

REPUBLIKA E KOSOVËS QEVERIA



MINISTRIA E PUNËVE TË BRENDSHME

INSPEKTORATI POLICOR I KOSOVËS DEPARTAMENTI I INSPEKTIMIT Burge "Dëshmarët e Collebut", p. p. Heiveli, Brichtinë

Rruga "Dëshmorët e Gollakut", p.n, Hajvali - Prishtinë

Reference: **IPK/05072024/DI** Date: **05.07.2024**

Based on Law no. 03/L-231 for the Police Inspectorate of Kosovo, Administrative Instruction (MIA) no. 21/2015 for Inspections in the Kosovo Police, Regulation (MIA) no. 01/2017 for the internal organization and systematization of workplaces in the Police Inspectorate, the Guide for the planning, inspection and reporting procedure, as well as the Strategic Development Plan of the PIK (2022-2024), the Department of Inspections of the PIK issues:

INSPECTION REPORT

Title	-Assessment of the management of the promotion process for sergeant
Reference	- 02/2024
Initiation date	- 13.05.2024
Reporting date	- 05.07.2024
Reason on initiation	- With the request of the PIK Investigations Department, the Chief Executive of the PIK, Mr. Kushtrim Hodaj has authorized the PIKs Inspection Department to carry out an extraordinary inspection in the Human Resources Department of the Kosovo Police, including the Directorate for Performance and Career Development, to assess compliance with the rules and procedures of the recruitment process. at the end of the promotion of police officers for the rank of Sergeant. The request for this inspection has reflected concerns over the large number of complaints addressed to IPK regarding the regularity of the promotion process. Complaints have raised doubts about the respect of the application criteria, the integrity of the process and the organization of the testing. The inspection is focused on needs analysis, compliance with the principles of equal treatment of parties, application and testing, decision-making, transparency and treatment of complaints. Through the inspection, it is intended to assess the integrity of the process .
Inspection objectives	 Assessment of compliance with promotion rules and procedures, Assessment of the integrity of the application and testing process.
Inspection methodology	 During the implementation of the inspection work, the following methodology was applied: a) Meetings - interviews were held with high functionaries such as: General Director of the Kosovo Police, Director of the Human Resources Department, Director of the Personnel and Administration Division, Director of the Directorate for Performance and Career Development, Chairman of the Commission of the promotion process; b) Documents or data in physical and electronic form have been provided and verified, including parts of the promotion file, such as: Analysis of the needs for promoted personnel, Request for the announcement of the promotion process for the rank of Sergeant,

	- Announcement of the competition,				
	- Decisions for the Commission of promotion process and the panels,				
	- Lists of application, test participants and test results,				
	- List of employees in the last five (5) years by generation,				
	- Notice on holding the written test, including the List,				
	- List of 1,100 questions for the promotion process, as well as tests A and				
	В,				
	- List of complaints, complaints and decision-making,				
	- Forms of acceptance - delivery of test materials.				
	- Reports of the Commission and panels on the testing process,				
	- Information from 28 sample files of 54th generation applicants.c				
Subject	- Human Resources Department, including the Directorate of Performance				
Subject	and Career Development, as well as the Commission for the promotion				
	process.				
Inspection	1				
deadlines	A				
ueaunnes					
	- Coverage period - The phase during which the promoting process has been				
	developed.				
Assessment - Law No. 04/L-076 for the Police,					
criteria - AI No. 02/2019 for the Promotion Procedure for Police Officers,					
	- SOP on Promotion in the Kosovo Police No. PSO-07DP-06 (dated on				
	12.12.19),				
	- Analysis of the needs for Promoted Personnel in the Kosovo Police.				
Team	- Kushtrim Jonuzi, inspector,				
	- Xhavit Fetahaj, inspector.				
Suppervised by	- Ilir Idrizaj,				
	Head of Inspection and Reporting Division				
Supported by	- Bujar Mustafa,				
	Head of the Analysis, Planning and Quality Division				
Subbmitted	- Bekim Pira,				
	Head of the Inspection Department				
Approved by	- Kushtrim Hodaj,				
	PIKs CEO				
Date	- 05.07.2024				
- unit					

Abbreviations

DBF	Directorate for Budget and Finance
HRD	Department for Human Resources
DPCD	Directorate for Performance and Career Development
PIK	Police Inspectorate of Kosovo
LAP	List of Authorized Personel
MIA	Ministry of Internal Affairs
SOP	Standard Operating Procedure

The inspection highlighted that:

- The promotion process has been accompanied by some weaknesses in the competition phase, which resulted in many dissatisfaction and complaints regarding the process.
- The need to review the current legal basis is highlighted, taking into account the need to harmonize the Guidelines and the Basic Training Program, as well as respecting the application criteria,
- Respecting the ethnic criterion during the creation of assessing panels should be taken into account depending on the promotion processes and the participation of candidates from other ethnicities. The execution of the test did not reveal any weaknesses except for the need for better quality preparation of the process in terms of the technical aspect.



Based on the findings, conclusions and the need for continuous improvement of services:

- 1. PIK recommends to the General Director of Police to review the harmonization of Administrative Instruction No. 02/2019 on the Promotion Procedure for Police Officers, with the period of completion of the basic training, also clarifying the path of personnel from the "cadet" rank to the "senior policeman" rank.
- 2. PIK recommends to the Director of the Directorate for Performance and Career Development that in the future, during the preparation of competition announcements for this rank, include the minimum stay time in the rank among the application criteria, towards full compliance with the requirements of the Instruction.
- 3. PIK recommends to the Director of the Personnel and Administration Division to take care in the administrative aspect of the timely transition of police officers from the rank of cadet to the rank of senior police, respecting the deadlines set by the Instruction.
- 4. PIK recommends to the Director of the Human Resources Department to ensure that the PRIMS system applies the restrictive measures for filtering applications that do not meet the criteria to for to apply for promotion. In cases where the applications are carried out physically, ensure that the application rules are followed, including the examination and verification of the disciplinary and criminal history of the candidates.
- 5. PIK recommends to the Director of the Human Resources Department to ensure to be respected the principle of inclusion in the panels of members from other ethnic communities during the promotion processes.
- 6. PIK recommends to the Chairman of the Commission for the promotion process and the Director of the Directorate for Performance and Career Development that in the future they ensure that the candidates during the application have a performance assessment, as one of the assessing points within the promotion process
- 7. PIK recommends to the Director of the Human Resources Department, the Chairman of the Promotion Process Commission to ensure that the members of the assessing panels understand the tasks related to the written testing process, as well as have the necessary knowledge to complete the evidence related to the test materials. (forms)
- 8. PIK recommends the General Director of the Kosovo Police to take action to avoid any weakness or omission in this promotion process, considering this report as reflecting the findings that may have damaged the credibility of the entire process.

Key findings:

1.1. Following the inspection of the last promotion process for sergeant, the PIK has identified the legal basis, which defines the promotion rules and procedures for police officers. In accordance with Article 55 of Law No. 04/L-076 for the Police, the General Director of the Kosovo Police issued Administrative Instruction No. 02/2019 for the promotion procedure for police officers (hereinafter the Instruction).

1. Assessment of compliance with the rules and the promotion procedure

02/2019 for the promotion procedure for police officers (hereinafter the Instruction). In terms of detailing the actions and steps to be followed in the promotion processes, the Director of the Human Resources Department has approved the Standard Operating Procedure for promotion in the Kosovo Police¹ (*hereinafter SOP*). The rules, procedures, criteria and actions defined by these two documents served as the basis on which the assessment of this promotion process was based.

1.2. Article 1, paragraph 2 of the Directive defines that the promotion of police officers is a process, which will be based on the needs of the Police (vacant positions), as well as with the aim of selecting the most qualified members through a fair and competitive process. At the end of last year, the Police expressed interest in filling the vacancies for the rank of sergeant. After identifying the needs for promoted personnel, on 10.11.2023, Directorate for Performance and Career Development has asked the Directorate for Budget and Finance to confirm whether there are sufficient funds to start the promotion process for 350 vacant positions for sergeants. After ensuring the availability of the necessary funds, DBF confirmed on 14.11.2023 that the procedures for the promotion can be started. Then, on 24.11.2023, HRD asked the General Director of Police to start the promotion process to the rank of sergeant, based on the identification and analysis of needs². The General Director of Police received the approval for the start of this process ³ on 27.11.2023. In January of this year, HRD has once again analyzed the needs for vacant positions, estimating that there are 355 sergeants less than what is foreseen by the Structure and the LAP.

1.3. On 09.02.2024, DPCD has announced the promotion process for the relevant rank including, among others, the number of vacancies, application criteria, deadlines, data on the testing process, competition rules, references of testing material, etc. On 12.02.2024, DPCD published the announcement for the promotion process, allowing electronic competition⁴, but also the physical one, in the absence of the application of the electronic one. As for the application criteria, the announcement has determined that the right to undergo this process is for: all police officers with a minimum of 5 years in the service, including the duration of the basic training for police officers, and officers to who have not been imposed a disciplinary measure for a serious disciplinary violation or criminal offense. Although these criteria are also foreseen in the Directive in Article 13, the announcement did not fully include the criteria of the Tank of "senior police officer", provided for in paragraph 2 and who did not fulfill the two (2) year period of stay in this rank, as provided in paragraph 3.1 of the same article.

1.4. According to the data from the graduation file, it is learned that a total of 2,344 applicants applied in this process, including those who applied electronically and physically. According to the management, in cases of electronic application, the data of the candidates in the process are in the system and automatically generated for

¹ PSO-07DP-06.

² Request for starting the promotion process to the rank of sergeant, DDBN-10/174/2023, dated 24.11.2023.

³ Chapter V - Procedures, A. Announcement of the promotion process, point 3 of the SOP.

⁴ The electronic competition was also applied in two preliminary promotion processes for lieutenant and captain, therefore it was suggested by the Director of the Division for Personnel and Administration, that as an application option based on the Instruction, it should also be applied in this promotion process.

Since a large number of police officials, who had not passed the minimum of two (2) years of tenure at the rank of "senior policeman", expressed interest for the promotion process, the electronic competition system has been removed from the measures security related to the application criteria, allowing the application of many other officials from the 54th generation of the Kosovo Police and not only, contrary to the application criteria provided by the Instruction. As a result of the removal of these filters within the system, many candidates, not meeting this criterion, have been included in the written test competition.
1.5. On 19.04.2024, DPCD published the Notice for the written test for the rank of sergeant, together with the List of 2,230 candidates for the written test for the rank of sergeant. From the control of the List, it can be observed that 344 candidates out of 382 of the 54th generation were allowed to participate in the written test phase, who, although they had five (5) years of service in the organization, did not meet the criteria of Instructions regarding the stay of two (2) years in the rank of "senior policeman". This situation has raised disagreements among many candidates, who have attacked the process with their complaints. Among the candidates of this generation, there were also those who had the current rank of "policeman" or "new policeman rank" ⁶ . 90% of police officers of the 54th generation participated in this promotion process, or 15.4% of the list of candidates who were subject of the written test.
1.6. According to Article 4 of the Instruction, with the proposal of the Director of the HRD on 13.03.2024, the General Director of the Police has created the Commission for the promotion process consisting of nine (9) members, one of whom is its Chairman. With the decisions dated 30.04.2024 and 03.05.2024, this Commission has undergone changes in its composition, as a result of the declaration of conflict of interest by some of the members. This Commission has fulfilled the legal requirements regarding the ethnic and gender composition provided for in Article 5, paragraph 1 of the Directive. The composition of the members also fulfills the other criterion according to which they must have at least one rank higher than the police officer who is subject to the promotion proces.
1.7. According to Article 11 of the Instruction, assessment panels are created by the Director of HRD for all phases of testing. Based on this, on 03.05.2024, six (6) panels were established for the written test for the rank of sergeant ⁷ . The established panels are estimated to cover the administration of the testing process in six (6) testing centers. Although paragraph 4 of this article stipulates that panel members must reflect the ethnic composition, depending on the ethnicity of the official subject to the testing process, it is noted that only one of the panels has fulfilled part of the legal requirement (panel no. 3 of engaged in the candidate testing center at the University of Applied Sciences in Ferizaj). The composition of the panel members

each candidate, and the application is easy and done with just one click. According to the same, the graduation module has security measures according to the criteria defined for the graduation process, such as the time of stay in the previous rank, or restrictions regarding the field of discipline, and the system itself can prevent the application of cases when the candidate does not meet the criteria of the application.⁵

1.8. Despite the management's declarations that the removal of some restrictions in the electronic application process through the PRIMS system has occurred in order

meets the other criterion, according to which, they must have a higher rank than the

officials who are subject to the promotion process.

⁵ Doc from the Director of the DPCD to the Director of the Division for Personnel and Administration (dated 05.01.2024)

⁶ PK10102, PK10237, PK10254 dhe PK10451.

⁷ References of documents on the establishment of written test panels: DPA-10/006/2024, DPA-10/007/2024, DPA-10/008/2024, DPA-10/010/2024 dhe DPA-10/011/2024.

to provide equal opportunities to those interested, PIK has not found to have been applied any verification procedure on the past of the candidates, thus to ensure that they have also fulfilled the criterion on the disciplinary and criminal history, foreseen by the Instruction and the Announcement of the competition. Also, PIK has found across that a number of police officers were included in the test lists, whose performance was not assessed for several assessing periods⁸. PIK highlights this with the fact that performance assessment is an area of assessment within the promotion process.

1.9. According to Article 18 of the Instruction, applicants competing for promotion must complete the testing process, where for the sergeant rank, among others, a written test is provided. Article 20 of the Directive stipulates that the written test is designed to test the police officer's knowledge in the field of criminal legislation and criminal procedure, normative and administrative acts that regulate police activity, police policies and procedures, and supervision and management skills. In March of this year, the Police published on the intranet, a List of questions for the sergeant promotion process. Based on its content, the document includes a range of fields from which to generate test questions. This publication has been made transparent with the good intention that the candidates are oriented in the key areas, towards their qualitative preparation. Following the preparation of the written test, DPCD has prepared a package of 289 questions and through the Director of HRD has proposed it to the General Director of Police, who then approved them on 30.04.2024 in the form of a Register, in accordance with Article 20 of the Directive. From the list of 289 questions, in accordance with Article 27 of the Directive, the Commission has selected 100 questions for the written test. The responsible authority has created two tests, the content of which is the same, only the numerical order of the questions has differed, which has also made them distinct.

1.10. The written test of the candidates was carried out on 04.05.2024, in six (6) test centers. Regarding this phase, the candidates have been notified in time by DPCD. Except for some centers where there were technical difficulties, in most of the centers, the written test has started on time. 1,749 candidates out of a total of 2,230 included in the testing list (78.4%) underwent testing. According to official reports, 1,749 answer sheets were given in these centers from the distribution of 900 A tests and 849 B tests, where the latter had the same questions, but with variable order (the test in the Serbian language was A). Technical weaknesses were observed in filling out the acceptance forms - submission of test material by the Commission and evaluation panels, related to the distribution of tests and their number. There was not enough technical knowledge on filling out the forms from among the panelists..

1.11. The checking of the tests started immediately after the written test on the same day and was carried out at DPCD. About 92% of the written tests were checked with a scanner, while the remaining 8% were checked manually for technical reasons. In 61 tests in the Serbian language, translation errors were identified, for which, after the re-assessment process, it was decided in favor of the candidates, in accordance with Article 21 of the Instruction. On 07.05.2024, related to the process, all the panels, but also the members of the Commission, prepared reports on the testing phase according to the centers where they were involved. The results were published on 06.05.2024, two days after the written test. From the list of written test results of 1,480 candidates who have reached the quota of 70% marks, 283 of them belong to the 54th generation (19%). On 14.05.2024, the Chairman of the Commission for this promotion process issued a Report, with which he notified the General Director of Police regarding the written test process. The report also contains some recommendations regarding the improvement of future promotion processes.

⁸ PK7375, PK7368, PK7361, PK4980 and PK4779.

	1.12. In addition to the publication of the results of the written test by DPCD, for
	remarks and dissatisfactions related to the process and results of the written test of b1 ob, for remarks and dissatisfactions related to the process and results of the written test, in accordance with article 23, paragraph 3 of the Instruction, candidates are instructed on their right to appeal within a period of three (3) working days, starting from the day of publication of the result. According to the Commission's Report, 25 candidates used the right to appeal and the review of their appeals was done within the legal deadline. Also, the Commission received 40 requests from candidates to view the tests, where according to the Commission, those interested were offered access, but only a part of them used this right (some candidates even though they requested access, have not used this opportunity).
Conclusion	The main finding of this inspection:
	 The Kosovo Police has in force instructions and standard operating procedures that regulate the promotion processes, including the criteria and periods of transition from rank to rank, but which must also be harmonized with the period of realization of the basic training program. The promotion process was preceded by a process of identifying vacancies for the rank of sergeant and analyzing the needs for promoted personnel, taking into account the budgetary possibilities and adhering to the Structure and the LAP. Despite the fact that the announced competition contains the criterion for a minimum of 5 years of service in the organization for candidates who can be subject of the process, there is not included the other criterion for candidates who must have two (2) years of service in the organization the rank of "senior policeman There is a weakness in respecting the deadlines in the transition (mobility) of personnel from the rank of cadet to the rank of senior police officer, which is also evidenced by the data in the personal files of the candidates of the 54th generation. Despite the idea that applicants are offered the opportunity to apply, there has been a competitive process, accompanied by some weaknesses in the acceptance of applications even when candidates have not met the legal application criteria, as a result of the removal of the restrictive measures of the electronic system PRIMS. Participation in the promotion process is also possible for the 54th generation, where according to ethnicity and ranks were taken into account for the establishment of the Commission, the principle of ethnicity was not respected in the framework of the decisions on the establishment of the panels even though there were candidates of other ethnicities in the process. PIK appreciates the replacement of the members of the Commission, after the declaration of conflict of interest by some of them. There have been cases where part of t
	A and B followed the appropriate steps. Although some questions in the Serbian language test were identified due to poor quality translation, there was

no consequence on the final result of the candidates, as the consequences were eliminated during the assessment of the tests. 10. The process of holding the written test in the testing centers has generally been carried out within the rules and deadlines, followed by some technical difficulties that must be eliminated in other processes, including the lack of video monitoring inside the testing spaces. 11. The control of the tests was carried out to a large extent with advanced methods, but for technical reasons manual control was also put into operation. Within a short and reasonable time, the Result List of the written test is published. 12. Since the candidates had the right to complain about the results and the process, the Commission reviewed them within the legal deadlines. The readiness of the Commission to offer candidates the viewing of their answer sheets when they have shown interest is positively assessed. 13. The inspection points out that from the inspection of the promotion file and the treatment of complaints, there is no evidence proving the unauthorized distribution of the test to certain candidates and or favoring of certain candidates. 14. Certain cases as a result of complaints received at the PIK are being treated by the Investigations Department of the PIK, but for which up to this stage there is no reasonable suspicion of a criminal investigation.

	Summary of recommendations and Action Plan			
No.	Recommendation	Priority level	Comments of the police structure ⁹	Action plan
1.	PIK recommends to the General Director of Police to review the harmonization of Administrative Instruction No. 02/2019 on the Promotion Procedure for Police Officers, with the period of completion of the basic training, also clarifying the path of personnel from the "cadet" rank to the "senior policeman" rank.	-[-	The Kosovo Police, in addition to amending other by-laws, also foresees the amendment to Administrative Instruction No. 02.2019 for the promotion procedure for Police Officers.	2024
2.	PIK recommends to the Director of the Directorate for Performance and Career Development that in the future, during the preparation of competition announcements for this rank, include the minimum stay time in the rank among the application criteria, towards full compliance with the requirements of the Instruction.	-[-	The Directorate for Performance and Career Development, from the announcement of the competition for the relevant rank and not only, will respect the procedures foreseen by the Administrative Instruction.	2024
3.	PIK recommends to the Director of the Personnel and Administration Division to take care in the administrative aspect of the timely transition of police officers from the rank of cadet to the rank of senior police, respecting the deadlines set by the Instruction.	-1-	The Director of the Division for Personnel and Administration will act in full compliance with the rules and procedures set forth, also regarding the transition in rank from the rank of Cadet to the rank of Senior Police based on the Administrative Instruction.	2024
4.	PIK recommends to the Director of the Human Resources Department to ensure that the PRIMS system applies the restrictive measures for filtering applications that do not meet the criteria to for to apply for promotion. In cases where the applications are carried out physically, ensure that the application rules are followed, including the examination and verification of the disciplinary and criminal history of the candidates.	-1-	The Director of the Human Resources Department will ensure that, in coordination with the Director of Information Technology and Communication, when applying through the PRIMS electronic system, the disciplinary data is reflected to the candidate and those candidates who do not meet the criteria to be subject to the promotion process, do not have the right to continue the process, the same as the police officers, who have active disciplinary measures. As for the physical application, the Supervisory Committee for the promotion process will review all applications of all candidates regarding the fulfillment of the criteria defined in the	2024

 $^{^{9}}$ The comments of the police structure are the content of its authentic text dated 21.06.2024 and there was no interference in them.

5.	PIK recommends to the Director	-]-	Administrative Instruction and after the completion of the testing procedures, the Directorate for Performance and Career Development sends the list final of officials for promotion in the Directorate for Internal Investigations for the verification of their disciplinary and criminal past.	2024
5.	of the Human Resources Department to ensure to be respected the principle of inclusion in the panels of members from other ethnic communities during the promotion processes	-1-	The Director of the Department for Human Resources in this case, the Director of the Division for Personnel and Administration for the establishment of assessment panels in the absence of members from the ranks of the communities, who did not have the opportunity to be part of the panel in the written test due to health or family reasons , therefore the same were replaced with other members and these replacements did not affect the integrity of the process even though this criterion has always been taken and will be taken into account in the future.	2024
6.	PIK recommends to the Chairman of the Commission for the promotion process and the Director of the Directorate for Performance and Career Development that in the future they ensure that the candidates during the application have a performance assessment, as one of the assessing points within the promotion process	-I-	The Directorate for Performance and Career Development, in cooperation with the Commission responsible for the promotion process, will ensure that the candidates during the application have completed the performance assessments, as required in the Administrative Instruction.	2024
7.	PIK recommends to the Director of the Human Resources Department, the Chairman of the Promotion Process Commission to ensure that the members of the assessing panels understand the tasks related to the written testing process, as well as have the necessary knowledge to complete the evidence related to the test materials. (forms).	-1-	The Director of the Department for Human Resources, the Director of the Division for Personnel and Administration, the Directorate for Performance and Career Development and the Commission responsible for the promotion process have always held and will hold regular clarifying and informative meetings regarding the duties and responsibilities of the relative panels.	2024
8.	PIK recommends the General Director of the Kosovo Police to take action to avoid any weakness or omission in this promotion process, considering this report as reflecting the findings that may have damaged the credibility of the entire process.	-I-	The Kosovo Police will always act conscientiously and professionally, in order for each process to be an example of organization, development and supervision for the best possible progress of the promotion process.	2024