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June 2019

Activities from Continuous Training Program (CTP)

Expropriation and setting the compensation

June 3 2019, Academy of Justice within its CTP organized training on “Expropriation and setting compensation”.



Purpose of this training was to extend the judges knowledge on the expropriation procedure, identification of preliminary requirements for expropriation and criteria applied for expropriation.

First part of the training elaborated on the following: legal conditions for expropriation; expropriation in cases when an expropriation entity is Government or Municipality; preliminary decision and final decisions for expropriation and legal remedies. Whereas the second part of the training elaborated on the criteria for setting compensation for expropriation cases.

Initially the training highlighted that the expropriation institute allows the possibility that the owner is released of the rights to property only in cases foreseen by law and under condition that expropriation is done for purposes of general interest. Therefore, the acquired knowledge and elaboration of this legal institute, will contribute to unification of the judicial practice in the Republic of Kosovo.

Further, the training highlighted that expropriation of real estate is specifically regulated by

Law No. 03/L-139 on Expropriation of Real Estate adopted in April 23rd 2009. Private property is a category guaranteed and protected by international acts that safeguard the private property as inviolable and may be limited only for purposes of public interest and under conditions set forth by law. Also, Constitution of the Republic of Kosovo foresees its protection from any arbitrary intrusion and that nobody can be deprived of the property right arbitrarily. Republic of Kosovo or public authority of the Republic of Kosovo may expropriate a property, if this expropriation is authorized by Law, is necessary or suitable for achieving this public interest and is followed by immediate and adequate compensation for the person/s whose property is expropriated.

It was also concluded that according to the Law on Uncontested Procedure for setting the height of the compensation rate for the expropriated property, the court determines the rate of compensation when the user of the expropriation and the previous owner before the competent authority of administration did not reach agreement for compensation for the expropriated real estate.

Beneficiaries of this training are basic court judges, the appeals Court judges, professional associates in courts and officials from the Ministry of Finance that deal with compensation procedures before the expropriation body.

Decisions of the Constitutional Court of Kosovo and their legal effects

On June 6, 2019, the Academy of Justice within the framework of the CTP conducted training on: "The Right to Freedom and Security - Article 5 of the ECHR". The purpose of this training was to advance the knowledge of judges on the role of the Constitutional Court of Kosovo and its decisions, the legal nature, the effect and the manner of their enforcement.

The first part of this training covered: The role of the Constitutional Court of Kosovo and its decisions, the legal nature of these decisions and their effects. Whereas the second part dealt with: The types of Constitutional Court decisions and their enforcement.

It was pointed out from the outset that in the case law of the Constitutional Court, there are different types of decisions depending on their role towards the norms they control. Likewise, the processes carried out through decisions may have different natures. The role of the Constitutional Court lies precisely in the power of its decisions. However, the implementation and practical application of constitutional court decisions is a matter of particular importance which as such was widely discussed.

In this training it was emphasized that as stipulated by the Constitution, the Constitutional Court of Kosovo is the ultimate authority in the Republic of Kosovo for the interpretation of the Constitution and the compliance of laws with the Constitution.

It was further stated that the decisions of the Constitutional Court are binding to the judiciary and all persons and institutions of the Republic of Kosovo, therefore when proceedings are pending before the Constitutional Court, it may temporarily suspend the contested action or law until a decision is taken. If the Court

considers that the application of the contested action or law may cause irreparable damage.

The Constitution also stipulates that the Constitutional Court, unless otherwise provided by a decision of the Constitutional Court, repeals the law, act or action on the day of the publication of the Court's decision.

It was further stated that: As noted in the content of Article 53 of the Constitution of Kosovo, judges are obliged in their judicial decisions to reflect the interpretative spirit of the ECtHR in Strasbourg. Although, this referring practice is still in its beginning, the Constitutional Court of Kosovo has consistently referred to this case law when confronted with issues whose consideration has been the restriction of constitutional freedoms and rights.

The training uses theoretical explanation methods, based on case studies and case law, followed by interactive discussions facilitated by the trainers, through analysis and elaboration of topics, focusing on the implementation of the decisions of the Constitutional Court of Kosovo.

Beneficiaries of this training were: judges of all instances in the Republic of Kosovo and professional associates.



Criminal Code and Criminal Procedural Code

On June 6-8, 2019, the Academy of Justice in cooperation with the US Department of Law / OPDAT, in the framework of the Continuous Training Program, conducted a training on “Criminal Code and Criminal Procedural Code”.

The purpose of this training was to familiarize the beneficiaries of the training with the new legal provisions and those that have undergone substantial changes in order to be implemented fairly and easier in practice.

This three-day training addressed amendments to the general provisions of the Criminal Code, analyzing changes related to offenses against municipal services, offenses of official corruption and offenses against official duty, as well as new articles included in the Criminal Code which has entered into force. Prior of, the ex-

pected amendments to the Criminal Procedure Code were also addressed during the training, such as compulsory defense, defense on public expense, when defense is not compulsory and the rights of the injured or victim, dismissal of criminal report, the right to appeal dismissal, special investigative measures, pre-trial interrogation, pre-trial statements, and special investigative opportunity. Also was discussed the new provision governing the suspension of an official person from duty, public access to indictment and publication of the judgments, as well as adjudication in absentia and sentencing hearings.

Beneficiaries of this training were judges, prosecutors, lawyers and victims' advocates from Gjilani region



Fight against Trafficking in Human Beings

On 10-11 June 2019, the Academy of Justice in cooperation with the European Organization for Public Law ELPO project, conducted a two-day workshop on: “Fight against Trafficking in Human Beings”



The purpose of this workshop was to combat and properly enforce the applicable law with respect to these offenses.

The first day covered mainly the legal aspects of this offense as well as the victim's understanding and prospects of the victim. On the second day

the special focus was on protection of the victim before and during criminal process, support, rehabilitation and reintegration of the victim into society.

During this workshop through practical cases it was pointed out that trafficking in human beings is a widespread and more profitable phenomenon of organized crime, reaching the same dimensions as drug and weapons trafficking. Therefore, participants were required to understand correctly the elements of the offense of trafficking and to know the forms of exploitation of victims of human trafficking in order to have results in combating these offenses.

Beneficiaries of this workshop were judges, prosecutors, professional associates as well as legal officers from Kosovo courts and prosecution offices.



Procedure and Object of Administrative Conflict

On June 11, 2019, the Academy of Justice under CTV conducted a training on "Procedure and Object of Administrative Conflict".

The purpose of this training was to advance the judges' knowledge on the procedure and object of the administrative conflict.

The first part of this training covered: legal provisions on the procedure in administrative conflict and the subject of administrative conflict. The second part covered: legal proceedings in the Department of Administrative Affairs of the Basic Court in Prishtina and enforcement of the decisions of this department.

From the beginning it was pointed out that the administrative conflict arises as a result of administrative legal relations in cases when the final administrative act of the state body violated the law to the detriment of the natural person or legal entity. The purpose of the Law on Administrative Conflicts (LAC) is to provide judicial protection to the rights and legal interests of natural persons, legal entities and other parties whose rights and interests are violated by individual decisions or actions of public administration bodies.

With the final administrative act, the dissatisfied party cannot use regular legal remedies against the final decision, then the conflict arises between the party and the body that issued the final administrative act. This conflict arises as a result of the legality of the final act by which the state body decides on the right, obligation or legal interest of the natural or legal person.

It was further emphasized that the administrative conflict procedure is regulated by Law No. 03 / L-202 which regulates the competence,

composition of the court and the rules of procedure, on the basis of which the competent courts decide on the legality of administrative acts therein which competent public administration bodies decide on the rights, obligations and legal interests of natural and legal persons and other parties, as well as on the legality of the actions of administrative bodies.

It was further concluded that the administrative conflict can only be initiated against the administrative act issued in the second instance administrative procedure. An administrative dispute may also be initiated against a first instance administrative act against which no appeal has been allowed in the administrative procedure. The administrative conflict may also start when the competent authority has not issued the relevant administrative act upon the request or complaint of the party under the conditions provided for in the LAC.

During this training, theoretical explanation methods were used, based on practical cases and accompanied by interactive discussions facilitated by the trainers, through analysis and elaboration of the topics, focusing on the procedure and object of administrative conflict.

Beneficiaries were judges of the Department of Administrative Affairs of the Basic Court in Prishtina and the Court of Appeal.



Specialized training on Public Procurement in Kosovo – Session 1

June 13-14 2019, Academy of Justice within the Continuous Training Program organized specialized training program on public procurement in Kosovo.

Purpose of this training was to extend the participants knowledge on public procurement and implementation of these provisions related to investigation and adjudication of the crimes of this nature.

This training covered the following: procurement planning, tender dossier and technical specification emphasizing importance of the

public procurement, tendering procedure and awarding contracts according to general provisions on the rights and obligations of parties after the contract is reached, and contract administration and selection of supervisory body.

During the training participants had the possibility to present practical cases that analyze the process of planning, elaborate on the tender dossier and identify corruption indicators that relate to public corruption.

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



Insurance contract

On June 18, 2019, the Academy of Justice in the framework of the Continuous Training Program conducted a training in the commercial field on: "Insurance Contract".

The purpose of this training was to advance the knowledge of the participants about the insurance contract in general as one of the most important contracts in civil circulation.

The training covered the following: goals and significance of insurance, specifics of the insurance contract - general and special conditions, compensation proceedings outside litigation, litigation compensation proceedings, grounds of

liability in cases of causing the damage, types of adequate compensation in the case of claims presented as well as damage regressions in Cas-co insurance cases.

The training was conducted in the form of interactive discussions and through practical cases where participants had the opportunity to present challenges and difficulties encountered in practice.

Beneficiaries of this training were basic level judges from the Department of Economics and General Department and professional associates.



Diversion measures

June 19 2019, Academy of Justice with the support of UNICEF within the continuous training program conducted training for judges and prosecutors on the topic of “Diversion measures”.

Purpose of this training was to enhance the participant’s knowledge for implementation of the Juvenile Justice Code, particularly in defining the terms and specific situations for correct application of the diversion measures.

During this training it was elaborated on national legislation, with emphasis on the Juvenile Justice Code, which highlighted the gaps and problems in practical application of the new diversion measures that have entered into force. In this light, it was discussed about approval of the

minor when imposing the diversion measure, presence of the minor, parent and of the representative in the hearing session for setting the diversion measure, and bringing the judgment for imposing diversion measures. Also, particular attention was paid to assessment of adequate measures for specific situations and identification of situations against whom and for what offences the measures can be imposed.

Participants had the opportunity to discuss about cases from judicial practice, identify legal provisions and provide the correct legal solutions.

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



Criminal Code and Criminal Procedure Code

On June 20-22, 2019, the Academy of Justice in cooperation with the US Department of Law / OPDAT, in the framework of the Continuous Training Program, conducted a training on “Criminal Code and Criminal Procedural Code”.

The purpose of this training was to familiarize the beneficiaries of the training with the new legal provisions and those that have undergone substantial changes in order to be implemented fairly and easier in practice.

For three days, amendments to the general provisions of the Criminal Code have been dealt with, including criminal liability of legal persons, imprisonment, prohibition on exercising public administration or public service functions, prohibition on exercising a profession, activity or duty and general rules for mitigating or aggravating the sentences, statutory limitation of prosecution, commencement and termination of statutory limitation and statutory limitation, terrorism provisions and offenses against life and body, sexual harassment and other related articles .

Significance has also been given to offenses against the economy such as tax evasion, unreasonable acceptance of gifts, unreasonable gift

giving, smuggling of goods, evasion of duty or excise duties have also been part of the training, as well also offenses against municipal services and new articles, offenses of official corruption and offenses against official duty, compulsory defense, defense counsel at public expense, when defense is not compulsory and the rights of the injured or victim, dismissal of a criminal report, the right to appeal dismissal, special investigative measures, pre-trial interrogation, pre-trial statements.

It also addressed the special investigative opportunity, investigations, timing of investigations, termination and reopening of investigations, suspension of official duty, plea bargaining and cooperative witnesses, public access to the indictment and publication of the judgment, additional evidence and facts , second hearing, confirmed indictment and trial in absentia, sentencing hearing, complaint reviewing standard, substantive violations, reversal of judgment by the Court of Appeal, retrial, request for protection of legality, writs - electronic calls.

Beneficiaries of this training were judges, prosecutors and lawyers from Pristina region.



Judicial protection in case of insult and defamation

On June 25, 2019, the Academy of Justice, within the framework of the Continuous Training Program, conducted a training on "Judicial protection in case of insult and defamation".

The purpose of the training was to enhance professional skills of the beneficiaries in proper application of judicial protection in cases of insult and defamation in accordance with the principles of the European Convention on Human Rights and the application of the European Court of Human Rights case law in national level.

During the training was elaborated the Kosovo's domestic legal framework and case law on insult and defamation, lawsuit on defamation and insult, freedom of expression as one of the basic foundations of a democratic society and the right of access to public documents.

It also addressed the journalist's responsibility in publishing articles and revealing the source of information in the case of insult and defamation to persons with public authority, as well as the burden of proof in all acts of defamation and insult. During this training it was pointed out that the respondent will have the burden of proof to prove the truth of his statement and the court's finding that one of the statements of fact in question is substantially true and excludes the respondent from any responsibility.

The training took place in the form of interactive discussions, where participants had the opportunity to present challenges and difficulties encountered in practice in their daily work.

Beneficiaries of this training were basic level judges and prosecutors as well as professional associates.



Right to a fair trial - Article 6 of the ECHR

On June 26, 2019, the Academy of Justice within the CTP conducted a training entitled "The Right to a Fair Trial - Article 6 of the ECHR".



The purpose of this training was to advance the judges' knowledge of the role, requirements and obligations under Article 6 of the European Convention on Protection of Human Rights and Fundamental Freedoms (ECHR) - the right to a fair trial.

The first part of this training covered: The notions and categories contained in Article 6 of the ECHR, procedural protections under the provisions of this Article. Whereas the second part dealt with: the independence and impartiality of the courts in the context of this Article, as well as standards and requirements of Article 6 of the ECHR.

During the training was emphasized that the ECtHR has interpreted this article extensively on the grounds that the extended interpretation of Article 6 is of fundamental importance for the functioning of democracy. In *Delcourt v. Belgium* case, the court stated that: "in a democratic society within the meaning of the Convention, the right to a fair trial has such an important place that a limited interpretation of Article 6 paragraph 1 would not correspond to the aims and purpose of this provision. "

It was also concluded that the requirements and safeguards provided for in Article 6 of the Convention constitute a duty for every judge and prosecutor to ensure that they are respected throughout the judicial process, and not only during the litigation, but also at all stages of the process. Article 6 states everyone's right to a fair trial, including his right to access to court, to a hearing in the presence of the accused, a right to non-self-incrimination, equality of arms, the right to a fair trial, a hearing with the opposing parties, and a reasonable judgment. All of these are the principles, rights and duties of a judge to provide for a party to a litigation.

According to the ECtHR's interpretation, every court must act in such a way that it imparts impartiality in its administration of justice. This point is emphasized because the judge's impartiality is a very important characteristic of a fair trial that is based on both national and international law. Apart from impartiality, an important element closely related to it is the independence of the judge in the judicial process.

During this training, participants had the opportunity to break down the case law of the ECtHR by breaking groups and focusing on the fair implementation of due process of law in accordance with the ECHR.

Beneficiaries: judges and prosecutors of all levels in the Republic of Kosovo and professional associates.

Trial advocacy skills

On June 26-28, 2019, the Academy of Justice, within the framework of the Continuous Training Program, delivered a training on “Trial advocacy skills”.

The purpose of the training was to enhance practical skills of adequate trial advocacy techniques.

The training covered: direct examination as a fluent and clear communication of the subject matter and legal basis for the direct examination technique, using golden criminology questions, where was conducted a simulation of direct examination by participants divided into working groups.

The training also addressed legal basis for cross-

examination, as a mean of interrogating the other party in order to present the good facts and highlight the weaknesses of the other party. Part of the discussions at this stage of the training were also the guidelines for the practical implementation of cross-examination. Also for this technique, participants were divided into groups and developed a simulation of cross-examination.

In the last part of the training a trial simulation was conducted in order to demonstrate the use of these techniques in a trial.

Beneficiaries of this training were judges and prosecutors of basic level.



Criminal Code and Criminal Procedure Code

On June 27-29, 2019, the Academy of Justice in cooperation with the US Embassy (US Justice Department) conducted the following training on "Criminal Code and Criminal Procedural Code".

The purpose of this training was to familiarize judges and prosecutors as well as other legal professionals from the Pristina region with the new legal provisions of the Criminal Code for their proper implementation in practice.

During the three days of training, legislative amendments were dealt with by analyzing changes related to offenses against municipal services, offenses of official corruption and official duty, as well as new articles incorporated in the Criminal Code which entered into force.

Particular attention was also paid to the amend-

ments expected to be made in the Code of Criminal Procedure, such as compulsory defense, defense counsel at public expense, when defense is not compulsory, and the rights of the injured or victim, dismissal of criminal charges, etc. the right to appeal dismissal, special investigative measures, pre-trial interrogation, pre-trial statements and special investigative opportunity.

Also were discussed the new provision governing the suspension of an official person from official duty, public access to indictment and publication of the judgment, trial in absentia and sentencing hearings.

Beneficiaries of this training were judges, prosecutors, lawyers and victims' advocates from the Pristina region.



Activities from Initial Training Program (ITP)

Activities carried out as part of the initial training for newly appointed judges (VII generation)

The Academy of Justice, within the framework of the initial training program for newly appointed judges (generation VIII), during June 16 training sessions were held under the module: “Civil, Administrative and Commercial Law”.

From the sub module: Law on Obligation - the first part consisted of eight (8) training sessions where were treated the following topics: the notion, characteristics and classification of obligations, obligational contracts, termination of the contract, lifelong annuity, compensation of the damage for the accident caused during work.

From the sub module: “Property Law and Other Related Rights - Part Two Eight (8) training sessions were held and the following issues were

discussed: Property Law, co-ownership and joint ownership, ways of acquisition of ownership, Original way of acquiring ownership, judicial protection of property right, nugatory lawsuit and protection of possession, property rights and foreign items, certification, termination of real servitudes and protection of real servitudes.

Whereas the component of the practical training for this period was conducted through the continuation of the practice by the newly appointed judges in the respective courts in accordance with the schedule set by the program. Initial training for newly appointed judges is being attended by (39) newly appointed judges, seven (7) of whom are from Serbian community.



Activities implemented within Initial Training for newly appointed prosecutors

In the framework of the initial training for the newly appointed prosecutors of VIII generation (eighth), during June a total of 8 (eight) training sessions were conducted from the module: “Criminal Code of the Republic of Kosovo”.



Under the module “Criminal Code - general part”, 4 (four) training sessions were conducted covering topics such as: The notion and elements of the criminal offense, The object and subject of the criminal offense, Division of criminal offenses, Action.

The objectives of this sub module lie on implementation, expansion of knowledge on the func-

tion and the disposition of criminal sanctions, as well as the main characteristics of execution of decisions.

Within the module “Criminal Code - Special Part” 4 (four) training sessions were held where newly appointed prosecutors developed professional competence on the following issues: Criminal offenses under Chapter XIV, XV and introduction to Chapter XVI, criminal offenses against life and body and human rights and freedoms, offenses under Chapter XVII and XX, offenses under Chapter XX.

Whereas the component of the practical training for this period was conducted through attendance of the internship by the newly appointed prosecutors in the respective prosecution office, in accordance with the schedule set by the program. Initial training for newly appointed prosecutors is being followed by 12 newly appointed prosecutors.



Activities for Administrative Staff of Courts and Prosecution Offices

File and case management in the judicial and prosecutorial system

On June 20-21, 2019, the Academy of Justice in the framework of trainings for judicial and prosecutorial administrative staff, in cooperation with UNDP, conducted a training on “File and case management in the judicial and prosecutorial system”.

The purpose of this training session was to increase participants' knowledge on regulations and applicable legal practices in managing the flow of cases in courts and prosecution offices.

The training covered the following: court and prosecution registers, workflow and case

development organization, statistical data collection and reporting, efficient case management based on CEPEJ methodology and digitalization of court and prosecution work processes.

Beneficiaries of this training were: judicial and prosecutorial administrative staff including: professional associate, legal officers, administrative assistant, clerks and senior clerks.



Other Activities

Memorandum of understanding reached between Academy of Justice, GiZ and Authors of the Guideline on Administrative Procedure

Prishtina, June 10 2019, marked signing of the Memorandum of Understanding between GiZ, Authors of the Guideline on Administrative Procedure and the Academy of Justice for transfer of the property rights and other copy-right to the AJ.

Mr. Valon Kurtaj – Executive Director of the AJ emphasized that transfer of these right to the Academy of Justice is particularly important and at the same time expressed gratitude to the authors and GiZ for cooperation.

Mr. Karl Weber from the International German

Cooperation Agency (GiZ) – the Legal and Administrative Reform Project highlighted that purpose of this project is to support the legal and administrative reform project in Kosovo.

Publishing the “Guideline on Administrative Procedure” was enabled by GiZ, and in the signing event of the MoU, the authors Mr. Hasan Shala – President of the Appeals Court and Ms. Delushe Halimi – Judge in the Appeals Court, expressed their content for the transfer of these rights to the Academy of Justice.



Workshop on increasing the judge's legal capacities

June 11-14 2019, Academy of Justice within its Continuous Training Program with the support of OSCE conducted a workshop for the judges of Mitrovica region on the following: Increase of the judge's legal capacities – with focus on the new Criminal Code.



At the opening of this workshop, Mr. Ilia Bundaleski Regional Director of the OSCE Mission in Mitrovica, addressed the participants with a welcoming speech, highlighting importance of this workshop that focuses on novelties to the Criminal Code and new provisions pertaining to crimes of official corruption, crimes against official duty, domestic violence and sexual harassment. His speech was followed by President of the Supreme Court who in his opening remarks addressed the participants in the capacity of the Member of the Academy of Justice's Managing Board, thanking the Academy and OSCE for the strong and continuous cooperation.

Further, the welcoming was continued by Mr. Nikola Kabasic, President of the Basic Court in Mitrovica, who in his speech expressed gratitude to OSCE for the contribution provided in the rule of law area. At the end, but not least, Ms. Afërdita Bytyqi, President of the Prishtina Basic court, expressed her support for organization of this workshop and emphasized importance of discussions on the new and amend-

ed provisions of the new Criminal Code.

In the first day of this workshop, it was discussed about the human rights standards and guarantees for a fair and timely trial, and on other requirements from Chapter 23 and 24 of the EU Acquis – all requirements for admission to the European Union. Discussions covered the judge's obligation to decide fairly, cautiously and promptly, and continued with challenges that relate to reasoning of judgments. It was also discussed about extraordinary legal remedies and the property claims.

Next round of discussions focused on identification of changes to the criminal Code – in the parts of punishments for crimes against official duty, and highlight was on the crimes of the conflict of interest and its punishment, for which the new Criminal Code foresees cumulative punishment, and subject to this procedure by the new Code is also family member of the official person. The workshop also elaborated on the changes in the chapter of crimes against sexual integrity, with changes in previous Articles 228, 230 and 243. These articles have had changes of substantive, technical and linguistic nature.

Latest developments in the process of amendments to the Criminal Procedure Code were also addressed in this workshop – focusing on changes and novelties expected to take place. At the end, this workshop was considered as very necessary as it enabled the networking and productive cooperation that will serve the participants in practice as well.

Beneficiaries of this workshop were judges of the Basic Courts in Mitrovica and in Prishtina.

Conduct inside and outside the office and social awareness and responsibility

June 14 2019, Academy of Justice with the support of GIZ, within the trainings component for free legal professions conducted training for officials of the Free Legal Aid Agency on the following topic: “Conduct inside and outside the office and social awareness and responsibility”.



Purpose of this training was to extend knowledge of the Free Legal Aid Agency officials related to behavior inside and outside the office and social awareness and responsibilities

for correct implementation of principles and ethical conduct.

During the training it was elaborated on series of situations that show correct behavior with particular emphasis on the use of social network, ways of using them, ethical behavior, social behavior inside and outside the office, and other issues that impact on the image and public trust to justice institutions.

Training was conducted through interactive discussions between trainers and the participants, and they had the opportunity that through tasks and case studies identify ethical and non-ethical conduct.

Beneficiaries of this training were legal officials from the Free Legal Aid Agency from all regions of Kosovo.

Problems and conflict resolution, and interpersonal communication

June 15 2019, Academy of Justice with the support of GIZ, within the training component for other free legal professions conducted training for officials of the Free Legal Aid Agency on the following: Problems and conflict resolution, and interpersonal communication”.

Purpose of this training was to extend the legal officials knowledge on avoiding potential conflict situations that negatively impact provision of the free legal aid services.

This training elaborated on conflicts and theoretical definition, problems and other obstacles at work, human and collegial relations at work, formal mandate and individual responsibility towards the working environment and prevention and protection from mobbing.

This training offered practical examples to demonstrate various situations on management and resolution of potential problems, in support to the work and efficiency increase of the Free Legal Aid Agency, while exercising its tasks and functions set forth by law.

Training was delivered in form of interactive discussions between the trainer and participants, and they had the possibility that through tasks and case studies to provide adequate and ethical solutions to hypothetical situations.

Beneficiaries of this training were legal officials of the Free Legal Aid Agency from all regions of Kosovo.

Roundtable of the Appeals Court judges

June 17-19 in Durres, Albania, Academy of Justice supported by UN conducted a roundtable for the Appeals Court judges.



Purpose of this roundtable is unification of the Appeals Court practices in the adjudication process particularly for issues that are under the civil division competence.

At this roundtable it was discussed on issues that relate to compensation of salaries in civil service retirement, cases when the first instance court is ex officio declared jurisdictionally incompetent, cases of the preliminary review of the lawsuit, competence to decide on the parties' claims for paying the debts to KEDS/KEK, court competence to decide in contested and uncontested procedure when expropriating real estate, and for damages caused outside the

expropriated property, quality of the enforcement documents, decision of the labor inspectorate on jubilee salaries and for retirement, approval of requests for damage compensation of road traffic accidents when there is no written evidence, and proving the factual state by expertise when previous expertise is contradictory.

Discussion on the aforementioned topics highlighted the lack of unification in the collegium practice, and a similar situation is when the cases move to different instances. Relating to this, the Appeals Court judges concluded that for issues when there is difference in interpretation they shall request legal opinion from the Supreme Court.

Representatives of the Academy of Justice monitored this roundtable and for the addressed issues they will ensure to incorporate them while preparing the training program, and as soon as possible publish them in the official web page of the Academy.

Participants of this roundtable were judges of the Appeals Court – civil, commercial and administrative divisions.



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