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Institutional Capacity in Combating High-Level Corruption: Insights from Kosovo's Judicial Practice

High-profile corruption remains one of the most serious challenges to the rule of law, democratic governance, and public confidence in state institutions. Despite the extensive legal and policy attention devoted to corruption, questions persist regarding the effectiveness of institutional responses, particularly in cases involving politically influential actors and senior public officials. This paper explores how institutional weaknesses influence the investigation, prosecution, and adjudication of high-profile corruption cases, with a particular focus on Kosovo. It aims to identify the factors that facilitate or hinder accountability by comparing selected international corruption cases with prominent domestic cases. The study combines doctrinal legal analysis with a comparative examination of selected international and domestic corruption cases. The international component focuses on cases that attracted significant global attention and generated substantial institutional responses across multiple jurisdictions, while the domestic component examines some of the most prominent corruption proceedings conducted in Kosovo. The selected cases involve allegations against politically influential actors or senior public officials and provide a useful basis for assessing how different institutional environments respond to complex corruption allegations. The findings suggest that the effectiveness of anti-corruption efforts depends not only on the existence of legal frameworks but also on the ability of institutions to apply them independently, consistently, and effectively. While the international cases demonstrate the importance of strong investigative mechanisms, institutional cooperation, and accountability structures, the Kosovo cases reveal recurring challenges related to lengthy proceedings, evidentiary difficulties, and inconsistent judicial outcomes. The study concludes that institutional capacity, prosecutorial effectiveness, and judicial consistency are decisive factors in determining whether high-profile corruption cases result in meaningful accountability.

Keywords: High-Level Corruption, Institutional Capacity, Accountability Mechanisms, Judicial Practice, Anti-Corruption Efforts

Institutionelle Kapazitäten bei der Bekämpfung von Korruption auf höchster Ebene: Erkenntnisse aus der Rechtspraxis im Kosovo

Aufsehenerregende Korruptionsfälle stellen nach wie vor eine der größten Herausforderungen für die Rechtsstaatlichkeit, die demokratische Regierungsführung und das Vertrauen der Öffentlichkeit in staatliche Institutionen dar. Trotz der umfangreichen rechtlichen und politischen Aufmerksamkeit, die dem Thema Korruption gewidmet wird, bestehen weiterhin Zweifel an der Wirksamkeit institutioneller Maßnahmen, insbesondere in Fällen, an denen politisch einflussreiche Akteur:innen und hochrangige Amtsträger:innen beteiligt sind. Die vorliegende Studie untersucht, wie institutionelle Schwächen die Ermittlung, Strafverfolgung und gerichtliche Entscheidung in aufsehenerregenden Korruptionsfällen beeinflussen, wobei ein besonderer Schwerpunkt auf dem Kosovo liegt. Ziel ist es, die Faktoren zu identifizieren, die die Rechenschaftspflicht fördern oder behindern, indem ausgewählte internationale Korruptionsfälle mit prominenten inländischen Fällen verglichen werden. Die Studie verbindet eine rechts-

wissenschaftliche Analyse mit einer vergleichenden Untersuchung ausgewählter internationaler und inländischer Korruptionsfälle. Der internationale Teil konzentriert sich auf Fälle, die weltweit große Aufmerksamkeit erregt und in mehreren Rechtsordnungen erhebliche institutionelle Reaktionen ausgelöst haben, während der inländische Teil einige der prominentesten Korruptionsverfahren untersucht, die im Kosovo durchgeführt wurden. Die ausgewählten Fälle betreffen Vorwürfe gegen politisch einflussreiche Akteure oder hochrangige Amtsträger und bieten eine nützliche Grundlage für die Beurteilung, wie unterschiedliche institutionelle Rahmenbedingungen auf komplexe Korruptionsvorwürfe reagieren. Die Ergebnisse deuten darauf hin, dass die Wirksamkeit von Maßnahmen zur Korruptionsbekämpfung nicht nur vom Vorhandensein rechtlicher Rahmenbedingungen abhängt, sondern auch von der Fähigkeit der Institutionen, diese unabhängig, konsequent und wirksam anzuwenden. Während die internationalen Fälle die Bedeutung starker Ermittlungsmechanismen, institutioneller Zusammenarbeit und Strukturen der Rechenschaftspflicht verdeutlichen, zeigen die Fälle aus dem Kosovo wiederkehrende Herausforderungen im Zusammenhang mit langwierigen Verfahren, Schwierigkeiten bei der Beweisführung und uneinheitlichen gerichtlichen Entscheidungen. Die Studie kommt zu dem Schluss, dass institutionelle Kapazitäten, die Effektivität der Strafverfolgung und die Einheitlichkeit der Rechtsprechung entscheidende Faktoren dafür sind, ob hochkarätige Korruptionsfälle zu einer sinnvollen Rechenschaftspflicht führen.

Schlagwörter: Korruption auf höchster Ebene; institutionelle Kapazitäten; Mechanismen der Rechenschaftspflicht; Rechtspraxis; Maßnahmen zur Korruptionsbekämpfung

1. Introduction

Corruption has been, and continues to be, one of the greatest challenges for modern states and societies. It undermines the normal and fair functioning of institutions, erodes citizens' trust in the rule of law, and negatively impacts the transparent distribution of public resources. One of the most serious forms of corruption is high-profile corruption, which refers to the phenomenon where high-ranking government and public administration officials abuse their power to pursue private interests using public resources. This type of corruption typically involves large sums of money or critical political and economic decision-making. Its complex nature often hinders investigation and prosecution, especially when the very state mechanisms responsible for ensuring justice are themselves compromised or involved.

Across the globe and particularly in the region in which we operate high-profile corruption and political scandals have become a regular feature of national and international media coverage, often implicating key political and institutional figures. Environments plagued by pervasive corruption foster networks of illicit cooperation that facilitate, rather than prevent, the spread of this phenomenon. This not only perpetuates corruption but also heightens the risk of involvement by high-ranking public officials. It is no coincidence that the scale of high-profile corruption has expanded globally, posing a direct threat to the stability of justice and democracy both within the region and beyond. Contemporary studies suggest that high-profile corruption remains present across different political systems and levels of economic development. While its manifestations vary across jurisdictions, its persistence continues to undermine public confidence in democratic institutions and the rule of law.

Considering these characteristics, it is essential to study specific cases of high-profile corruption to understand how it occurs in practice, as well as to analyze the eventual failures or successes in its prevention and prosecution. Despite the significance and consequences of high-profile corruption, there is still no clear or universally accepted definition of this phenomenon.

In this regard, the paper aims to examine the concept of high-profile corruption by analyzing its causes and consequences. Specifically, the paper seeks to provide a clear framework regarding the legal treatment of high-profile corruption, based on concrete cases and an analysis of institutional approaches to the prosecution of high-ranking officials. Through a comparative approach between international practices and those in the Republic of Kosovo, the research aims to uncover existing weaknesses and opportunities for improvement in preventing and combating high-profile corruption.

The importance of this paper lies in the fact that high-profile corruption affects democratic development and the efficiency of the rule of law. In those countries where punishment for this form of corruption is absent, situations arise that undermine public trust in state institutions. By analyzing the most well-known cases of high-profile corruption, the paper aims to provide a concrete overview of the challenges faced by judicial institutions. This is particularly important for transitional countries, such as Kosovo, where the building of independent institutions and accountability remain a strategic priority for the rule of law and European integration.

To achieve the objectives of this study, the following research questions are addressed:

- How is high-profile corruption conceptualized and addressed within contemporary anti-corruption frameworks?
- What institutional and judicial factors contribute to the success or failure of high-profile corruption prosecutions?
- What lessons can Kosovo derive from selected international corruption cases in order to improve its institutional response to high-profile corruption?

The study is guided by the analytical proposition that the effectiveness of combating high-profile corruption depends not only on the existence of legal norms but also on the degree of institutional independence, prosecutorial effectiveness, judicial consistency, and political accountability. Consequently, the selected case studies are examined through these analytical dimensions in order to identify patterns of institutional success and failure.

2. Literature review

2.1 The Concept of High-Profile Corruption

Although corruption is discussed and examined in various ways, it is difficult to provide a single definition due to the complexity of this phenomenon. Regarding the definition of corruption, (Martinsson, 2021, p. 269) states: "Finding a universal and all-encompassing definition of corruption for corruption scholars would be like finding the Holy Grail: it has not been done yet, and it is highly unlikely it ever will be". Different concepts may offer different approaches to addressing corruption.

The research approach provides the opportunity to analyze studies that address the concept of corruption from different dimensions. A portion of the literature discusses corruption from legal, economic, and governance perspectives, offering definitions that include elements such as clientelism, abuse of power, state capture, and patrimonialism (Luna-Pla & Nicolás-Carlock, 2020). Another category of research classifies corruption based on its economic scale as grand corruption, structural corruption, systemic corruption, and petty corruption (Andvig, et al.,

2001). Corruption includes various behaviors and actions, such as bribery, extortion, misuse of information, and abuse of discretion (Graycar, 2015).

In the past, the focus of corruption was primarily on the public sector, and it was defined as the abuse of public office for private gain (Wawrosz, 2022). Today, corruption can affect all areas and sectors of life. It is worth mentioning that the most widely accepted definition of corruption is the one provided by Transparency International, the most prominent non-governmental organization fighting corruption, which defines it as “the abuse of entrusted power for private gain ” (Musing et al., 2019, p. 5). Corruption is considered to be one of the main reasons why many policies aimed at improving living standards fail to achieve their goals (Pozsgai-Alvarez, 2020).

Corruption undermines the proper functioning of institutions and reduces citizens’ trust in the legal and political system. While low-level corruption affects the daily lives of citizens, high-profile corruption involves individuals holding important state functions or positions. High-profile corruption is the abuse of power by heads of state, ministers, and high-ranking officials for private gain (González, 2007). It is the form of corruption that permeates the highest levels of a national government, leading to a widespread erosion of trust in good governance, the rule of law, and economic stability (Rose-Ackerman, 1996).

Despite the importance and consequences of high-profile corruption, there is still no legal or universally accepted definition of this phenomenon (OECD, 2024). International legal instruments against corruption such as the United Nations Convention against Transnational Organized Crime, the United Nations Convention against Corruption, the Council of Europe’s Criminal Law Convention on Corruption, the Council of Europe’s Civil Law Convention on Corruption, and the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions-do not define high-profile corruption. However, debates continue at both the national and international levels regarding what constitutes high-profile corruption (OECD, 2024).

Although frequently used interchangeably, high-profile corruption should be distinguished from several related concepts. Grand corruption generally refers to large-scale abuses involving substantial public resources and senior public officials. Political corruption focuses on the misuse of political authority for private or partisan gain, while state capture describes situations in which private interests exercise significant influence over public decision-making processes. High-profile corruption overlaps with these concepts but is primarily characterized by the prominence of the actors involved and the significant public attention generated by the alleged misconduct. Consequently, high-profile corruption may include elements of grand corruption, political corruption, and state capture, but it should not be regarded as synonymous with any single one of these categories (Hellman et al., 2000).

Transparency International suggests defining high-profile corruption as the commission of any of the criminal acts listed in Articles 15-25 of the United Nations Convention Against Corruption, as part of a scheme involving a high-ranking public official, which results or is intended to result in a significant misuse of public funds or a severe violation of human rights (Transparency International, 2019). The above-mentioned provisions include: Bribery of national public officials; Bribery of foreign public officials and officials of public international organizations; Embezzlement, misappropriation or other diversion of property by a public official; Trading in influence; Abuse of functions; Illicit enrichment; Bribery in the private sector; Embezzlement of property in the private sector; Laundering of proceeds of crime; Concealment; and Obstruction of justice (United Nations, 2004).

2.2 Causes and consequences of corruption

The reviewed literature discusses three types of causes of high-profile corruption, distinguishing between individual, structural, and contextual factors (Poeschl & Ribeiro, 2015). Individual factors refer to a predisposition towards crime, lack of ethics, and greed, while contextual factors refer to the opportunity to engage in corrupt actions, created by significant government projects, or due to the lack of measures that could prevent corruption (Argandoña, 2001). Structural factors refer to the lack of democracy, underdevelopment, and poverty of nations (Seyf, 2001). In highly corrupt countries, the idea that the state should protect the public interest is underdeveloped, there is a lack of institutional control over abuse of power, as well as a lack of will or ability to address corruption (Shah & Schacter, 2004).

Several studies suggest that weak democratic institutions and limited judicial capacity may create favourable conditions for high-profile corruption, although such practices are not confined to developing countries alone (Seyf, 2001). It remains unclear whether an increase in income leads to a reduction in corruption or whether corruption decreases due to an increase in income. The literature provides evidence for both. On one hand, an increase in income may simply open up more opportunities for corruption due to more temptations. At the same time, it is also believed that an increase in income reduces the level of corruption because economic development usually goes hand in hand with political development, democratization, and accountability. On the other hand, an increase in corruption levels is believed to be detrimental to economic growth, particularly certain types of corruption and at specific stages of growth. In much of the literature, corruption is understood as one of the evils caused by economic underdevelopment (Amundsen, 1999).

High-profile corruption causes injustice, inefficiency of services, distrust in government, misuse of public funds, increased poverty, political instability, and limitations in government policy (Poeschl & Ribeiro, 2015). The United Nations defines this form of corruption as one of the causes of undermining democratic institutions, slowing down economic development, and causing government instability (United Nations Office on Drugs and Crime, 2012). The political consequences of high-profile corruption vary significantly depending on the type of governance in a country. In weak states, where the elite in power exercises control over who benefits from what kind of corruption, the legitimacy of the state itself will be undermined due to the lack of service delivery (Amundsen, 1999). In democratic countries, or more precisely in countries governed by the rule of law where human rights and the separation of powers between institutions and groups are respected and effective, acts of political corruption can be exposed by a free press and other media, by the opposition, by auditing and controlling bodies, or by the police, and offenders can lose their position through legal procedures (Amundsen, 1999).

Existing scholarship does not provide a uniform explanation for the persistence of high-profile corruption. Some scholars emphasize individual motivations, such as greed, unethical behaviour, and personal gain, as the primary drivers of corrupt conduct (Argandoña, 2001). Others argue that corruption is more accurately understood because of institutional deficiencies, weak oversight mechanisms, and limited accountability structures (Shah & Schacter, 2004). A third perspective highlights broader political and socio-economic conditions, including democratic deficits and state fragility, as facilitating factors (Seyf, 2001). These competing explanations suggest that high-profile corruption should not be viewed solely as a problem of individual misconduct but also as a reflection of broader governance failures.

The present study draws upon rule of law and institutional governance theories to explain the persistence of high-profile corruption and the challenges associated with its prosecution. Rule of law theory emphasizes equality before the law, judicial independence, accountability, and the effective enforcement of legal norms. From this perspective, high-profile corruption represents a direct challenge to the legitimacy and effectiveness of public institutions (Rose-Ackerman et al., 2016).

Institutional governance approaches further suggest that corruption is often facilitated by weak oversight mechanisms, political influence over judicial institutions, limited transparency, and inadequate accountability structures. Accordingly, the effectiveness of anti-corruption efforts depends not only on the quality of legal frameworks but also on the capacity and independence of institutions responsible for investigation, prosecution, and adjudication.

These theoretical perspectives provide the analytical basis for examining both international and domestic corruption cases discussed in this paper. Existing scholarships agree that corruption undermines institutional legitimacy and economic development. However, important disagreements remain regarding the relative importance of individual, structural, and contextual causes of corruption. While some authors emphasize personal incentives and ethical failures, others highlight institutional weaknesses and governance deficits as the primary explanatory factors. The present study adopts the latter perspective, arguing that institutional capacity and accountability mechanisms play a decisive role in determining whether high-profile corruption can be effectively investigated and sanctioned

3. Institutional Definition and Classification of High-Level Corruption in Kosovo

In terms of the fight against corruption, specifically high-profile corruption, the Republic of Kosovo has made efforts to clarify the concept of high-profile corruption through an official document. What is considered high-profile corruption has been defined through a directive issued by the State Prosecutor, which aims to provide clarity and uniformity in handling cases of this phenomenon, applicable throughout the territory of the Republic of Kosovo. The aforementioned guideline explicitly defines the criminal acts considered high-profile corruption, the individuals holding official positions involved, and the benefits or damages caused by the acts of corruption. (Prokuroria Speciale e Republikës së Kosovës, 2013).

A corruption offense will be considered high-profile, regardless of the value or benefit from the committed act, when the person is suspected of committing any of the following criminal acts:

- Conclusion of harmful contracts, aggravated by bribery (Article 285, paragraph 2);
- Escape of a person deprived of liberty, aggravated by bribery (Article 397, paragraph 2);
- Enabling the escape of persons deprived of liberty, aggravated by bribery (Article 398, paragraph 2);
- Abuse of official position or authority (Article 414);
- Embezzlement in office (Article 418);
- Fraud in office (Article 419);
- Unauthorized use of property (Article 420);
- Acceptance of bribery (Article 421);
- Offering bribery (Article 422);

- Offering bribery to a foreign public official or foreign officials (Article 423);
- Exercising influence (Article 424);
- Unlawful issuance of judicial decisions (Article 425);
- Unlawful collection and payment (Article 428); and
- Unlawful embezzlement of property during a raid or execution of a court decision (Article 429).

If the person suspected of committing any of the aforementioned criminal acts is:

- The President of Kosovo;
- The President and members of the Parliament of the Assembly of Kosovo;
- The Prime Minister, Deputy Prime Ministers, and Ministers of the Government of Kosovo;
- Mayors of municipalities;
- Judges of the Supreme Court of Kosovo;
- Judges of the Court of Appeals;
- The Chief State Prosecutor; and
- The Chief Prosecutors.

The directive has also set out additional conditions regarding when an offense will be considered as high-profile corruption, specifically defining public positions and the value or benefit from the corrupt actions mentioned above.

In this regard, the criminal acts mentioned above will constitute high-profile corruption when the benefit or damage exceeds the amount of EUR 500,000.00, if the perpetrator is:

- Deputy Minister of the Government of Kosovo;
- Senior Civil Servant (General Secretary or equivalent positions); and
- Employee of ministries and public institutions in decision-making or advisory positions.

In addition to the criteria addressed above, the directive also establishes another situation in which high-level corruption is considered to exist. In this specific case, the focus is on financial gain or damage. A corruption offense will be considered high-level corruption in any case where the benefit derived from the criminal act or the damage caused because of a particular corruption offense exceeds the amount of EUR 1 million.

4. Methodology

The paper is based on a qualitative, analytical approach aimed at providing a deeper understanding of high-profile corruption and how it is treated in practice. The methodology used in this paper includes doctrinal analysis of legal sources, examination of concrete cases of corruption, and a critical assessment of the institutional and judicial approaches at both the national and international levels. The doctrinal analysis includes the review of theoretical literature, international and national laws, relevant conventions (such as the United Nations Convention Against Corruption), as well as political documents and official guidelines, such as the one issued by the State Prosecutor of the Republic of Kosovo regarding the definition of high-profile corruption.

The selection of case studies was based on three criteria. First, the cases involve allegations of corruption committed by individuals occupying high-ranking political, financial, or administrative positions. Second, the selected cases generated significant institutional, financial, or

political consequences at the national or international level. Third, sufficient judicial and documentary material was available to allow a meaningful comparative analysis.

The comparative assessment is structured around four analytical dimensions:

- the institutional response to allegations of corruption;
- the effectiveness of criminal investigations and judicial proceedings;
- the final legal and political outcomes of the cases.

The study may be characterized as a multiple-case qualitative study supplemented by doctrinal legal analysis. The comparative case-study design allows the identification of recurring institutional patterns across different jurisdictions while preserving the legal and political specificity of each case.

Applying these dimensions allows for a systematic comparison between international experiences and Kosovo's judicial practice.

The analysis seeks to determine whether the effectiveness of anti-corruption efforts depends primarily on the existence of legal norms or on the capacity of institutions to apply those norms independently and consistently. Particular attention is devoted to identifying institutional weaknesses that may hinder accountability in high-profile corruption cases.

In the empirical part of the paper, case studies are used as a key method to analyze different forms of high-profile corruption in various state contexts. Three international cases with wide global impact have been examined: the "Panama Papers," the case of the former Governor of the Central Bank of Lebanon, Riad Salameh, and the 1MDB financial scandal in Malaysia. In a comparative manner, three significant cases from Kosovo have also been analyzed: the "53 million case," "Stenta 2," and "Pronto Affair," which provide a clear view of the systemic challenges and the institutional approach to elite corruption. For each case, the structure of the violation, the role of the involved officials, institutional response, judicial processes, and the final outcome have been examined. Additionally, court decisions at all levels have been reviewed to assess the legal treatment of criminal acts of a corrupt nature.

5. International High-Profile Corruption Cases: An Analysis of the Panama Papers, the Former Governor of the Central Bank of Lebanon Riad Salameh, and the 1MDB Financial Scandal in Malaysia

The "Panama Papers" case represents one of the examples of high-profile corruption and the concealment of assets through offshore structures. The flow of documents known as the "Panama Papers" was first published in April 2016 by the International Consortium of Investigative Journalists. The documents, with a volume of 11.5 million files, were obtained from an anonymous source within the Panamanian law firm Mossack Fonseca. It represents one of the largest cases of using offshore financial structures for purposes such as tax evasion, money laundering, and asset concealment by public figures, politicians, businessmen, and powerful companies (International Consortium of Investigative Journalists, 2016). The case involved current and former heads of state, prominent political figures, powerful businessmen, and individuals closely connected to government elites. Among the most talked-about were the then Prime Minister of Iceland, Sigmundur Davíð Gunnlaugsson (who was forced to resign), as well as figures from the Middle East, Russia, China, Latin America, and the European Union (Harding, 2016).

Despite the consequences and public outcry, this scandal did not lead to severe punishments for those involved in the aforementioned activities. Many countries launched investigations; however, prosecutions were limited due to a lack of political will to address money laundering and tax evasion by public figures implicated in the scandal. Germany issued arrest warrants for Mossack Fonseca lawyers Jürgen Mossack and Ramón Fonseca for tax evasion and operating a criminal organization. In Panama, they faced charges related to the Panama Papers scandal and bribery involving a Brazilian company, for which they spent two months in prison. In June 2024, a Panamanian judge acquitted Mossack and 27 others of money laundering charges related to the Panama Papers case (Molina-Acosta, 2024). This is an example that illustrates how political and economic interests often hinder the achievement of full justice.

Another case of high-profile corruption and lack of transparent management of public finances is that of Riad Salameh, the former Governor of the Central Bank of Lebanon. In 2020, the Swiss foundation Accountability Now filed a criminal complaint in Switzerland against Salameh, raising suspicions of the embezzlement of approximately USD 300 million together with his brother, through a company registered in the British Virgin Islands. The funds are suspected to have been transferred through 12 Swiss banks, including well-known names such as HSBC, UBS, Credit Suisse, and others.

In October 2020, the Swiss Prosecutor's Office opened criminal proceedings for money laundering. Switzerland's request for legal assistance led to a parallel investigation in Lebanon, although political interference hindered judicial actions on the ground. The investigations focused on the company Forry Associates, owned by Salameh's brother, which profited from commissions imposed by the central bank on government bond transactions. Investigations were also launched in France and Luxembourg in 2021, and in 2022, Germany, Belgium, and Liechtenstein joined the probe. In March 2022, France, Germany, and Luxembourg froze more than 130 million US dollars in assets. However, the investigations faced obstacles due to domestic political support for Salameh in Lebanon. In 2023, Lebanese authorities formally charged Salameh with embezzlement, money laundering, fraud, and tax evasion. In May of the same year, France and Germany issued international arrest warrants, and Interpol published a Red Notice (Dell, 2023). The former governor was arrested in September of last year and is still in pretrial detention (Bassam & Gebeily, 2025).

The case of Riad Salameh highlights how corruption at the highest institutional levels can have devastating consequences for a country. The lack of transparency and accountability enabled one individual to abuse a central institution like the Central Bank of Lebanon for decades, contributing to a deep economic crisis and a loss of public trust in the banking system. This case underscores the importance of the rule of law, international cooperation in the fight against money laundering, and the need for strong institutions grounded in the principle of accountability (Duparc, 2025).

Another high-profile financial scandal involving corruption and money laundering is the 1 Malaysia Development Berhad (1MDB) case. The Malaysian state fund was established in 2009 to promote development through foreign investment, under the leadership of then-Prime Minister Najib Razak. This fund became the center of one of the biggest corruption scandals in modern history. The U.S. Department of Justice believes that more than USD 4.5 billion was stolen, making this scandal directly responsible for the collapse of the government and the arrest of Najib, his wife, and several close associates (Abadi, 2021). The leaked financial documents suggest that 1MDB was a hub of fraudulent activity from the very beginning. Large sums were

borrowed through government bonds and transferred into bank accounts in Switzerland, Singapore, and the United States. Approximately USD 731 million appeared in Najib's personal bank account shortly before the 2013 elections and is believed to have been used to pay politicians, cover his credit card bills, and fund his wife's lavish shopping habits. Najib denies the allegations and insists that the money was a donation from a Saudi prince. Abroad, it is suspected that the funds helped finance the extravagant lifestyle of one of the consultants allegedly brought in to oversee 1MDB, Malaysian businessman Jho Low (Jones, 2020).

The alleged embezzlement of 1MDB funds between 2009 and 2012 went unchallenged until 2015. That year, British journalist Clare Rewcastle-Brown, who ran the Sarawak Report website, was handed 227,000 leaked documents detailing the extent of the fraud. The Wall Street Journal also received some of these documents. Malaysia's anti-corruption agency (MACC) launched an investigation and was reportedly preparing to issue an arrest warrant for Prime Minister Najib. However, Najib responded by dismissing the Attorney General leading the investigation, along with the Deputy Prime Minister and four other ministers who had raised concerns about the scandal. His government also refused to cooperate with investigations in the United States, Singapore, and Switzerland.

In 2016, the Attorney General appointed by Najib cleared the prime minister of all wrongdoing, stating that the case was "completely resolved." Not everyone was convinced by Najib's claim of innocence. Mahathir Mohamad, a former prime minister who had helped Najib rise to power, remained committed to the issue. Believing he was the only one capable of taking action, he announced that he would run against Najib in the 2018 general elections. His opposition party was elected for the first time in a historic moment and immediately prioritized 1MDB. Within days of Najib's downfall, properties linked to him were raided by the police, leading to the seizure of millions of dollars' worth of assets (Jones, 2020). In July 2020, Najib was found guilty of abuse of power, breach of public trust, and money laundering. For these charges, he was sentenced to 12 years in prison and a fine of USD 49 million. However, in February 2024, Malaysia's Pardons Board decided to reduce his sentence by half, lowering it to 6 years in prison and reducing the fine to USD 10.6 million (Ratcliffe, 2022). Najib continues to face other charges.

Although the international cases differ in their political and legal contexts, they reveal several common patterns. High-profile corruption frequently involves politically influential actors, complex financial structures, and attempts to obstruct investigations. At the same time, the cases demonstrate that effective institutional responses depend on independent investigative authorities, international cooperation, and the willingness of judicial institutions to pursue accountability despite political pressure.

6. High-Level Corruption Cases in Kosovo

6.1 The Case of "53 million"

The Special Prosecution of the Republic of Kosovo in February 2022 filed an indictment against the former Minister of Infrastructure and former Chairperson of the Inter-Ministerial Steering Committee, Pal Lekaj, as well as his political advisor, Eset Berisha. They are accused of exceeding their official powers in order to cause damage to the budget of the Republic of Kosovo for the benefit of another party. According to the indictment, the abuse occurred when

the accused signed, on behalf of the Ministry of Infrastructure as the employer and the company “Bechtel & Enka,” an agreement in September 2017 to extend the deadline for the completion of works on the “Arbën Xhaferi” highway, which connects Kosovo with North Macedonia, by an additional 347 days. The completion of the highway, under the base contract signed in 2014, was supposed to occur by January 18, 2018, whereas under the new agreement signed by the accused, the contract would now end in December 2018. The agreement to extend the deadline for completing the works was signed without financial costs, which was in violation of the Public Procurement Law and the Statute and Code of Conduct of the Inter-Ministerial Steering Committee. The signing of the agreement in this manner allowed the contractor to request payment for an additional amount of EUR 63 million in November 2017, for the extension of the completion deadline.

The former Minister of Infrastructure, in his capacity as Chairperson of the Inter-Ministerial Steering Committee, without informing or obtaining the consent of the other members of the Steering Committee, had engaged his political advisor to enter into negotiations with the contractor to determine the financial cost. The political advisor, exceeding his authority, held discussions with the contractor, and in full agreement with the former Minister, they decided that, in the name of extending the completion deadline, the Ministry of Infrastructure would pay an additional financial cost of EUR 53.1 million to the company “Bechtel & Enka.” The only bodies authorized to conduct negotiations and determine the financial cost were the Inter-Ministerial Steering Committee and the Project Implementation Unit, both of which were completely ignored by the former Minister of Infrastructure.

For the execution of the aforementioned payment, with the assistance of his advisor, the former Minister completely disregarded the opinion of the supervising company for the project, “Hill International.” According to this opinion, the reasonable additional cost for extending the completion deadline of the works was EUR 14,778,654.87. This opinion was not presented in any of the meetings held by the Inter-Ministerial Steering Committee for this purpose.

Continuing with the realization of their goal, the former Minister, in collaboration with his advisor, exerted pressure on the Director of the Legal Department of the Ministry of Infrastructure to change the previous legal opinion, according to which the supervising company for the project, “Hill International,” could provide opinions regarding the financial cost requests. The Director of the Legal Department was forced to alter the original version of the first legal opinion and drafted a new version of the legal opinion, which removed the name of the supervising company “Hill International” as the competent party for providing opinions on financial cost requests.

Exploiting these situations, the former Minister of Infrastructure, as the chairperson of the Inter-Ministerial Steering Committee, pressured the other members of the committee, who were presented with false facts, to make a decision recommending the Government of the Republic of Kosovo approve the request of the contractor “Bechtel & Enka” for the payment of the amount of EUR 53.1 million in exchange for extending the completion deadline of the works. Faced with such a situation and the facts presented by the former Minister of Infrastructure, the Government of the Republic of Kosovo decided in June 2018 to approve the payment of the aforementioned amount. The accused for the abuse of official position and authority were also the Secretary General of the Ministry of Infrastructure and the Director of Public Procurement at the Ministry of Infrastructure.

For the corrupt actions mentioned above, the Basic Court in Pristina, in January 2024, issued a verdict in which it sentenced the former minister to a prison term of 3 years and 8 months,

as well as an additional penalty of a ban on holding public administrative positions or functions in public services for 3 years and 6 months. His political advisor was sentenced to 3 years and 3 months in prison, along with an additional penalty of a ban on holding public administrative positions or functions in public services for 3 years. The Secretary General was sentenced to 1 year and 8 months in prison, as well as an additional penalty of a ban on holding public administrative positions or functions in public services for 2 years. The Director of Public Procurement was also sentenced to the same prison term and additional penalty.

However, the case “53 million” will be retried at the Basic Court. The Court of Appeals, in February of this year, decided to return the case to the initial point of trial, specifically to retry the sentencing decisions for the individuals mentioned above. This decision was made by the Court of Appeals after approving the appeals filed by the defense lawyers of the defendants in this case.

Unlike the international cases where investigations eventually resulted in substantial judicial action, the repeated reopening and retrial of this case illustrates the challenges of achieving final accountability within Kosovo’s judicial system.

The case illustrates three recurring institutional weaknesses: the concentration of decision-making authority, the disregard of professional oversight mechanisms, and the vulnerability of administrative procedures to political influence. These factors appear more significant than the mere existence of anti-corruption legislation in explaining the institutional failures identified in this case. Furthermore, the repeated reopening of proceedings highlights the difficulties of securing timely and final accountability in complex corruption prosecutions

6.2 The Case of “Stenta 2”

The Special Prosecution of the Republic of Kosovo, in June 2016, filed an indictment against 37 doctors from the University Clinical Hospital Service of Kosovo for the criminal offense of Abuse of Official Position or Authority. According to the indictment, from 2011 to 2015, they abused their official duties by intentionally and knowingly issuing referral letters to at least 233 individuals as members of the consultative commissions of the Cardiology Clinic, referring them for treatment outside public healthcare institutions even though the individuals had already undergone medical treatment. This was done to enable these individuals to be reimbursed by the Ministry of Health for medical treatment in private institutions. The prosecution claimed that these actions caused financial damage to the budget of the Republic of Kosovo in the amount of EUR 4,555,553.00.

Furthermore, the doctors were reasonably suspected of abusing their official duties and accepting bribes, in that instead of referring patients who came for check-ups at public healthcare institutions to the competent invasive unit at the Cardiology Clinic within the University Clinical Hospital Service of Kosovo, they referred those patients to private hospitals. In return for these actions, they accepted bribes. For each patient sent for stent placement, they received a bribe of EUR 500, and for each coronary angiography, they received EUR 150. As a result, the private hospital was enabled to gain financial profit in the amount of EUR 504,595.00.

In September 2023, the Basic Court in Pristina rendered an acquittal verdict for the doctors accused of the criminal offenses of Abuse of Official Position or Authority and Accepting Bribes. The Court had administered all personal and material evidence proposed by the Special

Prosecution, the defendants, and their legal counsels, and assessed that the actions of the accused did not constitute the criminal offenses they were charged with. The Court was unable to establish which individual actions, if any, by the accused caused the alleged damage to the budget of the Republic of Kosovo. According to the verdict, the accused had only provided professional opinions on patient treatment outside public healthcare institutions, but did not make official decisions regarding how much financial support should be allocated for such treatments, which cases should be financially supported, or to what extent such support should be provided from the state budget.

Furthermore, regarding the offense of Accepting Bribes, the Court was not able to verify who had given the bribes or the time at which the bribes were allegedly received by the accused. This acquittal verdict was upheld by the Court of Appeals in March 2025, which rejected as unfounded the appeal submitted by the Special Prosecution within the legal deadline against the acquittal decision of the Basic Court in Pristina.

Rather than demonstrating the absence of corruption, the outcome of the case primarily reveals the challenges associated with gathering individualized evidence and establishing criminal liability in complex corruption prosecutions. The acquittals illustrate the importance of evidentiary standards and prosecutorial strategy in high-profile corruption cases. The case further suggests that substantial allegations and significant public losses do not necessarily translate into successful prosecutions when the evidentiary basis remains insufficient.

6.3 The Case of “Pronto”

The Special Prosecution of the Republic of Kosovo, based on the publication of certain wire-tapped conversations by the online newspaper “Insajderi” in August 2016 widely known to the public as the “Pronto” affair initiated investigations against former MP and head of the parliamentary group of the Democratic Party of Kosovo (PDK), Adem Grabovci. The investigations were conducted for the criminal offense of Violation of the Equal Status of Citizens and Residents of the Republic of Kosovo. According to the Special Prosecution, the former MP had communicated with several public officials regarding the unlawful employment of certain individuals in Kosovo Government institutions and their selection for positions as directors of central public enterprise boards. After concluding the investigation, the Special Prosecution filed an indictment in April 2018 related to the “Pronto” affair for the aforementioned criminal offense.

In addition to the former PDK MP, several other officials holding important positions were also indicted, including: the former Minister of the Ministry of Innovation, another former MP, the former Secretary General of the Ministry of Internal Affairs, the former Deputy Minister of the Ministry of Labor and Social Welfare, the former political advisor at the Ministry of Internal Affairs, the former Chairperson of the Board of the Public Enterprise Radoniqi-Dukagjini, the former Chairperson of the Board of the Public Enterprise Hidro-Drini, the former Speaker of the Municipal Assembly of Prizren, and the former Head of the Procurement Unit at the Ministry of Health. Despite the fact that the published wiretapped conversations also involved the then Prime Minister of Kosovo and the former Speaker of the Assembly of the Republic of Kosovo, they were not included in the indictment, neither as defendants nor as witnesses in the case (Himaj, 2020, p. 5).

According to the indictment, there was well-founded suspicion that the accused had abused their official positions by cooperating with one another to unlawfully grant advantages to certain individuals applying for important state positions, thereby denying the rights of other candidates who had applied for the same positions. The indictment alleges that through their incriminating actions, the accused sought to create privileges or advantages for certain individuals based on their close personal relationships and political affiliation, while discriminating against and denying the rights of other applicants who competed for the positions announced in the aforementioned recruitment processes.

The Basic Court in Pristina, citing lack of evidence, issued a verdict of acquittal in January 2020 for all the defendants in the “Pronto” case. In June 2020, the Court of Appeals partially overturned the first-instance verdict and found former MP Adem Grabovci guilty, sentencing him to a suspended sentence along with a supplementary punishment disqualification from being elected and a ban on exercising functions in public administration for a period of two years. The former MP filed an appeal with the Supreme Court, which upheld the Court of Appeals’ decision regarding the suspended sentence. However, following the submission of a request for protection of legality as an extraordinary legal remedy, in April 2021, the Supreme Court overturned the decision on the suspended sentence and the supplementary punishments, thereby declaring the former MP and former head of the Democratic Party of Kosovo’s parliamentary group not guilty.

The outcome of the Pronto affair highlights concerns regarding political influence, selective prosecution, and inconsistent judicial treatment of allegations involving politically connected individuals. The case is particularly relevant because it raises questions regarding prosecutorial discretion, charging strategies, and the consistency of judicial responses to politically sensitive allegations. It also demonstrates how differences in legal qualification and judicial interpretation may significantly affect the outcome of corruption-related proceedings. More broadly, the case reflects the challenges of maintaining public confidence in institutional impartiality when allegations involve politically influential actors.

Taken together, the three Kosovo cases reveal several recurring institutional challenges in addressing high-profile corruption. These include lengthy judicial proceedings, difficulties in securing and presenting evidence, inconsistencies in judicial outcomes, and concerns regarding the effectiveness of institutional responses. Although the cases differ in their factual and legal circumstances, they collectively suggest that the principal obstacles to accountability lie less in the absence of legal provisions and more in the practical capacity of institutions to investigate, prosecute, and adjudicate complex corruption cases effectively.

7. Discussion of Findings

The analysis of both international and domestic cases supports the central argument of this study: the effectiveness of combating high-profile corruption depends less on the existence of formal legal provisions and more on the capacity of institutions to investigate, prosecute, and adjudicate corruption cases independently, professionally, and consistently.

The findings show that the Republic of Kosovo has taken concrete and significant steps in defining the concept of high-profile corruption. The directive issued by the State Prosecutor demonstrates institutional efforts regarding the establishment of clear criteria applicable throughout the country. The content of this directive reflects a combined approach, which on

one hand defines the criminal offenses constituting high-profile corruption, while on the other, identifies the categories of state or official positions that present a risk for the abuse of power and illicit benefits through corruption.

However, the definition of public positions and damages or benefits expressed in monetary terms through the directive could create obstacles in the fight against high-profile corruption. In this regard, there may be a risk that some corruption cases committed by individuals outside the positions officially defined in the directive, or with benefits of lower values, may not receive the necessary priority from state authorities. Criminal benefit or harm as a result of corruption does not always reflect the true impact of a criminal act on society. An act that contains elements of corruption may have long-term consequences even if the monetary value of the damage or benefit does not exceed the criteria set forth in the directive.

The case known as the “53 million” is an indicator of the irregularities in the management of the state administration of the Republic of Kosovo. This case represents abuse of official positions and deliberate avoidance of legal procedures, with severe institutional and financial consequences. The main issue is not only the violation of official duties by some high-ranking officials, but also the institutional shortcomings that allowed decision-making without relying on the principles of accountability and transparency. The circumstances of the case suggest significant weaknesses in decision-making and oversight mechanisms within the public administration. Allegations concerning attempts to influence professional legal assessments, together with the disregard of recommendations provided by the supervisory company, raise concerns regarding the effectiveness of accountability and control mechanisms in major public infrastructure projects. These developments indicate vulnerabilities in institutional decision-making processes that may undermine transparency and public confidence. The conviction of officials represents a significant development in the fight against high-profile corruption.

While appellate review constitutes an important procedural safeguard and an essential element of due process, the repeated reopening of proceedings may affect the timeliness and perceived effectiveness of anti-corruption enforcement. Prolonged proceedings can create public concerns regarding the ability of institutions to secure final accountability within a reasonable time frame. This observation is consistent with findings indicating that high-profile corruption cases in Kosovo are frequently characterized by lengthy judicial processes (Fetiu, 2025).

The “Stenta 2” case highlights several deficiencies in the criminal justice system, specifically in handling high-profile corruption cases within a very sensitive public sector, such as healthcare. The judicial process in this case was characterized by serious and concerning weaknesses in the collection and presentation of evidence. The criminal prosecution was based on a general analysis, without specifying guilt based on the individual principle, without establishing a causal or causal relationship, and without securing convincing and reliable evidence for another form of corruption, such as bribery. These actions created room for the defense to raise doubts about the lack of guilt. The inability to identify the bribe giver, as well as the inability to identify the time or place of the bribe, contributed to the failure of the Special Prosecutor’s Office in building this criminal case according to the required standards.

On the other hand, the way in which the Basic Court reasoned its acquittal of the accused shows the restrictive approach to the criminal case. Based on the fact that the doctors had given a professional opinion and did not have decision-making powers for the allocation of financial resources from the public budget, the Court did not deeply analyze the impact of the actions to the detriment of the state financial system. The Court only examined the lack of formal admin-

istrative powers, which such an interpretation is technically acceptable in formal terms. However, there was no examination of the factual responsibility of the doctors' actions and their impact on the guidance of patients to private hospital institutions. The confirmation of the acquittal by the Court of Appeals illustrates the challenges associated with appellate review in complex corruption cases. Rather than indicating institutional failure per se, the outcome highlights the difficulties of reassessing evidentiary and legal issues at the second-instance level. Nevertheless, the absence of convictions in high-profile corruption cases before appellate courts has raised broader questions regarding the effectiveness of judicial review mechanisms in ensuring accountability (Bajraktari, 2020).

The “Pronto” case revealed the capture of the public administration by party interests and the use of official positions to distribute political favors. The published wiretaps and the indictment raised by the Special Prosecutor’s Office identified the practice of political influence in employment processes, violating the principles of equality and the rule of law. The fact that several high-ranking political figures whose names appeared in the published communications were not included in the indictment has generated public debate regarding prosecutorial discretion and charging decisions in politically sensitive cases. Although such circumstances do not in themselves demonstrate institutional bias, they may raise questions concerning the consistency and transparency of prosecutorial decision-making in cases involving politically influential actors.

Another concerning issue is that the accused were not prosecuted for the criminal offense of Abuse of Official Position or Authority, but for the offense of Violation of the Equal Status of Citizens and Residents of the Republic of Kosovo. The decision to prosecute the accused for the offense of Violation of the Equal Status of Citizens and Residents of the Republic of Kosovo, rather than Abuse of Official Position or Authority, raises important questions regarding the legal qualification of conduct in corruption-related proceedings. Given the differences in the protected legal interests and available sanctions, the prosecutorial approach adopted in this case may be examined in terms of its suitability for addressing allegations involving the misuse of public office.

Several lessons emerge from the cases analyzed in this study. Beyond the misconduct of individual officials, the cases reveal broader institutional challenges related to transparency, oversight, investigative effectiveness, and judicial consistency. Difficulties in gathering evidence, lengthy proceedings, and differing judicial outcomes demonstrate that the effectiveness of anti-corruption efforts depends not only on legal provisions but also on the institutional capacity required to implement them. The findings suggest that strengthening institutional independence, accountability mechanisms, and professional capacities within prosecutorial and judicial bodies remains essential for improving responses to high-profile corruption in Kosovo. A comparison between the international and domestic cases reveals important differences in institutional responses. While cases such as 1MDB and Riad Salameh eventually resulted in extensive international investigations, asset freezes, arrests, and criminal prosecutions, Kosovo’s high-profile corruption cases were frequently characterized by prolonged proceedings, inconsistent judicial outcomes, and difficulties in securing final convictions.

Another significant difference concerns institutional independence. The international cases demonstrate that effective anti-corruption efforts often depend on strong investigative mechanisms, international cooperation, and the ability of judicial institutions to act independently from political influence. In contrast, the Kosovo cases analyzed in this paper reveal recurring

challenges associated with lengthy proceedings, differing judicial outcomes, and questions regarding the consistency of institutional responses in politically sensitive cases.

These findings suggest that the primary challenge in combating high-profile corruption is not necessarily the absence of legal provisions, but rather weaknesses in institutional implementation and accountability mechanisms.

The findings are broadly consistent with the rule of law and institutional governance perspectives discussed in the literature review. The cases examined suggest that legal frameworks alone are insufficient to ensure accountability for high-profile corruption. Rather, institutional effectiveness depends on the ability of investigative, prosecutorial, and judicial bodies to apply legal norms consistently, independently, and within a reasonable timeframe. This reinforces the view that institutional capacity and governance quality are central determinants of anti-corruption success.

8. Conclusions

The phenomenology of high-profile corruption does not only affect states with weak economic and legal capacities, but also those with high standards of the rule of law and democracy. As can be seen, many countries today face this phenomenon, while concrete case studies are clear indicators that both national and international institutions have been involved or accused of involvement in such cases. Research has revealed that there are currently active cases of high-profile corruption, involving high-ranking officials and significant financial amounts.

High-profile corruption continues to be one of the most troubling challenges of contemporary governance, especially in states undergoing democratic transition, such as the Republic of Kosovo. This paper has analyzed the definitions, forms, and consequences of this phenomenon through a theoretical and comparative approach, examining both well-known international and domestic cases. The analysis of high-profile corruption cases reflects not only individual violations of the law but also failures in the functioning of public institutions and the implementation of principles of criminal accountability. As observed in both international and domestic high-profile corruption cases, political interference and procedural delays are among the factors hindering the punishment of high-ranking officials.

The Republic of Kosovo, despite taking significant steps to define high-profile corruption through the directive issued by the State Prosecutor, the findings indicate that the practical implementation of criteria for prosecution and punishment remains weak. This is due to the lack of professionalism within the prosecution and judiciary, political interference in justice, the absence of transparency and objectivity in investigations and trials, as well as the deliberate application of provisions that grant more favorable positions to public figures in judicial processes. On the other hand, the prolonged duration of proceedings lasting for years, and the even more serious situation where powerful political figures are excluded from indictments, have created a perception of selective justice.

Another element emerging from the analysis of the cases handled is the actions of the second and third levels of the judicial system of the Republic of Kosovo. In many cases, decisions made by these instances have either altered or annulled the decisions of the first instance, resulting in the cases being sent back for retrial or in the complete acquittal of the accused.

Based on such findings, the fight against corruption cannot succeed solely with good laws on paper. Deep structural reforms are recommended, including the independence of the prosecution and judiciary, the expansion of criteria for identifying high-profile corruption beyond the monetary value of harm or benefit and official positions, as well as the enhancement of capacities to investigate complex cases of this phenomenon.

Based on the findings of this study, several measures should be considered:

- strengthening the institutional independence of prosecutors and judges;
- improving specialized training for investigators, prosecutors, and judges dealing with corruption cases;
- reducing procedural delays through prioritization of high-profile corruption cases;
- increasing transparency in judicial proceedings involving public officials;
- strengthening oversight and accountability mechanisms within public institutions;
- enhancing international cooperation in complex financial investigations.

Furthermore, there is a need to increase public transparency and greater citizen engagement in demanding accountability from institutions. Only through institutional and societal commitment can a situation be created where high-ranking officials are held criminally accountable for corrupt actions, and where citizens can trust in the fair governance of the state. The morality of institutional responsibility should be strengthened by ensuring that high-profile officials are removed from public office when they are implicated or convicted of corruption.

This paper suggests the need for further research in the future that analyzes the long-term impact of high-profile corruption on democratic processes, combining in-depth legal analysis with sociological and economic approaches. Additionally, the paper suggests fostering academic and professional discussions to move from a formal approach to corruption towards a sincere and sustainable effort to build functional and equal justice for all.

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