



ANNEX 4

Annex 4

Amendment to the "Guidelines for Case Allocation for EULEX Judges in Criminal Cases at the Supreme Court of Kosovo"

After 2.2.4 a new Paragraph will be inserted which reads as follows:

2.2.5. In case an EULEX judge is required as panel member during the on-call period, EULEX criminal and civil judges on call at the District Courts shall be assigned. The assignment shall be based on the following regional order:

- 1. Prishtinë / Priština District Court**
- 2. Mitrovicë / Mitrovica District Court**
- 3. Gjilan / Gnjilane District Court**
- 4. Pejë / Peć District Court**
- 5. Prizren District Court.**

Explanation:

The current case allocation system at the Supreme Court does not provide a provision as to panel members who are needed in on-call cases. Hence the case allocation system has to be supplemented. The proposal above takes into account that pursuant to 2.2.4 of the case allocation system normally only criminal judges at District Court level can be assigned as panel members at the Supreme Court. For the on-call periods this has to be extended to the civil judges – who can be on call at the District Courts - in order to avoid a situation in which a criminal judge is not available at all. Secondly, the proposal takes into account that the on call judges at the District Courts have to be assigned following an objective, transparent and predefined principle. The regional order as suggested above seems to be most appropriate, taking into account that travel of judges should be avoided as far as possible.

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