



Republika e Kosovës
Republika Kosova/Republic of Kosovo
Akademia e Drejtësisë/Akademija Pravde/Academy of Justice

No. 01/219/2017
Date: 12/09/2017

Managing Board of the Academy of Justice in compliance with Article 11 paragraph 4 of the Law No. 05/L-095 on Academy of Justice, and with Article 18 of the Regulation No. 02/2017 on the Work of the Managing Board of the Academy of Justice, in its fifth meeting of the first constituency, held on September 12 2017, issues the following:

DECISION

1. Approving minutes of the fourth meeting of the Managing Board of the Academy of Justice, held on July 18th 2017.
2. Decision enters into force on the day of its signature.

Aleksandër Lumezi

Chairman of the Managing Board
Academy of Justice

Decision is sent to:

Archive of the Academy of Justice



Republika e Kosovës
Republika Kosova/Republic of Kosovo
Akademia e Drejtësisë/Akademija Pravde/Academy of Justice

No. 01/220/2017
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Managing Board of the Academy of Justice, based on the Article 11 paragraph 4, and Article 25, paragraph 3 of the Law No. 05/L-095 on the Academy of Justice, and Article 14 of the Regulation No. 06/2017, on Trainers and Mentors of the Academy of Justice, Decision of Kosovo Judicial Council No. KJC, no. 250/2017, of the date 09.08.2017 on the first meeting held on 12 September issued:

DECISION

1. Approval of the Mentors to be engaged with the purpose of mentoring newly appointed judges, during the initial training, according to the proposal of the Kosovo Judicial Council.
2. Appointed mentors are judges from General Department of the Basic Courts with the permanent mandate as follows:

2.1 Mentors for newly appointed judges in the Basic Court in Prishtina are:

- 2.1.1 Anita Krasniqi-Prenaj, mentor, for criminal field;
- 2.1.2 Naser Foniqi, judge, mentor, for criminal field;
- 2.1.3 Naime Krasniqi-Jashanica, mentor, criminal field;
- 2.1.4 Rustem Begolli, mentor, criminal field;
- 2.1.5 Drita Rexhaj, mentor, civil field;
- 2.1.6 Faton Bajrami, mentor, civil field;
- 2.1.7 Halide Reka, mentor, civil field;
- 2.1.8 Hasim Sogojeva, mentor, civil field;
- 2.1.9 Lekë Prenaj, mentor, civil field;;
- 2.1.10 Latif Xhenajli, mentor, civil field;
- 2.1.11 Saranda Boga-Sheremeti, mentor, civil field;
- 2.1.12 Enver Shabanaj, mentor, civil field;
- 2.1.13 Shefqet Baleci, mentor, criminal field;
- 2.1.14 Daut Behrami, mentor, civil field;
- 2.1.15 Gazmend Bahtiri, mentor, criminal field;
- 2.1.16 Minir Hoti, mentor, criminal field;
- 2.1.17 Bujar Muzaqi, mentor, civil field;
- 2.1.18 Binak Duqi, mentor, civil field;
- 2.1.19 Avdirrahman Gashi, mentor, criminal field;

2.1.20 Zenel Tasholli, mentor, civil field;

2.2 Mentors for newly appointed judges in the Basic Court in Prizren are:

- 2.2.1 Vatton Totaj, mentor, civil field;
- 2.2.2 Lumni Sallauka, mentor, civil field;
- 2.2.3 Shaban Shala, mentor, civil field;
- 2.2.4 Edije Sezairi, mentor, civil field;
- 2.2.5 Teuta Krusha, mentor, criminal field;
- 2.2.6 Refki Piraj, mentor, criminal field;
- 2.2.7 Sadije Selmani, mentor, criminal field;
- 2.2.8 Luan Berisha, mentor, criminal field;
- 2.2.9 Robert Tunaj, mentor, criminal field;
- 2.2.10 Qemal Suka, mentor, criminal field;
- 2.2.11 Nuredin Abazi, mentor, civil field;
- 2.2.12 Shaban Zeqiraj, mentor, civil field;

2.3 Mentors for newly appointed judges in the Basic Court in Peja are:

- 2.3.1 Violete Husaj -Rugova, mentor, criminal field;
- 2.3.2 Afërdita Mulhaxha, mentor, civil field;
- 2.3.3 Ganimete Kukaj-Ibraj, mentor, civil field;
- 2.3.4 Fatmir Baloku, mentor, civil field;
- 2.3.5 Merita Baloku, mentor, civil field;
- 2.3.6 Armend Berisha, mentor, civil field;

2.4 Mentors for newly appointed judges in the Basic Court in Gjiilan are:

- 2.4.1 Islam Thaçi, mentor, criminal field;
- 2.4.2 Behar Imeri, mentor, criminal field;
- 2.4.3 Berat Spahiu, mentor, civil field;
- 2.4.4 Halil Sezairi, mentor, civil field;
- 2.4.5 Mevlide Shabani, mentor, civil field;

2.5 Mentors for newly appointed judges in the Basic Court in Mitrovica are:

- 2.5.1 Faton Ademi, mentor, civil field;
- 2.5.2 Hajrullah Aruqi, mentor, civil field;
- 2.5.3 Besnik Feka, mentor, civil field;
- 2.5.4 Liridon Maloku, mentor, civil field;
- 2.5.5 Mentor Hajra, mentor, criminal field;
- 2.5.6 Rifat Bllata, mentor, criminal field;

2.6 Mentors for newly appointed judges in the Basic Court in Gjakova are:

- 2.6.1 Ilir Rashkaj, mentor, criminal field;
- 2.6.2 Jonuz Bugari, mentor, civil field;
- 2.6.3 Lulzim Paçarizi, mentor, criminal field;
- 2.6.4 Nehat Qelaj, mentor, civil field;

2.7 Mentors for newly appointed judges in the Basic Court in Ferizaj are:

- 2.7.1 Rizah Livoreka, mentor, civil field;
- 2.7.2 Enis Mehmeti, mentor, civil field;
- 2.7.3 Faton Ajvazi, mentor, criminal field;
- 2.7.4 Adem Shabani, mentor, criminal field;
- 2.7.5 Burim Emerllahu, mentor, civil field;
- 2.7.6 Shabi Idrizi, mentor, criminal field;

3. The mandate of the appointed mentors ends upon completion of the initial training for newly appointed judges who are in the initial training program if, during the initial training period, his or her position as a judge changes, if he/she moves from the basic instance to other instances of the court, or moves from the General Department to other departments.
4. Mentors are engaged to implement the 6 month practical training program in the criminal field and 6 months in the civil field.
5. In courts where the number of judges in the General Department is lower than the number of judges in the training, mentors may be assigned with more than one candidate to the training.
6. The decision enters into force upon its signature

Aleksandër Lumezi

Chairman of the Managing Board
Academy of Justice

A copy of the decision sent to:

Archive of the Academy of Justice
Appointed mentors



Republika e Kosovës
Republika Kosova/Republic of Kosovo
Akademia e Drejtësisë/Akademija Pravde/Academy of Justice

No. 01/221/2017
Date: 12/09/2017

Managing Board of the Academy of Justice in compliance with Article 11 paragraph 4, and Article 25 paragraph 3 of the Law No. 05/L-095 on the Academy of Justice, and with Article 15 paragraph 4 of the Regulation No. 06/2017 on Trainers and Mentors of the Academy of Justice, in its fifth meeting of the first constituency, held on September 12th 2017, issues the following:

DECISION

For setting the compensation rate for mentors of the Initial Training

1. Mentors engaged in the Initial Training for newly appointed judges will be compensated in an amount of 150 (one hundred and fifty) EUR gross per month.
2. Duties and responsibilities of the mentors are set with bylaws and the contract.
3. Decision is valid until 31st December 2017. After assessing the Academy's budget, the Managing Board will take a decision to set the compensation rate for Mentors in 2018.
4. Executive Director of the Academy of Justice is instructed to implement this decision according to the applicable laws and regulations on payment processing.
5. Decision enters into force on the days of signature.

Aleksandër Lumezi

Chairman of the Managing Board
Academy of Justice

Copy of the decision is sent to:

Mentors of the Academy
Archive of the Academy of Justice



Republika e Kosovës
Republika Kosova/Republic of Kosovo
Akademia e Drejtësisë/Akademija Pravde/Academy of Justice

No. 01/222/2017
Date: 12/09/2017

Managing Board of the Academy of Justice based on Article 10 paragraph 1, sub-paragraph 1.9, Article 11 paragraph 4, and Article 18 paragraph 1, sub-paragraph 1.5, paragraph 4 and 5 of the Law No. 05/L-095 on Academy of Justice, as well as Articles 6, 7, 13 paragraph 3 and Article 14 of the Regulation No. 01/2017 on the Procedure for Appointment and Dismissal of the Academy of Justice's Executive Director, reviewed the Complaint of the candidate Ramadan Gashi against the Selection Committee for not inclusion in the short list for the position of the Executive Director, in its fourth meeting of the first constituency, held on July 18th 2017, issues the following

D E C I S I O N

To reject as unfounded the complaint of the candidate Ramadan Gashi, filed against the Selection Committee for not shortlisting him for the position of the Academy of Justice's Executive Director.

R e a s o n i n g

The complainant Ramadan Gashi has applied in the vacancy with reference number 01/01/ZD-AD announced by the Academy of Justice on 26.07.2017, for the position of "Executive Director of the Academy of Justice".

Being unsatisfied with the notification dated 05/09/2017 in which he is informed not to be included in the shortlist of candidates, the candidate Ramadan Gashi within the legal timelines filed a complaint with the Academy of Justice's Managing Board, for the reasons of not being shortlisted for the position of the Academy of Justice's Executive Director by the Selection Committee with the allegation that *"the Selection Committee was biased, and incorrectly applied the facts and provisions by making an absolute violation of the legal material and procedural provisions, and has wrongfully and unfairly assessed the factual state"*.

Managing Board of the Academy of Justice on June 12th 2017 has reviewed the complaint and the following evidence enclosed to the complaint: "Certificate for successful completion of the training program on four Core Competency seminars - Case flow Management and Information Technology in the Courts" issued by the Justice Reform Activity, "Certificate

for successful completion of the Court Management Manual Training of Trainers” issued by Kosovo Justice Support Program, “Certificate of attendance in the Training on report Writing Skills” issued by KJI, GIZ and MDA, “Certificate for attending and completing the Training Course Creative Thinking & Problem Solving” issued by OSBE, as well as the “Mission Report” issued by Further Support to Kosovo Legal Education Reform; the Managing Board also heard the President of the Selection Committee for Executive Director, and concluded that the complaint of the candidate Ramadan Gashi is **unfounded** and as such is **rejected**.

The Managing Board has reviewed the following complainant’s allegations filed in the complaint:

- Selection Committee in the same constituency has participated twice in the recruitment procedure in contradiction with the applicable legislation;
- The selection committee has breached the procedural timelines for assessing the applications;
- The recruitment procedure for the Executive Director of the Academy should have been an internal procedure, not external procedure to create space for external candidates.
- Selection Committee has underestimated the position of the judicial trainer, the grade level, the attended trainings, and the trainings held for judges and prosecutors while performing his function as a judicial trainer.

Managing Board, while reviewing the complaint found that the complainant’s allegation that the Selection Committee’s participation in the same constituency twice in the recruitment procedure is in contradiction with the applicable legislation does not stand, for the fact that the Selection Committee is established in full compliance with article 7 of the regulation No. 01/2017 on the Procedure for Appointing and Dismissing the Executive Director of the Academy of Justice. The Academy’s Managing Board in its meeting held on July 18th 2017 brought the Decision No. 01/181/2017 to cancel the Recruitment procedure for the Academy of Justice’s Executive Director, and at the same time it decided to re-advertise the vacancy announcement. Also, the Managing Board brought Decision No. 01/183/2017 to establish the Selection Committee in compliance with Article 7 of the Regulation No. 01/2017 on the Procedure for Appointing and Selection of the Academy of Justice’s Executive Director, by reconfirming the same constituency of the Committee in accordance with Article 7 paragraph 2 of the Regulation No. 01/2017 “*Members of the Selection committee cannot be assigned more than two consequent times as committee members*”, but in a new recruitment process.

Pertaining to the complainant’s allegation for breaching procedural timelines, the Managing Board after hearing the President of the Committee found that the Selection Committee has held its meeting within the timelines set forth by Regulation No. 01/2017 on the Procedure for Appointment and Dismissal of the Academy of Justice’s Executive Director, but for objective reasons could not complete the assessment process of the candidate’s documentation and prepare the shortlist of candidates, as a result the Committee set another date on which this process would be completed, therefore the Managing Board does not find that there is breach of timelines as stipulated in the Regulation.

Managing Board found that the recruitment procedure for Executive Director of the Academy of Justice is conducted in compliance with the applicable legal provisions, respectively with Article 18 paragraph 4 of the Law No. 05/L-95 on the Academy of Justice” “*Procedure for selection of the Executive Director is made by the Managing Board based*

on a public vacancy announcement”, and Article 18 paragraph 7 of the Law No. 05/L-95 on Academy of Justice “the Selection Procedure for the Executive Director is set forth in details with a bylaw approved by the Managing Board, reflecting the principles of the civil service”, therefore the complainant’s claim that the recruitment procedure for the Academy’s Executive Director should have been an internal procedure not an external one to create space for external candidates, does not stand, as this process is clearly set forth in the Law on Academy of Justice.

The Managing Board during the complaint’s review, related to the complainant’s allegation that the Selection Committee has underestimated the position of the judicial trainer, the grade level, the attended trainings, and the trainings held for judges and prosecutors while performing his function as a judicial trainer, has cautiously reviewed the evidence presented in the complaint, and found that the Selection Committee during the evaluation of the complainant’s documentation correctly evaluated the evidence on the work experience and skills that the complainant possesses.

Managing Board finds that the candidate’s claims that completion of different management trainings, and delivery of such trainings even for judges and prosecutors does not constitute a managerial work experience, but they are skills necessary to perform certain work, which were not subject to the assessment, but they were not disputed by the Selection Committee either. The Managing Board finds that the Selection Committee has evaluated the candidates documentation in accordance with Article 11 paragraph 3 of the Regulation No. 01/2017 on the Procedure for Appointment and Dismissal of the Executive Director of the AJ, “For preparation of the shortlist *the Committee shall verify the following: 3.1 meeting the formal criteria set by law; 3.2 relevant documents proving their qualifications; 3.3 verify experience of the candidates; [...]*, while the complainant did not provide additional evidence on the managerial working experience.

Managing Board of the Academy of Justice, during review of the complainant’s allegations and based on the presented evidence has decided as in the provisional part of this decision.

Legal advice: against this decision, the unsatisfied party may initiate administrative dispute with the competent court, within 30 days from the day of receipt of this decision. Initiation of the administrative dispute does not stop execution of this decision.

Aleksandër Lumezi

Chairman of the Managing Board
Academy of Justice

Decision is sent to:
The Complainant Ramadan Gashi
Human Resources of the Academy of Justice
Archive of the Academy of Justice