DECLARATION OF COMPATIBILITY OF THE LEGISLATION OF THE
REPUBLIC OF KOSOVO WITH THE EU ACQUIS

1. Proposing body of the normative act: Ministry of Justice.


3. Compliance of the normative act with the provisions of the Stabilization and Association Agreement or the Interim Agreement.

3.1. The provisions of the SAA and the Interim Agreement regarding the normative content of the normative act.

ARTICLE 7

The development of regional cooperation and good neighbourly relations as well as respect for human rights, including the rights of persons belonging to minorities, are central to the SAP. The conclusion and the implementation of this Agreement takes place within the framework of the SAP and are based on Kosovo’s own merits.

ARTICLE 8

Kosovo commits to continue to foster cooperation and good neighbourly relations in the region including an appropriate level of mutual concessions concerning the movement of persons, goods, capital and services as well as the development of projects of common interest in a wide range of areas, including the rule of law. This commitment constitutes a key factor in the development of relations and cooperation between the Parties, thus contributing to regional stability.

ARTICLE 17

Cooperation with countries having signed a Stabilisation and Association Agreement
After the signature of this Agreement, Kosovo shall, should objective circumstances so permit, start negotiations with the countries which have already signed a Stabilisation and Association Agreement with the EU with a view to concluding bilateral conventions on regional cooperation, the aim of which shall be to enhance the scope of cooperation between them.

The main elements of these conventions shall be:

(a) political dialogue;

(b) the establishment of free trade areas, consistent with relevant WTO provisions;

(c) mutual concessions concerning the movement of workers, establishment, supply of services, current payments and movement of capital as well as other policies related to the movement of persons at an equivalent level to that of the Stabilisation and Association Agreements which that respective country has concluded with the EU;

(d) provisions on cooperation in other fields whether or not covered by this Agreement, and notably the field of Freedom, Security and Justice.

These conventions shall contain provisions for the creation of the necessary institutional mechanisms, as appropriate.

The conventions shall be concluded within two years after the entry into force of this Agreement.

ARTICLE 83

Reinforcement of institutions and rule of law

In their cooperation in the field of freedom, security and justice, the Parties shall attach particular importance to the consolidation of the rule of law, and the reinforcement of institutions at all levels in the areas of administration in general and law enforcement and the administration of justice in particular. Cooperation shall notably aim at strengthening the independence, impartiality and accountability of the judiciary in Kosovo and improving its efficiency, developing adequate structures for the police, prosecutors and judges and other judicial and law enforcement bodies to adequately prepare them for cooperation in civil, commercial and criminal matters, and to enable them to effectively prevent, investigate, prosecute and adjudicate organised crime, corruption and terrorism.

3.2. Timeline set for approximation and harmonization of legislation in accordance with the provisions of the SAA and the Interim Agreement

Article 74

1. The Parties recognise the importance of the approximation of the existing legislation in Kosovo to that of the EU and of its effective implementation. Kosovo shall endeavour to ensure that its existing law and future legislation will gradually be made compatible with the EU acquis. Kosovo shall ensure that existing law and future legislation will be properly implemented and enforced.

2. This approximation shall start on the date of signature of this Agreement, and shall gradually extend to all the elements of the EU acquis referred to in this Agreement by the end of the transitional period defined in Article 9.
Article 9

The association shall be progressively and fully realised over a period of 10 years.

There is no set deadline for regional cooperation in the Stabilization and Association Agreement, but the approximation and harmonization of local legislation with the acquis communautaire is very important and affects the fulfillment of conditions for membership in the European Union and strengthens cooperation with region countries.

3.3. Assessment of the level of fulfillment of the liability/obligation deriving from the above-mentioned provisions of the SAA and the Interim Agreement.

Full.

3.4. Reasons for partial fulfillment, or non-fulfillment/failure to fulfill the obligation deriving from the above-mentioned provisions of the SAA and the Interim Agreement.

Does not apply.

3.5. Liaison with the National Integration Program PKI/PKAA (in the current case liaison with the EPAP).

Does not apply.

4. Compliance of legislation with the EU Acquis

4.2 The list of secondary sources of EU law and compliance with them.

Does not apply.

4.3. The list of other sources of EU Law and compliance with them.

Does not apply.

4.4. Reasons for partial compliance, or non-compliance.

Does not apply.

4.5. The period of time within which the full realization of the legislation with the EU Acquis is foreseen.

Does not apply.

5. Specify when there is no EU legislation with which compliance is required.

There is no EU legislation with which compliance is required.
6. Are the above-mentioned sources of EU law translated into the official languages;

Does not apply.

7. Participation of consultants in the drafting of normative acts and their opinion on compliance
(attached the consultants' papers for drafting of normative acts).

Does not apply.

Ardian Bajraktari

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Director of the Legal Department

Albulena Haxhiu

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Minister of Justice