



NEWSLETTER

February 2014, nr. 2

Content

Activities from Continuous
Training Program
(CTP)

Activities from Training
Program for Promotion
(TPP)

Activities from Initial Training
Program
(ITP)

Other activities



Activities from Continuous Training Program (CTP)

Roundtable discussion “Competencies of the body for development of the administrative procedure as well as the parties proceeded”



On 3rd February 2014, is delivered the next training session in round within Continuous Training Program on topic Competencies of the body for development of the administrative procedure as well as the parties proceeded.

During the training were addressed issues related to the competence of the body for development of the administrative procedure, importance and it types during implementation in practice, and the parties proceeded in administrative dispute. At the same time the training addressed provisions of the Law on Courts no.03/L-199 of Republic of Kosovo regarding area of competence in adjudication of the administrative disputes. Training was followed by case study from court practice in order to overcome problems that are faced in practice.

Beneficiaries of this training were the judges from Appellate Court and the judges of from Basic Court in Prishtina of Administrative Department.

Roundtable Discussion” Trial of adults from criminal offences committed against children”



On 4th February 2014 is delivered the next training in round within Continuous Training Program that serves as professional support to the judges and prosecutors in their daily work.

During the training are addressed issues related to the cases of adjudication of the adults where the injured party or subject to the criminal offence are children, a procedure that has its own specifics starting from comprise of the trial panel. During the training were also pointed out the issues that require attention as

regards treatment of the victims from the parties involved in these procedures, including the court too. The training was followed by case study from court practice in order to avoid problems that arise in practice.

Beneficiaries of this training were the judges from Basic Courts, and the prosecutors from Basic Prosecutions, of the juvenile and general departments of all Kosovo regions.

Roundtable discussion “Expropriation and Compensation”

On 6th February 2014 is delivered the next training in round within Continuous Training Program from civil area on topic expropriation and compensation.

During the training were addressed issues related to expropriation and compensation, expropriation requirements, cases when Municipality is the expropriating body, cases when government is the expropriating body, as well as analysis of the expropriation requirements.



Training was followed by case study from court practice in order to avoid problems that are faced in practice. Besides judge trainers, KJI has invited also the representatives from Property Tax Department of the Ministry of Finance, in order to exchange their experiences regarding implementation of the legal provisions in expropriation procedure. Beneficiaries of this training were the judges from Basic Courts, General Departments, and Civil Departments of all Kosovo Regions.

Strengthening International Legal Cooperation- International Convention on Child Abduction



From 10-11 February 2014, KJI in cooperation with EU Twinning project delivered the training in relation to the international child abduction.

The purpose of this training was to establish best practices in proper implementation of the national law and international convention in relation to the proceedings in cases of international child abduction. Basic principles of substantial law on international child abduction were addressed during the training and the basic principles of the proceedings in international child abduction cases, as well as the national specifics of the proceedings in international child abduction cases.

In the second day of this training the participating judges has conducted a mock trial on child abduction cases, at what point they demonstrated their skills on chairing and managing of these proceedings.

Beneficiaries of this training were the judges from Basis Court of Prishtina and judges from Appellate Court that deal with international child abduction cases, as well as professional associates from Basic Court in Prishtina.

Roundtable “Human trafficking and migrant smuggling”



On February 11th 2014, the Kosovo Judicial Institute in cooperation with IPA project 2010 on “Combating the Organized Crime and Corruption” funded by EU and implemented by GIZ, held a training session on human trafficking and migrant smuggling.

This training provided discussions about elements of the criminal offences of human trafficking and migrant smuggling, as well as forms in which these criminal offences are done. The discussions also covered the aspect of distinguishing human trafficking from migrant smuggling. The training presented also cases from court practice, aiming to avoid problems that occur in practice.

Beneficiaries of this training were judges and prosecutors of Basic instances, respectively Serious Crimes Department and the General Departments from all regions of Kosovo.

Workshop on “The right a fair trial according to ECHR”

On February 13th 2014, the KJI within its Continuous Training Program held its next training session on the topic of the right to a regular legal process according to European Convention of Human Rights (ECHR). Purpose of this roundtable was to enhance the knowledge of participants in relation to Article 6 of the European Convention of Human Rights.



The training elaborated issues related to the fair and timely trial as required by the ECHR, the general principles according to ECHR in relation to the right to a fair legal process, as well as violations identified in Kosovo judicial practice in comparison with the European Court of Human Rights.

The training provided case studies from judicial practice which were aiming to support judges and prosecutors in avoiding issues that occur in practice.

Beneficiaries of this training were the appellate instance prosecutors, as well as judges and prosecutors of the basic instances from all regions of Kosovo.

Training on “Court defense in working relationship disputes”



On 18 February 2014, the KJI within its Continuous Training Program is holding a training – Court defense in working relationship disputes.

This training aims to help the participants to distinguish the civil servant disputes from other working relationship disputes based on the Labor Law, as well as properly implement provisions of the relevant law assessing the timelines to seek court defense.

Practicing the up-to-date training methodology, the trainers elaborated legal aspects of the working relationship disputes, the applicable legislation in these contests (for civil servants

and other working relationship disputes, as well as distinctions between these two types of disputes), causes for termination of the working contract, and court procedure taking place in the contests based on the Labor law. Also, a part of the training was dedicated to the issue of respecting the timelines for seeking court defense, respectfully the issue of exhausting internal legal remedies in order to be eligible to seek court representation, as well as legal consequences for not respecting the timelines to seek court defense according to the applicable legislation in working relationship dispute cases. Beneficiaries of this training were judges of both, the appeals and basic instances, from all regions of Kosovo.

Workshop “Negotiation for Plea Bargain Agreement”

On 20 February 2014, within the Continuous Training Program was implemented a workshop for judges and prosecutors.

The purpose of this workshop was to enhance the knowledge of the participants on the legislation regulating the plea bargaining agreement followed with the basic reasons of the application of this legal institution.



During this training were treated issues related to the subjects and conditions for plea bargain agreement and the court proceedings after the submission of the plea agreement.

The training was followed with the mock trial and study cases aiming to avoid the problems faced during the practical application of this legal institution.

The beneficiaries of this training were appeal court judges, basic court judges and professional associates.

Roundtable “Enforcement of executive titles and legal remedies”



On February 25th 2014, the KJI within its Continuous Training Program organized a training session on the topic “Enforcement of executive titles and legal remedies”.

This training elaborated topics related to enforcement documents and reliable documents, legal remedies, proposal for enforcement as well as remedies for objecting decisions.

The training was interactive and was conducted through discussions and practical cases; it also provided discussions on court authorizations in relation to private enforcement agents.

Beneficiaries of this training were judges and professional associates from Basic courts of regions of Kosovo.

Activities from Training Program for Promotion (TPP)

Training: Legal writing and reasoning



On February 12th 2014, the KJI within its program for other professionals of the judicial and prosecutorial system, organized a training on “Legal writing and reasoning”.

During the training the failures of legal reasoning in the decisions of criminal and civil areas were raised, and as a response to these, much information were provided on how to avoid them.

Purpose of this training was establishment of best practices in drafting and complete reasoning of court decisions implementing the IRAC method in both criminal and civil areas of law.

The afternoon section through case presentation of civil and criminal areas provided the participants with possibility to implement IRAC method in solving court cases.

The training presented and discussed on the content and importance of legal writing and reasoning, decision sections, drafting techniques and judicial reasoning.

Beneficiaries of this training were professional associates of Kosovo Courts and Prosecutorial Offices

Activities from Initial Training Program (ITP)

Training for the ITP Candidates at the Anti Corruption Agency



Within implementation scope of the Initial Training Program for training the candidates in different institutions of the Republic of Kosovo, The Kosovo Judicial Institute in cooperation with the Anti Corruption Agency on February 5th 2014 conducted a practical training for the candidates of the ITP/ fifth generation.

Purpose of the training was that candidates for judges and prosecutors who attend the ITP trainings, are provided the knowledge on the activities that the Anti Corruption Agency carries out, a know-how that will serve to the future of their practicing professions, to improvement of the work quality, as well as to in-

crease the cooperation among judges and prosecutors on one hand, and the Agency on the other.

Senior officials of the ACA presented before the candidates the Agency activities in general, as well as the work of this institution with the courts and prosecutions in particular.

The eighteen candidates for judges, and eleven candidates for prosecutors participated at this training.



Report on the practical training for the candidates for judges and prosecutors at the Ombudsperson Institution



On February 20th 2014, the Kosovo Judicial Institute in cooperation with the Ombudsperson Institution organized a practical training for the candidates for judges and prosecutors of the Initial Training Program – fifth generation.

Purpose of this training was to acquaint the candidates for judges and prosecutors with the role and competencies of the Ombudsperson, the practical work in addressing the complaints filed with this institution, as well as the relation of the Ombudsperson Institutions with the judiciary.

The training was conducted in the form of conversation with questions and answers, and at the end the candidates were divided into groups and elaborated practical cases of the institution.

This training was welcomed by both institutions and its participants, and it was an encouragement to organize similar trainings in the future with the purpose of exchange of experiences and practices between the two institutions.

Participants at the training were the eighteen candidates for judges, and eleven candidates for prosecutors.



Other activities

Effective Techniques of Legal Research



During 3-5 February 2014, the KJI in cooperation with RIPA International, organized a training on “Effective Techniques of Legal Research”.

Main goals of this program were: (i) capacity building of the KJI’s Managing Staff on effective techniques of legal research (ii) support the KJI plans in designing the training on legal research for the judges and prosecutors.

This training presented various techniques of legal research and a summary of freely available legal research sources.

The program also included presentation on the doctrine of the ‘margin of appreciation’ of the ECHR, the international legislation to cover the UN and the EU, as well as discussions about general developments in the aforementioned law areas.

Through practical exercises the participants were engaged in finding cases and second sources on the respective topics. The research on the tasks assigned by the trainer was conducted in sources and databases of the following institutions like UN, EU, etc. Beneficiaries of this training were KJI management staff.

Workshop for drafting the KJI bylaws



During February 20th until 23rd 2014, the KJI working group held a workshop for drafting the bylaws for implementation of legal functions of KJI.

Purpose of this roundtable was drafting the bylaws that directly impact on improvement of the work and increase of structural and organizational unit capacities of KJI.

The drafted acts at this roundtable are related to the document archiving, document classification, use of information technology, issues concerning finance, publications, the distant learning platform and strategic areas for the donor's support.

The workshop resulted in preparing the bylaws related to the aforementioned topics that will enable achievement of higher results in managing and carrying out the competencies and responsibilities set forth in the applicable laws.

The working group consisted of the KJI Director, the Program Heads and officers responsible for information technology and finance.

Advanced Training for Faculty Development – Grounds and Principles for Judicial Trainers



From 24 - 26 February 2014, KJI in cooperation with EROL – USAID, conducted the training on: “Advanced Training for Faculty Development – Grounds and Principles for Judicial Trainers”. This program was conducted by the international trainers with the grate experience on the judicial trainers.

The main objective of this training were the application of modern theories of adult learning, understanding the strengths and weaknesses of the various mechanisms for training needs assessment , identification of effective teaching strategies and the development of training plans .

The beneficiaries of this training had the opportunity to analyze various theories of adult learning, were the main focus was the elaboration of the concepts of informative and the transformative learning - techniques of achieving them.

During this training were demonstrated also the teaching methods for adults learning and the techniques of how to learn from experience. The focus was the elaboration of the method of learning cycle of Kolb.

Planning the curriculum and its development were among the topics discussed in this training where beneficiaries through exercises demonstrated different ways of assessing and analyzing their needs. Additionally they focused on providing ideas on topics that may be included in the curriculum of the KJI.

Beneficiaries: Trainers and KJI staff.



How to find us:

If you need more information please contact us in:

**Kosovo Judicial
Institute**

Str. "Muharrem
Fejza" n.n. Pristina

Tel:

+381 38 200 18 679

+381 38 200 18 660

+381 38 200 18 667

infokji@rks-gov.net

<http://igjk.rks-gov.net>