



Decisions Summary Report

Seventh Assembly of the EULEX Judges

in Prishtinë / Priština ON 23 September 2009

Present

Judges:

Maria Giuliana Civinini, President of the Assembly of EULEX Judges
Guy Van Craen, Vice-President of the Assembly of EULEX Judges

Angela Kaptein
Antoinette Lepeltier-Durel
Arkadiusz Sedek
Christine Lindemann-Proetel
Dragomir Yordanov
Eija-Liisa Helin
Ferdinando Buatier de Mongeot
Francesco Florit
Gabriele Gaube [Judge Gaube joins the Assembly after the lunch break]
Gerrit-Marc Sprenger
Gianfranco Gallo
Hajnalka Karpati
Harri Katara [Judge Katara leaves the Assembly at lunch break]
Klaus Jung
Piero Leanza
Richard Winkelhofer
Torsten Koschinka [Judge Koschinka leaves the Assembly at 12.05 p.m.]
Vitor Pardal
Vladimir Kanev

Office of the President of the Assembly of the EULEX Judges:

Andrea Chmieliński Bigazzi
Gergana Arabadjeva
Kathinka Hewitt

Presidency of the
Assembly of EULEX
Judges

Supreme Court of Kosovo

Luan Haradinaj Str.
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LEGAL OFFICERS

Elina Castren
Giovanni Galzignato
Liliana Trillo Diaz
Ludvig Becking
Tara Khan

Absent

Judges

Anna Bednarek
Emilio Gatti
Esma Erterzi
Godwin Muscat Azzopardi
Klaus Huner
Malcolm Simmons
Norbert Koster
Tron Gundersen
Verginia Micheva-Ruseva

Legal Assistant to the President of the Assembly of the EULEX Judges

Caroline Charpentier

Agenda

It has been timely disseminated to the EULEX Judges, and also to Legal Officers as per their information, in due time prior to the Assembly and in accordance with EJU Assembly Rules.

Decisions adopted at the 7th Assembly

Assembly commences at 10.15 am

- 1) APPROVAL OF THE MINUTES OF THE 6TH ASSEMBLY ALREADY DISTRIBUTED VIA EMAIL.

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PEJ: the modifications already requested by Judges upon dissemination of the initial draft of the minutes are approved.

Also, the Assembly is taken aware that at page 3 of the 6th Assembly Decisions report there is a typo. The word “evaluation” for the appointment of the two civil law Judges is modified with “selection”.

The Assembly unanimously approves.

2) PROPOSAL TO AMEND THE EULEX ASSEMBLY OF JUDGES RULES ON THE EVALUATION OF JUDGES AND LEGAL OFFICERS (ARE) AND TO ELECT AN ADDITIONAL CRIMINAL LAW JUDGE AS RESERVE MEMBER OF THE EVALUATION PANEL. PROPOSAL TO APPROVE THE RULES OF INTERNAL ORGANIZATION OF THE EVALUATION PANEL.

Decision to amend the previous decision of the Assembly on the establishment of the evaluation panel (ARE – three Annexes), and to introduce an additional criminal law Judge as reserve member of the panel.

The Assembly unanimously approves the amendments.

20 unanimous votes in favor of Judge Buatier De Mongeot as reserve panel member upon secret ballot.

The rules of internal organization of the evaluation panel (Annex 3) are approved with the following votation: 16 in favor, 4 against.

3) AMENDMENT TO THE GUIDELINES FOR CASE ALLOCATION FOR EULEX JUDGES IN CRIMINAL CASES AT THE SUPREME COURT OF KOSOVO.

The Annex 4 is presented, and voted with one amendment.

The Assembly unanimously approves.

4) ADVICE TO THE KOSOVO JUDICIAL COUNCIL AND THE COURTS OF KOSOVO ON THE HANDLING OF EXECUTION CASES PENDING APPEAL.

**Precedency of the
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The Annex 5 is presented and voted with the amendment that to advise KJC to provide Kosovo Courts with logistic support needed.

The Advise is approved with the following votation: 18 in favor, 2 abstentions.

5) ADVICE TO THE KOSOVO JUDICIAL COUNCIL AND THE COURTS OF KOSOVO ON ACCESSIBILITY TO THE COURTS.

The Annex is presented and voted, with the amendment that it will be also sent to the KJC.

The Assembly unanimously approves.

6) DISCUSSION RELATED TO A MESSAGE FROM THE ASSEMBLY TO THE NEW KJC.

The Assembly unanimously approves for sending a message from the Presidency of the Assembly to the newly established KJC.

It is decided that the next Assembly will be in Prizren in November.

Assembly ends at 16.10 pm

Maria Giuliana Civinini

President of the Assembly of the EULEX Judges

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