

Legislative Review Mechanism

The main role of the LRM is the coordination and consolidation of the EU family expertise on Kosovo¹ legislation that shall ensure a timely and effective guidance to the local institutions on the alignment of the draft legislation with the EU Acquis standards and best practices. Deriving from this the LRM:

- Identifies the legislative priorities specified in the Government's Legislative Programme;
- Gathers and distributes relevant information on legislative updates among LRM participants;
- Issues the Consolidated Legal Opinions – CLOs - which are the agreed, consolidated EU positions regarding the relevant legislation;
- Coordinates - in a timely manner - the delivery of the CLOs to the local counterparts at the relevant legislative working levels; and
- Analyses relevant legislation in order to identify legislative gaps and weaknesses and highlights possible remedial solutions.

The LRM is chaired by a legal adviser from the EUSR Rule of Law and Legal Section. The LRM includes the EU family institutions present in Kosovo, namely: the EUSR, the EU Office and EULEX. Other experts are invited by the LRM permanent members according their field of competence and involvement in the draft legislation. They include experts from the EU funded projects.

LRM facilitates a consolidated approach with other international actors such as OSCE, Council of Europe, and other international stakeholders present in Kosovo.

How it works in practice:

- Government presents the Legislative Program for the respective year;
- The LRM identifies the legislation of interest for the EU, based on the relevant Kosovo-EU dialogues;
- The information is gathered on legislation and drafts are shared among the LRM members;
- The contributing experts are identified by the LRM focal points in relation to specific legislation;
- The LRM reaches a common and consolidated opinion, on the basis of the inputs provided by the contributing experts;

¹ This designation is without prejudice to positions on status, and is in line with UNSCR 1244 (1999) and the ICJ Opinion on the Kosovo Declaration of Independence.

- The European Commission is consulted;
- The Consolidated Legal Opinion is prepared and submitted to Kosovo institutions within the prescribed legal timeframe on external consultation of the draft legislation;
- The draft legislation is followed up through all the stages of the legislative process and the LRM experts often participate in working groups at the Assembly level.

The Consolidated Legal Opinion may also be delivered at earlier stages at the ministerial technical working groups by the LRM members in charge. In case the LRM's opinion is not considered by the Kosovo institutions, the LRM may then use political channels to address the issue.

During the last years the LRM has provided detailed opinions on draft laws, concept documents and sublegal acts in various areas, including criminal law (criminal code, criminal procedure code, confiscation tools), mediation, cybersecurity, disciplinary liability of judges and prosecutors, juvenile justice, children rights, property rights, gender based violence and others.