



# Newsletter

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October 2017

## Continuous Training Program Activities (CTP)

### Measuring court sentences

On October 3rd 2017, Academy of Justice within its Continuous Training Program organized the training on measuring the court sentences.



Purpose of this training was to elaborate thoroughly on circumstances that the court takes into account for setting the type and height of the sentence for the crime perpetrators, in order to set a type and degree of the sentence that

corresponds with the weight of the criminal offence and social hazard of the perpetrator, that would reach the purpose of the punishment.

This training covered issues of measuring punishments emphasizing that setting the sentence by the court is one of the most important moments, or the finalizing moments, of the criminal proceedings. By setting the criminal offences, the Criminal Code determines the boundaries of the punishment for each offence, it sets the type and height of sentences by setting the lower and the highest ceilings of sentences. This way, different grades of social risk of the crime and of the perpetrator are set.

Applied methodology of this training was combined with theoretical explanations and interactive discussions as well as participant's work in groups.



## Expropriation and compensation of the expropriated property

On October 4th 2017, Academy of Justice conducted training on Expropriation and compensation of the expropriated land.



Purpose of this training was extending the judges knowledge on expropriation and compensation of the expropriated land.

First part of this training covered issues related to the competent body for expropriation and the procedure that takes place prior to expropriation. While the second part elaborated on the property assessment procedure that is subject to expropriation and determining the compensation.

This training utilized combined method of learning, with theoretical explanations followed by practical examples, where participants were active and contributed to reaching the training objectives.

Trainers presented cases related to expropriation and compensation of the expropriated property, and managed to clearly explain the legal institutes in this area, identifying the competent body for expropriation, distinguishing cases when the expropriation authority may be the municipality, from cases when expropriating authority is the government.

Participants were presented the ways how expropriation procedure is developed through practical cases, and they were also guided how to correctly apply the property assessment procedure and setting the compensation of the expropriated land via expertise.

Participants in this training were judges of the Appeals Court and of Basic Courts – General Department – Civil division.



## Financial Investigation

From October 5 to 7, 2017, Academy of Justice with the support of GIZ conducted training on Financial Investigation.

Purpose of this training was to extend the participants knowledge related to implementation of the legal framework on money laundering, legal mechanisms in asset sequestration and confiscation, measures for preventing money laundering and terrorism funding, cooperation with witnesses, protection of witnesses and negotiation with the defendants.

First training session elaborated on importance of cooperation with the Financial Investigation Unit (FIU), competencies of the law enforcement agency to turn the FIU information to evidence within FIU, how FIU can undertake relevant actions before opening a criminal investigation, and FIU access to international network, what are principles of the information

exchange in money laundering related to parties within FIU.

The second session elaborated on the conditions to be a protected witness, interrogation of protected witnesses, the anonymous witnesses, the meaning of anonymous witnesses, and what are protection measures of witnesses ad their types.

The training was delivered in interactive method by discussing on challenges in practice and difficulties that judges and prosecutors face during their work.

Beneficiaries of this training were judges and prosecutors of the basic instance, the SPRK prosecutors, investigators of the Kosovo Police and investigators of the Financial Intelligence Unit of Kosovo.





## “Specialized training for capacity development in combating corruption” - Session II

During October 06-07, 2017, Academy of Justice within its Continuous Training Program conducted the 2nd session of the Specialized Training Program for capacity development in combating corruption.

This training session aimed to extend the knowhow on forensic examinations and preparing the investigation party in coordination with relevant institutions targeting a more efficient combating of these types of criminal offences.

The training elaborated on the role, function and structure of the Kosovo Forensic Agency, its working methods, possibilities that this Agency provides when judges and prosecutors require forensic examinations.

Particular emphasis was put on use of covert

surveillance techniques and investigations for discovering corruption, types, terms, competent persons to issue these measures, content and duration of the orders for issuing measures and assistance of other bodies for enforcing these measures.

This training used interactive methods that discussed on challenges and specific difficulties that occur in practice while implementing correctly legal provisions and fighting corruptive offences.

Beneficiaries of this training session were judges and prosecutors of basic instance, professional associates and investigators as well as officials from the Kosovo Police.



## Collaboration in commission of a criminal offence and criminal association

On October 10 2017, Academy of Justice within its Continuous Training Program delivered training on Collaboration in commission of criminal offences and criminal association.



Purpose of this training is to explain in comprehensive way forms of collaboration in commission of criminal offences, analyzing the aid, incitement and criminal association, as forms

in which a considerable number of crimes are committed, that are difficult to be identified in practice.

During this training session it was elaborated on issues that relate to co-perpetration and agreement to commit a criminal offence, the incitement and aid including the criminal association, boundaries of criminal liability and punishment for collaboration.

Trainers also presented examples from the case law and exchanged experiences with the purpose of eliminating dilemmas that occur in practice.

Beneficiaries of this training were judges and prosecutors of the basic instance, and professional associates.



## Preliminary review of the lawsuit and preparation for the main hearing

On October 11th 2017, Academy of Justice within its Continuous Training Program conducted training on the Preliminary review of the lawsuit and preparation of the main hearing.

Purpose of this training was to support judges in correct implementation of legal provisions of the Law on Contested Procedure related to the lawsuit and preparing the main hearing.

First part of this training elaborated on issues that relate to the lawsuit and its content as well as the Law on Contested Procedure provisions for preliminary review of the lawsuit. While the second session, elaborated on actions and

decisions of the court in preliminary review of the lawsuit and types of decisions in this stage of the proceeding.

This training used combined methods of learning including theoretical explanations followed by practical examples, interactive discussions reaching entirely the training objectives.

The training was dominated with cases of the preliminary review of the lawsuit and preparation of the main hearing.

Beneficiaries of this training were judges of the Appeals Court and of Basic Courts – General departments – Civil division.



## Article 10 of the European Convention on Human Rights

On October 10-11 2017, Academy of Justice in cooperation with the JUFREX Project “Strengthening the judicial expertise on freedom of expression in Southeastern Europe” conducted a two-days training on Article 10 of the European Convention on Human Rights.

This training aimed to help the participants understand legal nature of the freedom of expression, analyze the applicable constitutional and legal provisions on freedom of expression, relying also on the requirements of the ECHR, recognize effects that Article 10 produces in the national system for creating a judicial practice related to freedom of expression and to have easier application of the ECHR as well as balancing of the freedom of expression in comparison with the right to liberty to private life according to the ECtHR practice.

This training elaborated issues pertaining to the rights and conditions of the freedom of expres-

sion, acts that safeguard the freedom of expression, role of judges and prosecutors in protecting freedom of expression and the media. Also, it was discussed about application of the administrative orders deriving from ECHR Article 10 related to freedom of expression and access to information, as well as protection of sources in Kosovo’s judicial system.

Particular attention was paid to work in groups, where participants had the opportunity to elaborate examples of the ECtHR case law.

These discussions encouraged the participants to refer to ECtHR rulings when handling similar cases in order to bring merit-based decisions for cases of this nature.

Beneficiaries of this training were judges and prosecutors of the basic instance and legal officials.





## Gender equality in judicial proceedings

On October 12 2017, academy of Justice in co-operation with GIZ held the roundtable on gender equality in judicial proceeding.



Purpose of organizing this roundtable was to present findings of the research on judicial decisions related to gender equality in the judicial practice of the Republic of Kosovo.

Discussion was conducted in two parts: in the first part it was discussed about the need to draft a manual with samples of court decisions and judgments in the area of gender equality. While in the second part, it was discussed about inclusion of the topics on gender equality, focusing on legal writing and reasoning and application of international conventions in the training curriculum of 2018.

The analysis that was presented aimed to elaborate on court decisions for protection orders by Kosovo courts in cases of domestic violence, and judgments in cases of marital dissolution and divorce.

This analysis of court decisions of the period of 2016 and 2017 was made upon the request of GIZ Legal and Administrative Reform Project. Starting from the interest of identifying the issue at hand, the analysis focused on the Prishtina's Basic Court and the Basic Court in Ferizaj.

Participants at this roundtable were: judges of the Appeals Court and of Basic Courts from the general Department – Civil division, the Minor offences division, Serious Crime Department, Juveniles Department, Economic Department, officials from the Gender Equality Agency, Law Faculty of the University of Prishtina “Hasan Prishtina”, Kosovar Gender Studies Center (KGSC), as well as Kosovo Police and GIZ Officials.



## Protection of children rights in marital – family disputes

On October 13-14, 2017, Academy of Justice with the support of UNICEF conducted training on “Protection of children rights in marital – family disputes”.

Purpose of this training consists on extending the knowledge on implementing correctly legal provisions and other normative acts, as well as international instruments on issues that refer to the judicial procedure in providing legal protection the children rights in marital – family disputes.

Within the scope of this training, it was initially elaborated on issues for protection of the rights of children in marital – family disputes, principles of protection of the children rights in

marital – family disputes, role of the court and other institutions that help the work of courts to the function of best protection of the children rights.

It was further focused on application of the Law on Civil Aspects of International Child Abduction, as the international children abduction a phenomenon that is mainly a result of Kosovo citizens residing abroad, relating and entering into marriage relations, as well as dissolving of marriages.

Beneficiaries of this training were judges of basic courts and professional associates.



## Handling cases of violence against media

On October 13 2017, Academy of Justice with the support of OSCE conducted training on Handling cases of violence against media.

Purpose of this training was increase of participant's knowledge about definition of violence against media/ journalists, specifics of cases in comparison with other criminal offences, empowering cooperation between law enforcement institutions related to cases of violence against media, in order to enable an institutional and unified approach to identify and investigate cases of violence against media.

Participants discussed about challenges that relate to increase of cases of violence against media and importance of cases when the journalists are attacked as citizens for a personal

matter and they declare they are attacked as journalists, so it means that motive of the attack has to be known.

The participants also received sufficient information related to initiation of the criminal case, the pre-trial phase, preliminary procedure, division of writs according to their nature, covert measures and measures of surveillance and assistance of other institutions for enforcing these measures, what are the tasks of police, of the state prosecutor and of the court pertaining to methods of case investigation and steps to be taken for proper handling of these cases.

Beneficiaries of this training were prosecutors and judges of basic instance from different regions of Kosovo as well as Kosovo Police.





## Judgment and legal reasoning

On October 17 2017, Academy of Justice within its Continuous Training Program conducted a training in the minor offences area on “Judgment and legal reasoning”.

Purpose of this training was to increase the participant’s analytical skills on drafting court acts and judgments, as well as adherence to a certain structure, in order the legal matter is presented and reviewed properly from the chronological, factual and legal aspects.

Within the scope of this training it was initially elaborated on preparing correct judgments according to the types and lawful reasoning, specifying that the judgments, whether punishing or releasing, shall be clear and lawful for

the parties involved in the procedure as well as for third persons.

It was further elaborated on types of judgments in the minor offences procedure, correct drafting of a judgment in legal reasoning, as well as regular ways of submitting the judgment.

The training was delivered in form of discussions where the participants had the possibility to demonstrate drafting of judgment, contribute to creation of uniform practices for correct drafting of the judgment and its legal reasoning.

Beneficiaries of this training were judges of basic courts, minor offences division.





## Crimes against life and body

On October 18 2017, academy of Justice organized training for judges and prosecutors of all regions of Kosovo on the topic of Crimes against life and body.

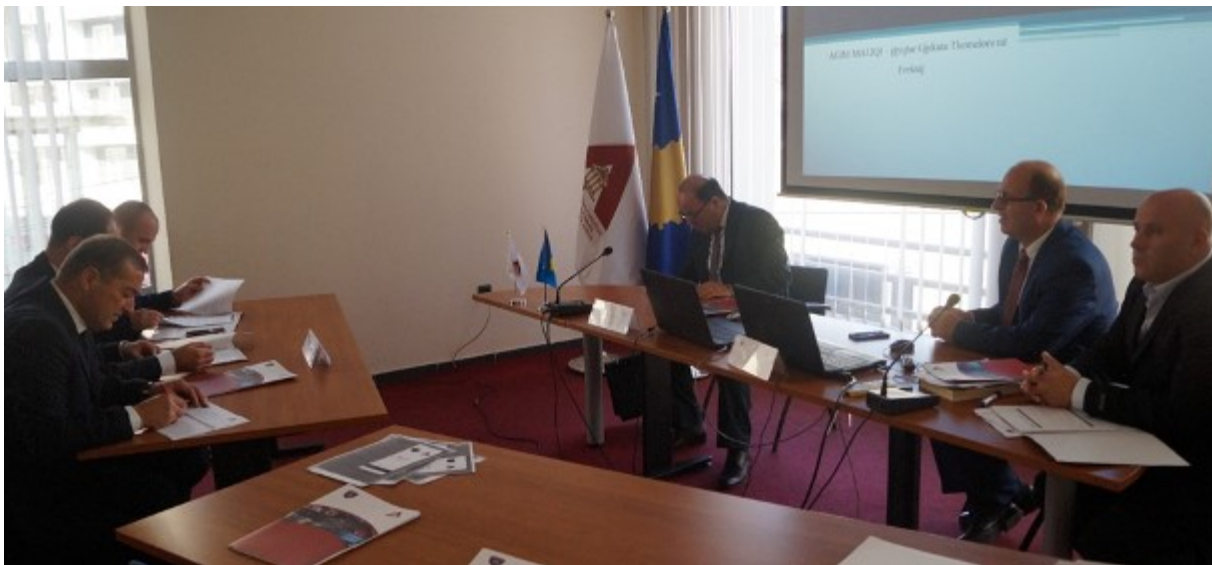
Purpose of this training was to enhance the participant's knowledge on investigation and sanctioning of perpetrators of these crimes and correct application of the Criminal Code provisions, through discussions and presentation of best practices and elaboration of examples from the case law.

During this training it was emphasized that protection of life and physical integrity is prin-

cipal, therefore for every assault against human life and physical integrity, competent authorities are required to react, which reaction can take place in form of applying criminal sanctions against perpetrators of these crimes.

The training was delivered on form of discussions by participating judges and prosecutors about challenges in their practice, and through cases and practical duties for elaborated issues.

Beneficiaries of this training were judges and prosecutors of basic instance from different regions of Kosovo.



## Alternative dispute resolution

On October 19 2017, Academy of Justice within its Continuous Training Program conducted training on Alternative dispute resolution.

Purpose of this training was to extend the participant's knowledge with the legal framework regulating the procedure for solving disputes through arbitration, and legal protection that participating parties enjoy according to legislation of the Republic of Kosovo.

During the training it was elaborated on issues that relate to arbitration specifying types of arbitration, alternative procedures in practice, and court competencies to review validity of the arbitration and mediation agreement. Particular emphasis was given to the issue of recognition

and execution of the arbitration divisions of both, national and foreign tribunals.

It was also elaborated on legal remedies in the procedure of recognition and enforcement of the arbitration decisions, respectively the possibility of contesting (annulment/ not recognizing) arbitration decisions by courts of Kosovo.

The training was delivered in form of presentation, interactive discussion and practical examples where participants exchanged experiences, opinions and their dilemmas when handling these types of disputes.

Beneficiaries of this training were judges of the Appeals Court, judges of basic courts as well as professional associates and legal officials.



## Trademarks

On October 20 2017, Academy of Justice within its Continuous Training Program conducted training on Trademarks.



This training's goals was to extend the judges knowledge on trade marks, interpretation and correct application of the provisions of the Law on Trademarks.

First part of this training elaborated on issues that relate to the notion of the trademarks and conditions for registering it, graphical presentation and distinction of trademarks, negative

conditions – absolute and relative obstacles for registration of trademarks, and the procedure how to obtain a trademark.

Whereas the second part elaborated on the rights and limitations of the trademark holders, accomplishing the rights from the trademarks, judicial proceeding and the administrative proceedings.

This training utilized combined methods of explanations, including theoretical and practical explanations, followed by practical examples, where participants were active during entire trainings, in order to completely reach the training objectives. This training was dominated by cases related to trademarks.

Beneficiaries of this training were judges of the Appeals instance and of the basic instance as well as legal officials.



## Judicial proceeding in the Special Chamber of the Supreme Court

On October 24 2017, Academy of Justice within its Continuous Training Program conducted training on Judicial Proceeding in the Special Chamber of the Supreme Court.

Purpose of this training is to enhance the participant's knowledge on interpretation and implementation of respective provisions of the Law on Special Chamber and its supplements that refer to the judicial proceedings at the SCSC.

During this training it was elaborated on issues pertaining to the judicial proceeding and obligation of parties involved, protection of parties in the proceedings of the Special Chamber, the written procedure and verbal procedure before the Special Chamber.

Training focused on discussions and issues raised by the participants related to application of the provision of Article 24 of the supplement to the law that regulates the matter of representation of the claimant and the respondent before the Special Chamber.

Training delivery methodology was combination of theory and practical cases from the case law presented by trainers with the purpose of contributing to standardization of working practices in this area.

Beneficiaries of this training were: judges of the Kosovo Supreme Court, judges of basic courts and professional associates.





## Reviewing creditors and property claims during the liquidation process

On October 25 2017, Academy of Justice within its CTP organized training on Reviewing credit and property requests in the liquidation process.

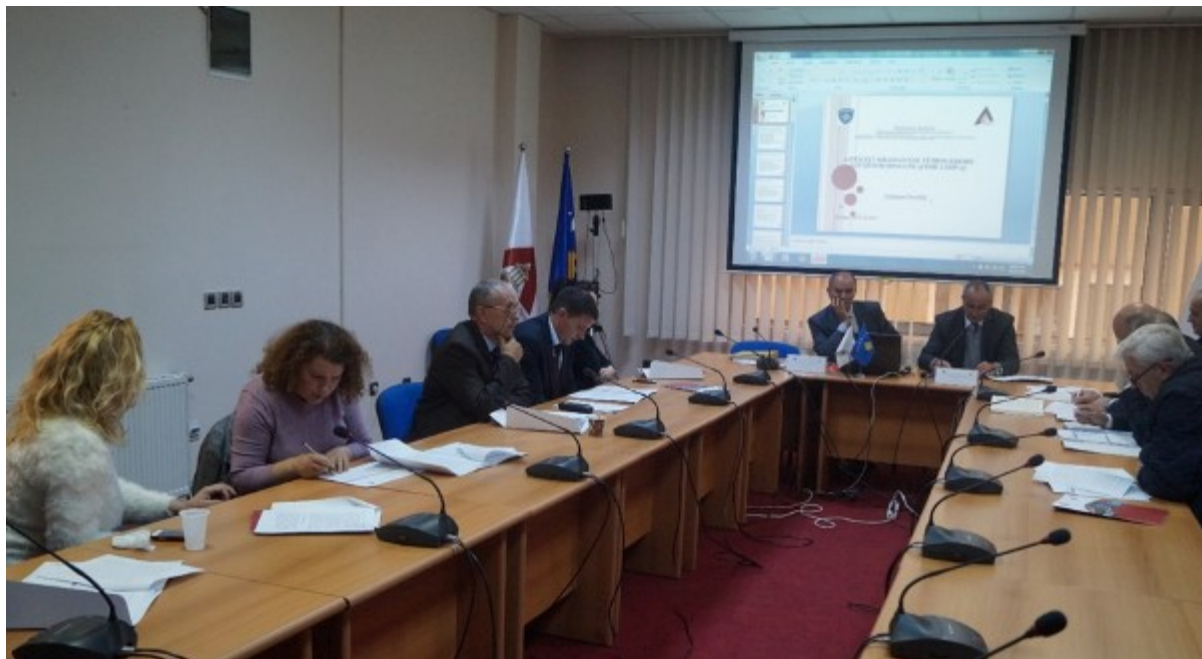
Training's goals was to extend the judges knowledge on review of the creditors and property claims in the liquidation process.

First part of the training elaborated on issues that relate to filing of creditor's and property claims in the Liquidation Commission in the Special Chamber. While the second part elaborated on handling of property and creditor claims by the Liquidation Commission and the Special Chamber.

This training used combined methods of explanation in theory followed by practical examples, where participants were active during the training, reaching this way the training objectives.

Training mainly presented cases from practice related to review of creditor's and property claims in the liquidation process.

Beneficiaries of this training were judges of the Special Chamber of the Supreme Court, judges of the Appeals Court and of Basic Courts – General Department – civil division and official of the Privatization Agency of Kosovo (PAK).



## Guideline of the Council of Europe on Friendly Justice for Children

During October 25-26, 2017, Academy of Justice within its Continuous Training Program conducted training in the area of Justice for Children on the following topic “The CoE Guideline on Friendly Justice for Children”.

Purpose of this training was to extend the theoretical and practical knowledge of judges and prosecutors, in correct application of legal provisions based on the CoE Guidelines and the German practice, in particular the UN Convention on Children Rights, and the EU Convention on Human Rights, in the efforts of raising awareness for integrating a friendly approach for children in administration of justice in national legislation.

The training initially discussed about initiatives and best practices for collection, obtaining and testing the evidence from children in legal proceedings (criminal, civil and administrative areas), in order to ensure that the children best interest is the main consideration in every action that impacts them, because such proceedings can be very stressful for everyone, especially for children, that can get traumatized of the proceedings taking place against them are not friendly.

It was further elaborated on main principles of

the UN Convention and the CoE Guideline on Friendly Justice for Children, and detention that is suggested to be limited as much as possible and to be replaced with alternative measures for juveniles.

It was also highlighted that there is insufficient support for children participating in a criminal or civil proceedings, taking into account the court settings - which are not always adjusted for their needs, taking into account that there is lack of special space for interviewing the minors - that would help in preventing the minor to directly confront the defendant or witnesses in courts, and provision of information about the proceeding to the minor, are still not practices in our system.

One part of the training dedicated to the work in groups through elaboration of some practical cases, where the participants had the opportunity to demonstrate their knowledge and exchange experiences with international trainers on establishing best practices for protection of the children’ best interests.

The training was conducted by international experts. And beneficiaries of this training were judges and prosecutors of all instances of the Juvenile Departments.



## Specialized training program in strengthening professional capacities for combating cybercrime – Session II

During October 27-28 2017, Academy of Justice within its Continuous Training Program organized the second session for the specialized training for strengthening professional capacities in combating cybercrime.



This session aimed to increase and strengthening of the participant's knowledge on main elements and tendencies of the cybercrime, in order to empower professional capacities in combating this negative phenomenon.

This training session elaborated on electronic evidence, procedures and practices, obtaining electronic evidence, risk assessment and management, combating risks of virtual safety like electronic mail, viruses, etc. it was further elaborated on discovering and preventing the money laundering and role of forensics in discovering cybercrime.

The training used comparison method of national legislation with the international one on cybercrime, and the best international practices in combating this phenomenon.

The training was delivered in form of interactive discussions, bringing up the difficulties in practice for cases that relate to cybercrime.

Beneficiaries of this training were judges and prosecutors of the basic instance from different regions of Kosovo.





## Witnesses in criminal procedure

On October 31st 2017, Academy of Justice within its CTP conducted training on Witnesses in criminal proceeding.



Purpose of this training was to explain thoroughly the role of the witnesses in criminal proceeding who are crucial in resolving a criminal offence.

Focus in this training was on correct applica-

tion of the Criminal Code and Criminal Procedure Code provisions including types of witnesses.

Principal attention was paid to protected witnesses whose status is handled according to the Law on witness protection and the witness protection program.

Applied training methodology was combined with theoretical explanations and interactive discussions as well as work in groups.

Beneficiaries of this training were judges of basic instance courts from all regions of Kosovo as well as from Kosovo Police.





## Initial Training Program Activities (ITP)

### ITP activities conducted for newly appointed prosecutors

Academy of Justice continued carrying out the training program for newly appointed state prosecutors, conducting training activities that included theoretical and practical trainings, according to the program schedule.

The theoretical training component for October 2018 delivered the following trainings: within the sub-module on “Investigation of cross-border crimes” - one (1) training session was held; sub-module on “Professional Ethics” – two (2) training sessions conducted that concluded this sub-module.

“Rules of Communication” – two (2) training session addressing the following: communication and rules for external communication, as well as best practices in working environment. Also, two (2) training sessions were held on “Stress management” that covered: time management as a prerequisite for stress management, protection of health and improvement of the work and life quality. Also, the sub-module

“Administration of criminal procedure” was delivered in two (2) training sessions, as well as the sub-module on “Expertise and analysis” had four (4) sessions.

The sub-module on “Plea bargaining agreement” was held in three (3) training sessions to cover the following aspects: initiating the procedure for plea bargaining, role of the State prosecutor in negotiating plea bargaining agreement, and the plea bargaining agreement in court.

Sub-module on “Crimes against official duty and corruption” was held in two (2) training sessions, whereas the module on Avoiding criminal prosecution” will be entirely completed during November.

While the practical training component in this period was conducted through the mentorship in prosecutorial offices according to the schedule.



## ITP activities conducted for newly appointed judges

This training program for newly appointed judges conducted activities that include the theoretical and practical training.

Theoretical training in this period was delivered for the module on “Criminal Code of Kosovo”, including the general and the special parts. The general part was developed in eight sessions: notion and elements of the criminal offence; object and subject of the criminal offence; division of criminal offences; action; place and time of the crime perpetration; unlawfulness; criminal liability and stages of the criminal offence perpetration.

While training on the special part of the Criminal Code also had eight (8) training sessions that covered the following: crimes from chapters XIV, XV and introduction to

Chapter XVI; crimes against life and body and human rights and liberties; as well as crimes from chapters XVII, XX, XXIII, XXV and XXVII.

Applied methodology during these training sessions was combined, with theoretical lecturing and interactive discussions, where newly appointed judges raised issues of interest and dilemmas that they see during their practical training in respective courts. They were engaged in preparing and presenting various hypothetical cases.

The practical training for newly appointed judges was held in their respective courts in accordance with the schedule of the program, under supervision of their mentors.



## Research and Publications Program Activities

### Roundtable with the appeals court judges

During October 17-18 2017, Academy of Justice with the support of UNDP Rule of Law Strengthening Program conducted the roundtable with the Appeals Court judges to present findings of the judicial practice research, that is a result of violations, particularly in civil cases of procedural and material nature, and as a result the first instance courts fail to issue just and lawful decisions.



This roundtable was a continuation of preliminary activities of this research work which aims to contribute to avoidance of these violations, by preparing a guideline or manual, with the purpose of decreasing the trend of cases that return for retrial, and to increase the efficiency on case resolution.

The Appeals Court judges engaged in this research work for two days presented individually the most frequent cases that come from first instance courts, and which for reasons of procedural or material breaches are returned to review.

In the first day, findings and recommendations for issues of the contested procedure were pre-

sented, like the following: the statute of limitation, obstruction to possession and working relationships disputes, property issues (obtaining by holding), servitudes, expropriation, domestic violence cases, family matters and inheritance.

The second day presented findings and recommendations for issues identified from the contracts, damage compensation, enforcement, and issues related to administrative conflicts.

Joint discussions raised many issues for which the appeals court had dilemmas which were marked as such and will be addressed with the Supreme Court.

Participants of this roundtable were President of the Appeals Court and other judges from the General Department – Civil Division, Administrative Issues Department and the Commercial Department.



## Activities for the administrative staff of courts and prosecutorial offices

### Case management

On October 5 2017, Academy of Justice with the Support of GIZ conducted training on “case management”.



This training aimed to increase performance of the administrative staff for an effective management of the case flow, in compliance with the applicable legislation, the internal rules and bylaws, for the fact that case management is a keystone of their daily work.

Discussions during this training focused on standard operating procedures for case flow management, emphasizing the advantages and disadvantages in the practical work of the case flow management, change of the existing prac-

tices and application of new ones that may bring more results and higher performance, thus increasing the public trust on the judicial and prosecutorial system.

Main processes in the case flow management were elaborated and emphasized the procedure for case renewal when the case is damaged or lost, storing the cases, processing and reporting the data, respecting the deadlines, monitoring and ensuring uniformity of the administrative procedures, case numbers and reduction of the backlog of cases.

The training was mainly conducted by discussion and the work in groups, where participants initially presented their practical issues during case management and at the same time gave proposals on how to solve the noted problems.

Participants in this training were administrators, assistant administrators and Heads of Registry offices in courts and prosecutorial offices





## Time and stress management

On October 19 2017, Academy of Justice with the support of GIZ conducted training on Time and Stress Management.

Purpose of this training was to help the participants to identify the stress degree in their daily lives and work, risk factors that cause stress, areas for accomplishing the best opportunities to improve their personal; wellbeing, increase of professional skills of the administrative staff for a better time managements, in order to have a more efficient and effective functioning of the judicial and prosecutorial system.

The training mainly focused on elaboration of issues that deal with protective mechanisms, damaging strategies and stress management techniques, main issues of the stress and health psychology, as well as coping stress with methods of confrontations, compromise and withdrawal.

Considering that very often, one of the main

causes of stress is also the lack of time available to complete everything that is required within the set deadlines, a particular attention was paid to time management, elaborating many issues that help to reduction and control of stress related to the work for accomplishing their tasks, like: improving the time management and performance of the administrative staff tasks, task delegations, monitoring and respecting the deadlines, and many other issues that are important and help overcoming different obstacles at work and in life.

The training was held in form of interactive discussions with participants, as well as filling a questionnaire for testing the stress level of participants individually and in total as a group. Beneficiaries of this training were administrative staff of judiciary and prosecution



## Other activities

### Conference on the 20th Anniversary of the Albania School of Magistrates

The School of Magistrates of Albania, on the 20th anniversary of its academic activities commencement, organized the conference entitled “Magistracy in the European Perspective” in which the acting Director of Kosovo’s Academy of Justice participated.

This event took place on October 2nd 2017, where many local and international personalities attended to include heads of Judicial training institutions of the region and from Turkey.

Part of this event was the international scientific conference “Magistracy in the European Perspective” divided in two panels. The first panel focused on the following topic: “International Cooperation for capacity development and institutional justice system growth. Role of the School of Magistrates in European Perspective”; while the Second panel had the

topic of “Role of the magistrate to improvement of the justice’s quality and efficiency. The position before and after the constitutional and legal changes”.

In the second panel, representatives of judicial training institutions presented on different topics, while the acting Director of Kosovo’s Academy of Justice, Mr. Besim Morina, presented on the following “Mandatory legal education – a right and duty of magistrates”.

Participation in the first panel of the regional Judicial Training institutions aimed to promote the cooperation spirit with all countries in the region, and provision of individual experiences and sharing the common European future, as well as in the context of each individual country.



## Legal Education International Congress

From October 4 to 6 2017, The International Congress of Legal Education was held in Istanbul organized by the Turkey's Academy of Justice, that was attended by Academy of Justice as the institution that Works with trainings in judicial field.

This Congress was attended by representatives of the judicial training institutions, judges and prosecutors, deans, academics and students of different countries of Europe and Asia.

Speakers emphasized particularly the legal education development in various historical peri-

ods, the actual situations of legal education in different systems in the world, by presenting their challenges of legal education in both, the academic area which is realized by the education institutions, or in the practical area which in most of the countries is carried out by judicial training institutions.

This congress carried out also a roundtable of discussions where judicial training institutions participated to present current developments, challenges and provided different recommendations for enhancing work of the judicial training institutions.





## Workshop on the “Initial Case-based Training – elaboration of the handbook on case-based training”

On October 11 2017, Academy of Justice in cooperation with the EU Twinning Project – Further Support to Legal education reform, conducted the workshop for reviewing the handbook on case-based training.

Academy of Justice and the twinning Project experts agreed that a case-based training model would be a useful and necessary approach. Case file management is an important task for every judge and prosecutor and the case-based training methods would be support to self-driven learning for newly appointed judges and prosecutors.

Purpose of this workshop was to set a structure of the handbook on case-based training that would consist of two stages: the preliminary stage and the trial stage. The preliminary stage includes the initial and preparatory steps (depending on the procedure), while the trial stage includes the procedure after the indictment, the main hearing and legal remedies in criminal proceeding; whereas for the civil procedure the following would be covered: the

trial, the judgment and the appeal.

The workshop initially presented selected cases by judges and prosecutors engaged in drafting of this handbook, who adhered to preliminary instructions to begin with breaking down the case according to relevant procedural issues, setting the questions and selection of the training methods for each concrete stage.

Based on the set structure, experts exchanged opinions and experiences about the case-based training approach like selection of practical cases, shortening the case for presentation to the participants of the initial training, structuring the cases, finding important and didactic questions.

Participants in this workshop were trainers of the Academy of Justice that come from the judges and prosecutors professions, other experts engaged by the Twinning project, and the staff of the Academy of Justice.





## **Workshop for preparing the regulation on internal organization and systematization of the working positions at the Academy of Justice**

During October 11 to 14 2017, Academy of Justice conducted the workshop on drafting the Regulation on Internal Organization and Systematization of the working positions at the Academy of Justice, which derives as an obligation from the Law on Academy of Justice.

During this workshop, the Committee for Normative Issues established by the Academy's Managing Board, together with the working groups of the Academy of Justice, determined the working methodology, providing basic elements on which this act will be based upon, and prepared the draft regulation taking into ac-

count the Academy's functions and positions that functionalize the Academy's mandate.

During analysis and discussions in this workshop for drafting the regulation, the Committee was led by principles and standards for drafting legal acts with the purpose that they are clear, functional and applicable in practice.

Participants in this workshop were members of the Committee for Normative Acts and the working groups of the Academy of Justice.



## Visit of German Lawyers at the Academy of Justice

On 18 October 2017, the Acting Director of the Academy of Justice hosted a delegation of new lawyers from Germany, which meeting was



organized with the initiative support of the GIZ.

During this meeting, Mr. Morina presented the work of the Academy, explaining in detail the activities developed by the Academy, its role, structure, legal basis, training programs and the Academy's mandate.

On the other hand, German lawyers expressed their satisfaction for visiting Kosovo and through different questions they paid attention to the type training and the functioning of the Kosovo justice system.

At the end of the meeting, were discussed the possibilities of exchanging experiences through cooperation in the field of judicial training and capacity development in the judicial area.



## Meeting of the Academy of Justice's Managing Board

On October 19th 2017, the sixth meeting of the Academy of Justice's Managing Board took place at the AJ premises and chaired by Mr. Alexander Lumezi, the State Chief Prosecutor.

As per the agenda, members of the Managing Board approved minutes of the previous meeting.

After that, the Managing Board approved the constituency of the Program Council of the Academy of Justice appointing the following members Emine Kaçiku - Supreme Court Judge, Mahir Tutuli - Judge of the Appeals Court, Afrim Shala - Judge at the Basic Court in Gjilan, Besim Kelmendi - Prosecutor in the State Chief Prosecutors Office, Habibe Salihu - Prosecutor in the Basic Prosecution in Prishtina, and Proff. Ass. Dr. Haxhi Gashi - Dean of

the Law Faculty at the University of Prishtina.

The following topic in the meeting agenda for the Managing Board was selection of the Director. All members of the managing Board participated in the voting and with 8 votes in favor and 1 vote against Mr. Valon Kurtaj was elected Director of the Academy of Justice.

In this meeting, the Managing Board discussed and approved the Training Program for Administrative staff of Courts and Prosecution. The discussions highlighted necessity of this program and it was concluded that it meets all the requirements and standards of a solid training program.





## Promotional event of the training module on foreign terrorist fighters

On October 20th 2017, Academy of Justice upon invitation by the UNODC, the Terrorism prevention Branch (TPB), participated in the launching event of the Training Module on Foreign Terrorist Fighters that was held in Vienna.

Purpose of this promotional event was to enable the participants to reflect on the project, to discuss integration of the training module on foreign terrorist fighters in their regular judicial training curriculum and to strengthen cooperation between the UNODC and the judicial training institutions.

The training module in English language was

introduced in this launching event, which will be sent to each training institution. Also, concrete issues of the project within the UNODC activities' scope were presented, and it was discussed about the project summary and future activities.

Participants in the promotional event of the training module on foresight terrorist fighters were: Mr. Elez Blakaj, prosecutor at the special Prosecution of the Republic of Kosovo, Ms. Ariana Shajkofci Prosecutor at the Basic Court of Prizren, and Ms. Melihate Rama, Head of the Continuous Training Division at the Academy of Justice.





## Visit of German students to the Academy of Justice

On October 23, 2017, representatives of the Academy of Justice hosted a group of 16 students from Germany, briefing them closely on the functioning and activities of the Academy.

At this meeting, students were informed about the justice system in Kosovo, the functioning and division of powers, the mandate and core functions of justice system institutions, the role and mandate of the Academy of Justice and other issues related to the functioning of the rule of law.

On the other hand, the German students appreciated their visit to Kosovo and especially to

the Academy of Justice considering it as very important institution, whereas, they also expressed their interest in gaining more knowledge on the judicial system in Kosovo with special emphasis on the work of the Academy of Justice.

This visit was implemented with the proposal of Mr. Klaus Erdman RTA, Twinning Project in support of the Academy of Justice.



## Internship Program for Students at the Academy of Justice

On 25 October 2017, students from the “ILIRIA” College who successfully completed the internship program, implemented due to the cooperation between the Academy of Justice and Higher Education Institution in Kosovo held a meeting at the Academy of Justice.

During the internship period, the students had the opportunity to learn closely the activities of the Academy, functioning of the judicial and prosecutorial system, with the focus on legal education, they also had the opportunity to benefit from participating in Academy’s training

activities, as well as provide their assistance in preparation of various training activities and drafting reports for activities organized by the Academy of Justice.

After the successful completion of the internship program, the Program Coordinator at the Academy of Justice distributed certificates.



## Seminar on ECHR implementation and legal safeguards for protection against discrimination

During October 26-28 2017, Academy of Justice in cooperation with the School of Magistrates of Albania, supported by the UNDP Access to Justice Project is conducting a joint regional event on Implementation of the European Convention on Human Rights and legal safeguards for protection against discrimination.



Purpose of this seminar is exchange of experiences between the Kosovo and Albanian judiciaries in the area of application of decisions of the European Court on Human Rights as well as on implementation of the Anti-discrimination Law.

The Seminar elaborated on the legal framework

and courts case law pertaining to equality and nondiscrimination, discrimination in the working relations area, ECHR application in Kosovo and in Albania to include the methodology of referring to the ECtHR case law, and application of the ECtHR decisions in Albania. Also, it was elaborated on the role of courts and Ombudsperson in preventing discrimination to include the UN and European standards in relation to equality and non-discrimination – importance of their recognition and application by the justice system.

Participants discussed practices of both countries in application of the ECHR and the ECtHR case law where specific challenges were introduced, to include also presentation of cases where Albania was a party in the ECtHR proceedings.

Participants in this seminar are: judges and prosecutors from Kosovo and Albania, as well as representatives from the Ombudsperson Institution of the Republic of Kosovo.



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