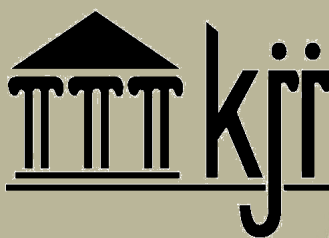


# NEWSLETTER



Instituti Gjyqësor i Kosovës  
Kosovski Institut za Pravosudje  
Kosovo Judicial Institute



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Training Program  
(CTP)***

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**We don't do justice  
We do justice better**

## Activities from the Continuous Training Program (CTP)

### Loan Contract, interest and delay of the interest



**On December 4th 2013**, The KJI's Continuous Training Program organized the next session on the topic of: "Loan Contract, interest and interest delay".

This training elaborated issues related to regulation of contracts with applicable legislation in Kosovo, formal sources, Law on Obligational Relationships and the CBK Regulations, contract forms, essential elements and clauses of the loan contract.

Particular emphasis in this case was given to the issues related to the contracted interest and delay of the interest, as well as their calculation according to the Kosovo bank's practice, as well as regulation with the New Law on Obligation Relationships. Beneficiaries of the training were judges of general civil departments of the Basic Courts of Kosovo.

### Roundtable discussion - "Statutory limitation on execution of punishments"



On 6th **December 2013**, KJI held a roundtable discussion in relation to the statutory limitation. This training session addressed issues related to relative and absolute limitation, calculation of deadlines, cessation and suspension of limitation. Also, the training addressed the institute of limitation, its effect in case of suspension of prosecution and execution of the imposed sentence due to the expiration of the time provided by law.

During the training were addressed cases from practice and exchange of experiences in order to avoid dilemmas. Beneficiaries of this roundtable discussion were presidents of some basic courts, judges of basic courts, prosecutors of the prosecutorial offices of all Kosovo regions.



## Roundtable on “Detention and other measures to ensure presence of the defendant in the proceeding”



On December 10<sup>th</sup> 2013, the KJI held a roundtable discussion related to the measures for ensuring the defendant’s presence in proceedings.

This training session provided discussions on issues related to detention beginning with the State Prosecutor’s motion to determine, extend and terminate detention. Principal attention was paid to reasoning of the verdict on setting the detention, legal requirements for setting the detention, house arrest, diversion and other measures.

During the training practical cases were elaborated with the purpose of exchanging experience and eliminating dilemmas occurring in practice.

Beneficiaries at this roundtable were judges from basic courts, prosecutors from basic prosecutorial offices as well as legal associates from all regions of Kosovo.

### Enforcement Procedure – Effects of the new law

On December 12 2013, the KJI within its Continuous Training Program organized the next training session on “Enforcement Procedure – Effects of the new law”.

Main purpose of this training was advancing knowledge of judges related to novelties on the Enforcement Procedure (Law no. 04/L-139). This training treated issues that are related to court competencies and private executive officers, novelties with regard to execution through bank accounts, as well as legal remedies according to the new law. Also, attention was paid to guarantees for complaints related to objection of the executive decision based on eligible document.

Training was realized through theoretical presentations, discussion of court practice cases and work in groups. Beneficiaries at this training were judges of general departments – civil divisions, professional associates as well as court enforcement agents of Basic Courts of Kosovo.



## ***Activities from Training Program for Promotion (TPP)***

### **Media communications, judiciary-media relations**



**From 2-4 of December 2013**, KJI in cooperation with OSCE organized a joint training with judges, prosecutors and information officers of courts and prosecutorial offices on “Media-judiciary relations and media communications”. Purpose of this training was establishment of best practices in the aspect of media communications and approach towards public in cases when public information officers report related to different court proceedings.

At this training, experts from U.S. discussed on main competencies of court public information officers, for rules that have to be implemented by information officers as well as judges and prosecutors in interviews and press conferences related to particular court cases.

Tips and rules introduced during these three days by US experts served to publication of court work without damaging the court proceedings, and without endangering lives of persons involved in court proceedings as well as the court image.

This training involved case studies, that provided participants the possibility to give their opinions on actions to be taken on specific cases from the judges, prosecutors, information officer and the journalist’s point of view. Also, Public information officers conducted mock interviews, in which exercise they demonstrated functional interviewing techniques. These interviews were recorded for enabling provision of suggestions and advices on their appearance.

Beneficiaries of this training were judges, prosecutors, court and prosecutorial office public information officers, and Spokespersons from the Kosovo Judicial Council and form the Kosovo Prosecutorial Council.



## Developing trial advocacy skills

In scope of Training Program for Promotion from 12<sup>th</sup> till 14<sup>th</sup> December 2013 KJI has delivered three-day training on development of trial advocacy skills.

Main purpose of this training was to establish best practices regarding proper implementation of techniques of trial advocacy according to NITA program, which are incorporated as novelties into Kosovo Criminal Procedure Code.

Issues that are addressed during these training sessions mainly dealt with interrogation techniques, direct examination, cross examination, impeachment, re-examination of defendants, witnesses, experts, and techniques of presenting the opening statement and closing statements.



During these workshops participants were able to work in groups in order to demonstrate their trial advocacy skills, working on a practical case and using techniques presented by local trainers that are trained specifically for this training.

On the third day the participants of this training conducted a mock trial with practical case, and those engaged have played the role of judge, prosecutor, lawyer, defendant and other witnesses of the specific case, and this session was concluded with a summary of all techniques that are presented within two days in round.

At the end participants were provided with certificates for successful completion of the training.

The beneficiaries of these programs were mainly new judges and prosecutors as well as those who previously haven't attended such training.

## Activities from Initial Training Program (ITP)

### Commencement of the training for the 5th generation of the Initial Training Program

Training of candidates for future judges and prosecutors is considered as one of the main and very significant functions for the Kosovo Judicial Institute and the judicial system in general.

At the opening ceremony of this training, Mr. Fejzullah Hasani President of the Supreme Court and President of the KJI's Managing Board, greeted the present ones congratulating the candidates for commencement of the training program, and asked from them to maximally engage in the increase of professional skills during the training and to be serving only to the law in their work as future judges and prosecutors. He further added that support of the judiciary by new candidates for judges and prosecutors is more than necessary at this stage of judiciary, and it is more than ever in need for new judges and prosecutors.

Mr. Harold D. Damper Jr, Chief of NCSC in Kosovo, was also present at the ceremony who reminded the candidates on the importance of this program, the long way they followed so far, their expectations from this training and expectations of the state of Kosovo from them as future judges and prosecutors. He asked the candidates that they engage in gaining new knowledge from the judicial practice and law implementation, as to serve to protection of the human rights and liberties after they practice their function of the judge and prosecutor.

Director of KJI Mr. Lavdim Krasniqi spoke about the initial training program, process of its organization, rules of the training program and KJI efforts in providing as qualitative training as possible, in accordance with their needs taking into account the qualifications and experience of candidates so far.

The first stage of the training will begin from December 4<sup>th</sup> 2013 and will continue with other stages until complete implementation of the training program approved by the KJI Managing Board.





## Other activities

### Visit of the delegation from the (*Ecole Nationale de la Magistrature*) French National School for the Judiciary at the Kosovo Judicial Institute



**On December 18 2013**, The Kosovo Judicial Institute was paid a visit by a delegation from The French National School of the Judiciary. The delegation was welcomed by the KJI Director, the Acting Program Coordinator and Head of the Research and Publications Program. Purpose of this visit was to get acquainted with the judicial training in Kosovo, in which case the reciprocal cooperation and planning of future support to KJI was discussed.

The Director introduced them with the KJI's organizational structure, functioning and training programs, focusing on the Initial Training Program. The guests discussed and raised queries about reform of the judicial system, recruitment procedure of the candidates for judges and prosecutors, method of their assessment and monitoring, as well as implementation of the initial training. In this case, the guests from France had the opportunity to see closely the training of candidates at the initial program that was taking place at KJI.

This meeting was concluded with a Memorandum of Understanding signed between representatives of The French National School of the Judiciary and the KJI Director.

The French delegation also met with the Head of the EU Project for Legal Education reform that is supporting the KJI, with representatives of the State Prosecutor's Office, as well as with the president of the Kosovo Judicial Council.



**Internship program – students of Faculty of Law, University of Prishtina**



In continuance of its cooperation with the Law Faculty of UP, **on 18<sup>th</sup> December 2013** three students of this faculty ended the internship at Kosovo Judicial Institute.

During the three-month period they had the opportunity to learn about KJI work very closely, get acquainted with the functioning of the judicial system, and they benefited from participation in KJI training, learned drafting of reports for the relevant trainings and assisted in preparation of the training materials.

KJI Director distributed certificates to the interns for successful completion of the internship,



## Report from the meeting with Presidents of the Courts and Chief Prosecutors of State Prosecutor's Office

On **23<sup>rd</sup> December, 2013**, KJI organized the next meeting in round with the President of the Court and the Chief Prosecutors of State Prosecutor's Office discussing different aspects of the training of judges and prosecutors in 2013 and preparations for training in 2014.

At this meeting, Mr. Lavdim Krasniqi, KJI Director, notified the presidents and chief prosecutors for the trainings delivered in 2013, with particular focus on participation of judges and prosecutors in training as well as the challenges faced in this process.

Main points of discussion were the preparations for the start of trainings in 2014, at what point the KJI Director presented to the presidents and chief prosecutors the Framework Training Program for the period 2014-2015 and Implementation Plan of the Framework Program for the first bi-annual of 2014, which are novelties for this year. It was also discussed about the methodology of applying for participation in training and about the procedure for preparation of the list of participants and invitations that will send KJI based on list confirmed by the Presidents of Courts and the Chief Prosecutors of the State Prosecutor's Office.

In their discussions, Court Presidents and Chief Prosecutors of the State Prosecutor's Office praised KJI for all the preparations made for the start of trainings in 2014 and they promised to give full support to the progress of the training, be it in coordination of participation in training of judges and prosecutors or by contributing to the increase of the training quality when they are engaged in capacity of a trainer or when they perform any other task related to the delivery of the KJI training programs.

In the meeting was presented the deadline to apply for the trainings and for preparation of the final list of participants in training for the first bi-annual of 2014.

At the end of the meeting, the training Implementation Plan for the first-bi-annual 2014 which contains the training application form and other supporting material for delivery of the trainings was sent to all judges and prosecutors through the presidents of the courts and chief prosecutors.