



## EUROPEAN COURT OF AUDITORS

### PRESS RELEASE ECA/12/41

**For immediate release**  
**Luxembourg, 30 October 2012**

### **Rule of law assistance to Kosovo not sufficiently effective**

Kosovo is the largest per capita recipient of EU financial aid in the world and is home to the largest civilian crisis management mission ever launched by the Union (EULEX). European Court of Auditors has audited the EU's assistance to Kosovo in the field of the rule of law.

The ECA found that this assistance has not been sufficiently effective. Although the EU helped to build capacity, notably in the area of customs, assistance to the police and the judiciary has had only modest success. Levels of organised crime and corruption in Kosovo remain high. The judiciary continues to suffer from political interference, inefficiency and a lack of transparency and enforcement. Kosovo's limited capacity to protect key witnesses and the difficulties relocating witnesses abroad are important shortcomings. There has been almost no progress in establishing the rule of law in the north of Kosovo.

"Kosovo's authorities accord insufficient priority to the rule of law", said Gijs de Vries, the ECA member responsible for the report, "and EU support should be more effective."

In contrast to the rest of the Western Balkans, in the case of Kosovo the incentive of potential EU accession is jeopardised by the absence of a common EU position on its independence.

The European Commission and the European External Action Service have accepted the ECA's conclusions and recommendations.

[Video / EbS News clip](#)

*The purpose of this press release is to give the main messages of the special report adopted by the European Court of Auditors. The full report is on [www.eca.europa.eu](http://www.eca.europa.eu).*

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Notes to the editors:

European Court of Auditors (ECA) special reports are published throughout the year, presenting the results of selected audits of specific EU budgetary areas or management topics.

This special report addressed whether EU assistance to Kosovo in the field of the rule of law is effective. The Court assessed whether assistance is achieving its intended results and what has been its impact on overall progress in different areas of the rule of law (police, justice, customs, anti-corruption). It also examined the management of the assistance, particularly with regard to coordination and the management of EULEX. The audit included a sample of seventeen EU interventions in Kosovo.

During the period 1999-2007, Kosovo received EUR 3.5 billion in donor assistance, two thirds of which came from the European Commission and EU Member States. Between 2007 and 2011, EU assistance to rule of law through the IPA and EULEX totalled approximately EUR 0.7 billion.

The limited effectiveness of EU assistance can be explained by the specific circumstances of Kosovo, including the low starting point at independence for building up the rule of law. Nevertheless, the audit found there were significant areas where better management by the EEAS and Commission could have made EU assistance more effective. This is notwithstanding the improvements which they have introduced during the period audited.

For example, EU Member States have seconded insufficient and unqualified staff to EULEX, and for too short periods. Cooperation between Europol and EULEX is subject to legal restrictions.

The EU's coordination mechanisms need to be further improved, including with the international community. The EU institutions have made significant efforts to coordinate with the USA which is the largest bilateral donor in Kosovo. Nonetheless it remains difficult to achieve full coordination with the USA.

EU interventions have had limited results in tackling corruption which remains a major concern. Kosovo's three anti-corruption bodies have weak powers and overlapping responsibilities. The supervision of public procurement is similarly complex; moreover, there are more than 150 contracting authorities in Kosovo. Although this complexity and fragmentation increases the risk of corruption, the EU has not addressed this at political level.

The ECA recommends, inter alia, that the EEAS and the Commission should make better use of policy dialogue and conditions. The possibility of visa liberalisation may act as an incentive to improve the rule of law in Kosovo. However, the EU has set 95 requirements for visa liberalisation, which risks undermining the incentive effect. Policy dialogue should focus on priority conditions. The ECA recommends that the EU support for Kosovo be linked to concrete benchmarks and take into account EU internal security objectives.

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