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July 2017

Continuous Training Program Activities

Parties and their representation in the procedure

On July 5th, 2017, the Academy of Justice, within the Continuous Training Program, conducted training on: "Parties and their representation in the procedure".

This training aimed to deepen the knowledge of judges on the implementation of legal provisions regarding the parties and their representation in the procedure.

In the first part of the training were discussed issues related to the parties, the ability to be a party in the procedure, as well as their representatives (legal representative, representative of the legal person and representative by attorney). The second part covered the position of the temporary representative and legitimacy of the parties to the proceedings.

Also, this training focused on the analysis of judicial practice regarding the procedure, the role, rights and duties of parties in a civil litigation and their representation.

During this training, was found that court practice often raises issues and dilemmas as to who can be a party in the procedure and who can be a repre-

sentative of the party, who would defend his/her interests before the competent court. It was emphasized that uncertainties also arise regarding the legitimacy of the parties in the procedure, respectively before the court, that the plaintiff and the respondent are legitimized as parties in the proceeding.

The training also aimed to provide answers to questions and dilemmas about who might be a party to a civil process? What do we understand with the ability to be a party to, what is procedural capability and when is that applied? What is representation in a process and how many kinds of representation do we have? What are the rights and duties of litigants in the process? What do we understand with the legitimacy of the parties? What is the court's role in the legitimacy of the parties? How and what do we understand with the active and passive legitimacy?

The beneficiaries of the training were judges of civil divisions of the Court of Appeal, and Basic Courts as well as legal officers.



Human trafficking and smuggling of migrants

On 06-07 July 2017, the Academy of Justice, within the Continuous Training Program, conducted a two-day training on "Human trafficking and smuggling of migrants".

The purpose of this training was to advance the



knowledge of judges and prosecutors on national and international legislation, and the legal framework on combating criminal offenses of human trafficking and smuggling of migrants.

This training focused on the detailed analysis of

national and legislation and international acts that sanctions and regulate various aspects related to the elements of the criminal offense of human trafficking, protection and support of victims of trafficking, prevention and the best way to combat all forms of human trafficking, as well as the rehabilitation and reintegration of trafficked victims.

In particular, were discussed the appropriate way of working with responsible institutions in the country to combat and prevent human trafficking, as well as the differences and similarities between trafficking and smuggling of grants.

Beneficiaries of this training were judges from the Special Chamber of the Supreme Court, judges and prosecutors of the basic instance.



Organized crime, trafficking of narcotics and trans-national cases, filing of indictments

On 19-20 July 2017, the Academy of Justice in cooperation with the EU Twinning Project: “Strengthening of efficiency, accountability and transparency of the Kosovo judicial and prosecutorial system” organized training on:

“Organized crime, trafficking of narcotics and trans-national cases, filing of indictments”.

The purpose of this training was to advance the participants' knowledge on the key elements of the criminal offenses related to organized crime, the investigative means used to detect these offenses, the persons to be charged, as well as the investigative measures to be undertaken.

During two days of this training, attention was paid to practical case analysis, cases involving

Kosovar citizens and foreigners, where the subject matter was related to scheme of importing medicines into Kosovo by avoiding taxes during the import.

Concrete actions that were elaborated were as follows: what actions can the police and judiciary undertake in order to stop the casino activities? Is it possible that they are ceased and confiscated? Should the bank accounts of these companies be confiscated and what other indictments can be raised against persons involved in these schemes.

Beneficiaries of this training were Special Prosecutors, Prosecutors of Basic Instance, Serious Crime Department and Police Officials



Initial Training Program Activities (ITP)

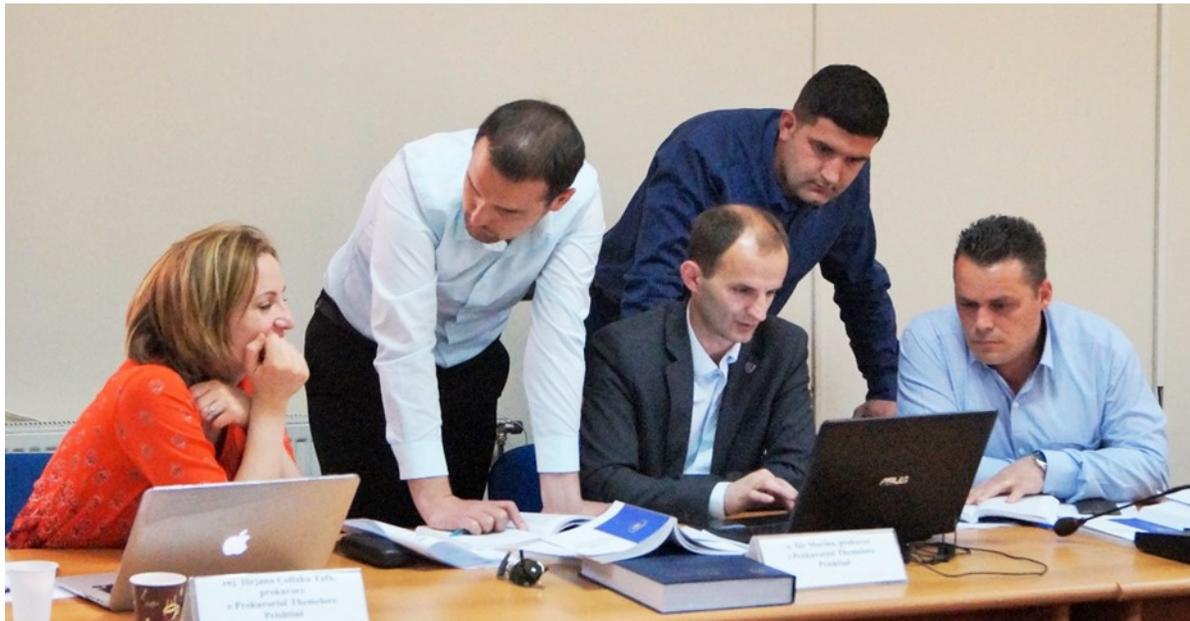
Activities implemented in ITP– July 2017

Academy of Justice, in order to fulfill the training program, continued with the implementation of its activities within the Initial Training Program, which is being attended by newly appointed prosecutors.

In the theoretical training, two (2) sessions were organized from the sub-module: "Raising Social Skills of Prosecutors", where the following issues were addressed: communication, social interaction and development of the social skills, as a prerequisite for advancing professional performance.

In addition, two (2) training sessions were organized from the sub-module: "EU Law", within which were addressed: European Union institutions and the decision-making process, as well as the sources of European Union law.

In the framework of practical training, newly appointed prosecutors continued their practice in the respective prosecution offices, under the supervision of their mentors.



Activities for the administrative staff of courts and prosecution

Induction Course – Module 2

On July 11-13, 2017, the Academy of Justice conducted the second part of the training for newly appointed members of the court and prosecution administration: "Introductory Course - Module 2".



The purpose of this training was to get the participants acquainted with the development of the judicial and prosecutorial system and the legislative amendments that have been made after the latest reform of the Kosovo judicial and prosecutorial system. Also, to correctly understand the constitutional provisions and the legislation in force regarding the judicial and prosecutorial system, know the current structure and competences of courts and prosecutor offices of the Republic of Kosovo, as well as the administrative staff and its categories.

During the three days of the training, have been elaborated various topics, such as: introduction to the work of courts and prosecution offices, the structure, organograms, categories of the administrative staff and their rights and obligations; internal and external communication and teamwork, main rules and regulations of case-flow management; introduction of types of records and documents maintained by administrative staff, rules and samples; job specifications in criminal matters and administrative matters, types of cases, court acts and court hearings; as well as judicial proceedings and relevant administrative staff duties, submission of summons and deadlines.

Part of the training was carried out through group work, where the participants through certain tasks had the opportunity to discuss various issues, and at the same time share their experiences from practical work.

Beneficiaries of this training were newly appointed members of the court and prosecution administration from different positions such as: legal officer, budget and finance officer, clerks,



Other activities

Regional Cooperation Council hosts the Judicial Training Institutions of Western Balkan

On 6 July 2017, representatives of the Justice Academy participated in the meeting of the Western Balkans Judicial Training Institutions, organized by the Secretariat of the Regional Cooperation Council, conducted in Brussels.

In this meeting was discussed the future cooperation between Western Balkan countries' Judicial Training Institutions, the relevant services of the European Commission, the European Judicial Training Network and the Regional Co-operation Council.

Representatives of judicial training institutions had the opportunity, through debates and discussions, to identify areas of inter-institutional cooperation, as well as identify concrete areas where support for joint projects is needed, from which the training institutions can benefit.

Furthermore, participants agreed on the next steps, setting out the short-term and long-term objectives of regional projects.

In this meeting were also presented the activities and opportunities of cooperation, pointing out the beneficiary from activities implemented by European Judicial Training Network, a mechanism which could provide support to judicial training institutions of the Western Balkan countries.

Also during the meeting were presented various mechanisms and instruments of the European Commission from which training institutions can benefit such as, TAIEX and other similar project.



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