



## Challenges of Republic of Kosova in Her Fight Against Corruption

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### **Abstract**

Corruption is a major problem, and it does not only affect developing countries. It hinders economic growth, weakens the rule of law and undermines the legitimacy of institutions. Although it has been studied nationally from different perspectives, recently we have seen growing bodies of research on local corruption. As far as we know, these recent studies focused on corruption and its effects on votes. The transformation of values and mentality as an integral part of the transition is slow and comes with certain consequences. The values that were favored in the old system (equality, union, collectivism), should be replaced by universal democratic values (individualism, democracy, human rights and freedoms, entrepreneurship, private property, fair privatization, etc.). This paper treats and analyzes corruption as a negative phenomenon which poses a risk to the development of the state. In this paper I aimed to provide more knowledge about corruption in general and inform about the challenges that Kosovo faces in fighting and preventing corruption. This paper is divided into three chapters. The first chapter talks about the concept of corruption and its historical development, definitions of corruption, types of corruption, the forms in which it occurs, the manner of corruption. The second chapter presents an executive summary of corruption in Kosovo. The third chapter deals with the institutions dealing with the fight against corruption in the Republic of Kosovo as well as the legislative basis and Chapter four deals with the risks and damages that corruption does to the economy of Kosovo.

**Keywords:** *Corruption; Bribe; Swag; Nepotism; Crime; White Collar*

### **Introduction**

Viewed from the etymological point of view, the term crime exists since Roman period and comes from the classical Latin expressions: Crimen, Maleficium, Delictum, Scelus, which in the simple translation into Albanian means: crime, wrongdoing, serious crime, jealousy, misdemeanor of social norm (Maloku & Maloku, 2021: 60). Corruption is as old as humanity itself, we can find it in all pores of life. The literature shows that it has been found in all possible regimes and systems. Corruption as a negative phenomenon has posed a threat to all systems and in particular the system of democracy. Corruption has consistently caused great problems in all countries of the world, especially in post-conflict countries, while practice has shown that countries in transition have been less immune to the impact of this negative phenomenon and are predisposed to have many problems developing state due to corruption. So what is

corruption? In his book Sudhir Chella Rajan "A Social Theory of Corruption", emphasizes the discourse of contemporary politics. The notion of corruption is very tight, defined precisely as the pursuit of private gain while carrying a public duty (Rajan, 2020).

Professor Maloku in the "Terminological Dictionary of Victimology" (2019), classifies corruption as any violation of duty of officials or responsible persons in legal entities and any activity by the initiators or beneficiaries of this behavior, directed as a direct or indirect response which is premeditated, offered, given, demanded, accepted or expected to be taken for oneself or for another person (Maloku, 2019).

Transition from social to private property is always a special challenge. The biggest challenge is to make sure that this process does not result in the involvement of public officials and the political class in corruption cases. Kosovo in this regard continues to have major problems with the phenomenon of corruption. For a country like Kosovo that has been reported with the highest rate of poverty and unemployment in Europe, this is to be expected.

Fighting corruption in all of its forms, and especially in transition, no country can be proud of having a high score. According to its basic features, corruption is one form of social pathology. Its appearance changes in parallel with changes in society. In addition to the standard formats of corruption, which basically have in center the individual affairs of the participant in the state administration, corruption can occur in many other forms. This confirms his ability to adapt to new situations. When we talk about the causes of corruption, then we mean that, in addition to standard models of corruption, transition as a process can be its possible cause.

## **1. Literature Review**

From ancient times to modern times, corruption is deeply rooted in human society and is still a powerful issue in the contemporary world. Author Brioschi (2017) in his book "Corruption a short history" offers a complete and fun look at how corruption was born and evolved over time, without ever disappearing. It examines corruption through politics and history - from Babylon to modern-day US organized crime and the collapse of the big market - and concludes with reflections on the moral perception of corruption and its dangers to democracy (Brioschi, 2017).

Professors Jararevic and Maloku (2021), in their book Criminology (etiology and phenomenology of criminality) explain extremely well the etiological and phenomenological factors of criminality, they write about corruption as a challenge of this century, especially for countries in transition. The authors also write about the history of corruption, about national and international legal challenges to fight corruption in a repressive and preventive way, about the division of corruption according to phenomenological forms, etc.

Author Qafoku (2020) in the newspaper "Fjala" writes about corruption and describes that Corruption stinks. Corruption is the mother of all evils. Corruption is an economic drama. Corruption poisons society. Corruption robs the poor to give to the rich. Corruption robs democracy and inflicts a wound on it. Corruption is a serious social disease. Corruption takes the breath away from the economy. Corruption for some is a way of life. Corruption robs the future. Corruption is a crime of adults and not of students. Corruption destroys beautiful nature. There is no more accurate, more concrete, more comparative, more descriptive definition than these 12 sentences. Indeed, this definition may go much further, but Raffaele Cantone and Francesco Caringela are not satisfied enough with bringing it up as an empirical formula (Qafoku, 2020 09:24)

Author Carranza (2017), in his book "Scope of Ethics in the fight against Corruption" treats the phenomenon of corruption as a cancer that erodes every society, at any time, but not with the same severity. He says in his book that Rome fell because its, once powerful, institutions were corrupted in such a way that the barbarians found almost no resistance to their attack. The author of this book aims to prove that ethics plays a fundamental role in these cases. Values are not in crisis, they are wherever man wants to make his life (Carranza, 2017).

In the book "White-Collar and Financial Crimes" by Noble (2021), A Case of Fraudsters, Fraudulent Artists and Corporations Jennifer C. Noble examines a string of shocking cases of fraud, corruption, theft and embezzlement. This vivid collection reveals the practice of detecting, investigating, prosecuting, defending and solving white-collar crimes. Each chapter is a case study of an illustrative criminal case and is based on extensive public data about unknown and high-profile crimes of the powerful individuals, such as money laundering, mortgage fraud, public corruption, value letter fraud, environmental crimes and Ponzi schemes (Noble, 2021).

In the book "A Social Theory of Corruption" (Ryan, 2020), the author treats corruption as a social theory of great corruption from antiquity to the 21st century. In the discourse of contemporary politics, the notion of corruption is very narrow, defined as the pursuit of private gain while performing on a public duty. Its paradigmatic manifestations are bribery and extortion, placing responsibility on individuals, usually bureaucrats. Sudhir Chella Rajan argues that this understanding ignores the true depths of corruption, which is properly seen as a foundation of social structures. Not only bribery but also caste, gender relations and class reproduction are forms of corruption. Using South Asia as a case study, Ryan argues that corruption syndromes can be identified by paying attention to the social rankings and elites they support.

Authors Lorenzo and Pasculli (2019) in the book "Corruption in the Global Era, Causes, Sources and Forms of Manifestation" emphasize that corruption is a global phenomenon. In addition to expanding rapidly but also taking root in the societies of the world, in this book the authors also address the Panama Papers, the FIFA scandals and the Petrobras case in Brazil which are just a few examples of the rapid and alarming globalization of corrupt practices in recent years. This book brings together senior experts in various fields of academia and the professional world - including criminology, economics, finance, journalism, law, legal ethics, and the philosophy of law - to analyze the causes and forms of corruption in the global context and in different sectors (sports, health, finance, press, etc.) (Lorenzo Pasculli, 2019).

Authors Michael & Fritzen (2020) in the book "The Conundrum of Corruption" argue that it is time to withdraw and re-evaluate the anti-corruption movement, which despite the many opportunities and great resources has ended with a story that in the best case is indifferent. Drawing on years of experience and research, the authors criticize many of the key strategies and tactics used by anti-corruption actors, arguing that they made the mistake of holding on to problematic assumptions, ideas, and strategies, rather than addressing power inequalities that enable and support corruption. The book argues that progress against corruption is still possible, but requires a focus on justice, considerable tolerance for political strife, and a willingness to adhere to the cause of reform during a very long process of complete, sometimes uninterrupted, political change. After all, the purpose of the book is not to show people that they are doing things wrong. Instead, the authors present new ways of thinking about the well-known dilemmas of corruption, politics, strife and reform. This valuable insights from two of the leading thinkers in the field will be useful to policymakers, reform groups, grants, academics, NGO officials, and students (Johnston, The Conundrum of Corruption, 2020).

The paper provides a brief summary of the criminal legal aspect, respectively the material legal aspect (Maloku, 2020: 21). Crime has historically been a legal and procedural problem for every state, but economic development in the new millennium linked between states, (Maloku, 2015: 119) has also

developed various forms of crime (Maloku, 461), such as corruption as a very dangerous form of crime. It should be noted that in terms of criminal procedure, the authors Jasarevic and Maloku (2021), with their book Criminal Procedure Law I and II (general and special part) help immensely lawyers, police prosecutors and judges in preventing and combating this negative phenomenon.

## **2. Methodology**

This study is based on the use of numerous research methods. The particular scientific methods used in this paper are primarily analysis and synthesis, which will be particularly useful when researching the theoretical views of foreign and local authors (Maloku, 2021: 53) which have studied corruption.

The most frequent and discussed method is the one for image research. The common ground is that the interviewed individuals are requested to evaluate the level of corruption in their community, organization, social sector or their country.

In this paper, we will present views of some authors regarding corruption, using comparative analysis, theoretical and meta-analysis (Maloku, 2020:170).

We have used statistical methods in this paper, as well as data reviews, where we have brought up evidence on corruption through statistical figures from courts showing how many public officials are found guilty in the period 2008 – 2021. We used the method of observation, excel sheet method, discussion with colleagues and materials collection method.

Purpose of this paper is to know the quantity of this problem (Maloku, 2015:29) on the national level as well as to compare Kosova to other countries in the region regarding this problem.

Hypothesis:

Kosova has had a slight raise compared to countries of the region during 2021.

## **3. Results and Discussion**

### **3.1. Historical development and understanding of corruption**

"Corruption is to be found everywhere . . . corruption is the norm, and not the exception." - Lucy Koechlin (Koechlin, 2016)

Corruption is a frequently used negative phenomenon that defines social life. Corruption is widely used in public discourse and usually has a double meaning or we can say that it is a multidimensional phenomenon, in the face of extreme poverty, unemployment, rising food and energy costs, climate change and terrorism. It is thought to be one of the leading causes of poverty across the globe (Beare M. E., 1997). Its importance in the contemporary world can not be overestimated. We can say that corruption has accompanied human development and has been an integral part of every stage of development as a negative phenomenon that has undermined many societies in transition as a negative factor.

He explores the phenomenon from several different perspectives, from cultural differences that influence the way corruption is defined, its impact, its various causes and possible solutions.

Man as a creature has a weak nature where during the performance of any function whether public or private to try to create privileges and personal benefits or for the other person regardless of the

needs of others, even to the detriment of others remaining one of the most bad, which has endangered democracy and the rule of law in today's society. Corruption can be found in all walks of life, in all possible systems and regimes posing a great risk where in particular it has affected democracies or societies in transition. From the point of view of being affected by corruption and its social impact, the justice system remains one of the most sensitive and visible areas in this regard.

Corruption has traveled with humanity, it has been found in both the private and public sector. Corruption has its origins from the time when some individuals were entrusted with the exercise of official duty on behalf of the public or third parties.

The weak nature of man, not being righteous abused the entrusted power by not exercising it in the interest of society, but by translating it into self-interest. The phenomenon is historically known and accepted, starting from the writings of Greek philosophers such as Socrates, Plato, Polybius and Aristotle talk about administration officials taking bribes, while senior officials and a relative of the head of state are also implicated (Vergara, 2019). References to corruption are also found in Old Testament texts stating that the effectiveness of property rights and the protection of workers often depends on law enforcement and judicial systems. Moses's burden on judges and officials is especially important when it comes to work. "You must not distort justice; you do not have to show bias; and do not accept bribes, for bribery blinds the eyes of the wise and overturns the cause of those who are righteous." (Bible, 2013)

### 3.2. Definitions

The word corruption is derived from the Latin word "corrumpere", which means "breakage, destruction". Although there is no internationally accepted definition, the meaning of the word is absorbed by the expression abuse of trust, for personal purposes (Transparency International, 2018).

The World Bank (2021) defines corruption as a negative phenomenon as "Corruption is the illegal use of public resources for personal gain" (world bank, 2021).

The Law on the Anti-Corruption Agency (2010) defines Corruption as any misuse of power or any other conduct of an official, responsible person or other person with the intent to achieve an advantage or gain illegally for oneself or another (Anti-Corruption Agency, 2009).

Corruption in the Criminal Code of Kosovo article 414 point 1 (2019) states that: An official person who, using his official duty or authority, exceeds his competencies or does not fulfill his official duties in order to gain any benefit for himself or for the other person or to cause harm to the other person or to violate the rights of the other person (KODINR06 / L-074, 2019,).

### 3.3. Types of Corruption

Types of corruption according to the literature we have two types of corruption:

- Active corruption and
- Passive corruption

**Active corruption** refers to the promising, proposing or giving, directly or indirectly, of any improper benefit, to a person exercising a public function, to himself or to other persons to perform or not to perform an action, related to a duty or function and is sentenced to imprisonment from six months to three years.

**Passive corruption** refers to seeking, receiving directly or indirectly, any kind of irregular benefit or such promise, for oneself or for other persons, or accepting an offer or promise coming from

the irregular benefit, from a person exercising public functions, to perform or not to perform an action related to his duty or function, and shall be punished by imprisonment of two to eight years.

Whenever the topic of discussion is corruption, the debate takes a political direction, because in many cases the fight against corruption is not done for the interests of society, but always addresses only political opponents. Often the "deepening" of media houses with so-called "information on corruption" has paved the way for the phenomenon where "political opponents" accuse "political opponents" whether in power or in opposition. The influence of political exponents on the appointment of incompetent police officers in the economic crime investigation unit, who have not used any professional method in investigating mega corruption cases has brought disappointing results.

Author Johnston in his book "the Conundrum of Corruption" (2020) emphasizes that Corruption as "twin brother" has fraud, which is a broad legal concept and closely related to financial crime, present in both civil and criminal law (Johnston, The Conundrum of Corruption, 2020)

Unlike the negative phenomenon of corruption, which mainly requires two people, the giver and the receiver of illegal benefit, who in economic jargon are known as (bribe-giver and bribe-taker) and both parties are satisfied with this negative type; in fraud we have to deal with a completely different phenomenon where in a potential agreement one party is deceived, i.e. is the victim of fraud even though the intention of both parties has been the illicit gain. The deception is done intentionally so the intentional attempt to hide the truth is finalized, so it cannot be said that a mistake was made out of tiredness or negligence. Fraud violates the trust necessary to carry out public or business or even professional duties that may have been built on mutual trust or loyalty. We are dealing with a breach of this trust when one of the partners tries to cheat the other.

### 3.4. Forms of Corruption

**Bribery** is one of the most common forms of corruption, especially in our country. Bribery includes the giving of any material value to a person with public responsibility for the purpose of illegally gaining any public good.

**Bribe** (bribe-giving and bribe-taking) involves two individuals, one who promises or offers another asset or benefit and one who seeks or receives it in exchange for the lawful or unlawful performance of an action that is part of the job description of someone; it does not matter who initiates the act of corruption.

**Nepotism** is a form of preferential treatment that consists of facilitating employment in the system of one's spouse or relative;

**Abuse of funds:** relates to misappropriation of public funds;

**Influence trading** - relates to the benefits offered to an individual who promises to persuade a public agent to perform (or not perform) an action that is part of the job description;

**Preferential treatment** - consists of helping friends or people who are accompanied by someone, who gain positions because of their connections rather than because of their competence.

**Political corruption** - which refers to taking over the functions of political power or holding certain political privileges by giving bribes, during pre-election campaigns and during elections, receiving donations and other payments from persons or associations in a manner secret.

**Administrative corruption** - is related to the state administration, using the powers in the administration, from the local to the central one, bribes, i.e. corrupts by giving permits, certificates,



documents and other acts to individuals, groups and firms for the realization of various interests, material and financial, for the accumulation of wealth, which often does not belong to them.

**Judicial corruption** - which has to do with giving and receiving bribes and kickbacks to employees in court, in order to prevent criminal proceedings, in order to issue favorable court decisions, in order to circumvent the imposition of sentences and other sanctions.

### 3.5. Manner of Corruption

When corruption involves at least two people, contact between them is achieved in two ways: **Direct** - this requires great trust between the parties, which is usually based on friendship, previous contacts, or a recommendation from another person trusted by the public agent. This may include forms of pressure resulting from authority relations (e.g., with a superior), or through blackmail.

**Indirectly** - this requires the use of intermediaries. These may be current or former associates, family members, or persons with whom the official comes into frequent contact, such as court support staff, lawyers, or even neighbors of judges or prosecutors. Contact may be made for a single illegal act of corruption, or it may be repeated (continued criminal offense).

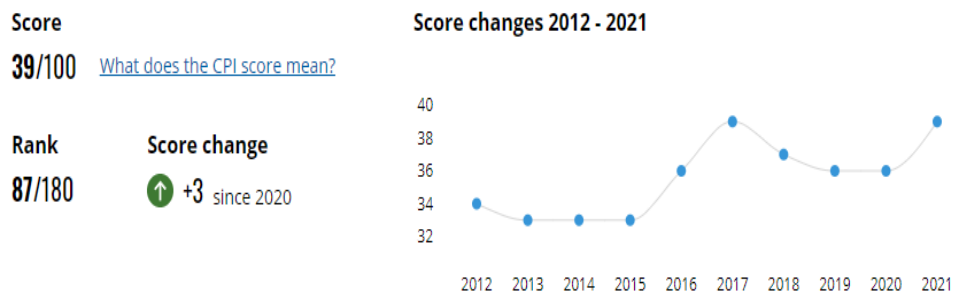
### 3.6. Executive Summary for Corruption in Kosova Coming from International and National Organizations

Corruption in Kosovo remains at high and worry some levels for citizens. There are numerous reports from local and international organizations that list corruption as one of the most acute problems of Kosovo society. Numerous activities and public declarations have been carried out by the American Chamber in Kosovo regarding the need for more serious efforts by the responsible Institutions to combat corruption.

Transparency International is an international non-governmental organization committed to fighting corruption. It was founded in 1993 with headquarters in Berlin.

The methodology of how Transparency International carries out measurements to assess the level of corruption is different. It is mainly based on people's opinions and experiences. A survey they do is based on the experience of business people, experts - this is the Corruption Perception Index (CPI). The Global Corruption Barometer is another survey that is conducted by asking people on the street, in families, etc.

According to a study on the perception of corruption conducted by Transparency International in 2021, Kosovo is ranked 39th and has increased by 3 points. (Transparency International, 2018)



Graph no.1: Shows the difference in the fight against corruption in Kosovo between 2012-2021, according to Transparency International <https://www.transparency.org/en/cpi/2021>

For years, the level of corruption in Kosovo has been considered as one of the factors in preventing the sustainable development of Kosovo. Corruption has to do not only with the misuse of taxpayers' money, but also poor-quality services, unequal treatment of citizens and businesses, illegal enrichment of the country's officials and the continuous deterioration of the well-being of citizens.

Kosovo has advanced legislation in terms of reporting and combating corruption, but as in many other areas there are delays in its proper implementation, so that obvious results can be seen. Lack of results, on the other hand, discourages citizens and businesses from using these mechanisms.

According to a survey conducted by the American Chamber of Commerce, businesses from the American Chamber of Commerce rank corruption as the second most serious problem Kosovo is facing, expressed as a concern by 42.57% of respondents, immediately after the inefficient judicial system which leads the list as most serious problem by 47.52% of businesses surveyed (OdaAmerican, 2019).

According to Adrew Russell (2016), Resident Representative of the United Nations Development Program (UNDP), says that Kosovar society has paid a high price for the negative phenomenon of corruption, the same had called on media representatives that through articles (publications) to help eradicate corruption. The fight against corruption does not belong only to journalists, the fight belongs to every honest citizen and they must work sincerely to eradicate this negative phenomenon. Young people to lead and protect their future, the elderly for a higher welfare, students for better education, employees for respect of their rights and businesses for equal treatment.

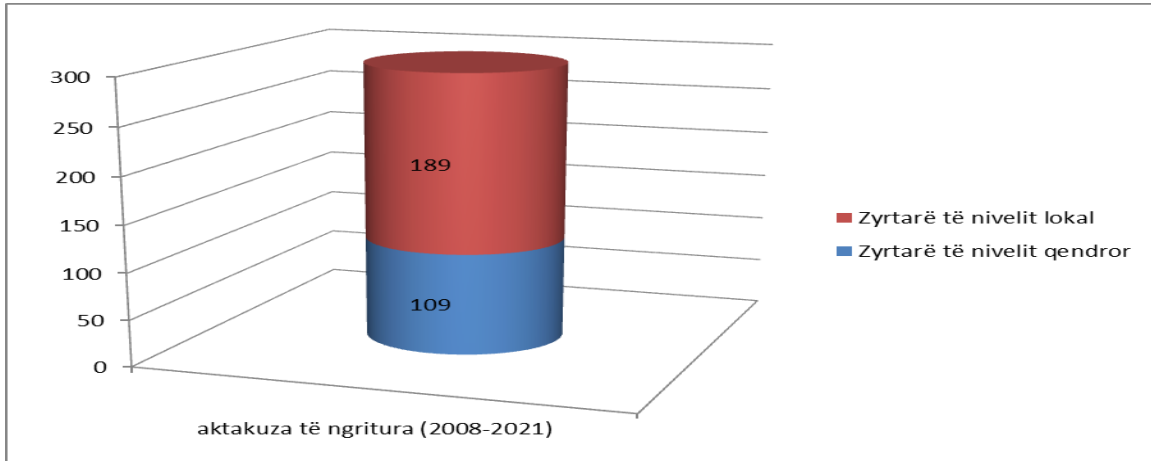
The judiciary system continues to be ineffective in fighting corruption despite efforts by the Judicial and Prosecutorial Councils to prioritize corruption cases. Some of the reasons for this ineffectiveness are the capacities and reluctance of judges and prosecutors to deal with corruption cases that are sophisticated and involve political officials. So far, the most serious verdict issued by the Basic Court was in May 2013, by which the former head of the Anti-Corruption Task Force, Nazmi Mustafa, was sentenced to 5 years in prison. He pleaded guilty to accepting bribe to dismiss the charges in a 2012 investigation.

Handling of high-level corruption cases turns out to be unequal by the judicial system, which constantly violates the legal deadlines to proceed towards a fair trial and a final decision.

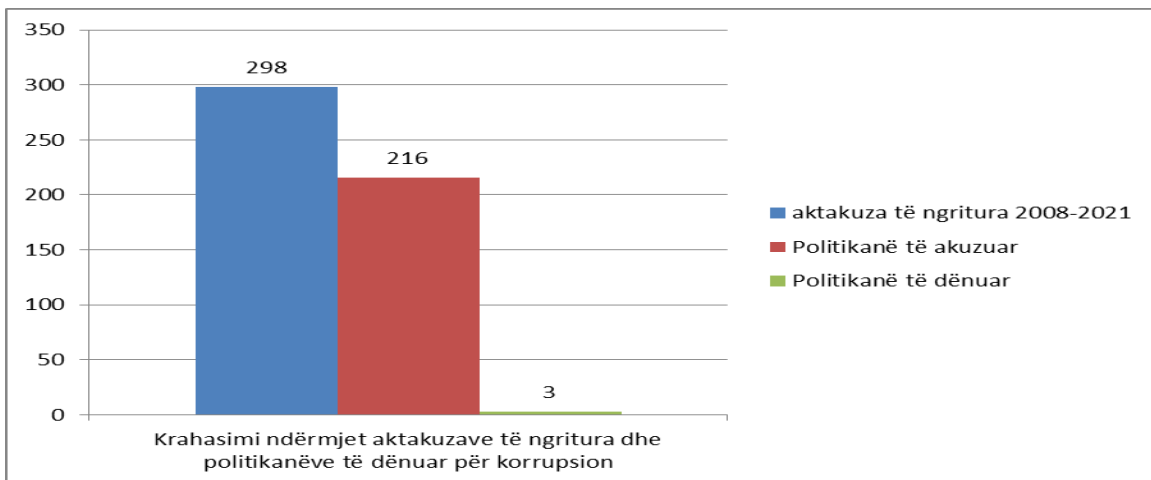
As of 2008, there are only three high-profile politicians who have been charged with corruption and who have been sentenced to life imprisonment, but which are not effective prison sentences. (KDI, 2015).

Out of a total of 298 indictments filed, 109 were filed against central level officials, while 189 were filed against local level officials or former officials. There are 55 cases in this group of politicians, in which high-profile state officials have been charged, but none of them has been sentenced to effective imprisonment by a final judgment. (KDI, 2015).

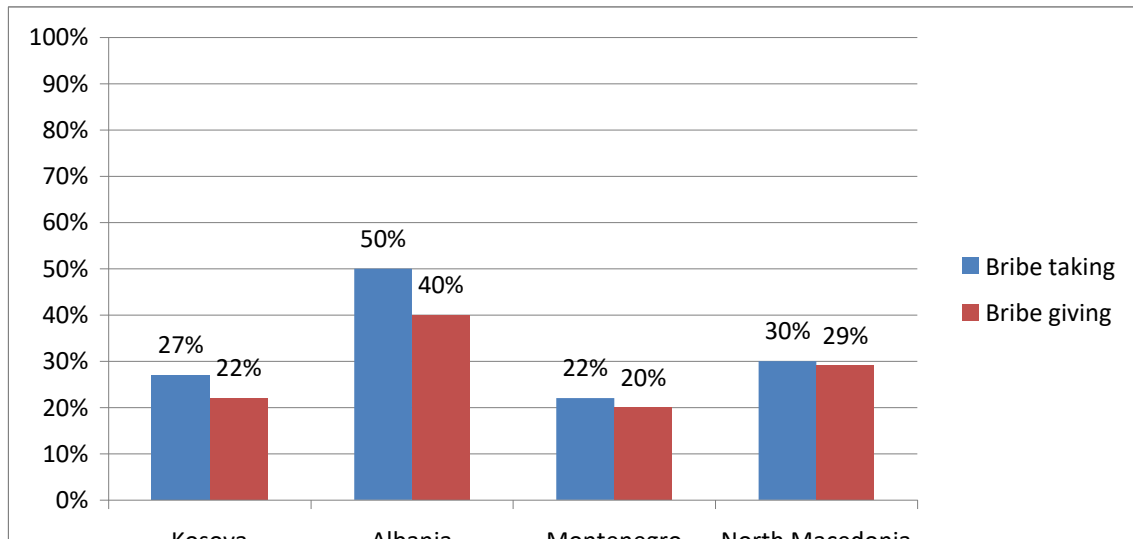




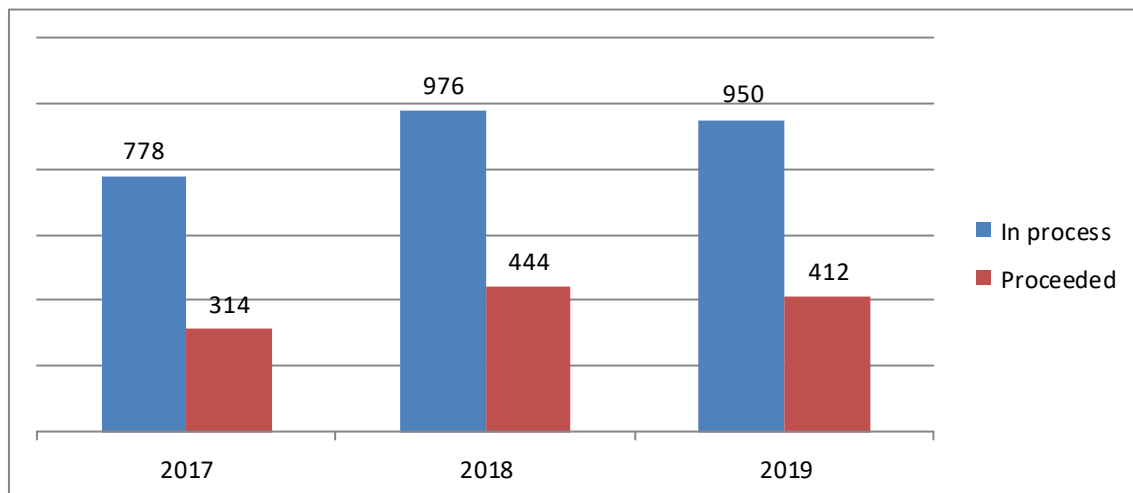
Graph no.2: Number of ndictments filed for corruption against local and central level officials during the years 2008-2021 <https://www.kdi-kosova.org>



Graph no.3: Comparison between indictments filed and politicians harmed by corruption during the years 2008-2021 <https://www.kdi-kosova.org>



Graph no.4: Shows the pressure for corruption and involvement in corruption in the region, during 2020, according to Transparency International. <https://www.kdi-kosova.org>



Graph no.5: Criminal reports at work and criminal reports processed for the years 2017, 2018 and 2019 from the total of all regional prosecutions published by the Riinvest Institute.

### 3.7. Institutions Dealing with Corruption in Kosovo

The main problem as to why there is corruption in Kosovo stems from the fact that laws and legal institutions have not been used as a means to fight it in practice. This failure is a consequence of the lack of political will, which has produced:

- a) institutional overlap and
- b) weak justice system (KDI, 2015).

There are five institutions dealing with the fight against corruption starting from the Office of the Chief State Prosecutor, the Special Prosecutor and the Rule of Law Mission (EULEX) to the Anti-

Corruption Agency and the National Anti-Corruption Council, this paper will address only the National Council Anti-Corruption and Anti-Corruption Agency.

## National Anti-Corruption Council

The President of the Republic of Kosovo, Mrs. Atifete Jahjaga, established the National Council Against Corruption (hereinafter the Council) on February 14, 2012. The Council in accordance with the Constitution of the Republic of Kosovo and applicable laws aims to coordinate the work and activities of institutions and agencies, within competencies and their scope, for preventing and combating corruption.

### Functions of the Council:

- Coordinate activities in preventing and combating corruption.
- Identify and coordinate activities in support of the implementation of the national strategy in the fight against corruption.
- Define priorities and policies for the implementation of the legislative agenda in increasing the effectiveness in the fight against corruption.
- To coordinate the work and activities of the responsible institutions in strengthening the existing mechanisms for fighting corruption.
- To increase the awareness of the society for the prevention and fight against corruption

## Anti-Corruption Agency (ACA)

The Anti-Corruption Agency according to Article 5 of the Law on the Anti-Corruption Agency has the following responsibilities:

- Initiates and conducts the procedure of detection and preliminary investigation of corruption and forwards criminal reports for cases of suspected corruption in the competent public prosecutor's office, if no criminal proceedings are conducted for the same case;
- Cooperates with local, foreign and international institutions whose mission is to prevent and fight corruption;
- In cooperation with the Commission, the Government, other institutions and non-governmental organizations, drafts the anti-corruption strategy and action plan;
- Monitors and supervises the implementation of the Anti-Corruption Strategy and action plan;
- Supervises and prevents cases of conflict of interest and takes measures provided by special law;
- Supervises the assets of senior public officials and other persons, as provided by special law;
- Supervises the acceptance of gifts related to the performance of official duties and undertakes the measures provided by law;
- Cooperates with the competent public authorities for the drafting, harmonization and implementation of legislation in the prevention and fight against corruption;

- Represents in international meetings related to the prevention and fight against corruption and participates in the process of negotiations for the conclusion of bilateral and multilateral agreements or the adoption of international legal instruments against corruption;
- Cooperates with the competent institutions of the Republic of Kosovo for the implementation of obligations arising from international acts against corruption and provides recommendations for the fulfillment of their obligations;
- Participates and provides advice on drafting a code of ethics in the public and private sector.

### 3.7. Criminal Legislation in the Field of Corruption

Overall, the anti-corruption legislative and institutional framework has been strengthened and is now largely in line with the EU Acquis Communautaire. Except for the Criminal Code of Kosovo, which foresees corruption as criminal offense in a separate chapter, ie Chapter XXXIII.

Official corruption and criminal offenses related to official duty (CPC, 2019), which are divided into:

- Abuse of official position or authority
- Misuse and fraud in public procurement
- Misuse of official information
- Conflict of interest
- Acquisition in office
- Fraud in office
- Unauthorized use of property
- Taking bribes
- Giving bribes
- Giving bribes to foreign public officials or foreign official persons
- Exercising influence
- Illegal issuance of court decisions
- Disclosure of official secrets
- Forgery of official document

Further, under the new Code, any failure to declare assets, income, gifts, other material benefits or financial obligations is punishable by a fine or imprisonment of up to three (3) years. Other laws related to the anti-corruption sector, in addition to the Criminal Code, are the Anti-Corruption Law (2007), the Law on Prevention of Conflict of Interest in the Exercise of Public Function, and so far we can see the approach of our institutions to fight corruption has not been proper in enforcing these laws. We have always heard and still hear from governments that there will be "zero tolerance for corruption" but practice shows the opposite. Despite progressive legislation, there is a lack of political will to implement it. The co-operation and co-ordination of the authorities responsible for investigating and prosecuting corruption has proved very fragile. Non-coordination between independent agencies and other state institutions so far has resulted in confusion over the primacy of fighting corruption and many times shifting responsibility from one institution to another. The judiciary continues to be ineffective in fighting corruption despite efforts by the Judicial and Prosecutorial Councils to prioritize corruption cases (KDI, 2015)

Hypothesis given in the research: Kosovo in relation to other countries in the region during 2021 has experienced a slight increase, is fully confirmed because during the research Kosovo in relation to other countries in the region during 2021 has experienced a slight increase, from 100 points has 39 and ranks 87th out of 180 countries in the world. The fact that in table 4 which shows bribery and bribery the ratio is 27% to 22%, is worrying. During an analysis it is noticed that only 5% percent may be aware that

corruption is a negative phenomenon, while how many of them can raise their voice against this negative phenomenon is a figure to be desired.

### **Conclusion**

A lot of evidence tells us that corruption has existed for thousands of years, while in recent years it has attracted attention because it has undergone great growth. Does the attention reflect a growing awareness or an increasing extension of the problem? Perhaps, corruption has increased in recent decades. Causes or factors that promote corruption are those that affect the demand (from the public) for corrupt acts and those that affect the supply (from public officials) of acts of corruption. Among the factors that affect the most important demand are:

1. Regulations and authorizations
2. Certain characteristics of tax systems
3. Certain spending decisions

Among the factors that affect the delivery of acts of corruption are:

1. Bureaucratic tradition
2. Low level of salaries in the public sector
3. Inefficiency of the judiciary in cracking down on perpetrators of the crime of corruption,
4. Lack of institutional accountability creates the conditions to abuse the trust of the position for personal gain
5. Lack of transparency in public institutions

The level of corruption is impossible to measure, but it is possible to measure the perception of corruption. Various indicators have reached the latest technology from several institutions which are being used by many world researchers. Actions can be taken to reduce corruption, but the fight against it can not be seen as independent of the need to reform the role of the state. The reason is that a certain role of the state almost inevitably creates a fertile ground for corruption.

Crime is a phenomenon that can be detected, prevented and combated with various preventive and repressive measures (Maloku, 201: 120), so we hope that this paper will help the prosecuting authorities in combating and preventing corruption as a form of crime.

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