



KOSOVO SPECIALIST CHAMBERS
DHOMAT E SPECIALIZUARA TË KOSOVËS
SPECIJALIZOVANA VEĆA KOSOVA

**PRACTICE DIRECTION ON THE
RULES COMMITTEE PURSUANT TO
RULE 7 OF THE RULES OF PROCEDURE AND EVIDENCE**

(adopted on 10 July 2018)

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Rule 1

Entry into Force

This Practice Direction on the Rules Committee Pursuant to Rule 7 of the Rules of Procedure and Evidence (the 'Practice Direction') is adopted by the President of the Specialist Chambers on 10 July 2018, pursuant to Articles 19(6) and 32(3) of the Law on Specialist Chambers and Specialist Prosecutor's Office (the 'Law') and Rule 13(2) of the Rules of Procedure and Evidence before the Kosovo Specialist Chambers (the 'Rules').

Rule 2

Definitions

For the purpose of this Practice Direction, unless otherwise specified, the terms employed herein have the meaning given in Rule 2 of the Rules. The singular shall include the plural, and *vice versa*.

Rule 3

Purpose and Scope

- (1) This Practice Direction ensures transparent and efficient proceedings before the Rules Committee, set up in accordance with Rule 7(1) of the Rules.
- (2) It applies to any proposal for amendments to the Rules submitted in accordance with Rule 7 of the Rules.

Rule 4

Rules Committee

- (1) The President shall designate, in accordance with Rule 7(1) of the Rules, two Judges to sit on the Rules Committee for one (1) year. Within this period, the

- Members of the Rules Committee shall be assigned by the President to exercise official functions as required for the purposes of and in accordance with Rule 5.
- (2) Prior to designation, the President shall consult the Judges on the Roster of International Judges, except for the Judges of the Specialist Chamber of the Constitutional Court, on their availability and willingness and shall proceed thereafter accordingly.
 - (3) The work of the Rules Committee shall be performed remotely and by electronic means, unless otherwise decided by the President.
 - (4) The President may substitute a Member of the Rules Committee if he or she is unable to exercise official functions or for any other compelling reason preventing the Rules Committee from performing its functions.

Rule 5

Procedure for Submission and Consideration of Proposals

- (1) Proposals for amendments to the Rules may be submitted to the Rules Committee by those eligible pursuant to Rule 7(3) of the Rules. Each proposal shall include:
 - (a) the proposed new text of the relevant Rule;
 - (b) the reasons for that proposal;
 - (c) its consistency with Chapter II of the Constitution and the Law; and
 - (d) its potential impact on other Rules or on any other relevant provision governing proceedings before the Specialist Chambers.
- (2) The President shall collect the proposals and convene the Rules Committee.
- (3) The Rules Committee shall address each proposal, in particular its consistency with Chapter II of the Constitution, with the Law and, where applicable, any impact on the fairness and effectiveness of proceedings.
- (4) Within thirty (30) days of having been convened, the Rules Committee
 - (a) shall consult, in accordance with Rule 7(4) of the Rules, the Specialist Prosecutor, the Registrar and the Independent Representative Body of Specialist Counsel; and

- (b) may consult Judges who have transmitted proposals for amendments to the Rules Committee on their proposals.
- (5) The Rules Committee shall produce a Report in respect of all proposals received, which shall include a summary of the consultations held, the position of those consulted as well as recommendations.
- (6) The President shall transmit the Report to all Judges at least thirty (30) days prior to the date of the Plenary.
- (7) The Rules Committee shall concisely present the Report at the Plenary and respond to questions thereon.