



Newsletter

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August 2020

Introduction

Academy of Justice during August 2020, due to the situation created by Covid-19 pandemic, continued carrying out activities in the form designed to respond to measures and criteria foreseen for protection and prevention of this pandemic.

This month's characteristic is that it has fewer activities due to the period of annual leaves. Nevertheless, activities in the continuous and the initial training program have been conducted through the Zoom platform.

This edition of newsletter presents activities that complement the training needs assessment process and designing training program of 2021, different meetings, as well activities of the Initial Training program, that are presented by topic of the trainings, duration and beneficiaries.

Besides the aforementioned activities, the newsletter contains also the information on training courses conducted in the distance learning platform.

General activities

Inter-institutional cooperation and joint activities with donors and projects

In the reporting period, the Academy of Justice at the invitation of the Legislative Committee, Mandates and Immunities of the Assembly of the Republic of Kosovo, participated in the following meeting in which it was reported on the work process and activities carried out during 2019. At the meeting were provided answers to questions about the achievements in the training program, the status of AJ, the process of selection of trainers, the budget, as well as general need for support and strengthening of AJ. The special feature of this report was that the final conclusions of the members of the commission were positive and highly estimating the work of AJ during 2019.

Following the cooperation with international friends and partners during August there were conducted meetings and coordination with the USAID / CJA (Commercial Justice Activities) project, the OSCE, the ATRC, OPDAT and the British Embassy

With the USAID / CJA (Commercial Justice Activities) project, the modalities for publishing the announcement / competition for trainers in the field of commercial justice were discussed and concretized.

In the framework of cooperation with the OSCE, meetings were held in order to prepare the development of the Training for Trainers on drafting of indictments.

In the meetings with the ATRC organization funded by the Dutch Embassy, the possibilities of cooperation in training judges and prosecutors for cases related to hate speech were discussed. In this regard, a memorandum of cooperation was signed for the implementation of the project in question.

Meetings were held with the US Embassy, in particular with the representatives of the ODAT office in order to make preliminary preparations for the training "Advancing the confiscation of illegal property"

In the meetings with representatives of the British Embassy, respectively the leaders of the project "Strengthening the Justice System in Kosovo" it was discussed about the possibilities of cooperation between AJ and the project in establishing communication between the justice system and civil society, with special emphasis on AJ empowerment in this area.

Memorandum of Cooperation between the Academy of Justice and the Advocacy Training and Resource Center

On August 25, 2020, the Academy of Justice and the Advocacy Training and Resource Center (ATRC) signed a cooperation agreement in



the framework of the training development in the field of Hate Crimes.

This project has a duration of 1 year, until August 2021, and aims to have the Academy of Justice and the ATRC organize trainings for judges and prosecutors in building their profes-

sional capacity in the field of hate crimes and hate speech.

Through this memorandum AJ and ATRC agreed to assist each other in the development of training, to support each other in the exchange of information resulting from trainings, inform participants about hate crimes and their types, interpret and study the provisions of victims of hate crime according to the Criminal Code and legislative amendments, etc.

The Academy of Justice aims at including training covering the field of hate crimes in the 2021 Training Program.

Although not a very long-term project, the Academy of Justice and ATRC aim to develop cooperation between them in other projects that would help the justice system in combating and preventing negative phenomena.



Meeting with representatives of the British Embassy Project "Strengthening the Justice System in Kosovo"

On August 27, 2020, the Executive Director of the Academy of Justice, Enver Fejzullahu, had a meeting with the representatives of the British Embassy Project "Strengthening the Justice System in Kosovo", Mr. Ken Taylor, Project Director, and Mr. David Wells, Institutional Development Expert.

In this meeting, the Director initially thanked the British Embassy for the constant support given to the Academy of Justice and other justice institutions in Kosovo, at the same time informed them about the work of the Academy and enhanced cooperation with the Kosovo Judicial Council, Kosovo Prosecutorial Council and other stakeholders of the justice sector, in

order to increase the capacity of the justice system and the quality of programs in general provided by the Academy of Justice.

Appreciating the so far cooperation, the representatives of this project, Mr. Taylor and Mr. Wells, informed the Director of AJ about the implementation of the Project and confirmed once again that they will have a joint coordination in the progress of activities with the aim of joint efforts to overcome this situation created as a result of the pandemic, as well as to continue cooperation to strengthening the rule of law in Kosovo.



Training needs assessment

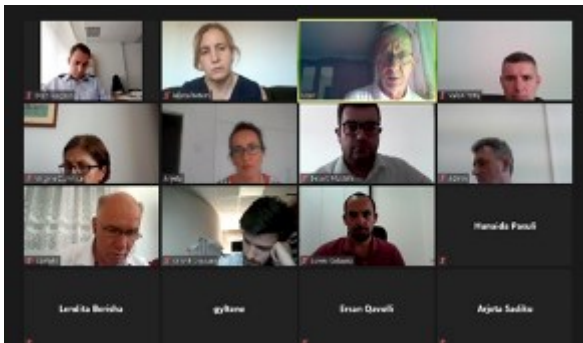
Activities carried out for the training needs assessment

Within the activities on training needs assessment and drafting the Training Program of 2021 have conducted meetings with court presidents and chief prosecutors in order to identify difficulties and practical problems in each region. Besides these meetings AJ also collected feed-

back from the questionnaires it has disseminated in courts and prosecution offices. In support of UNDP, AJ conducted meeting with judges and prosecutors for drafting the training curriculum on the topic of anti-discrimination.

Meeting with judges and prosecutors for assessing training needs and the training program on the discrimination area

August 3rd 2020, Academy of Justice in cooperation with UNDP, in their efforts for designing training program of 2021, compliant with actual training needs in the area of discrimination, con-



ducted its following meeting with the group of judges and prosecutors of all instances and regions of Kosovo, in the Zoom platform.

During this meeting, focus was on summary of the national and international legal framework on the discrimination area and institutional tools for protection against discriminations, as well as challenges and practical problems for implementation of this legislation, with particular emphasis on the Law on Discrimination and the Law on gender equality in Kosovo.

Discussions raised several cases of discrimination for which indictments have been raised and still did not reach their epilogue or still haven't

been dealt because of the case overload, and due to the fact that they are not classified as urgent cases. The cases mainly were initiated by persons with limited abilities. Also, the judges stressed that the courts still haven't been challenged with discrimination cases, and this is because of the culture and tradition. Nevertheless, in these discussions they emphasized the need for specialized trainings and drafting of manuals and handbooks for the procedural aspects, on how to approach cases that relate to discrimination.

In this meeting, the groups draw recommendations for strengthening the judges, prosecutors and official's capacities who work in this area, in order to be more efficient and functional for protection against discrimination. Furthermore, the participants were required to fill and send the questionnaire for training needs assessment, specifying concrete topics based on the most frequent cases of discrimination that they face in practice.

Participants in this meeting were judges of the Supreme Court, the Appeals Court, and Basic Courts, as well as prosecutors from Basic Prosecution of Mitrovica and Prishtina.

Activities from Initial Training Program (ITP)

Initial Training program activities for the newly appointed prosecutors

During this reporting period, the newly appointed prosecutors (generation VIII) have continued intensive practical training in respective prosecution offices where they are appointed, to compensate the practical training days missed due to Covid-19 pandemic outbreak.

Earlier this year, the prosecutors have completed their theoretical training part, and now with completion of this practical training conducted during august, this generation has officially

completed the 12 months initial training program.

Academy of Justice, after completion of the program started preparations for finalizing the prosecutor's files in compliance with the Regulation of ITP which will be sent to the Performance Assessment Committee in the Kosovo Prosecutorial Council.



Activities from Continuous Training Program (CTP)

Training: Advancing the rights of LGBTI people in Kosovo

.On August 5, 2020, the Academy of Justice within the Continuous Training Program (CTP) with the support of CEL - Center for Equality and Freedom for the LGBTI community organized training on: "Advancing the rights of LGBTI people in Kosovo. Unable to perform the classic training, this training was held virtually through the electronic platform Zoom live / live from 10:00 to 13:00h.

The purpose of this training was to advance the knowledge of judges and prosecutors on the topic of respect for the rights in court proceedings of LGBTI persons in Kosovo.

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The first part of the training addressed the following topics: Introduction to the rights of the LGBTI community - international standards and legal framework in Kosovo, Criminal and civil aspects of the protection of the rights of the LGBTI community. The second part of the training addressed the topics: Identification of human rights violations from concrete cases and the role of courts in protecting the human rights of the LGBTI community.

During this training, the meaning of the main concepts such as: "sexual orientation" were analyzed; "Gender identity" and "sexual characteristics"; "Hate crime"; and the broader concepts

of "homophobia", "transphobia", "stereotyping" and "discrimination". This was pointed out to be the basis for the more technical focus of prosecuting hate crime.

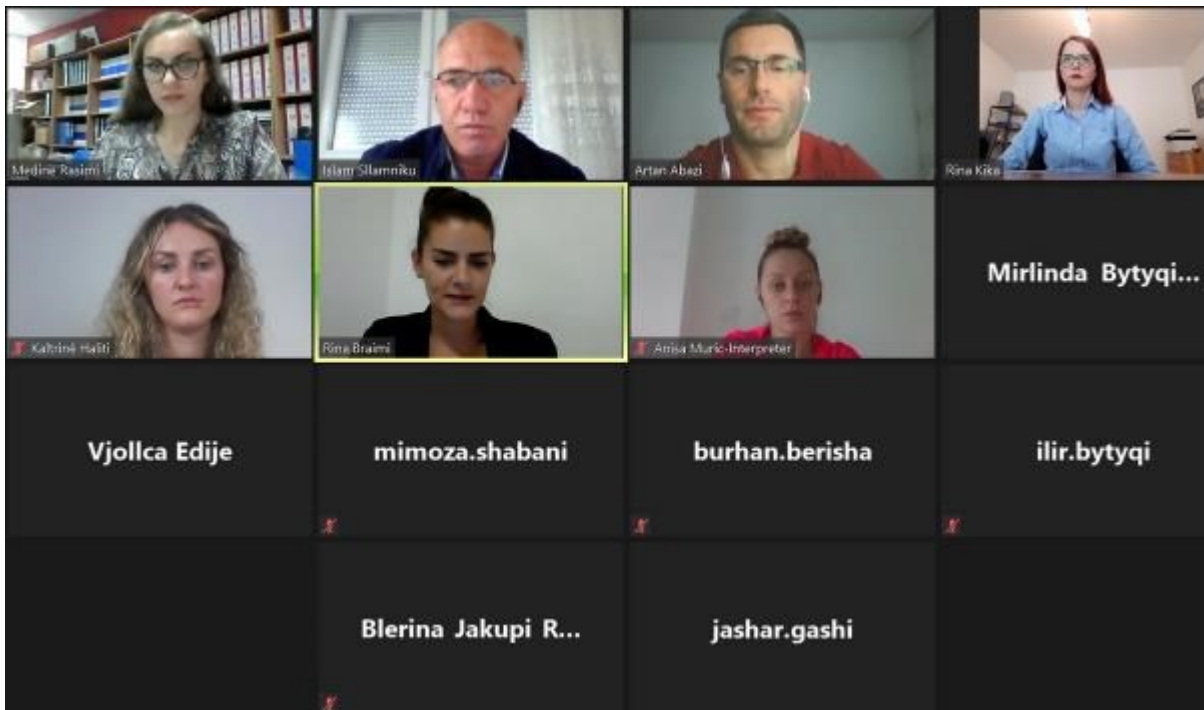
It was further emphasized that the legislation of the Republic of Kosovo is compatible with international standards in this field. Also the courts are treating these cases with seriousness and increased care. But the rule of law is a common obstacle for Kosovo, even more when it comes to protecting marginalized communities, especially the LGBTI community. This is especially due to the traditional values of society and the high social stigma associated with the LGBTI community, which extends directly to public officials and law enforcement. In a study conducted by the National Democratic Institute (NDI) on the LGBTI community in Kosovo, it was noted that psychological abuse and physical violence were reported by officials in institutions and organizations. Similarly, the study shows that the LGBTI community in Kosovo has reported discrimination in education and personal development, police protection, and access to public services.

The training focused on the importance of the prosecution in combating hate crime, early consideration of the impact of hate crimes on LGBTI persons, and focusing on the broader context of discrimination and prejudice that LGBTI persons experience in Kosovo.

There was also a comprehensive presentation of the most important current international standards and national legislation to combat hate crimes - and the practical application of these standards that support the effective prosecution of hate crimes against LGBTI persons. The focus was specifically on victims to prosecute hate crimes against LGBTI persons and the key skills needed to gather evidence of the motive of prejudice, the key elements that differentiate hate crimes from common crimes.

planation were used, including theoretical and practical explanations, followed by examples from court practice and provided answers to questions and uncertainties raised about all aspects of the protection of the rights of the LGBTI community in the judicial and prosecutorial system.

During this training, combined methods of ex-



Training: Stages of preliminary procedure, proactive investigation and ensuring evidence

On August 10 and 11, 2020, the Academy of Justice within the Continuous Training Program conducted a virtual training on "Phases of the preliminary procedure, proactive investigations and the provision of evidence."

The purpose of this training was to advance the professional knowledge of judges and prosecutors for proper implementation of the pre-trial procedure and in the application of proactive investigations and the provision of evidence.

On the occasion of this training were treated the ways how to provide evidence in the pre-trial procedure, how to be careful in respecting the investigative deadlines, then the ways of applying covert technical measures of surveillance and investigation. Adequate measures were taken to ensure the defendant in criminal proceedings as well as handling of witnesses and their protection. Special attention was paid to the interrogation and the manner of

obtaining the statement by the defendant, the witness, the injured party and the expert. Also during the training were addressed pro-active investigations, submission of requests to the court as well as the special investigative opportunity.

All these issues were treated with special care in order to find logical and clear solutions in practice.

During this training, combined methods of explanation were used, including theoretical and practical explanations, followed by examples from court practice and discussions on how to make a meritorious decision in concrete cases.

Beneficiaries of this training were: Judges from the Court of Appeals, judges and prosecutors from the Basic level from all regions of Kosovo.



Specialized training program: Money laundering – Session II

On August 12-13, 2020, the Academy of Justice within the Continuous Training Program, through the Zoom platform conducted the second training session on "Specialized Training Program - Money Laundering.

The purpose of this training was to advance the professional knowledge of judges, prosecutors and other participants in the proper implementation of legal provisions related to the criminal offense of money laundering.

During this session were discussed the techniques of examining money laundering fraud, ways of collecting information and evaluating them, concrete examples of personal profile preparation, tracking of funds by the recipient and the payer as well as the return of assets illegally acquired.

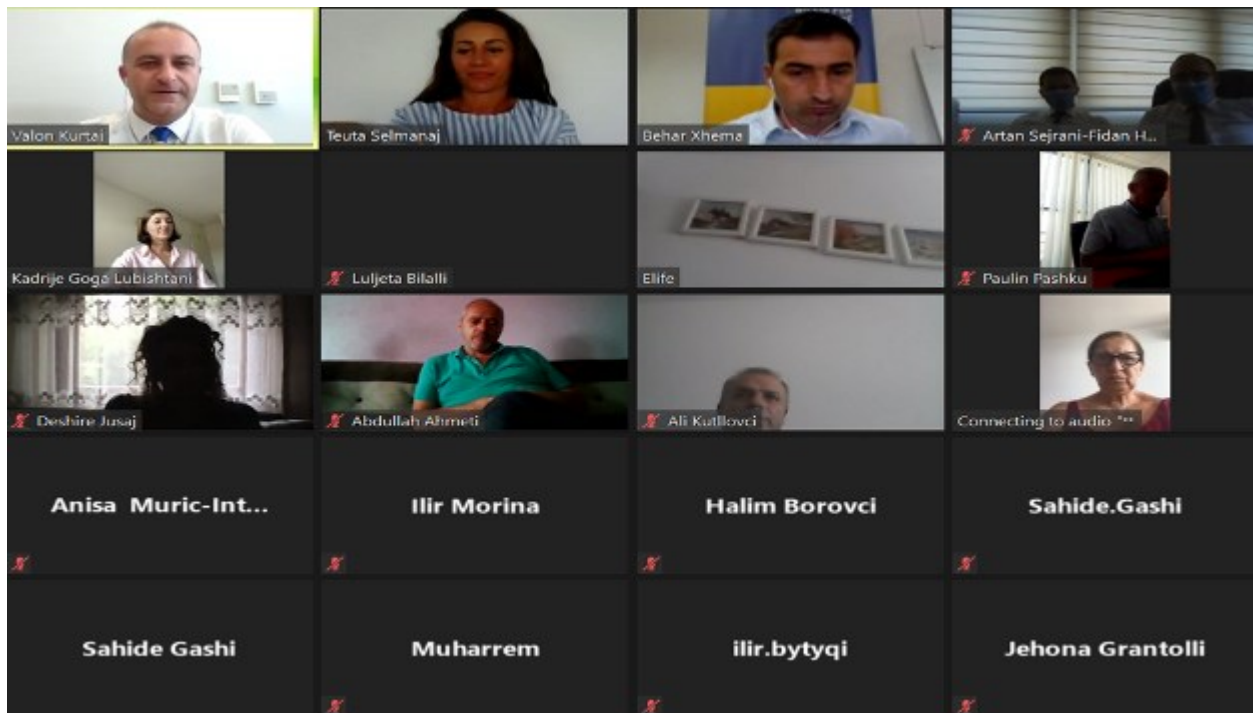
The following were elaborated international sources such as: Council of Europe Convention on money launder, search, seizure and confis-

cation of assets acquired through crime and financing of terrorism, and analyzed money laundering legislation in the context of compliance with international sources and comparative with some EU countries.

Within the specialized training program, special attention has been paid to Cryptocurrencies, as a new phenomenon in the modern world and the replacement of classic money with virtual money.

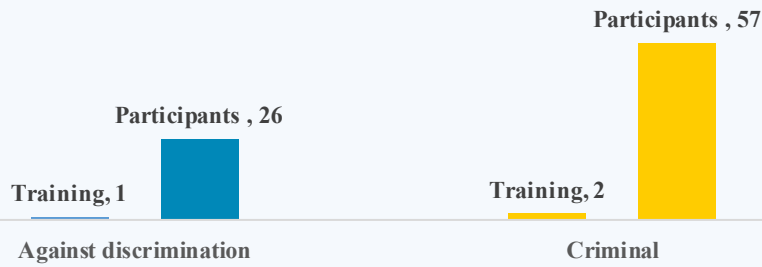
The methodology applied was of a combined nature, with theoretical explanations and interactive discussions.

Beneficiaries of this training were Prosecutors and Judges of the first and second instance, including Special Prosecutors and judges of the Special Department at both levels and State Attorneys.

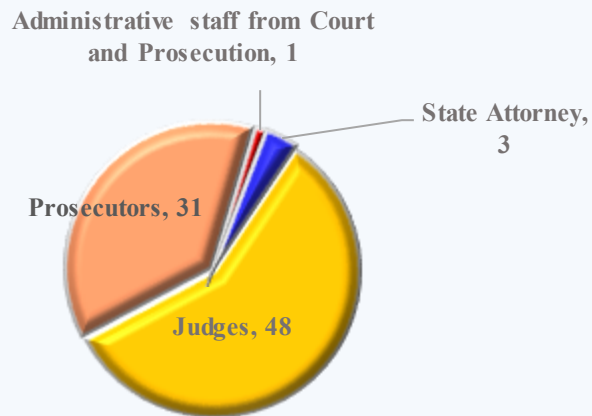


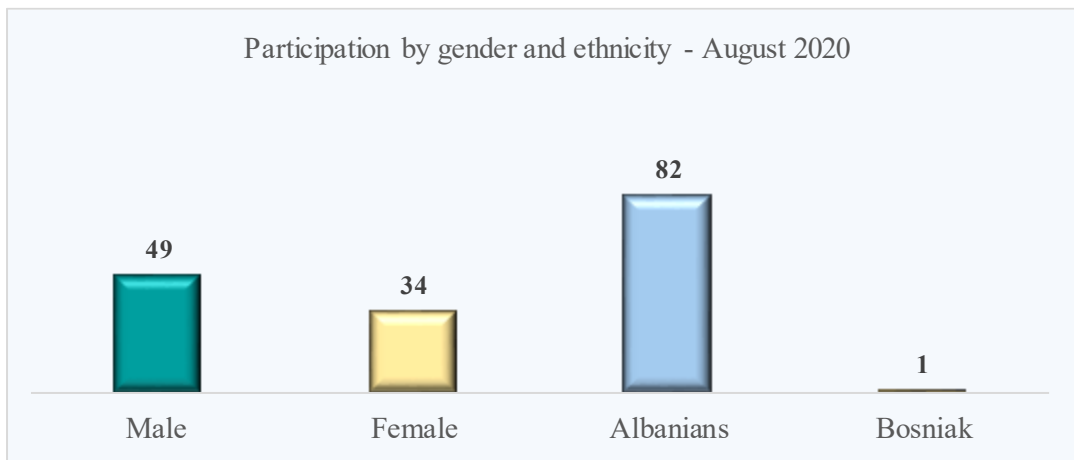
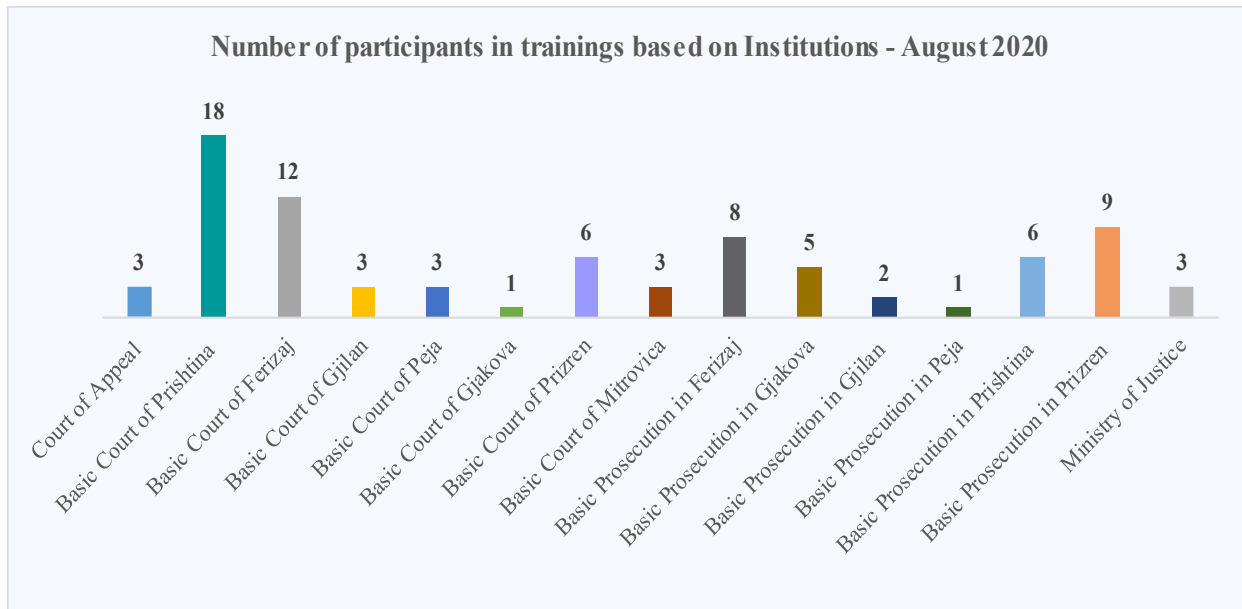
Attendance at trainings on PTV presented through graphs

Number of participants and trainings conducted according to the field - August 2020



Number of participants in the implemented trainings August 2020





E-learning platform, July 2020

During July the distance learning platform continued to be opened for the interested participants (judges, prosecutors, administrative staff of courts and prosecution offices and for law students) with no time limitation.

This platform includes 18 online accessible courses, 8 of which are available also in Serbian language.

July 20 2020, according to regulation of the Ko-

sovo Judicial Council (No. 06/2019) on amendment and supplementation of Regulation (No. 06/2017) the online mandatory course on “Professional Ethics” has been launched for judges of the republic of Kosovo.

For details please see the tables below which layout the attendance and progress in attending the courses according to topics in this platform.

Name of the course	Completion of the course	Percentage	In progress	Percentage	Did not commence at all	Percentage
<i>(Professional ethics) Procedure and disciplinary liability (Albanian)</i>	93	61%	31	20%	29	19%
<i>Professional ethics I</i>	102	67%	38	25%	13	8%
<i>Professional ethics II</i>	116	76%	13	8%	24	16%

Name of the course	Completion of the course	Percentage	In progress	Percentage	Did not commence at all	Percentage
<i>(Professional ethics) Procedure and disciplinary liability (Serbian)</i>	10	7%	16	10%	127	83%
<i>Professional ethics I (Srb.)</i>	12	8%	55	36%	86	55%
<i>Professional ethics II (Srb.)</i>	11	7%	35	23%	107	70%

Name of the course	Completion of the course	Percentage	In progress	Percentage	Did not commence at all	Percentage
<i>Diversion measures</i>	3	3%	8	8%	89	89%

Name of the course	Completion of the course	Percentage	In progress	Percentage	Did not commence at all	Percentage
<i>Effective management</i>	3	18%	12	71%	2	12%

Name of the course	Completion of the course	Percentage	In progress	Percentage	Did not commence at all	Percentage
<i>Justice for children – Civil aspect</i>	16	16%	19	19%	65	65%

Name of the course	Completion of the course	Percentage	In progress	Percentage	Did not commence at all	Percentage
<i>Justice for children – Criminal aspect</i>	10	10%	15	15%	75	75%

Name of the course	Completion of the course	Percentage	In progress	Percentage	Did not commence at all	Percentage
<i>Investigation and detection of corruption</i>	11	11%	10	10%	79	79%

Name of the course	Completion of the course	Percentage	In progress	Percentage	Did not commence at all	Percentage
<i>Corruption according to national and international legislation</i>	7	7%	7	7%	86	86%
Name of the course	Completion of the course	Percentage	In progress	Percentage	Did not commence at all	Percentage
<i>Court management</i>	13	13%	6	6%	81	81%

Name of the course	Completion of the course	Percentage	In progress	Percentage	Did not commence at all	Percentage
<i>Leadership</i>	11	11%	9	9%	80	80%

Name of the course	Completion of the course	Percentage	In progress	Percentage	Did not commence at all	Percentage
<i>Copyright and legal protection (Albanian)</i>	8	8%	18	18%	74	74%
<i>Copyright and legal protection (Serbian)</i>	2	22%	3	33%	4	44%

Name of the course	Completion of the course	Percentage	In progress	Percentage	Did not commence at all	Percentage
<i>Phases of indictment and pleading of guilt (Albanian)</i>	19	19%	14	14%	67	67%
<i>Phases of indictment and pleading of guilt (Serbian)</i>	2	22%	3	33%	4	44%

Name of the course	Completion of the course	Percentage	In progress	Percentage	Did not commence at all	Percentage
<i>Stress management (Albanian)</i>	36	36%	18	18%	46	46%
<i>Stress management (Serbian)</i>	6	67%	3	33%	0	0%

Name of the course	Completion of the course	Percentage	In progress	Percentage	Did not commence at all	Percentage
<i>Social communication skills (Albanian)</i>	8	8%	8	8%	84	84%
<i>Social communication skills (Serbian)</i>	2	22%	3	33%	4	44%

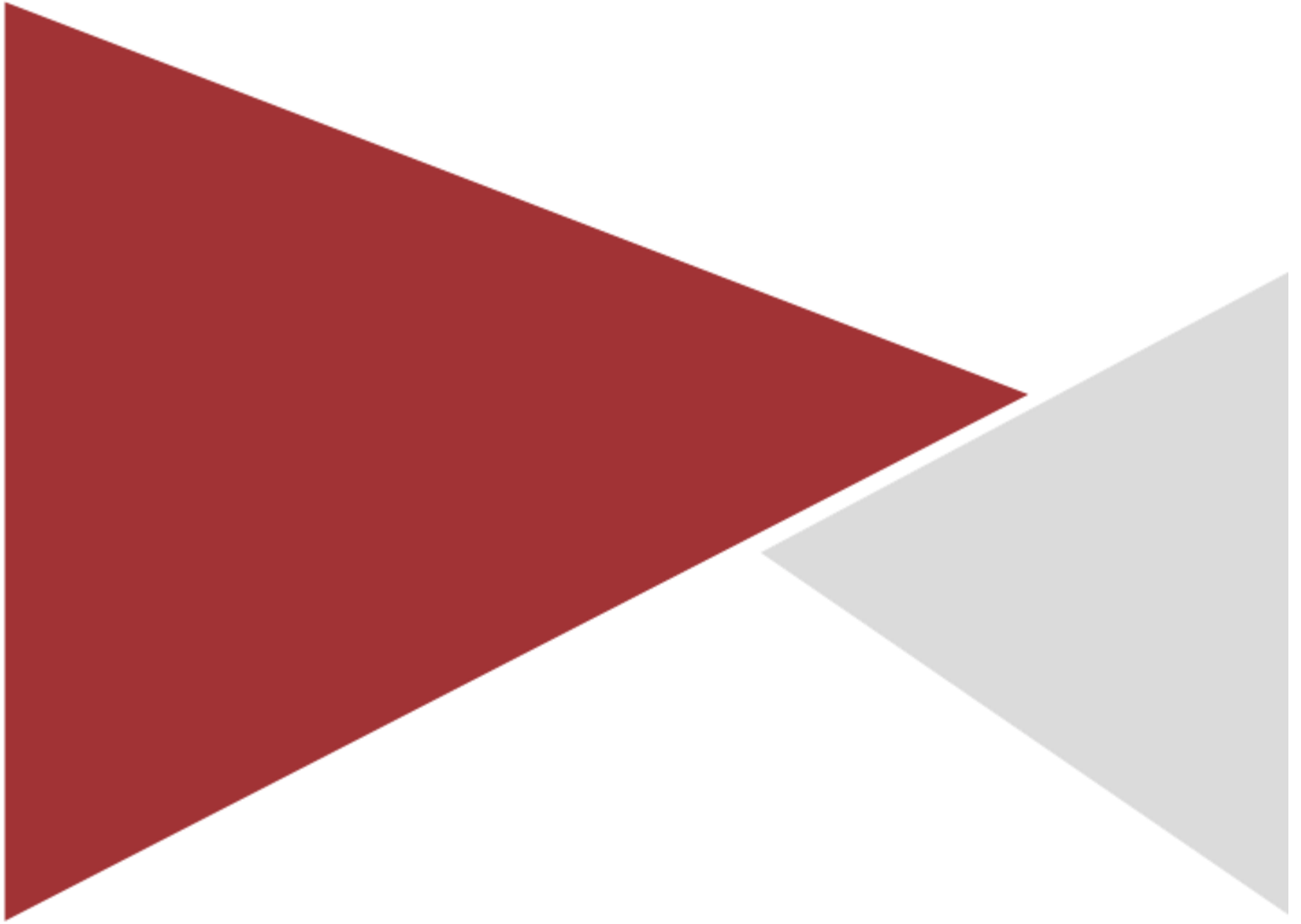
Name of the course	Completion of the course	Percentage	In progress	Percentage	Did not commence at all	Percentage
<i>Training on implementing tax legislation in Kosovo (Albanian)</i>	7	7%	6	6%	87	87%
<i>Training on implementing tax legislation in Kosovo (Serbian)</i>	1	11%	3	33%	56	56%

Name of the course	Completion of the course	Percentage	In progress	Percentage	Did not commence at all	Percentage
<i>Communication and public relations (Albanian)</i>	12	12%	36	36%	53	52%
<i>Communication and public relations (Serbian)</i>	1	11%	4	44%	4	44%

Name of the course	Completion of the course	Percentage	In progress	Percentage	Did not commence at all	Percentage
<i>Legal English</i>	37	37%	21	21%	42	42%

Name of the course	Completion of the course	Percentage	In progress	Percentage	Did not commence at all	Percentage
<i>Information technology</i>	31	31%	12	12%	57	57%

Name of the course	Completion of the course	Percentage	In progress	Percentage	Did not commence at all	Percentage
<i>Domestic violence (Albanian)</i>	0	0%	11	79%	3	21%
<i>Domestic violence (Serbian)</i>	0	0%	3	21%	10	79%



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