



Joint Rule of Law Coordination Board (JRCB) Meeting

Thursday, 11 May 2017

14:00 – 16:00

Main Government Building

Room P-38

JOINT CONCLUSIONS

Attendees:

Ms. Dhurata Hoxha (Minister of Justice, MoJ)

Mr. Blerim Isufaj (Kosovo Prosecutorial Council, KPC)

Mr. Nehat Idrizi (Kosovo Judicial Council, KJC)

Ms. Alexandra Papadopoulou (Head of Mission, EULEX)

Ms. Nataliya Apostolova (Head of EU Office/EU Special Representative)

- and their respective assistants

1. Adoption of the Terms of Reference

Chair of KPC suggested one change in the Albanian version of TOR. All principals approved the Terms of Reference with that amendment.



2. MOJ Briefing on amendment to the judiciary laws and functional review

All principals urged the MOJ to continue with submitting judiciary laws to the Assembly and supported the idea of conducting the Functional Review of the rule of law. EULEX called for a comprehensive review of the rule of law sector and urged against using the piecemeal approach. All principals fully supported the Law on Disciplinary Proceedings for Judges and Prosecutors. The next action would be in the MOJ to submit the laws to the Assembly.

3. European Reform Agenda (ERA) (MOJ) (EUSR)

- Suspension and removal of Public Officials respectively indicted and convicted for corruption – amendment to the Criminal Code (CC) and Criminal Procedure Code (CPC)

The MoJ briefed on the progress within ERA, namely on the changes in CC and CPC for the law on suspension and/or removal of public officials indicted and convicted for corruption. All principals agreed on the need to have in place provisions for the suspension and removal of public officials once indicted or convicted for corruption. Minister of Justice informed principals that the Concept Document is ready and will be finalised in consultation with EUSR.

All principals supported the idea of including the required legal provisions in the Criminal Code (removal of officials after conviction) and Criminal Procedure Code (suspension during the criminal process). The next action is the approval of the Concept Document in the Government. EUSR and EULEX underlined the importance to change the laws in line with the EU standards and best practices.

4. Justice Integration in North (KJC) (KPC)

KJC and KPC briefed principals on the integration process. All principals agreed that Kosovo has fulfilled most obligations in the process. All are committed to do everything in their power to remove all obstacles to a fully integrated judiciary in Kosovo.



5. Judiciary (KCJ,KPC, EULEX and EUSR)

KJC and KPC raised concerns for problems with the low budget, the need to increase the number of judges and prosecutors and delays for getting approvals from the Ministry of Finance and Ministry of Public Administration on recruitment of the civil staff. All principals supported the idea to look for ways to accelerate the hiring process and lobby for a higher budget.

6. JRCB Roadmaps: follow-up on previous deliberation on the Special Chamber of the Supreme Court and IFM (EULEX, MOJ)

The JRCB principals discussed critical issues regarding the following roadmaps:

6.1. Institute of Forensic Medicine (IFM):

All JRCB principals agreed on the importance of building up the IFM into an independent professionally managed and properly funded institute with a strong leadership. All agreed that hiring a director for IFM is of crucial importance although currently there is no approved budget for this position. MOJ will work with Ministry of Finance to get the funds approved.

6.2. Special Chamber of the Supreme Court (SCSC):

The JRCB principals agreed on the pressing need to reduce the rising number of pending cases in the SCSC. The MoJ is working on the concept document which will be discussed and agreed with other principals.

6.3. KPA Appeals Panel



The JRCB principals agreed on the importance to open and fill on time the vacancy of the local judge retiring in June 2017.