Subject: Prisoner transfer agreement between Denmark and Kosovo

On 20 December, Denmark and Kosovo signed an agreement providing for Denmark to transfer sentenced foreign prisoners to Gjilan prison in Kosovo. The agreement, which is renewable for five years from the first quarter of 2023, involves an annual payment of EUR 15 million plus a one-off payment of EUR 5 million to cover conversion costs.

Kosovo is neither a member of the EU nor of the Council of Europe and is not a party to the conventions endorsed by this body. It is therefore under no obligation to comply with the EU acquis or acknowledge the jurisdiction of the ECHR. Furthermore, prison conditions in Kosovo are considered by international bodies to be in breach of fundamental rights.

The agreement is the result of a dangerous approach to criminal law enforcement, seeking to make savings while disregarding any notions of prisoner rehabilitation or respect for fundamental rights and human dignity. It also creates a dangerous precedent within the single legal area.

In view of this:

1. Does the Commission not agree that the agreement is in breach of fundamental rights and, in particular, Article 4 of the Charter of Fundamental Rights?

2. How does it propose to obtain more information regarding the implications of this agreement?