



**The Third Conference of Ministers of Justice of the European Union and Central
Asian Countries
Brussels, 6-7 December 2012**

Joint communiqué

The Ministers of Justice of the European Union and Central Asian countries,

Aware of the importance of strengthening the rule of law as an essential condition for the development of a stable political framework, good governance and democratisation, functioning of judicial and economic structures and the effective promotion and protection of human rights,

Wishing to give fresh impetus to the implementation of the European Union Strategy for a New Partnership with Central Asia adopted by the European Council on 21 June 2007 and building upon Progress Report on the implementation of the EU Strategy for Central Asia with an Implementation Review and outline for Future Orientations adopted by the Foreign Affairs Council on 25 June 2012,

Reconfirming the priority areas of co-operation of legal reforms and reform of judicial system such as the independence of judicial system, access to law, criminal justice, the Habeas Corpus principle, administrative law, commercial jurisdiction and law, and transposition of norms of international agreements and legal training and their effective



application in the national context, taking into account regional synergies as well as reforms and needs of each Central Asian country,

Relying on the results and recommendations of the 1st Conference of Ministers of Justice of the European Union and Central Asia, held in Brussels on 27 and 28 November 2008 and 2nd Conference of Ministers of Justice of the European Union and Central Asia, held in Dushanbe on 14 and 15 June 2010¹,

Taking into account the further implementation of the European Rule of Law Initiative for Central Asia and enhancing the EU's support to Central Asian countries for the strengthening the independence of their judicial systems,

Emphasising the major role of parliaments in promoting the Rule of Law, legal reforms and securing their effective application,

In close coordination with other international partners, notably the Council of Europe and the European Commission for Democracy through Law, and donor community,

In accordance with the thematic priorities for bilateral and regional cooperation defined jointly by the European Union and the countries of Central Asia,

1. *Welcome* the progress achieved since the inauguration of the European Rule of Law Initiative for Central Asia, which is contributing to building a relationship and of trust between countries of both regions and is giving an impulse to constructive co-operation between in this crucial sphere,

2. *Take stock* of the cooperation in the area of administrative law and endorse the recommendations adopted by the participants of the Regional Seminar “Administrative

¹ Uzbekistan attended the 2nd Conference of Ministers of Justice of the European Union and Central Asia, held in Dushanbe in 2010, as an observer



Этот проект финансируется ЕС
This project is funded by the EU



Проект реализуется компанией Altair
Project implemented by Altair Asesores, in consortium with IBF International Consulting, Nicolaas Witsen Foundation, and Central Asia International Consulting

Justice - Theory and Practice in European and Central Asian Countries” (Astana, 2-3 November, 2012);

Stress the importance to create an administrative procedural law for resolving of the public law disputes, which ought to be separated from the civil procedure, and also to reform the laws governing the general administrative procedure, in each case taking into account modern Rule of Law requirements,

3. *Emphasise* the progress achieved since 2010 in the reform of criminal law and procedure and reaffirm the importance of further cooperation in the implementation of these reforms.

Express interest in sharing the best practices on pre-trial proceedings and rights of defence in particular through the organization of seminars, such as the seminar on fair trial due to take place in Kyrgyzstan in 2013.

Recommend to elaborate a programme of professional education and further training of judiciaries in the area of decision drafting, execution of court decisions and sentences, and sharing of comparative law information especially in the field of fight against corruption and drafting of criminal legislation,

4. *Underline* the importance of the continuous cooperation and further reforms of legislation in the field of ordinary judiciary, prosecution and constitutional justice, and other spheres related to the Rule of Law, with the assistance of the Venice Commission of the Council of Europe, notably building on the results of current cooperation programmes and activities with Central Asian partners,

5. *Take stock* of the cooperation and in the area of judicial capacity and endorse the recommendations adopted by the participants of the Regional Seminar "On Judicial Capacity" (Brussels, 12-13 November, 2012);

Fostering further cooperation for increasing judicial capacity and accountability of all legal institutions, entities and personnel, based on transparent application of Rule of Law principles in Central Asia taking into account European practices and experiences. The recommendation to establish the working group on Judicial capacity as a permanent



Этот проект финансируется ЕС
This project is funded by the EU



Проект реализуется компанией Altair
Project implemented by Altair Asesores, in consortium with IBF International Consulting, Nicolaas Witsen Foundation, and Central Asia International Consulting

advisory body of the Rule of Law Initiative was endorsed. The group will share relevant mechanisms and approaches to facilitate sustained improvement of judicial capacity and it will convene yearly,

6. *Express their determination* to forge a close partnership with a view to fostering exchanges of experience in the legal and judicial sphere, based on current projects and support platform, and further develop to carry out new, practical projects designed to strengthen cooperation between the European Union and Central Asia,

7. *Emphasise* the importance of exchanges of experience and expertise in the context of a balanced approach, taking account of regional synergies as well as of reforms and needs of each Central Asian country, and paving the way for effective project coordination by the European Commission and European Union Member States,

8. *Emphasise* the importance of the inclusive training of all legal professionals and necessity to improve the general training system of those officials,

9. *Will consider* the possibility of organising national seminars and regional thematic conferences in Central Asia in 2013-2014, as a follow-up to this Ministerial Conference,

10. *Decide* to meet again in Central Asia in 2014 to discuss progress of the implementation of EU-Central Rule of Law Initiative, review the cooperation activities, and establish priorities and practical steps to continue the Rule of Law Initiative for the next period.



Этот проект финансируется ЕС
This project is funded by the EU



Проект реализуется компанией Altair
Project implemented by Altair Asesores, in consortium with IBF International Consulting, Nicolaas Witsen Foundation, and Central Asia International Consulting