



**Republika e Kosovës**  
**Republika Kosova - Republic of Kosovo**  
*Qeveria - Vlada – Government*  
**Ministria e Punëve të Brendshme**  
**Ministarstvo Unutrašnjih Poslova - Ministry of Internal Affairs**

09 January 2013

Dear Mr. Gentilini,

Please find attached the signed Procedures on Mutual Legal Assistance agreed by the Implementation Group for the implementation of the IBM Technical Protocol on 13<sup>th</sup> of December 2012.

Let me take the opportunity to forward the expression of my highest respect.



Sincerely,

Eisnik Rexhepi

Kosovo Coordinator to the IBM IG

## Procedures on Mutual Legal Assistance

Recognising that the efforts to uphold the Rule of Law are enhanced by adopting a collaborative approach and in line with the Technical Protocol for the implementation of the IBM<sup>1</sup> Agreed Conclusions of the Dialogue, the Parties agree to establish procedures that facilitate processing of Mutual Legal Assistance (MLA) requests:

1 The Parties will establish a communication channel for MLA between their competent authorities, in line with each Party's relevant jurisdiction.

2 The scope of requests to be transferred will comprise:

2.1 General requests for MLA;

3 The Parties agree that EULEX, in line with, and for the duration of its mandate, will be requested to act as an intermediary, to facilitate communication by solely transmitting requests for MLA and responses thereto between the Parties. The Parties agree that EULEX, in line with, and for the duration of its mandate, cannot be held liable in any way for damages or responsible for failure of executing requests.

4 Technically, the facilitation of communication between the Parties will be conducted as follows: the requesting Authority will hand over requests or responses to EULEX, in line with, and for the duration of its mandate. Upon receipt, EULEX, in line with, and for the duration of its mandate, will attach a cover letter, specifying the attachments, to the request or response and transfer it together with the enclosed documentation to the addressed Party as appropriate.

5 The present Procedures shall not affect obligations of The Parties whether pursuant to applicable relevant jurisdiction, treaties or arrangements otherwise in force.

6 The Parties will strive to settle any dispute that may occur in connection with the entering into, implementation or execution of these Procedures. Facilitated by EULEX, in line with, and for the duration of its mandate, The Parties will meet at least once a year for that and for the purpose of assessing and improving the implementation of these Procedures. In addition, The Parties can meet at the competent level upon request of any of The Parties, including EULEX, in line with, and for the duration of its mandate. EULEX, in line with, and for the duration of its mandate, will draft an official record, which will be agreed with The Parties.

7 The Parties will each bear their costs and expenses incurred in connection with the entering into, implementation and execution of these Procedures.

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<sup>1</sup> One Party recognises the line as a border; the other Party recognises the line as an administrative boundary.



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8 After consultation with the EU, each Party is free to notify its denouncement of these Procedures, which will be effected through notification to all Parties. The denouncement will come into effect three months after notification.

9 Upon receipt of the written acceptance of these Procedures by each Party, the EU will notify the Parties of the entry into force of these Procedures.



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