

To: Head of EU Office in Kosovo/EUSR, Head of Mission EULEX, Embassies of the United States of America, United Kingdom, France, Germany, Italy.

Subject: Open Letter of Kosovo's civil society on Law on Amnesty

4 July, 2013, Prishtina

Your Excellencies,

We, the undersigned representatives of Kosovo's civil society, express through this open letter our deepest concern regarding the current draft of the Law on Amnesty. If the current version of the Law is enacted, this will undermine the entire rule of law efforts in Kosovo.

The Law on Amnesty derives from the First Agreement of Kosovo-Serbia dialogue. In principle, amnesty is necessary to reintegrate northern part of Kosovo in our legal framework. However, amnesty for northern part of Kosovo cannot be an overall amnesty for 69 criminal offences in the other parts of Kosovo. The current draft Law provides universal amnesty in Kosovo among others on tax evasion; damaging and illegally owning public and private property; illegal medical and pharmaceutical activities and contraband; violation of human rights; nepotism; espionage and/or expropriation of public services.

If the current draft Law on Amnesty is enacted, the pardon provisions will seriously hamper the entire work on fighting organized crime, corruption and financial crime by Kosovo's judiciary and prosecution; by EULEX; and will also seriously endanger the rule of law criteria specified in Visa Liberalization Roadmap; Rule of Law Dialogue with the EU; the upcoming SAA negotiations; and in short the entire investment for a just Kosovo in the last 14 years.

The current draft Law on Amnesty – if enacted – will present the final blow to hard work of thousands of Kosovars and international partners in Kosovo who have been working on a state based on rule of law. We strongly believe that the current draft Law should be reconsidered and returned for a democratic and procedural debate and expertise where civil society and public hearings can be part of, in order to obtain a new Amnesty Law which should serve to both the reintegration of northern part of Kosovo as well as successful rule of law in the entire state.

Please, Excellencies, accept assurances of our highest consideration,

The undersigned:

1. KIPRED (Kosovar Institute for Policy Research and Development);
2. CRDP (Center for Research Documentation and Publication);

3. CPA (Center for Policy and Advocacy);
4. GLPS (Group for Legal and Political Studies);
5. Syri i Vizionit;
6. KCD (Kosovo Center for Diplomacy);
7. KCCS (Kosovo Centre for Security Studies);
8. IKS (Kosovo Stability Initiative);
9. FOL Movement;
10. PCFR (Prishtina Council on Foreign Relations);
11. Besa Shahini – Policy Analyst;
12. ECMI Kosova (European Center for Minority Issues); DokuFest;
13. INPO (Initiative for Progress);
14. Yll Rugova – civil society activist;
15. CRP/K (Civil Rights Program Kosovo);
16. VISTA;
17. INDEP (Institute for Development Policy);
18. KDI (Kosovo Democratic Institute);
19. KCSF (Kosovar Civil Society Foundation);
20. GAP Institute;
21. Ec Ma Ndryshe;
22. Valdete Idrizi – civil society activist;
23. NGO Zana;
24. YAHR (Youth Association for Human Rights);
25. CDF (Community Development Fund);
26. KRCTV (Kosova Rehabilitation Centre for Torture Victims);
27. CBM (Community Building Mitrovica);
28. Riinvest Institute;
29. KADC (Kosovo Advocacy and Development Centre);
30. KAAD (Kosovo Agency for Advocacy and Development);
31. KWN (Kosovo Women’s Network)
32. NOPM (Network of Peace Movement)