



DECISION V

Referring to the discussion at the session of the Circle of Presidents on 12 May 2014 under agenda item III.1 (applications regarding the membership of the Constitutional Court of the Republic of Kosovo) and the conflicting opinions expressed in respect of the admission of the Kosovo Constitutional Court to the Conference of European Constitutional Courts as an associate member, the chairman puts the following compromise proposal to the vote: It is proposed that the Circle of Presidents decides to admit the Constitutional Court of the Republic of Kosovo as an observer to the XVIIth Congress of the Conference of European Constitutional Courts.

Pursuant to Art. 9 para. 2 b of the Statute and Art. 5 of the Conference Regulations of the Conference of European Constitutional Courts, the Circle of Presidents, gathered in Vienna on the occasion of the XVIth Congress of the Conference of European Constitutional Courts on 12 and 13 May 2014, decides not to adopt the proposal. With four votes against and ten abstentions (to be counted as votes against pursuant to Art. 9 para. 7 b of the Statute), the compromise proposal does not receive the required majority of votes.

Referring to Decision IV of 25 May 2011, adopted at the XVth Congress of the Conference of European Constitutional Courts in Bucharest, and to Decision VII of 10 September 2012, adopted by the Circle of Presidents in Vienna, the chairman subsequently puts the application of the Constitutional Court of the Republic of Kosovo, reiterated in a letter dated 17 April 2014, for admission as an associate member of the Conference of European Constitutional Courts to the vote:

With 12 votes against and five abstentions (to be counted as votes against pursuant to Art. 9 para. 7 b of the Statute), the application of the Constitutional Court of the Republic of Kosovo for admission as an associate member does not receive the required majority of votes.

Vienna, 13 May 2014

Professor Gerhart Holzinger

President of the Constitutional Court of the Republic of Austria