

UNMIK/PR/942

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## **Assembly Position on unpromulgated draft legislation on higher education**

Pristina – Today, in response to the Assembly’s position on higher education, the SRSG has made the following determination:

1. The Assembly of Kosovo has today adopted a position on unpromulgated draft legislation on Higher Education
2. Under the Constitutional Framework, draft legislation adopted by the Assembly enters into force only upon promulgation by the SRSG (CF Section 9.1.45)
3. Therefore, the position adopted by the Assembly has no legal effect

Notes for editors: this position issued by the assembly is in direct violation of Constitutional Framework section 9.1.45 which states that laws can only enter into force once promulgated by the SRSG.

Furthermore, on taking this position the assembly has failed to respect the outcome of the special process to protect minority rights, pursuant to Constitutional Framework section 9.1.39 which was invoked in August 2002.

The panel established under this procedure was led by Mr. Jim O’Brien, former US Presidential Advisor to the Balkans.