



Pristina, 01 March 2010
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9th ASSEMBLY of the EULEX JUDGES
Pejë/Peć, 11 March 2010
AGENDA

- 1) Approval of the Minutes of the 8th Assembly already distributed via email.
- 2) Replacement of Judge Christine Lindemann-Proetel from the Selection Panels list and the Disciplinary Board. President of the Assembly Maria Giuliana Civinini as reporting.
- 3) Consolidation of the appointment of the Judges members of the Selection Panels into two main groups, one for Civil Law and SCSC candidates, and one for Criminal Law candidates. President of the Assembly Maria Giuliana Civinini as reporting.
- 4) Appointment of a Secretary to the Disciplinary Board as a non-voting member, as foreseen under Point 8.7.2 of the Annex N to the OPLAN. President of the Assembly Maria Giuliana Civinini as reporting.
- 5) Recommendation on the definition of “property related cases” as drafted by the EULEX Civil Law Judges, Legal Officers, and Legal Advisors (ANNEX 1). Judge Gabriele Gaube as reporting.
- 6) Study paper related to the MMA activity of Civil Law Judges, Legal Officers, and Legal Advisors in respect to complaints on civil law matters (ANNEX 2). Judge Gabriele Gaube as reporting.
- 7) Resolution on Supreme Court, civil law cases, jurisdiction and composition of panels dated 11th January 2010 (ANNEX 3.1 and ANNEX 3.2 for the longer document which forms the basis for the resolution). Judge Gabriele Gaube as reporting.
- 8) Recommendation of the Civil Law Judges to the President of the Assembly to amend the Guidelines for Case Selection and Case Allocation for EULEX Judges in civil cases as adopted by the 1st Assembly of the EULEX Judges in Pristina (ANNEX 4). Please note that the paper is the outcome of the civil judges’

in civil cases as adopted by the 1st Assembly of the EULEX Judges in Pristina (ANNEX 4). Please note that the paper is the outcome of the civil judges' working group in case selection and case allocation in civil matters; for reducing the time of approval of the amendments by the Assembly, the President has put the relevant discussion in the agenda; she reserves the right to propose measures for assuring the impartiality of the selecting judge; a final text to be proposed to the Assembly for its endorsement can be agreed in the next days. Judge Gabriele Gaube as reporting

- 9) Amendment of the latest version of the Rules on Case Selection and Case Allocation of Criminal Law Cases at Supreme Court level adopted at the last Assembly, Point 2.2.4. (ANNEX 5). Supreme Court Judge Emilio Gatti as reporting.
- 10) Establishment of a mixed WG to update the Organizational Guidelines for EULEX Court Teams as approved at the 2nd Assembly (available at the Justice drive/IS/Antigone/Assembly/2ndAssembly/FINAL folder). Secretary of the Assembly/SC LO Andrea Chmieliński Bigazzi as reporting.
- 11) MMA by the EULEX Judges Unit: outcomes and perspectives. President of the Assembly Maria Giuliana Civinini as reporting.
- 12) Prerogatives and competences of the Assembly. President of the Assembly Maria Giuliana Civinini as reporting.
- 13) Discussion on a possible Advice on the signatures of the judgments and the enacting clauses by all members of the Panel or by just the Presiding Judge. Supreme Court Judge Emilio Gatti as reporting.
- 14) Discussion on a possible Advice on management of evidence in criminal procedure. Supreme Court Judge Emilio Gatti as reporting.
- 15) Report on the UNMIK cases taken-over in pre-trial phase and still pending due to Prosecutors inaction. Chief Registrar to the Assembly Kathinka Hewitt as reporting.
- 16) Reports from the different Teams on: (a) the three priority goals as requested during the 7th Assembly, and namely: the Mitrovica/e Plan; the suspended/stayed cases; and, the UNMIK cases legacy; (b) the Teams activities; (c) verification of the use of SEK numbers from SPRK; (d) extension of detention appeals procedure. Team Focal Points as reporting.

Maria Giuliana Civinini

President of the Assembly of the EULEX Judges