Content

Activities from Continuous Training Program (CTP)

Activities from Initial Training Program (ITP)

Other activities
On 02 September 2014, KJI conducted a training on: “Execution of criminal sanctions”.

This training was intended to help participants in distinguishing the execution procedures of criminal sanctions depending on their type, and implement the standards required in the procedure of the execution of criminal sanctions.

In content, this training handed the execution of main penalties, fines and alternative sentencing.

During this training were addressed issues such as; the competence for sending convicted persons to serve sentences of imprisonment or life imprisonment, the postponement of the execution of imprisonment and allowing the stay of execution of sentence with the request of State Prosecutor, competence and procedures of the sentence by fine, substitution effect of a fine to imprisonment, trial costs, claims and property requests – manners of executing these alternative sentences.

The training was conducted through short presentations and discussions regarding practical cases of the courts.

Beneficiaries of this training were judges of basic and appeal court – general and serious crime department.
On 04 September 2014, KJI conducted a training on: “Obstruction to possession and judicial protection”

The purpose of this training was to provide participants with the assistance on distinguishing legal and factual power over objects, to define the elements of obstruction of the right to possession and implement the procedures for protection from obstruction to possession.

During this training were addressed topics such as: obstruction to possession, elements of the obstruction to possession act, judicial protection and litigation procedures in obstruction to possession. Focus of this training was the character of the obstruction to possession disputes, obstruction to possession act while taking over the objects and the complaint for protection and judicial deadlines, as well as the specifics of obstruction to possession disputes.

The training was developed through judicial practical cases and interactive discussions.

Beneficiaries of this training were basic and appeal judges.
On 8 and 9 September 2014, KJI in cooperation with the Twinning Project and within the activities for judges and prosecutors assigned as focal point on the field of international cooperation on criminal matters, this two days session covered the topic on: “Drafting of outgoing requests on international legal cooperation”.

Issues elaborated by international experts where mainly focused on best practices of issuing a formal request on international legal cooperation on criminal matters, the structure and its content regarding the practical extradition cases.

During this training was also discussed the role of the Ministry of Justice in proceeding a requests, agreements established with certain states on extradition cases and other issues of international mutual assistance on criminal matters.

Beneficiaries of this training were judges and prosecutors assigned as focal points on International Legal Cooperation on Criminal Matters.
During September 08-12th 2014, the KJI in cooperation with RIPA International organized training on the topic of “Training Program in the area of combating corruption, for prosecutors and officials of other relevant institutions – 2nd stage”.

Purpose of this training was to help the participants increase their professional skills in the fight against corruption, suspects’ interrogation techniques in cases of corruption and various ways of obtaining information.

In the first stage, which was conducted in June of this year, trainers presented particular topics in the area of corruption combating for the participants, on which they provided materials on practical implementation and provided advices and recommendations for the most effective actions in a particular case.

In the second stage, that took place after a quarter, trainers assessed the effect of actions taken by the participants. Trainers discussed on each action taken and for advantages and challenges they faced during this period, as well as on the following steps.

The training was delivered in the form of discussion in small groups, where one trainer and participants were reviewing certain cases.

Beneficiaries of this training were prosecutors of all instances, Kosovo Customs and Kosovo Police.
Kosovo Judicial Institute in cooperation EU Project “Supporting the Kosovo Institutions in combating economic and financial crimes” implemented by B&S Europe, on the date 09.09.2014, conducted a training on: “Tracing, seizing and confiscation of assets”.

The purpose of this training was to help the participants in applying properly the existing legislation regarding the tracing, seizing and confiscation of assets acquired through commission of criminal offence, identifying main methods for disclosing the assets and analyze the process of seizing and confiscation of the assets acquired through the commission of the criminal offence.

During the training was also discussed the Kosovo legal frame on tracing, seizing and confiscation of assets, planning of asset tracing, identification methods as well as the procedure of seizing and confiscation.

The training was developed through practical cases of courts and prosecutor offices and interactive discussion.

Beneficiaries of this training were judges, prosecutors and other professionals involved on the above topic.
On September 11 2014, the KJI organized a training for judges on the following topic: “Responsibility of the responsible person at the employment entity for implementing decisions of the Independent Oversight Council of Kosovo”.

Purpose of this training was to help the participants assess the responsibility of the person in charge at the employment entity for implementing the IOCK decisions, as well as to apply the applicable legislation that regulates the responsibility of the employment entity for implementing decisions of the IOCK.

At this training it was discussed about the forms of decisions of the IOCK towards decisions of state institutions, implementation of IOCK decisions by employment bodies – responsibility of the person in charge and enforcement of the IOCK decisions in court procedure.

The training was conducted in interactive method where the participants in discussion could express their ideas and positions related to respective issues.

Beneficiaries of this training were judges of the Basic Courts and of the Appeals Court – both, General and the Administrative Matters Departments.
On 11 and 12 September 2014, KJI in cooperation with EU Twinning Project conducted two training session on International Legal Cooperation in criminal matters for special prosecutors regarding the ILCCM basic principals.

The main purpose of these session was the proper application of International Legal Cooperation in Criminal Matters and the establishment of best practices on this area.

During these sessions were highlighted the concepts and general principles under which is governed the International Legal Cooperation such as; the principle of reciprocity, double criminality, rule of specialty, ne bis in idem and political aspects.

Also referring to the Law on International Legal Cooperation, detailed explanations were given regarding the different types of legal requirements, procedure and obstacles that may arise in practice during their execution. Trainers were specifically focused on extradition cases, the hearing of witnesses and other issues of interest to international legal assistance.

Beneficiaries of the training were special prosecutors the Kosovo Special Prosecution Office.
On September 16th 2014, the KJI within its Continuous Training program conducted training on “The right to liberty and security according to ECHR”.

Purpose of this training was to enhance the participant’s knowledge about application of constitutional and legal provisions as per the ECHR requirements, as well as increase their skills in drafting decisions, including decisions on juveniles, in compliance with the European Court of Human Rights (ECHR).

During this training session the following aspects were elaborated: implementation of the right to liberty and security according to ECHR and applicable legislation of Kosovo, deprivation of liberty, police arrest, detention, juveniles deprivation of liberty and the ECHR practice related to the right on freedom and security.

The training was enriched with case studies judicial practice, with the purpose of learning to avoid problems that occur in judicial practice.

Beneficiaries of this training were judges and prosecutors of all instances.
“Law on trademarks – practical aspects of its implementation”

During September 19-20th 2014, the Kosovo Judicial Institute in cooperation with the EU funded project and implemented by the Intellectual Property Rights in Kosovo (EUIPR), conducted a two-days training on the topic of “Law on trademarks – practical aspects of its implementation”.

This training aimed to help the judges to adequately implement the national and international legislation on trademarks and to overcome the challenges that they face in solving these matters.

Content of the training was the local legislation and international legal remedies in the area of trademarks, signs that are protected as trademarks, and legal-civil protection. At this training it was discusses in particular about the procedures for registering the trademark in Kosovo, as well as cases of rejection of this registration.

Training was delivered by international experts who came from different European Union countries who discussed their case law and how concrete cases were solved in their countries.

Beneficiaries of this training were judges for the Basic Courts and the Appeals Court – Economic department, as well as trade mark officials.
“Strengthening International Legal Cooperation – cross-border operations with modern assessment methods”

During September 22 – 23 2014, the KJI within the scope of activities for judges and prosecutors assigned as focal points in the area of International Legal Cooperation in Criminal Matters, in cooperation with the EU twinning project conducted the next training related to the aforementioned topic.

Issues covered during this training session were related to specifics of mutual legal assistance with modern methods of assessment, in the context of cross-border organized crime and asset recovery. Also a particular attention was paid to the structure and content of the outgoing requests for ILS based on the templates prepared by German experts.

During the training EU case law examples were presented regarding orders for telecommunication surveillance and other warrants.

Beneficiaries of this training were judges and prosecutors assigned as focal points for International Legal Cooperation in Criminal Matters.
On 25 September 2014, Kosovo Judicial Institute conducted a training on: “Civil liability in construction contracts”.

The purpose of this training was to help the participants evaluate the elements of the construction contracts, to interpret the legal provisions regarding the liability of the contractor and supervisor as well as the application of the legal provisions relating to the additional and necessary work.

During this session was discussed about the forms and characteristics of the construction contract, its legal nature, parties and their responsibility, signing of contract and additional work. During this training was discussed also the avoidance of the project, unforeseen emergency work, price change and disputes between workmanship, investors, designers and supervisors.

Training was associated with the case law aiming to support judges in resolving dilemmas and difficulties faced during the practical work.

The beneficiaries of this training were the judges of the Basic Court and Appeals - General Department - Civil Division and the Department of Economic Affairs.
“International Legal Cooperation
Cross border operations with modern assessment methods

During September 25 – 26th 2014, the KJI in cooperation with the EU Twining Project conducted a training sessions for Prosecutors of Special Prosecution of Kosovo related to “Cross border operations with modern assessment methods”.

Focus of this training was drafting of outgoing requests for international legal assistance and basic training of the SPRK’s Prosecutors.

This training session aimed to train the prosecutors on basic principles of international legal cooperation with particular emphasis on organized crime and financial crime matters, basic principles and the specifics of telephone surveillance, as well as principles pertaining to covert investigations.

At this training, the SPRK prosecutors had the opportunity to present to the international experts their challenges they face in practice, whether for the incoming or outgoing ILC requests.

Beneficiaries of this training were Prosecutors of the Special Prosecution of the Republic of Kosovo.
“Training for judges and prosecutors responsible for International legal Cooperation in Criminal Matters“

On September 29-30th 2014, the KJI in cooperation with the EU Twining Project conducted it concluding training for the Focal Points of the International Legal Cooperation in Criminal Matters in its series of activities provided for this target group on the aforementioned topic.

Issues that were summarized in this training were best practices in issuing formal requests for international legal cooperation in criminal matters, based on different case studies, including requests for bank information, video conferencing, and forensic analysis.

A valuable contribution to this area was provided with the presence of the ILC Department representative within the Ministry of Justice, who presented the actual practices and bilateral agreements that Kosovo has in the area.

Beneficiaries of this training were judges and prosecutors assigned as focal points for the International Legal Cooperation in Criminal Matters
On 30 September 2014, Kosovo Judicial Institute conducted a training on: “Measures for ensuring the presence of the defendant in the criminal procedure”.

This training aimed to help participants to assess properly detention conditions, analyze other measures to ensure the presence of the defendant in criminal proceedings, and argue persuasively the decision on implementation of measures to ensure the presence of the defendants in criminal proceedings.

In the first part of this training were discussed issues relating to detention, decision on issuing the measure starting from basic principles, the specific legal justification for detention and why other measures are insufficient for insuring the presence of the defendant. During the training was also discussed regarding the current judicial practices in Kosovo by comparing them with the European Court on Human Rights and Fundamental Freedoms.

Part of this training was conducted in working groups, where the participants had the opportunity to demonstrate their knowledge and exchange experiences through practical cases and best practices on this regard.

Beneficiaries of this training were judges and prosecutors of the serious and general department.
Within the international cooperation, the Kosovo Judicial Institute through the EU funded project “Further support to Legal Education Reform in Kosovo”, during September 7-13th 2014, realized a practical training program for the first group of candidates for judges and prosecutors of the 5th generation of the Initial Training Program (ITP), who visited the Justice Center in Aachen – Germany, and the Basic Court and Public Prosecution in Maastricht – Netherlands.

Purpose of the program was exchange of experiences and professional skills from the practice of the judicial and prosecutorial system of Germany and Netherlands, as well as transfer of these into their future work in courts and prosecutions, aiming to increase the working efficiency of the Kosovo courts and prosecutions.

During this program the candidates had the opportunity to acquaint with the functioning of both, the German and Dutch judicial organization, importance and structure of courts and prosecutions, administrative aspects of the judicial work, the judges independence and impartiality, relation between judges and the media, as well as the judges and prosecutors education in these two countries.

Furthermore, the candidates could attend court hearings, visit the video-conference room in the Basic Court in Maastricht, as well as visit the cells for daily confinement in the Justice Center of Aachen in Germany.
KJI in cooperation with the EU funded project in Kosovo on “Further support to legal education reform in Kosovo – EULER”, during September of 2014 is for the first time accomplishing the internship program abroad provided to the candidates for future judges and prosecutors who are currently attending trainings at KJI.

This program is taking place in three time periods, with three groups of candidates. While the first group completed the program in the first part of September, the second group (7 candidates for judges and 3 for prosecutors) have benefitted from these trainings and different visits during September 15-19th.

These trainings and visits were conducted in the Justice Court of the European Union in Luxemburg, as well as in the Land Court and the EU Justice Academy (ERA) in Trier, Germany.

During September 15, 16 and 17th, the candidates for judges and prosecutors had the opportunity to attend several court sessions, to meet and obtain lectures from judges of the EU Justice Court, as well as to visit and make research at this court’s library. While during September 18 and 19, the candidates visited the Land Court of Trier, they acquainted with the way this court functions in civil and criminal cases. During this time the candidates also attended trainings related to the EU legislation and visited the Library of the EU Justice Academy (ERA).
Kosovo Judicial Institute in the framework of international cooperation through the EU-funded project "Further Support to the Reform of Legal Education in Kosovo" from 21-27 September 2014 has conducted practical training program for a third group of fifth generation candidates of the Initial Training Program (ITP), at the Council of Europe and European Court of Human Rights, and in Courts and Public Prosecution offices of Germany and France.

The purpose of the program was gaining experience and professional skills of practicing judicial and prosecutorial system of France and Germany, and transferring the gained knowledge to future work on the court and the prosecutor offices of Kosovo. Through this program also aimed to increase the efficiency of the courts and prosecutors in Kosovo.

On this occasion, candidates were introduced with the functioning of judicial and prosecutorial organization system of Germany and France, the competencies, structure, management of courts and prosecutors' offices, the structure and composition of the Council of Europe and its institutions as well as the European Court of Human Rights.

The candidates also had the opportunity to attend several court hearings at the European Court of Human Rights.
On September 30th 2014, the KJI held the meeting with mentors of the Initial Training Program - 5th generation, in order to introduce the Handbook of 3rd stage of ITP Training.

At the meeting it was also discussed about the significance of the 3rd stage, respectively the practical training of candidates, importance and content of the Handbook in instructing the candidates, role of the mentor during the training process, professional and inter-professional competence of mentors while working with candidates, the working terms, recommendations for the candidates performance and assessment of the candidates by mentors.

The Mentors were acquainted with the working procedure with candidates during training duration as well as other details related to practical training implementation.
“Visit to the Academy for Judges and Public Prosecutors of the Republic of Macedonia”

The Kosovo Judicial Institute within the regular regional cooperation efforts, on September 2nd 2014, paid a visit to the Academy for Judges and Public Prosecutors in the Republic of Macedonia, with the purpose of discussing on the possibilities for organizing joint activities and exchange of experiences in the area of judicial trainings.

At this visit, many issues of mutual concern for both training institutions were discussed, with particular emphasis on organizing joint regional activities, the strategic vision of training institutions, challenges in developing trainers and training programs, the needs assessment process and other similar issues.

The KJI delegation, consisting of the Director and the Program Coordinator was hosted by the Director of the Academy, Judge Aneta Arnaudovska.
During September 3-5 2014, the KJI in cooperation with the USAID EROL conducted a Training of Trainers on the topic of “Procedural Impartiality”. This program was delivered by US Judges experienced in the area of judicial training.

Focus of this training was on procedural promptness as a critical point in understanding how the public interprets its experiences with the judicial system, and how they translate that experience into a subjective evaluation of the judicial system entirely.

This training elaborated principle of procedural impartiality like: process participation and hearing of parties’ views, the parties trust on judge’s neutrality, bringing judicial rulings based on rules and principles, respectful treatment of parties, the parties trust that the judge is honest and careful.

Through practical cases and other interactive methods, the beneficiaries had the opportunity to engage in discussion and develop further their knowledge about the principles of procedural impartiality.

Beneficiaries: KJI trainers.
On September 9th 2014, the KJI in cooperation with the EU Twinning Project accomplished a Training of Trainers for International Legal Cooperation in Criminal Matters.

Purpose of this training was to prepare the national trainers in the area of international legal cooperation with the purpose that they transfer the obtained knowledge and best international practices of this area to other judges and prosecutors that work with these cases.

At this training the participants were introduced and discussed the manual prepared by German experts that will serve the judges and prosecutors for international legal assistance, as well as international training curricula to be integrated to the KJI’s curriculum.

Also, the participants were provided with recommendations related to methodology, duration of the trainings and other issues significant for avoiding obstacles in execution of international legal assistance requests.

Beneficiaries of this training were judges and prosecutors that will be engaged as future trainers at KJI for issues that are related to international legal cooperation in criminal area.
On September 10th 2014, the KJI in cooperation with the EU Project on “Further Support to Legal Education Reform in Kosovo” conducted the workshop on the following topic: The Users request for the Extended E-learning System.

Purpose of this workshop was to acquaint the beneficiaries with the e-learning system at KJI, main elements of this system, stakeholders and their roles, functional requests and institutional changes necessary for development of courses in this platform.

Participants discussed about the best alternatives for developing courses in e-learning. They analyzed the existing and the required tools that enable development of interactive courses.

Beneficiaries of this workshop were KJI staff and its trainers engaged in developing modules in the distance learning platform.
On September 23rd 2014, the KJI in cooperation with the EU twinning project within the scope of activities for future trainers on International Legal Assistance in Criminal Matters, conducted a next training on the training curricula for the respective area.

Purpose of this training was to prepare the local trainers on ILC and transfer the knowhow and the best practices of International Legal Cooperation to other judges and prosecutors.

At the training German experts suggested the priorities that should be considered by local trainers while delivering ILC trainings for judges and prosecutors. National trainers confirmed their commitment that in their trainings provided to judges and prosecutors they will put efforts on unification of practices in regard to drafting outgoing legal assistance requests in compliance with the standard forms, which due to non-unification so far, have had delays in enforcement by requested authorities.

Besides, other recommendations were provided pertaining to the training methodology, duration and other matters of interest for international legal cooperation.

Beneficiaries of this training were the groups of judges and prosecutors selected to be future trainers at KJI.
On September 24th 2014, the KJI conducted training for lay judges which covered their significance in judicial procedure. The training discussed about main features and the principles of the juvenile procedure, status matters procedure, as well as on ethics for lay judges. Also it emphasized the role of lay judges in preparatory procedure, in judicial review, in advising and voting sessions including here the procedure for statutory matters, as well as ethics of lay judges.

Particular attention was paid to the constituency of the trial panel, approach of the lay judge towards a particular case as well as avoiding unethical behavior.

In the afternoon session participants were presented with case studies, and lay judges were able to demonstrate their knowledge related to concrete situations.

Beneficiaries of this training were lay judges from Basic Courts of Kosovo.
During September 25-27th 2014, the KJI held a workshop for drafting the strategic plan of KJI for the period of 2014 – 2018.

Focus of this workshop was introduction of ideas by the management and professional staff of KJI for further development of KJI that would be reflected into the strategic plan.

At this workshop, the staff presented their visions and various ideas that were discussed and resulted in creating initial draft of the strategic plan. This draft will be used by a working group to continue working and finalizing the strategic plan.
Training of Trainers on International Legal Cooperation in Criminal Matters

On September 30th 2014, the KJI in cooperation with the EU Twining Project conducted a last Training of Trainers in the series of trainings provided on International Legal Cooperation in Criminal Matters.

Purpose of this training was to prepare the local trainers in this area and transfer of knowledge and of best practices in international legal cooperation to other judges and prosecutors.

This training which is a continuation of previous activities, discussed the Manual and the Guideline on ILC, as well as training needs of other judges and prosecutors in the ILC area. Experts recommended that training curriculum is an integral part of the KJI training programs, and they encouraged the local trainers to carry the best practices to other judges and prosecutors.

Beneficiaries of this training were the selected group of judges and prosecutors as future KJI Trainers on International Legal Cooperation.
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