



**REPUBLIKA E SHQIPËRISË
GJYKATA KUSHTETUESE**



**Republika e Kosovës - Република Косова - Republic of Kosovo
GJYKATA KUSHTETUESE
УСТАВНИ СУД
CONSTITUTIONAL COURT**

**MEMORANDUM OF UNDERSTANDING ON RECIPROCAL CO-OPERATION
MUTUAL ASSISTANCE IN AREAS OF COMMON INTEREST BETWEEN**

**THE CONSTITUTIONAL COURT OF THE REPUBLIC OF ALBANIA
AND
THE CONSTITUTIONAL COURT OF THE REPUBLIC OF KOSOVO**

The President of the Constitutional Court of the Republic of Albania and the President of the Constitutional Court of the Republic of Kosovo;

On behalf of both courts, and as representatives respectively authorized;

Taking into considering the common interest that does exist in the realm of reciprocal relations with regard to the further deepening and the exchanging of knowledge about respective case laws, decision-making technique and models of organization and functioning;

Taking into considering the possibility of constant and sustainable realization of the exchange of expertise and studies through the exchange of documentation and periodical information on the respective case laws, the organization of reciprocal study visits among the judges of both courts, providing also for the possibility to organize and put into practice activities of constructive character (training periods) at the respective seats with the aim to

assist the legal advisers to the judges and the administrative staff of both Courts, have agreed as follows:

Article 1: Jointly scheduled programs:

- a) Upon understanding between parties, reciprocal study visits among the judges of the Constitutional Court of Albania and the Constitutional Court of Kosovo will be periodically realized;
- b) Upon understanding between parties, training periods with the aim to assist the legal advisers to the judges and the administrative staff of both courts will be organized;
- c) A periodical exchange of information on respective constitutional case laws will take place; each of the parties shall send to the other one the requested documentation – as the case might be - the legislation, the case law on special issues.

Article 2: Modalities of co-operation:

a) Training activities:

aa) Parties may develop joint training programs related to the areas of their activity, as well as to the other topics they may agree upon.

ab) Parties may invite each-other to training programs that will be organized at their institutions.

ac) Parties may exchange trainers, information and training materials, as well as training packages, books, audio – visual products, etc., prepared by their respective departments for the training.

b) Studies/researches

ba) Parties may agree to realize joint studies/researches on topics related to their functions.

bb) Parties may exchange their experts on their study/research topics, as it may be agreed on.

c) Seminars

ca) Parties may invite each-other to training programs that will be organized at their institution;

cb) Parties may organize joint seminars on topics they will agree upon.

d) Exchange of expertise and experience

da) Parties may exchange their expertise and experiences on topics in accordance with the ways it has been agreed upon.

db) Parties may exchange delegations and members of their staff in order to exchange expertise and experiences.

e) Other cooperation activities

ea) Other cooperation activities may be organized between the parties through a written agreement.

Article 3: Covering of expenses

The stay expenses of the constitutional judges shall be covered by the hosting court. For the periods, the stay expenses of the legal advisors to the judges and of the administrative staff shall be covered by the hosting court, whereas the travel expenses shall be covered by the visiting court.

Article 4: Extension of co-operation

Upon understanding between parties, on periodical basis and at the respective seats, will be organized activities on topic jointly agreed upon, study visits among judges of the constitutional courts and, if both parties agree, even among representatives of other courts or constitutional courts in the region.

Article 5: Duration of memorandum of understanding

- 1) This memorandum of understanding is valid for 5 years, and it will produce effects as of the day of its entry into force.
- 2) This duration may be extended to the same periods of time, through a silent agreement by the parties.

Article 6: Conclusion of memorandum of understanding

- 1) Upon declaration from the parties, the memorandum of understanding shall no longer be valid, within 3 months from the expiration of the 5 year period.
- 2) If one of the parties withdraws from this memorandum of understanding, it is obliged to notify the other party in written regarding the conclusion of this memorandum of understanding.

Article 7: Entry into force

This memorandum of understanding, drafted in Albanian, English and Serbian languages, all the three versions being identical in good faith, will enter into force upon signature by the President of the Constitutional Court of Albania and the President of the Constitutional Court of the Republic of Kosovo.

This Memorandum of Understanding is drafted and signed in three copies, in Albanian, English and Serbian languages, so that the parties can exchange it.

THE PRESIDENT OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF ALBANIA

Mr. Bashkim DEDJA



Tirana, on 18.04.2011

THE PRESIDENT OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF KOSOVO

Prof. Dr. Enver Hasani

Tirana, on 18.04.2011