Council Decision (CFSP) 2020/792 of 11 June 2020 amending Joint Action 2008/124/CFSP on the European Union Rule of Law Mission in KosovoThis 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. (EULEX KOSOVO)

COUNCIL DECISION (CFSP) 2020/792

of 11 June 2020

amending Joint Action 2008/124/CFSP on the European Union Rule of Law Mission in Kosovo[1] (EULEX KOSOVO)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 42(4) and 43(2) thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

(1) On 4 February 2008, the Council adopted Joint Action 2008/124/CFSP[2].

(2) On 8 June 2018, the Council adopted Decision (CFSP) 2018/856[3], amending Joint Action 2008/124/CFSP and extending EULEX KOSOVO until 14 June 2020.

(3) On 16 April 2020, the Political and Security Committee (PSC) agreed that, under the circumstances due to the COVID-19 pandemic, EULEX KOSOVO should be extended by one year with the same mandate, which may be reviewed when circumstances allow.

(4) EULEX KOSOVO should be granted a financial reference amount for the period of its extension.

(5) On 14 May 2020, the PSC furthermore agreed that Mr Lars-Gunnar WIGEMARK, who was appointed as Head of Mission on 28 November 2019 by PSC Decision (CFSP) 2019/1991[4], should continue to perform this function for a further period of one year.

(6) Nothing in this Decision should be understood as prejudicing the independence and the autonomy of the judges and prosecutors active in judicial proceedings in the context of EULEX KOSOVO.

(7) Due to the special character of the activities of EULEX KOSOVO in support of the relocated judicial proceedings within a Member State, it is appropriate to identify in this Decision the amount envisaged to cover the support to those relocated judicial proceedings and to provide for the implementation of that part of the budget through a grant.

(8) Joint Action 2008/124/CFSP should be amended accordingly.

Changes to legislation: *There are currently no known outstanding effects for the Council Decision (CFSP) 2020/792. (See end of Document for details)*

(9) EULEX KOSOVO will be conducted in the context of a situation which may deteriorate and could impede the achievement of the objectives of the Union's external action as set out in Article 21 of the Treaty,

HAS ADOPTED THIS DECISION:

Article 1

Joint Action 2008/124/CFSP is hereby amended as follows:

(1) in Article 8, the following paragraph is added:

11. For the period from 15 June 2020 until 14 June 2021, Mr Lars-Gunnar WIGEMARK shall be the Head of Mission.;

(2) in Article 16(1), the seventeenth subparagraph is replaced by the following:

The financial reference amount intended to cover the expenditure of EULEX KOSOVO from 15 June 2020 until 14 June 2021 shall be EUR 83 745 000.

Out of the amount referred to in the seventeenth subparagraph, the amount intended to cover the expenditure of EULEX KOSOVO for the implementation of its mandate in Kosovo shall be EUR 38 700 000 and the amount intended to cover the support to the relocated judicial proceedings within a Member State shall be EUR 45 045 000.

The Commission shall sign a grant agreement with a registrar acting on behalf of a registry in charge of the administration of the relocated judicial proceedings for the amount of EUR 45 045 000. The rules on grants provided for in Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council[5] shall apply to this grant agreement.

The financial reference amount for the subsequent period for EULEX KOSOVO shall be decided by the Council.;

(3) in Article 20, second subparagraph, the first sentence is replaced by the following:

It shall expire on 14 June 2021..

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 11 June 2020.

For the Council

The President

A. METELKO-ZGOMBIĆ