying out preliminary actions, for case review or as appropriate to dismiss the complaint or reject it as ungrounded, within the time specified by law and the Rules of Procedure.
- 1.8. In cases when assessing that the complaint, request or information rests within the Ombudsperson's jurisdiction, it provides assistance to the person in completing the form, records the complaint in appropriate register and provides the complainant with a proof of admission for filing the complaint, request or information to the OI.
- 1.9. In cases when the complaint or claim does not rest within Ombudsperson's jurisdiction, it advises the person and provides appropriate assistance or information guiding the complainant to the responsible authorities and institutions to seek additional information, or to deal with the complainant's case.
- 1.10. Compiles written response, when assessing that the complaint or request is outside Ombudsperson's jurisdiction, and will forward the response to the Ombudsperson for approval.
- 1.11. Prepares draft- response for rejection of the complaint and shall, the same forward to the Ombudsperson for approval, within legally prescribed time limit and within OI Rules of Procedure, in cases when from the interviews conducted and documentation provided by the complainant, it is obvious that, the complaint does not fall within the Ombudsperson's jurisdiction; is submitted after the deadline prescribed by law; is anonymous and undocumented; represents abuse of the right for filing a complaint and that the complainant stated and proved his inability to provide additional information requested.
- 1.12. Prepares the draft-response for the rejection of the complaint as ungrounded and shall forward the same to the Ombudsperson for approval, within the legal deadline and with the Rules of Procedure of the OI, in cases when from the interview conducted and the documentation provided by the complainant is clearly proven that there is no reason to initiate any investigation, as the case has been resolved in some other way.
- 1.13. If ascertained that the issue requires an independent investigation, it shall forward the request to the Investigation Department for further expertise and procedure, jointly with all documents received, within legally prescribed time limit and within OI Rules of the Procedure.
- 1.14. Safeguards confidentiality of all information and data disclosed or received from the complainant, having due regard to the complainants, injured parties and witnesses' safety, in accordance with the applicable law.

1.15. Keeps records of the status of implementation of recommendations, letter of recommendations, reports, opinions and interim measures, which are updated based on monthly information to be received from the institution's advisors.

1.16. Monitors and identifies violations and proposes initiation of ex-officio cases.

2. The Department for Admission and Administration of Complaints manages and supervises the functioning of OI regional offices.

3. The Department for Admission and Administration of Complaints is headed by the Director of the Department, who responds and reports to the Ombudsperson.

## **Article 26**

### **Regional Offices**

1. Regional offices are an internal structure of the OI, which are established and can be established as new offices as needed, by decision of the Ombudsperson.

2. The regional offices are composed of advisors, who deal with the admission, administration and investigation of complaints.

3. The advisors that are part of the regional offices implement the Law, the internal OI Regulations, the Code of Ethics of the OI and other acts approved by the Ombudsperson.

4. The advisor receives complaints, requests and notifications directly in the office, through mail, official email, telephone calls or mailboxes, from natural and legal persons of the respective region and they are registered in the physical and electronic form of the OI.

5. Complaints received in the regional offices, within five (5) days are sent to the central office of the Ombudsperson, respectively to the Department for Admission and Administration of Complaints, by mail or electronically, with the proposal for admissibility or inadmissibility of relevant complaint. For cases that require immediate review, according to the fields, the complaint is sent within twenty-four (24) hours.

6. The advisors of the regional offices, for all cases of open complaints for investigation in the respective departments of the OI, cooperate in their investigation with the directors of the respective departments.

7. Weekly, monthly and annual reports on the number of complaints of natural and legal persons are submitted to the director of the Department for Admission and Administration of Complaints.

8. Reports on the progress of work in the regional offices are submitted to the director of the Department for Admission and Administration of Complaints.

9. As needed and in coordination with the Department, regional offices may promote human rights and undertake promotion activities, in consultation with the relevant Department for promotion.



## Article 27

### Department on Protection from Discrimination

1. Duties and responsibilities of the Department for Protection against Discrimination are:
  - 1.1 Handles all cases related to discrimination, within the meaning of any of the grounds set out with the Law on Protection from Discrimination and the Law on Gender Equality, in accordance with the Law on the Ombudsperson;
  - 1.2 Receives and investigates complaints of persons for specific cases of discrimination based on any of the grounds specified with the Law on Protection from Discrimination;
  - 1.3 In accordance with the Law on the Ombudsperson, it provides assistance to victims of discrimination in filing complaints against discrimination, as well as provides them with the necessary information regarding their rights, obligations and possibilities of the court, as well as other protective measures;
  - 1.4 Investigates or acts according to the complaint filed or on its own initiative (*ex-officio*) when there is a grounded suspicion that discrimination has occurred by public sector entities and through responsible public sector bodies in the private sector;
  - 1.5 Monitors and identifies human rights violations;
  - 1.6 Proposes to the Ombudsperson to appear in the capacity of friend of the court (*amicus curiae*) in trials related to human rights, equality issues and protection against discrimination
  - 1.7 Undertakes all necessary measures and actions in dealing with complaints filed on protection from discrimination, including direct intervention on competent authorities, requesting response within a reasonable time or hastily, if serious harm continues as a result of discrimination on deed;
  - 1.8 Proposes to the Ombudsperson to addresses directly to investigation and prosecution authorities with the request to commence investigation of violations and criminal offenses and initiation of applicable disciplinary procedures, when discrimination is observed.;
  - 1.9 Informs the public about cases of discrimination and takes measures to promote equality and non- discrimination;
  - 1.10 Mediates, gives opinions and proposes recommendations for specific cases of discrimination and provides counseling, guidance and support to public entities and through the responsible bodies of the public sector to private sector, as well, on best practices on promotion of equality and prevention of discrimination on the grounds encompassed by the Law on Protection from Discrimination and the Law on Gender Equality;
  - 1.11 Recommends that measures be taken to promote equality and combat discrimination;

- 1.12 Follow-up implementation of the Law on Protection from Discrimination and, depending on investigations, assessments, findings and conclusions, initiates amendments of provisions for implementation and strengthening of protection from discrimination;
  - 1.13 Initiates measures to improve the work of institutions in the field of realization and promotion of equality and non- discrimination and proposes laws and initiatives for amendments in relevant laws and regulations;
  - 1.14 Reviews European Court of Human Rights jurisprudence, procedures which in the future could lead to lawsuits against the Republic of Kosovo before the European Court on cases of discrimination, with the aim to prepare and evade (prevent) such procedures throughout timely protection of rights of injured parties and provision of assistance to administrative authorities, to act in appropriate and lawful manner while deciding on citizens' rights and freedoms;
  - 1.15 Monitors the activity of responsible institutions towards achieving equality and non-discrimination;
  - 1.16 Assembles and systematizes data concerning the situation and aspects of protection of gender equality, rights of persons with disabilities, rights of communities and their members, on basis of which parts of the Ombudsperson's Annual Report are prepared relating to respect of rules, standards and relevant recommendations of national and international human rights mechanisms;
  - 1.17 Prepares Annual report on implementation of the Law on Protection from Discrimination, drafts and publishes special reports on its implementation and makes recommendations on policies and practices to fight discrimination and promote equality;
  - 1.18 Designs codes of good practice for combating discrimination and promoting equality, which can be used as a reference point in cases of discrimination;
- 1.Department for Protection from Discrimination is run by Director of the Department, who responds and reports to the Ombudsperson.

## **Article 28**

### **Department on Protection on the Rights of Children**

- 1.Duties and responsibilities of the Department on Protection of the Rights of Children are as follows:
  - 1.1 Receives, handles and addresses complaints on alleged violations of children's rights filed by children, their representatives or groups of persons, according to the procedures provided by applicable law;
  - 1.2 Monitors and identifies violations and proposes the opening of ex-officio cases;
  - 1.3 Initiates proceedings to investigate violations of children's rights by actions or inactions of public authorities;

- 1.4 Designs and monitors implementation of the permanent awareness program to make children aware of their rights and the role of the Ombudsperson Institution in protecting them;
  - 1.5 Proposes the issuance of new laws and sublegal acts as well as amending and supplementing Laws and legal acts that are in force which are related to the promotion and protection of the rights and interests of children in accordance with the Convention on the Rights of the Child and with international standards referring to the protection of children's rights;
  - 1.6 Proposes measures on protection of children 's rights, specifically of those who are victims of violence, so that all children, regardless of gender, race, color, language, religion, political or other opinion, national or social origin, property, birth, sexual orientation, state of health, disability or other status, can be protected against all forms of violence and be provided with such care and assistance to ensure the maximum possible extent of their existence and development;
  - 1.7 Follows up the activity of responsible institutions towards accomplishment of children's rights and monitors situation of children's rights;
  - 1.8 Informs and advises children on how to realize and protect their rights and interests, cooperates with children and encourages them to express their views and opinions and visits the places where children are settled or live;
  - 1.9 Drafts recommendations, opinions and special reports related to children's rights and prepares part of the annual report of the Ombudsperson, as per respect of rules, standards and relevant recommendations of national and international mechanisms for children's rights;
  - 1.10 Collaborates with public authorities and civil society organizations to advance children's rights;
  - 1.11 Appears in the capacity of friend of the court (amicus curiae) in judicial proceedings concerning the rights of the child.
2. Department on Protection of the Rights of Children is run by the Director of the Department, who responds and reports to the Ombudsperson.

## **Article 29**

### **Department on Promotion, Cooperation and Reporting**

1. Duties and responsibilities of the Department on Promotion, Cooperation, and Reporting are as follows:
  - 1.1. Designs and develops policies for the promotion and education of human rights and fundamental freedoms, in order to fulfill the constitutional and legal mandate;

- 1.2. In cooperation with other OI Departments, drafts the annual plan for the promotion of human rights, equality and non-discrimination;
  - 1.3. Undertakes and organizes various activities of educational character and awareness on human rights, equality and non-discrimination, with different interest groups;
  - 1.4. Collaborates with local, international institutions and civil society on human rights issues, in the context of exercising the Department's responsibilities;
  - 1.5. Undertakes and coordinates joint activities with partners in the framework of project implementation, related to the advancement of fundamental human rights and freedoms and promotion of the OI mandate;
  - 1.6. Conducts inquiries and publishes reports on public perception regarding the mandate of the OI;
  - 1.7. Conducts inquiries on the visibility of the Ombudsperson Institution as well as public awareness on human rights in general, in order to plan strategic objectives;
  - 1.8. Promotes and coordinates educational and awareness activities on the Sustainable Development Objectives of the OI;
  - 1.9. Is responsible for drafting of OI Annual Report;
  - 1.10. Is responsible for drafting and managing projects within the OI;
  - 1.11. Encourages donor support and coordinates external projects and funds;
  - 1.12. Cooperates with local and international institutions and civil society, in exercising responsibilities entrusted to it;
  - 1.13. Under the direct guidance of the Ombudsperson, contributes to the amendment and supplement of strategic documents and plans for their implementation;
2. Department on Cooperation, Reporting and Promotion is run by the director, who responds and reports to the Ombudsperson.

### **Article 30**

#### **Department of Legal Affairs and Investigations**

1. Duties and responsibilities of the Department of Legal Affairs and Investigations are:
  - 1.2. Conducts investigation and examines implementation of Laws, Regulations and Standards as well as recommendations of national and international mechanisms in the field of protection and promotion of human rights and freedoms;
  - 1.3. Prepares and expresses opinions in the process of monitoring draft laws and other regulations, which are related to the protection of human rights and freedoms;

- 1.4. Prepares recommendations for issuance of new laws in Parliament, amendment of the Laws in force and issuance or amendment of administrative and sub-legal acts by institutions of Republic of Kosovo;
  - 1.5. Recommends harmonization of legislation with international standards on human rights and freedoms to the Assembly and Kosovo Government, as well as their effective implementation;
  - 1.6. Initiates in the Constitutional Court the issue of compatibility of Laws, Decrees of the President and Prime Minister as well as Government's Regulations and Municipal Statute;
  - 1.7. Recommends the compatibility of laws and sub-legal acts with internationally recognized standards for human rights and freedoms;
  - 1.8. Recommends Kosovo Republic authorities on their programs and policies to ensure protection and promotion of human rights and freedoms in the Republic of Kosovo.
  - 1.9. Initiates an administrative proceeding or participates in it in order to protect public interest, which may be affected by an administrative proceeding;
  - 1.10. Commences the procedure on administrative conflict, on protection of public interest, in case considers that the administrative act has violated any right or any direct or indirect interest, based on this law;
  - 1.11. Assist citizens in exercising the right of access to public documents under the Constitution, the Law on Access to Public Documents and the Law on the Ombudsperson;
  - 1.12. Informs the competent authority for initiation of criminal investigations, if in the course of investigation, it finds the presence of elements of criminal offense;
  - 1.13. Initiates the procedure on own initiative as per violation of rights and freedoms of a greater number of citizens or persons with no capacities to act;
  - 1.14. Provides general recommendations on judicial system functioning, without interfering into other legal procedures and cases that are taking place before the Courts, except cases of delays in the proceedings;
  - 1.15. Gives proposes to the Ombudsperson to appear in the capacity of friend of the court (*amicus curiae*) in litigations dealing with human rights, equality issues and protection from discrimination;
  - 1.16. Monitors and identifies violations and proposes initiation of ex-officio cases;
  - 1.17. Assists also through mediation and reconciliation, in the process of supervision and protection of human rights and freedoms
2. The Department of Legal Affairs and Investigations is run by the Director of the Department, who responds and reports to the Ombudsperson.

## **IX. OFFICES REPORTING DIRECTLY TO THE OMBUDSPERSON**

### **Article 31**

#### **Offices that report directly to the Ombudsperson**

1. The offices that report directly to the Ombudsperson are:
  - 1.1. Internal Audit Office;
  - 1.2. Public Communication and Information Office and Media;
  - 1.3. Office for International Relations

### **Article 32**

#### **Internal Audit Office**

1. The duties of the Internal Audit Office are exercised by the Internal Auditor, in accordance with the relevant legislation in force relating to internal control.
2. The Internal Auditor responds and reports directly to the Ombudsperson.

### **Article 33**

#### **Public Communication and Information Office and Media**

1. Public Communication and Information Office is an organizational structure within the OI, which takes care of communication with the public and the media, on a daily basis, for the needs of the Ombudsperson.
2. Public Communication and Information Office and Media has the following duties and responsibilities:
  - 2.1. Provides professional support to the Ombudsperson, by providing advises on public effectiveness in presenting the Ombudsperson's recommendations, opinions and attitudes;
  - 2.2. Prepares, maintains and implements the communication plan based on the work plan of the OI, applying effective communication techniques;
  - 2.3. Compiles and issues press releases, statements, reports and other publications to the public;
  - 2.4. Informs the public about the work and decisions of the Ombudsperson through the development of media relations as well as through the organization of press conferences, announcements and interviews in the media;
  - 2.5. Is responsible for updating, ensuring access and reliability of information on the official website of the OI and manages communication with the public and social networks;
  - 2.6. Establishes and develops regular working relations with the media;

- 2.7. Follows the activities of the Ombudsperson in the office, inside and outside the country, to ensure timely information about the activities carried out by the Ombudsperson;
  - 2.8. Publishes on the website the activities of the Ombudsperson, on social networks, accompanies them with text, photos and recordings;
  - 2.9. Prepares and archives audio, video and photo materials from the activities of the Ombudsperson and the OI in general;
  - 2.10. Publishes various brochures to provide the most complete and quality information about the activities of the OI;
  - 2.11. Organizes press conferences to ensure timely public information about the work and decisions of the OI;
  - 2.12. Ensures timely and accurate publication of relevant information of the Ombudsperson Institution as well as fair public information;
  - 2.13. Provides access and transparency of the work of the OI through the provision of information and documents to the general public and media;
  - 2.14. Coordinates liaison with local and international media regarding issues related to the OI;
  - 2.15. Reviews the requests for access to official documents addressed to the OI, prepares the comprehensive report on the implementation of the Law on Access to Public Documents and performs all responsibilities set out in the relevant Law on Access to Public Documents, in force;
  - 2.16. Collaborates with the Cabinet, the OI Departments and the General Secretary, to perform office duties.
3. Public Communication Office and Media performs other duties and responsibilities defined by the legislation in force and the duties defined by the Ombudsperson.
  4. Public Communication Office and Media is led by the Head of this office, who reports and responds to the Ombudsperson.

#### **Article 34**

#### **Office for International Relations**

1. The Office for International Relations has the following duties and responsibilities:
  - 1.1. Runs, organizes, coordinates and brings together, the OI relations with counterpart institutions and international organizations, through the establishment and development of contacts and cooperation in the field of human rights;
  - 1.2. Coordinates the process of compiling and preparing responses for OI reporting to various regional and international human rights organizations, involvement and membership in all networks, institutes and other international mechanisms in the world;

- 1.3. Monitors the activities and undertakes the fulfillment of specific tasks within the obligations of the OI in the process of integration of the Republic of Kosovo in the European Union;
  - 1.4. Coordinates with the Cabinet and other relevant units the organization of international meetings, exchange programs, international conferences, as well as visits of personalities and external delegations to the OI;
  - 1.5. Cooperates with the Cabinet in establishing contacts and cooperation with external organizations in cases of organizing activities within the country regarding invitations to delegations or representatives of counterpart organizations or international organizations to participate in activities conducted by the OI;
  - 1.6. Takes care of the development, drafting and maintenance of correspondences with international counterpart offices as well as with Kosovo diplomatic missions abroad, as well as with those accredited in Kosovo;
  - 1.7. Searches and collects information from the Internet on the activities of counterpart institutions and major international human rights organizations and informs the Ombudsperson, Deputies of Ombudsperson and heads of relevant organizational units for them.
2. Performs other duties and responsibilities defined by the legislation in force and the duties defined by the Ombudsperson.
  3. The Office of International Relations is run by the Head of the Office, who responds and reports to the Ombudsperson.

## **X. ADMINISTRATION**

### **Article 35**

#### **Composition of Administration**

**1. OI Administration is composed of:**

- 1.1. Office of the Secretary General;
- 1.2. Department of Administration;
- 1.3. Divisions;

### **Article 36**

#### **Office of the General Secretary**

1. The Office of the General Secretary is led by the Secretary.
2. The Office of the General Secretary consists of the Secretary, Certification Officer, Legal Officer and executive assistant.



**Article 37**  
**Department of Administration**

1. The main responsibilities and duties of the Department of Administration are:
  - 1.1. Defines the objectives of the Department based on the strategy and objectives of the OI and drafts the annual work plan, detailed with relevant activities to achieve these objectives;
  - 1.2. Plans and prepares the relevant budget proposal;
  - 1.3. Analyzes and evaluates internal administrative processes and procedures and recommends for supplementation and / or amendments in order to increase work efficiency;
  - 1.4. Provides logistical and transportation support to OI staff and organizational units;
  - 1.5. Ensures the functioning of the non-financial asset management system in accordance with applicable law;
  - 1.6. Ensures the management and administration of official documents and the maintenance of the OI archive, as well as ensures the storage of archival material in physical and electronic format, in accordance with the legislation in force on archives;
  - 1.7. Manages the system of translation, proofreading and editing of OI documents in the official languages of the Republic of Kosovo;
2. The Department of Administration is run by the Director, who reports and responds to the Secretary General.

**Article 38**  
**Human Resources Management Division**

1. Human Resources Management Division (HRMD) exercises its functions and responsibilities in accordance with the relevant legislation in force on human resource management.
2. Duties and responsibilities of the Human Resources Management Division are:
  - 2.1. Prepares the staff annual plan in cooperation with the Ombudsperson, the Secretary and the Directors of the Departments;
  - 2.2. Develops, implements and monitors all required personnel procedures related to human resource planning, staff selection and recruitment requirements, to ensure that the OI operates in accordance with legal requirements and best practices;
  - 2.3. Drafts a joint training plan, based on the requests of the Heads of other Units, as well as keeps records of training for all officials based on the information of the Heads of Units;

- 2.4. Ensures implementation of procedures for discipline, handling of complaints, leave requests, performance evaluation and all other aspects of managing personnel procedures;
  - 2.5. Provides services and advises to all managers and staff to ensure that the OI follows best practices in managing its staff and ensures compliance with legal requirements;
  - 2.6. Sets up and administers the personnel file of each employee in the OI (individual file);
  - 2.7. Runs and administers competition procedures.
3. The Division is run by a Staff Manager, who responds and reports to the General Secretary.

**Article 39**  
**Budget and Finance Division**

1. The Budget and Finance Division exercises its functions and responsibilities in accordance with the relevant legislation in force on Public Financial Management and Accountability.
2. The duties and responsibilities of the Budget and Finance Division are as follows:
  - 2.1. Plans and prepares the OI budget, drafting and inspection of periodical financial reports as well as financial statements and monitoring budget expenditures running in accordance with the respective budget lines, to ensure proper financial management flow and control of OI expenditures;
  - 2.2. Provides information and advices on financial management, procedures and financial controls and information systems for the General Secretary, Directors and staff in order to ensure that the OI mission, financial objectives as well as information systems are achieved;
  - 2.3. Develops and maintains all necessary financial and information systems and procedures to ensure effective and efficient implementation of objectives;
  - 2.4. Prepares budget proposals for the OI;
  - 2.5. Coordinates budget issues for all organizational units of the OI;
  - 2.6. Monitors and reports on budget execution;
  - 2.7. Ensures that financial expenditures are made in accordance with budget rules and procedures;
  - 2.8. Ensures that all transactions and payments are accurately recorded in the Treasury Accounting Register and monitoring running expenditure, according to organizational and budgetary lines;
  - 2.9. Manages cash reserves and ensures that internal financial control is based on accountability principles;
  - 2.10. Ensures a close cooperation with internal and external auditor in preparing financial and budgetary audit statements;

- 2.11. Ensures that the necessary measures are taken to document, preserve, record, alienate and report the non-financial assets of the OI, in order to effectively, efficiently and economically manage, as well as protect against damage and abuse;
  - 2.12. Ensures that all procurement requirements, supply, work or consulting services are signed by authorized persons.
3. The Head of the Division is also the Chief Financial Officer of the OI, who responds and reports to the General Secretary.

#### **Article 40**

#### **Procurement Division**

1. Duties and responsibilities of the Procurement Division are:
  - 1.1. Preparation, coordination and implementation of the annual plan of the OI in the field of public procurement, in accordance with applicable law.
  - 1.2. Ensuring that all procurement requests are prepared in accordance with procurement rules and procedures;
  - 1.3. Defining the procurement methodology, about tenders and price evaluation procedures;
  - 1.4. Providing advice and assistance to management in making decisions regarding contentious issues that may arise in cases of contract execution;
2. The Division is run by the Head of the Procurement Division, who reports and responds to the Secretary General.

#### **Article 41**

#### **Information Technology Division**

1. The duties and responsibilities of the Information Technology Division are as follows:
  - 1.1 Develops and implements each required system and procedure of information technology, maintenance of IT equipment in order to ensure that administrative processes operate efficiently and effectively and that OI equipment is maintained to the highest standards and provide safe and healthy job environment;
  - 1.2 Leads and coordinates the implementation of information technology activities for the OI;
  - 1.3 Is competent and responsible for policy making, information compilation, methodological guidelines and circulars related to the field of information technology for the OI to ensure that information technology equipment and systems are used professionally;
  - 1.4 Plans and identifies the necessary equipment and software for organizational units and OI officials to meet the professional needs of the OI;
  - 1.5 Advises OI management staff on the identified needs for necessary upgrades or additions to IT hardware and its maintenance;

- 1.6 Advises OI management staff on the identified needs for necessary upgrades or additions to application or operational software;
  - 1.7 Submits requests to ensure the procurement of equipment or software through liaison with the Procurement Division, after prior evaluation by the IT Division for each relevant supply / investment in the field of IT;
  - 1.8 In cooperation with the Public Communication and Information Office and Media, gives due concern to the maintenance and regular updating of the OI website in accordance with the operational requirements and coordination of further developments in accordance with IT policies;
  - 1.9 Provides professional or organizational support to relevant organizational units and employees in the OI for the use of equipment and systems of information technology and assesses training needs and as needed proposes training to increase knowledge on the use of information technology by employees;
  - 1.10 Drafts draft-proposals and prepares supporting materials for projects for digitalization of services in the OI, to be reviewed by the management staff of the OI.
  - 1.11 Ensures that IT software equipment and systems in the OI are maintained to high standards of efficiency;
  - 1.12 Acts as a database administrator;
  - 1.13 Maintains and manages the OI cable and wireless computer network;
  - 1.14 Cares about the maintenance and operation of internet and Intranet services to OI;
  - 1.15 Provides technical and organizational assistance to the respective Organizational Units in the OI in the provision of services in the field of Information Technology;
  - 1.16 Cooperates with various counterpart institutions and is committed to advancing the work of the general administration of the OI, with the highest standards in the field of information technology.
2. The Information Technology Division is run by the Head of Division, who responds and reports to the General Secretary.

**Article 42**  
**Common Services Division**

1. Duties and responsibilities of the Common Services Division are as follows:
  - 1.1 Implements all necessary administrative procedures to ensure that the OI continues to operate effectively and efficiently;
  - 1.2 Provides technical assistance to respective OI organizational units in provision and delivery of services as needed in the area of logistics, inventory, storage, archive and library, as well as coordination of requests and needs of OI for office goods and equipment;

- 1.3 Takes care in providing of transport for the needs of the OI and the use of official OI vehicles, in accordance with the relevant rules and procedure;
  - 1.4 Manages and administers the OI Library system as well as sets the communication and cooperation relationship with relevant libraries inside and outside the country with intention to supply with relevant literature and exchange of OI work experience;
  - 1.5 Manages and administers the OI archive system, in accordance with rules and procedures in force;
  - 1.6 Keeps all completed cases and other materials, in original copy, recorded on registration units and placed on cabinets and shelves in order not to be damaged.
  - 1.7 Ensures that all archived material is stored in hard copy in the OI archive storage and electronic form on the relevant server, in accordance with the information technology standards;
  - 1.8 Implements the necessary procedures and systems for the maintenance of work equipment, to ensure the maintenance of work equipment of the OI with high standards;
  - 1.9 Translates written materials and documents, and provides simultaneous and consecutive translations for the needs of OI in languages in official use in the Republic of Kosovo and in English;
  - 1.10 Edits (proofreading) materials of the OI and maintains correspondence in the official languages and in English, including the translation of various documents from and into the official languages and into English;
  - 1.11 Cares on inventory as well as maintains, manages and administers the OI warehouse;
  - 1.12 Performs other administrative functions, which in accordance with laws and regulations in force, may be required, with the intention to coordinate and ensure all necessary services.
2. The OI archive operates within the Common Services Division.
3. The OI archive aims to archive submissions, requests, complaints and incoming and outgoing documents to the OI. The scope of the OI archive is accomplished based on the relevant legislation in force for archives.
4. The Common Services Division is run by the Head of Division, who reports and responds to the Director of the Department of Administration.

## **XI. PROCEDURES FOR RECRUITMENT, TRANSFER AND ESTABLISHMENT OF OI SUPPORTING MECHANISMS**

### **Article 43 Staff recruitment rules**

1. OI staff is recruited on the basis of a public vacancy announced by the OI.

2. In order to implement this Regulation, the Ombudsperson issues special Regulations on procedures, criteria and the process of hiring staff within the OI.

#### **Article 44**

##### **Internal transfer of OI staff**

1. According to the needs and the evaluations with the Directors of the Departments, the Ombudsperson can do the transfer of the OI staff from one Department to other Department or to other Units, within OI structure.
2. In the case of transfer, the income and rights acquired arising from the act of appointment cannot be violated.
3. The Secretary General, upon Ombudsperson approval, by the decision may transfer the staff of the OI within the organizational units, based on this Regulation and other sublegal acts of the OI.

#### **Article 45**

##### **Job Descriptions Catalogue**

1. HRMD, in cooperation with the Directors of the respective Departments and Units, within three (3) months upon entrance into force of this Regulation, prepares and proposes to the Ombudsperson the Catalog of Job Descriptions in the OI for approval where the duties and responsibilities for each position of public officials in the Ombudsperson Institution are described in accordance with the duties defined by this Regulation and the relevant legislation in force.
2. Job descriptions for OI employees, based on the specific characteristics of the job positions, are made in accordance with the conditions provided under the Law on the Ombudsperson, the Rules of Procedure and this Regulation, the legal framework for the civil service, insofar as the constitutional independence of the OI is not violated as well as the special regulation for the description of job positions in the OI.
3. The catalog, after approval by the Ombudsperson, is distributed to all OI staff.
4. The catalog of job positions provides a detailed description of all duties and responsibilities of staff within the organizational structure of the OI.

#### **Article 46**

##### **Working Groups**

1. The Ombudsperson and/or the General Secretary may establish councils, permanent or temporary working groups, for the development of activities that go beyond the scope of ordinary work and that are complex to ensure the fulfillment of mandates, the implementation of projects, the OI work program as well as coordination and monitoring mechanisms.
2. These groups can be councils, internal committees, working groups, expert teams and other bodies, which, depending on the topics and issues they address, may consist of OI employees

and those outside the OI. The decision for their establishment determines the composition, mandate, procedures and authorization.

3. Based on the internal acts of the Ombudsperson, the General Secretary is responsible for providing working conditions for these working groups as well as creating conditions for their operation.
4. The General Secretary may appoint an official from the Ombudsperson Institution to perform the professional, organizational and administrative duties for a body described and established as in this article. Where appropriate, the General Secretary may decide that these tasks be performed by one or more officials or that the tasks be performed in cooperation with other institutions.

#### **Article 47**

##### **Putting in function new organizational units and filling of vacancies**

1. At latest four (4) months after the entry into force of this Regulation, a commission established by the Ombudsperson will give proposals for the functioning of new units within the structure of the OI and the filling of vacancies in the OI.
2. Functionalization of new units within the structure of the OI, internal transfer of OI staff, re-systematization and filling of new job vacancies will be done taking into account the principles of civil service, legal security, applicable legislation, independence of the Ombudsperson as well as the provisions of this Regulation.
3. The filling of new job vacancies, according to this Regulation, will be done based on the budget options of the OI.

#### **Article 48**

##### **Accountability and Monitoring of Implementation of this Regulation**

The Ombudsperson, the General Secretary, the Directors of the Departments and the Heads of the respective Units ensure that all OI activities are exercised in full compliance with this Regulation and the legislation in force.

## **XII. FINAL AND INTERIM PROVISIONS**

#### **Article 49**

##### **Interpretation of the Regulation**

The final authority for the interpretation of this Regulation is the Ombudsperson.

**Article 50**  
**Review of the Regulation**

1. The review of this Regulation shall be done depending on Ombudsperson's assessment.
2. The review of the Regulation, its supplementing and amendment is done in the same procedures of its approval

**Article 51**  
**Repeal**

Upon the entry into force of this Regulation, the Regulation no. 01/2016 on Internal Organization and Systematization of Job Positions in the Ombudsperson Institution is repealed (March 25, 2016).

**Article 52**  
**Entry into force**

This Regulation shall enter into force on the day of its publication in the Official Gazette of the Republic of Kosovo.

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**Naim Qelaj**  
**Ombudsperson**

Prishtina, \_\_\_\_\_.\_\_\_\_\_. 2022



<b>REGULATION NO. 03 / 2022</b>	
<b>ON INTERNAL ORGANIZATION AND SYSTEMATIZATION OF JOB POSITIONS IN THE OMBUDSPERSON INSTITUTION</b>	
<b>APPENDIX 1</b>	
<b>SYSTEMATIZATION AND DESIGNATION OF JOB TITLES IN THE OMBUDSPERSON INSTITUTION</b>	
Ombudsperson	One (1) position
Deputy Ombudsperson	Five (5) positions
<b>1.1 OMBUDSPERSON’S CABINET</b>	
i. Chief of the Ombudsperson’s Cabinet	One (1) position
ii. Ombudsperson’s Senior Adviser	Two (2) positions
iii. Ombudsperson’s Executive Assistant	One (1) position
iv. Executive Assistant to the Ombudsperson’s Deputies	One (1) position
v. Ombudsperson’s Driver	One (1) position
vi. Driver of Ombudsperson’s Deputies	One (1) position
<b>1.2 OFFICES RESPONDING DIRECTLY TO THE OMBUDSPERSON</b>	
<b>2.1. Internal Audit Office</b>	
i. Director of Internal Audit	one (1) position
<b>2.2. Public Communication and Information Office and Media</b>	
i. Head of the Public Communication and Information Office and Media	one (1) position
ii. Officer of Communication and Access to Official Documents	one (1) position
<b>2.3. Office of International Relations</b>	
i. Head of the Office of International Relations	one (1) position
ii. International Relations Officer	one (1) position
<b>1.3 DEPARTMENTS ON THE FUNCTION OF OI MANDATE</b>	
<b>3.1. Department for Standardization and Coordination</b>	
i. Director of the Department for Standardization and Coordination	One (1) position
ii . Senior Legal Advisor	One (1) position
iii . Legal Advisor	Two (2) positions

<b>3.2. National Prevention Mechanism against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, - NPM</b>	
i. Director of NPM	One (1) position
ii. Senior Legal Advisor	One (1) position
iii. Legal Advisor	One (1) position
iv. Consultant – Physician	One (1) position
v. Consultant - Psychologist	One (1) position
vi. Consultant - Social Worker	One (1) position
<b>3.3. Department for Admission and Administration of Complaints</b>	
i. Director of the Department for Admission and Administration of Complaints	One (1) position
ii. Senior Legal Adviser for Admission and Administration of Complaints at the Head Office / Prishtina	One (1) position
iii. Legal Advisor for Admission and Administration of Complaints at the Head Office / Prishtina	Two (2) positions
iv. Senior Legal Adviser in the regional offices	
South Mitrovica	One (1) position
Gjilan	One (1) position
Gjakova	One (1) position
Graçanica	One (1) position
Peja	One (1) position
Prizren	One (1) position
v. Legal advisor in regional offices	
South Mitrovica	One (1) position
North Mitrovica	One (1) position
Ferizaj	One (1) position
Gjilan	One (1) position
Graçanica	One (1) position
Prizren	One (1) position
Peja	One (1) position
vi. Legal Officer in the Department for Admission and Administration of Complaints	Two (2) positions
<b>3.4. Department for Protection from Discrimination</b>	
i. Director of the Department for Protection from Discrimination	One (1) position
ii. Senior Legal Adviser for Protection from Discrimination	Three (3) positions
iii. Legal advisor for protection from discrimination	Four (4) positions
<b>3.5. Department on Protection of Children's Rights</b>	

i. Director of the Department on Protection of the Children's Rights	One (1) position
ii . Senior Legal Advisor for Children's Rights	One (1) position
iii . Legal advisor for children's rights	One (1) position
<b>3.6. Department on Cooperation, Reporting and Promotion</b>	
i. Director of the Department on Cooperation, Reporting and Promotion of Human Rights	One (1) position
ii. Senior Legal Advisor for Cooperation, Reporting and Promotion	One (1) position
iii. Legal advisor for cooperation, reporting and promotion of human rights	One (1) position
iv. Project Manager	One (1) position
<b>3.7. Department of Legal Affairs and Investigations</b>	
i. Director of the Department of Legal Affairs and investigations	One (1) position
ii .Senior Legal Adviser on Legal Affairs	Two (2) positions
iii. Adviser on Legal Affairs	Three (3) positions
<b>4. OFFICE OF SECRETARY GENERAL</b>	
i. Secretary General	One (1) position
ii. Certification officer	One (1) position
iii. Legal officer	One (1) position
iv. Executive Assistant	One (1) position
<b>4.1.Department of Administration</b>	
i. Director of Department of Administration	One (1) position
ii. Administrative Assistant	One (1) position
<b>4.2.Human Resource Management Division</b>	
i. Head of the Division	One (1) position
ii. Officer of Human Resource Division	One (1) position
<b>4.3.Division of Budget and Finance</b>	
i. Head of the Division of Budget and Finance/ Chief Financial Officer	One (1) position
ii. Assets and Budget Committed Officer	One (1) position
iii. Expenditure Approval Officer	One (1) position
<b>4.4.Procurement Division</b>	
i. Head of Procurement Division	One (1) position
ii. Procurement Officer	One (1) position
<b>4.5.Information Technology Division</b>	

i.	Head of Information Technology Division	One (1) position
ii.	Senior system administrator	One (1) position
<b>4.6.Common Services Division</b>		
i.	Head of Common Services Division	One (1) position
ii.	Proofreader and Editor	One (1) position
iii.	Translator Albanian –English and vice versa	Two (2) positions
iv.	Translator Albanian –Serbian and vice versa	Two (2) positions
v.	Senior Officer for Logistics, admission of goods and transport	One (1) position
vi.	Driver	Two (2) positions
vii.	Archive Officer	One (1) position
viii.	Warehouse Officer	One (1) position
ix.	Administrative Assistant	One (1) position