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## Conditional Release of Convicted Persons in Kosovo

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### ABSTRACT

Conditional release is a criminal legal institute through which is allowed a release of a person who is serving a sentence by imprisonment before serving it entirely. This institute initially was introduced in England, then in France and other countries in Europe and the world. Conditional release is provided also by the Criminal Code of the Republic of Kosovo. This Code determines conditions on which shall be imposed Conditional release and addresses as well the cases of its revocation.

In Kosovo conditional release is imposed by Conditional Release Panel, which operates under the authority of Kosovo Judicial Council. Legislator provided a full independence in the work of this panel. Within this scientific paper has been handled the work of this panel during the period of time 2010-2015. Consequently, the activity of Conditional Release Panel during this period of time was quite overloaded. The Panel received 1652 requests and proposals on conditional release, from which approved 312 and rejected 796 proposals. For other proposals and requests the panel has made decisions of different types (suspension procedure, ceasing procedure etc.). Modest results of this scientific paper prove that during the researching period Kosovo courts revoked conditional release only in two cases.

**Keywords:** punishment, conditional release, panel, court, revocation.

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### INTRODUCTION

Conditional release consists in releasing a person who is serving the sentence by imprisonment before serving entirely the sentence imposed by court. The application of this institute is a matter of discretionary assessment of Conditional Release Panel. This panel was established by the Law on Execution of Penal Sanctions, and it operates under the responsibility of Kosovo Judicial Council. The Panel shall accord conditional release only if it ascertains the fulfillment of legal requirements and if it comes to the conclusion that convicted person by level of rehabilitation achieved in the penitentiary institution justifies its application. The work of this panel is assessed to be exercised in accordance with the applicable law, but for a more responsible activity of the panel it is required before imposing conditional release to develop professional contacts with respective penitentiary institutions, police etc., in order to avoid entirely the cases of repetition of criminal offences by persons on conditional release. The conditional release institute has a great importance for criminal law as well as for penology and criminal policy. Through its application shall be achieved important benefits for convicted person, its family and state.

The conditional release shall be imposed if convicted person during the time of serving the sentence by imprisonment had a good conduct, by means of which had marked a substantial level on its rehabilitation and when it is ascertained the fulfillment of conditions determined by the Criminal Code of the Republic of Kosovo. Conditional release shall be revoked if the person to which is granted conditional release during the duration of the conditional release commits a new criminal offence. The institute of conditional release in Kosovo during the period of time 2010-2015 has been applied quite often, whereas it has been revoked only in two cases. On modalities of applying this institution and its revocation cases it shall be discussed in the following of this scientific paper.

### The Meaning of Conditional Release

Conditional release is a criminal legal institute through which is allowed a release of a person who is serving a sentence by imprisonment before serving it entirely. In order to apply this institution is required from the person to which is granted conditional release not to commit another criminal

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offence until the expiration of verification time determined by court. The verification period according to the article 51 paragraph 2 of the Criminal Code of the Republic of Kosovo it cannot be less than one year and more than five years.<sup>1</sup>

Conditional release is a relatively new institution of criminal law. For the first time was introduced in England in half of XIX century, then in France and other countries. Already this institute has been included in all Europe legislations and practices, and in many world countries.<sup>2</sup>

Conditional release has similarities to the suspended sentence, due to the fact through these institutions a convicted person shall be released from serving the sentence. However between these two institutions there are differences as well. These differences consist in the fact that to the suspended sentence, the perpetrator of criminal offence shall not serve the sentence, but person shall be released. So, the release from punishment to the suspended sentence is complete. Whereas to the conditional release the perpetrator of criminal offence is serving the sentence but it shall be released before serving a part of the sentence.<sup>3</sup>

However, concerning suspended sentence court may impose to execute the sentence, if in the particular period of time the convicted person does not return the material benefit acquired by commission of criminal offence, does not compensate the inflicted damage by criminal offence or does not fulfill other determined obligations.<sup>4</sup>

The conditional release does not consist in any modification, change of any judgment by means of which has been imposed a punishment. The imposition of the suspended sentence is optional. This means it's not the right of a convicted person to be granted conditional release. A convicted person has the right to require on recognition of conditional release, but whether this right shall be recognized depends on the discretionary assessment of the Conditional Release Panel.

### **The Importance of Conditional Release**

Conditional release has multiple significance. Consequently this institute manifests extent in the field of penology,<sup>5</sup> as well as in criminal law<sup>6</sup> and criminal policy.<sup>7</sup>

Actually the importance of conditional release has to deal with the fact through this institute:

1. Convicted persons by punishment of imprisonment shall be motivated to improve quickly and be capable of their normal life after release. Through this institute is made clear to convicted persons by sentence of imprisonment if improve they may be released from serving the sentence by imprisonment before serving it entirely. Consequently, the conditional release encourages and stimulates convicted persons to be more active during the execution of sentence by imprisonment in the penitentiary institutions and thus to advance their rehabilitation and resocialization process, to the extent that could guarantee their normal behavior after being released.
2. Responsible bodies on execution of sentences by imprisonment shall be enable to influence in duration of sentence by imprisonment. This due to the fact when it is considered that has been achieved the goal of punishment by imprisonment, further holding in penitentiary institutions of such persons shall be deemed unnecessary and harmful.<sup>8</sup> In such cases the directors of

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<sup>1</sup> See: Code No. 04 / L-82 dated April 20, 2012. Criminal Code of the Republic of Kosovo entered into force on January 1, 2013.

<sup>2</sup> Salihu Ismet, Criminal Law, General Part, Pristina, 2012 pg. 537.

<sup>3</sup> Ibid. pg 537.

<sup>4</sup> Court in its decision on conditional release set the deadline of fulfilling the determined conditions, which deadline should be linked by time of verification of conditional release.

<sup>5</sup> In Kosovo and in many other countries conditional release is considered to be a stage of executing the sentence by imprisonment, however this is not the case in all states. Therefore, in Albania conditional release by Criminal Code of 1995 it is handled as part of alternatives to imprisonment. The same was with the Criminal Code of the Federal Republic of Germany of 1871, the Criminal Code of the Russian Federation to 1997 etc.

<sup>6</sup> See more: Vesel Latifi, Ismet Elezi, Hysi Vasilika, Combating Crime Policy, Prishtina, 2012 pg. 257 - 259.

<sup>7</sup> See more: Milan Milutinovic, Criminal Policy, Prishtina, 1984, p. 321-323.

<sup>8</sup> Compare: Ukaj Bajram, Punishments in criminal law of Albania, Prishtina, 2006, pg. 3.

penitentiary institutions may submit proposals on conditional release. In these terms, conditional release is introduced as an institute enabling the correction of judicial decisions concerning punishment.

3. Courts shall be allowed to shorten the duration of sentence by imprisonment based on the fact in most of the time is impossible for courts during the imposition of sentence by punishment to have a concrete knowledge concerning what kind of duration regarding deprivation from liberty shall be necessary for improvement of criminal offence perpetrator. Bearing in mind this fact, the conditional release serves as:
  - a) Measure to shorten sentences by imprisonment that are particularly long and
  - b) Measure on limitation of harmful influence of sentence by imprisonment in long term as to convicted person, its social position, as well as to his family.
4. Shall be shortened public money expenses which for the time of conditional release of convicted persons would be spent on food, clothing and other needs of convicted persons, which shall be estimated of a special importance due to the fact Kosovo continues to have a very limited state budget.<sup>9</sup>
5. Society is protected from re-commission of criminal offences, based on the fact persons to which is granted conditional release in practice rarely decide to commit criminal offences again, in comparison to persons which entirely served the sentence.<sup>10</sup>

### **Conditions on Imposition of Conditional Release**

In imposition of conditional release is required the fulfillment of particular criteria. These criteria have been provided in the article 52 of Criminal Code of the Republic of Kosovo. According to provisions foreseen in this article in order to be granted a conditional release to convicted person is necessary to be fulfilled two groups of conditions:

- 1) The first group of conditions refers to conduct of convicted person while serving the sentence. In these cases is required to be proven that the conduct of convicted person clearly has been improved, so reasonably can be expected that he shall not commit in the future a new criminal offence. In order to get this persuasion from the competent court, is required by penitentiary institution to have a concrete data by means of which shall be proven that he respected its internal functioning rules, respectively by his work and conduct has proven to be improved so it may be concluded that in relation to him has been achieved the goal of punishment.
- 2) The second group of conditions refers to duration of serving the sentence by imprisonment imposed by court. Concerning these conditions Kosovo legislator has provided these solutions:
  - 1) A person convicted of a criminal offence which is punishable with less than five years of imprisonment, may be granted conditional release after having served half of the imposed sentence.
  - 2) A person convicted of a criminal offense which is punishable with at least five years of imprisonment, may be granted conditional release after having served two-thirds (2/3) of the imposed sentence.
  - 3) A person sentenced to life imprisonment may be granted conditional release after having served forty (40) years of the imposed sentence by imprisonment. In these cases is clearly determined that the minimum period of supervision by the Probation Service will be at least five (5) years.

From what was mentioned above it results that in cases when a person is serving a sentence of life imprisonment, legislator has been much more rigorous concerning conditional release application. This solution concerning persons sentenced to life imprisonment is reasonable, because it is about persons which have been sentenced for very serious criminal offences. Therefore, in special preventive terms, and general preventive in particular, it would not be reasonable to be granted a conditional release to persons sentenced to life imprisonment before serving forty years of this

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<sup>9</sup> This budget in recent years, although it has increased, does not exceed more than one billion and half per year.

<sup>10</sup> Salihu Ismet, Zhitija Hilmi, Hasani Fejzullah, The Criminal Code of the Republic of Kosovo, Commentary, Pristina, 2014 pg. 308.

sentence.<sup>11</sup> Consequently, conditional release should not be granted for recidivists which have committed criminal offences by intent.<sup>12</sup>

### **The Authority of Conditional Release**

The competent authority to impose conditional release in the Republic of Kosovo belongs to Conditional Release Panel. This Panel according to article 94 paragraph 4 of Criminal Code of the Republic of Kosovo shall be established by Kosovo Judicial Council.<sup>13</sup> The functioning manner of Conditional Release Panel has been regulated by the Law on Execution of Penal Sanctions of the Republic of Kosovo (Law No.04/L-149) and by a special by-law act.<sup>14</sup> According to article 122 paragraph 2 of the Law on Execution of Penal Sanctions the Conditional Release Panel is comprised of three (3) members: one (1) judge from Supreme Court delegated by the President of the Supreme Court; one (1) state prosecutor delegated by the Chief State Prosecutor; one (1) representative from MIA/Kosovo Police, with knowledge on relevant professional fields (legal, pedagogy, sociology, psychology) delegated by the General Director of the Kosovo Police.<sup>15</sup> Due to the delicate nature of work Conditional Release Panel shall be chaired by a judge of the Supreme Court. In accordance with the Regulation on activity and functioning of Conditional Release Panel this Panel conducts three sessions per month. In each session the Panel shall handle not more than fifteen (15) cases. This means that Panel each month shall handle up to 45 cases. Conditional Release Panel decides by majority of votes. There is no right on appeal against parole panel ruling and also cannot be raised an administrative conflict.

Conditional Release Panel is competent to review all requests and proposals on conditional release.<sup>16</sup> Also, the responsibility of this Panel is to realize its legal mandate effectively, by respecting prisoner's rights recognized by international law and European prison rules.

When it comes to decision-making process concerning requests and proposals on conditional release, conditional release panel takes into account these circumstances: the gravity of crime, the criminal history of convicted person, the attitude of convicted person toward a victim of crime, the behavior in penitentiary institution, physical, psychological and psychiatric condition of convicted person, social history and family contacts, plans of convicted person after release, the acceptance of control and help by Probation Service, the possible existence of a general danger for public etc.

During the review of requests and proposals on conditional release, the Conditional Release Panel shall made these type of decisions: to approve requests and proposals on conditional release,<sup>17</sup> to dismiss requests and proposals on conditional release,<sup>18</sup> to terminate procedure on conditional release<sup>19</sup> and to suspend procedure on conditional release.<sup>20</sup>

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<sup>11</sup> Compare, Elezi Ismet, Criminal Law of the Republic of Albania, Special Part, Tirana, 1999, pg. 87.

<sup>12</sup> See more: <http://www.avokatonline.com/lirimi-me-kusht.htm>.

<sup>13</sup> The Kosovo Judicial Council is the highest authority in the field of judiciary in Kosovo. This institution was established by Law No. 03 / L-223 on Kosovo Judicial Council.

<sup>14</sup> See: Regulation No.01 / 39 on the activities and functioning of the Conditional Release Panel.

<sup>15</sup> Before the entry into force of this Act (2013) this panel consisted of one professional judge and two lay judges which were appointed by Minister of Justice. I consider that the new composition of the panel guarantees a higher professionalism and objectivity in decision-making on submitted applications and proposals on conditional release.

<sup>16</sup> According to Article 121 paragraph 2 of the Law on Execution of Criminal Sanctions A convicted person has the right to submit a request for conditional release through the correctional facility in which he or she is serving his or her sentence to the panel for conditional release, whereas the director of the correctional facility may submit a motion for conditional release.

<sup>17</sup> Conditional release Panel makes such a decision it when considers that all the conditions are met on imposition of conditional release to a convicted person.

<sup>18</sup> As unacceptable shall be considered those cases to which is created a persuasion that are not qualified to apply on conditional release, respectively those which have not yet reached the legal requirement (*sine quo non*) in order to be reviewed by Conditional release Panel. Such may be a request by a convicted person which did not serve two thirds 2/3 of sentence by imprisonment imposed in duration of six years.

<sup>19</sup> Procedure on conditional release shall be terminated when the penitentiary institution director accords institute of early release of prisoners. This possibility provides the Law No.04 / L-149 on Execution of Criminal Sanctions.

**Several Data on Conditional Release in Kosovo**

In order to come to conclusions and to address concrete and useful recommendations for state institutions and society in general it was necessary to research and study the Conditional Release Panel work in Kosovo for the period of time including last six years. Presentation of this panel work was not easy at all. This due to the fact concerning its work during the researching period there was a lack of complete data. Such data, excluding years 2012 and 2014 were not published within special reports and were not classified in terms of serving entirely the needs of scientific papers of this kind.<sup>21</sup>

In the following, based on provided data, in a special table shall be reflected the work of Conditional Release Panel in the Republic of Kosovo during the period of time 2010-2015.

<b>Years</b>	<b>Requests and proposals on conditional release</b>	<b>Approved</b>	<b>Refused</b>	<b>Dismissed procedures</b>	<b>Deferred on review for 30 days</b>	<b>Suspended</b>	<b>Rejected</b>
<b>2010-2015<sup>22</sup></b>	<b>1652<sup>23</sup></b>	<b>312</b>	<b>796</b>	<b>376</b>	<b>37</b>	<b>23</b>	<b>108</b>

According to these data, during the period of time 2010-2015 the Conditional Release Panel has reviewed in total 1652 requests and proposals on conditional release. Among them 1622 requests were filed by convicted persons, whereas 29 proposals were filed by directors of penitentiary institutions. From these requests and proposals the Conditional Release Panel has approved only 312, whereas refused 796, dismissed reviewing procedures in 376 cases, delayed to review for 30 days 37 cases, suspended procedures in 23 cases and rejected 108 requests and proposals.

From these data results that the number of proposals on conditional release submitted by directors of penitentiary institutions is relatively small. I consider this is due to the fact when they think a convicted person has achieved a high degree of socialization usually apply the institute of early release from imprisonment. To them the application of this institute is easier because they decide for it by themselves. Despite this, I consider that for many reasons directors of penitentiary institutions should have used this legal possibility more often, by bearing in mind the benefits that convicted persons by imprisonment realize in these kind of situations.

Modest results of this scientific paper also prove that the biggest number of requests and proposals on conditional release has been refused. This situation must be determined by the fact of non-fulfillment of legal requirements on the basis of which may be granted conditional release. Cases of dismissed procedures were also numerous. Such a review is considered to be determined by acts of pardon, amnesty, early release, benefits by conducted procedures through the exercise of extraordinary legal remedies etc. Deferred requests on review for 30 days were relatively scarce. This approach to decision-making has been conditioned by the fact that on reviewing several requests it should have been expected the fulfillment of relevant legal requirements on conditional release for some years, whereas for some others should have been provided additional documents and information etc. Meanwhile, the number of rejected requests were relatively emphasized (108). Those mainly dealt with cases when submitted requests were not compiled within legal requirements, were not included reasons of motivation of conditional release application etc.

Bearing in mind the advantages of conditional release application for convicted persons and state, I consider that Conditional Release Panel in the future should work with more dedication, and to approve any request fulfilling determined legal requirements and to which there are relevant

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<sup>20</sup> Procedure on conditional release may be suspended when in accordance with the Law on Execution of Criminal Sanctions upon decision of Minister of Justice to the convicted person shall be interrupted serving the sentence for a particular time. This suspension lasts for the time it has become such a temporary interruption of serving sentence.

<sup>21</sup> In these terms I consider that that the fact that the Conditional Release Panel since 2013, was transferred from the Ministry of Justice under the authority of the Kosovo Judicial Council has had its impact on the coherence of holding regular statistics.

<sup>22</sup> See: The annual reports of the Kosovo Judicial Council and the Ministry of Justice on the work of Conditional release Panel for the period of time 2010-2015.

<sup>23</sup> According to the used data on conditional release during the researching period were submitted 1622 requests of convicted persons by sentence of imprisonment and 29 proposals of penitentiary institutions directors.

evidences proving achievements of high levels of convicted persons re-socialization. As it results, a number of requests were rejected despite the fact they were legally right. Therefore, I consider that the work of this Panel should be in substance a professional job, which does not seem to be completely so. The impact from interest groups seem to have manifested a certain degree of influence in its work

### **Revocation of Conditional Release**

The conditional release of convicted person from the sentence by imprisonment before serving it entirely, is made based on persuasion (assumption) of court that a person has improved and he shall not commit a criminal offence. If this assumption of court will turn out to be wrong, respectively if a convicted person for the duration of conditional release commits one or more criminal offences, conditional release shall be revoked. Consequently in these cases, such person shall be obliged to serve also that part of remained sentence by imprisonment for which was imposed conditional release.<sup>24</sup>

According to Criminal Code of the Republic of Kosovo (article 95 paragraph 1) revocation of conditional release shall be made only if convicted person commits one or more criminal offences during the duration of conditional release. This means for any behavior or another anti-social offence, which shall be qualified as a violation of social norms or minor offence, conditional release cannot be revoked.

The revocation of conditional release shall be done only by court. In fact, the revocation of this institute shall be done in mandatory and optional manner. Court is obliged to revoke conditional release if a convicted person, while being on conditional release commits one or more criminal offences for which has been imposed a sentence by imprisonment more than a year, no matter of what kind of punishment is foreseen by law for that offence.<sup>25</sup> On the other hand, court may revoke a conditional release if a convicted person while being on conditional release, commits one or more criminal offenses punishable up to one year, including the sentence imposed for a period of time up to one year.

When it comes to decision-making process concerning optional conditional release, the court decision on revocation of conditional release shall be based in overall assessment of all circumstances which justify revocation, by means of which the court particularly shall take into account the similarity of criminal offences, their gravity, motives on which the criminal offences was committed and other circumstances justifying decision-making on conditional release revocation.<sup>26</sup>

In cases when a court revokes conditional release (whether it is about mandatory or optional conditional release) it imposes to a person a unique punishment according to provisions of penalty measurement for criminal offence in union, so the previously imposed punishment takes it as imposed. In these cases a part of punishment, which he served according to previous judgment, shall be calculated into a new sentence. Whereas the duration of conditional release does not count.<sup>27</sup>

Provisions concerning revocation on conditional release (paragraphs 1-3 of Criminal Code of the Republic of Kosovo) shall be applicable as in cases when a person on conditional release is adjudicated for the criminal offence that he has committed during the time he was serving the sentence, as well as for the criminal offence he has committed during the time he was serving the sentence (before being released on conditional release). These two situations come into consideration in cases when a criminal offence is detected later.<sup>28</sup>

Finally, when a court decides not to revoke conditional release in any case of commission of criminal offence which is punishable by imprisonment up to one year, the conditional release is extended as long as the convicted person has served such sentence by imprisonment. In these cases a new sentence

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<sup>24</sup>Salihu Ismet, Zhitija Hilmi, Hasani Fejzullah, op.cit, pg. 310.

<sup>25</sup> Compare: Shala Afrim, Introduction to Criminal Law, Gjilan, 2013, pg. 199.

<sup>26</sup> A circumstance that should have been considered when it comes to taking a decision on revocation of conditional release I consider it should be the form of guilt. Conditional release I think should be always revoked when a new criminal offence has been committed by intent, whether direct or eventual intent.

<sup>27</sup> The new judgment should specify that conditional release has been revoked. Such judgment should be sent to Conditional release Panel so it may be able to keep records that would be helpful in decision-making concerning eventual requests which may appear in the future in order for conditional release to be granted.

<sup>28</sup>Salihu Ismet, op.cit, pg. 540.

is served separately by a convicted person, despite of previous punishment, but the time he had in serving the sentence, which was imposed by a new judgment, shall not be calculated in the time of conditional release.

According to data used the revocation of conditional release by Kosovo courts for the period of time 2010-2015 is made only in two cases.<sup>29</sup> This fact, proves once again that persons to which is granted conditional release in very rare cases repeat the commission of criminal offences. By analyzing this situation we come to the conclusion that concerning persons who benefited from conditional release their socialization process mainly functioned properly. Based on that it can be concluded that their preparation process on conditional release mainly has functioned properly. Regardless of this conclusion, it can be freely said that nevertheless concerning issues related to conditional release were manifested several problems in the line of communication between penitentiary institutions and the Panel on Conditional Release, and especially in terms of preparing a convicted person for life in the community, after release. “These institutions do not build a common agenda concerning the preparation of convicted person on conditional release in moments when he commences to serve the sentence. A convicted person is not informed by personnel on terms, conditions and program etc. The whole procedure on conditional release commences after a convicted person has fulfilled a legal deadline, which is contrary to standards and moreover does not serve to the goal and leaves room for arbitrariness and corrupt activities.<sup>30</sup>

## **CONCLUSION**

Modest results of this scientific paper have led me to the following conclusions:

1. Conditional release is a criminal legal institute through which is allowed a release of a person who is serving a sentence by imprisonment imposed by court before serving it entirely. Conditional release is a relatively new institute of criminal law. For the first time this institute was introduced in England in the half of XIX century, then in France and other countries. Already this institute has been included in legislations and practices of all European countries, and in numerous world countries.
2. Conditional release is very important to convicted persons, their families and state. This importance, among other things is manifested as follows: a) convicted persons shall be motivated to improve quickly in order to be capable for their normal life after release; b) to responsible bodies on execution of sentences by imprisonment shall be enabled to influence in duration of sentence by imprisonment; c) courts shall be able to shorten the duration of sentence by imprisonment based on the fact in most of the time is impossible for them to have a concrete knowledge when it comes to imposition of sentence by imprisonment concerning what type of duration of deprivation from liberty shall be necessary in terms of improving the perpetrator of criminal offence; d) public money expenses shall be shortened which would be spent for the time of release from punishment of convicted persons on food, clothing and other prisoner's needs; e) the society shall be protected by repetition of criminal offences etc.
3. In order to impose suspended sentence there are particular conditions that must be fulfilled. These conditions in accordance with the Criminal Code of the Republic of Kosovo refer to a) the conduct of convicted person. In these cases is required a clear indication that the conduct of convicted person is improved, so reasonably may be expected that in the future he shall not commit a new criminal offence; b) the duration of serving the sentence by imprisonment imposed by court. Concerning this condition there have been foreseen three solutions: a) first, a convicted person of criminal offence punishable less than 5 years of imprisonment, shall be granted conditional release after having served the half of imposed sentence; b) second, a convicted person of criminal offence punishable with at least 5 years of imprisonment, shall be granted conditional release after having served two-thirds (2/3) of imposed sentence; and c) third; a person convicted to life sentence shall be granted conditional release after having served forty (40) years from sentence by imprisonment imposed.

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<sup>29</sup> See Kosovo Basic Courts criminal records (Prishtina, Mitrovica, Peja, Gjakova, Prizren, Ferizaj and Gjilan) for the period of time 2010 – 2015.

<sup>30</sup> Compare: Sufaj Femi, Conditional release in view of international standards, Tirana, 2013, pg.7.

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4. Authority to impose conditional release belongs to Conditional release Panel. This Panel is fully independent, this independence has been provided by the Law on Execution of Penal Sanctions and by-law respective acts.
5. During the period of time 2010-2015 Panel on Conditional Release has reviewed in total 1652 requests and proposals on conditional release. By convicted persons were filed 1622 requests, whereas by directors of penitentiary institutions proposals were filed 29. From these requests and proposals the Conditional Release Panel approved only 312, whereas 796 requests refused as unfounded. Reviewing procedures were dismissed in 376 cases, 37 cases were postponed on review for 30 days, 23 cases were suspended and 108 requests and proposals were rejected. The work of this panel though is to be assessed, is considered in the future that should be developing closer cooperation with penitentiary institutions and courts in order to avoid problems which face convicted persons after release (existence, housing, clothing etc.).
6. Conditional release shall be revoked. To revocation of this institute may come only if a convicted person commits one or more criminal offences during the duration of conditional release. This means for a conduct or any other anti-social offence which shall be qualified as a violation of legal norms or a minor offence, a conditional release shall not be revoked. The used data prove during the researching period only in two cases Kosovo courts came to the situation to revoke conditional release.

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