



Joint Rule of Law Coordination Board (JRCB) Meeting

Wednesday, 7 December 2016

14:00 – 16:00

EULEX Headquarters, First Floor, Room 104/105

JOINT CONCLUSIONS

Attendees:

Dhurata Hoxha (Minister of Justice, MoJ)
Mr. Blerim Isufaj (Kosovo Prosecutorial Council, KPC)
Mr. Nehat Idrizi (Kosovo Judicial Council Chair, KJC)
Alexandra Papadopoulou (Head of Mission, EULEX)
Ms. Nataliya Apostolova (Head of EU Office/EU Special Representative)
- and their respective assistants

1. Endorsement of the new Compact 3

The Joint Rule of Law Coordination Board (JRCB) principals endorsed the new Compact 3, thus formally renewing the commitment to build strong rule of law institutions.

2. JRCB Roadmaps

The JRCB principals discussed critical issues regarding the following roadmaps:

2.1. 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. The allocation of sufficient budget funds for the proper functioning of the institute was identified as one of the most pressing concerns that need to be addressed immediately.



2.2. 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. This issue should be addressed urgently and treated as a matter of priority. Different options were tabled and discussed in this regard. The JRCB will continue the discussion and EULEX and EUO/EUSR stand ready to support KJC in the development of a backlog reduction strategy.

3. Update on the Criminal Justice Reform

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 principals confirmed to consult and consider the comments and recommendations of all key stakeholders in the process.

4. The European Commission Kosovo 2016 Country Report

The JRCB principals endorsed the findings of the European Commission Country Report. Everybody agreed on the importance of the implementation of the 2015 justice package and the adoption of the remaining secondary legislation in order to develop a well-functioning justice system. It was established that there should not be any further delays in this regard. Moreover, it was agreed to make further progress in the fight against corruption and organised crime. The JRCB will monitor progress on addressing recommendations stemming from the 2016 report. The EUO/EUSR and EULEX stand ready to give their full assistance and support.

5. The Independence of the Justice System

All JRCB principals attached great importance to safeguarding the independence of the justice system and are gravely concerned over incidents where public figures, especially leading political, influential figures, commented on pending cases or decisions in individual cases. This needs to be addressed and publicly and resolutely reacted to. Both the EUO/EUSR and EULEX are also very concerned about irregularities concerning the selection process of judges. Retroactively changing the criteria and rules of a competition is against EU standards of fair competition and against basic rule of law principles of legal certainty and predictability.



6. Justice Integration Process (implementation of Justice Agreement)

The JRCB principals are pleased to see progress and consensus among all JRCB principals regarding the importance of the integration of the Serbia-run judiciary into the Kosovo legal system. All are committed to do everything in their power to remove all obstacles to a fully integrated judiciary in Kosovo.

7. AOB

NTR

Next meeting:

The JRCB agreed not to wait for yet again another year and to hold the next JRCB meeting soon, which, based on rotation, will be chaired by MoJ.