



Joint Rule of Law Coordination Board (JRCB) Meeting

Tuesday, 26 September 2017

14:00 – 16:00

Kosovo Judicial Council
Conference Room, Ground Floor

JOINT CONCLUSIONS

Attendees:

Mr. Nehat Idrizi (Chair, Kosovo Judicial Council, KJC)

Mr. Abelart Tahiri (Minister of Justice, MoJ)

Mr. Blerim Isufaj (Chair, Kosovo Prosecutorial Council, KPC)

Ms. Alexandra Papadopoulou (Head of Mission, EULEX)

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

- and their respective assistants

Kosovo Judicial Council (KJC) hosted the JRCB meeting for the first time.

1. Release of Compact Progress Report

The JRCB principals released the Compact Progress Report as presented by the JRCB Secretariat. All the principals agreed that the challenges indicated therein shall be addressed as a matter of priority.

EULEX expressed its concerns on the situation around the Kosovo Correctional Service where external interference, preferential treatment of high profile inmates and inadequate categorization remain important challenges.



2. European Reform Agenda (ERA)

All principals supported the idea of incorporating the legal provisions needed in the Criminal Code (concerning the dismissal of officials after being convicted) and in the Criminal Procedure Code (concerning the suspension of officials during criminal proceedings). The next step is the adoption of the Concept Paper in the government and preparation of the relevant legislative changes. MOJ committed that the draft concept note will also be submitted soon to the Government for its adoption and that the relevant provisions will follow.

3. Judiciary

KJC and KPC raised concerns about the lack of budget and about obtaining approvals from the Ministry of Finance and the Ministry of Public Administration for recruiting civil staff. MOJ was committed to increase the budget for the KJC and KPC in order to enable both Councils to achieve their needed capacities and meet their obligations. KJC and KPC were commended by all JRCB principals for completing the recruitment process of judges and prosecutors.

The JRCB principals agreed on the need to thoroughly review the Criminal Procedure Code and the Criminal Code as a crucial step for advancing further towards a well-functioning, independent rule of law system in Kosovo in line with the European standards and best practices. The Kosovo JRCB principals committed to consult and consider the comments and recommendation of all key stakeholders in the process. The EUSR confirmed her commitment to be involved in the process of this reform especially with regard the criminal legislation and reiterated that the Legislative Review Mechanism will continue to review all proposed amendments vis-à-vis Acquis communautaire and European best practices. The EUSR and EULEX urged all the participants that EU comments shall be taken seriously as Kosovo shall progress on the European path.

4. Updated Roadmaps (EULEX)

EULEX reintroduced the roadmaps as a tracking tool for progress in the Rule of Law for the following areas: Special Chamber of Supreme Court (SCSC), KPA Appeals Panel, IFM and War Crimes.



The JRCB principals agreed to give their contribution on these roadmaps in order to have a new approach to those issues.

5. The European Commission Kosovo 2016 Country Report

The JRCB principals agreed on the importance of the implementation of the 2016 Country Report recommendations and that implementing steps shall be taken without any further delay. Everybody further agreed on the importance of the full implementation of the 2015 justice package and the adoption of the remaining secondary legislation in order to develop a well-functioning justice system. The EU Office/EUSR and EULEX confirmed their readiness to give their full assistance and support in this process.