



Instituti Gjyqësor i Kosovës  
Kosovski Institut za Pravosudje  
Kosovo Judicial Institute

# NEWSLETTER

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We don't do  
justice  
We make jus-  
tice better

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## 1. Activities from the Continuous Legal Education Program (CLEP)

### *EU Law in practice: Introduction and Focus on Criminal Law KJI/ Twinning*



On January 16 until January 20, 2012, KJI in cooperation with the Twinning Program (EULER) has conducted five-day training in the criminal field on the aforementioned topic .

The purpose of this training was the capacity building of judges and prosecutors regarding EU Law. The main objectives of this training were:

- To identify the sources of EU Law;
- To analyze the basic four freedoms of the European Union;
- Introduction to the European Court Practice (it's composition and jurisdiction);

Some of the issues that were discussed were focused on the organizational structure and functioning of EU institutions,

introduction to EU Legal acts such as regulations, directives and decisions as binding acts on EU Member States and the regulation as the only general legal source of the category of so-called Secondary Legislation EU.

Also, within the training on focus were the specialized topics such as: the scope of judicial cooperation dealing with facilitation and acceleration of cooperation in field of the enforcement of criminal judgments, facilitating extradition between member states, establishing a uniform crime rates in the fight against organized crime, terrorism and drug trafficking .

The specificity for this five-day training was the presentation of topics followed by examples and cases from practice.

Beneficiaries of this training were judges and prosecutors from all levels and regions of Kosovo.

### ***Roundtable discussion—criminal***

#### ***The procedure for issuing the punitive order KJI***



On January 24, 2012, KJI conducted a roundtable discussion in the criminal field on the topic "Procedure for issuing the punitive order".

The purpose of this training was to analyze the practical issues related to the procedure of issuing the punitive order.

Among the main objectives of this training were:

- The proper implementation of the provisions for the procedure for the issuance of the punitive order;
- The identification of cases for which the punitive order is imposed;
- Evaluation of the effects of imposing the punitive order;

This roundtable was conducted through case studies from the case law, exchange of experience and interpretation of legal provisions in order to unify them.

The focus of discussion was the review of the purpose and effects of application of this legal institute.

Beneficiaries of this training were judges and prosecutors of all levels and from all regions of Kosovo.

### ***Roundtable discussion Minor Offence***

#### ***Juveniles as perpetrators of minor offences***



On January 30, 2012, KJI conducted a seminar on the topic: "Juveniles as perpetrators of minor offences" where beneficiaries were minor offence judges from all the regions of Kosovo.

The purpose of this training was to refresh and increase the professional level of minor offence judges.

During the seminar were analyzed the practical issues that arise during the development of the minor offence procedure against juveniles including the principles, measures and penalties that apply to juveniles as perpetrators of minor offenses.

Objectives of this training were:

- Analyzing the basic principles of the minor offence procedure against juveniles;
- Identifying elements which make the procedure against juveniles specific;
- Proper application of measures and minor offence sentences against juveniles.

The training was followed with a simulation of a practical case where against the juvenile the minor offence procedure is developed.

## 2. ACTIVITIES FROM THE TRAINING PROGRAM FOR PROMOTION (TPP)

### Administrative Act and Administrative Conflict



On January 31, 2012, KJI within the Training Program for Promotion conducted the next module on the topic: “Administrative act and Administrative Conflict.”

The purpose of this training was to prepare judges in implementing the Law on Courts which includes the general department where administrative issues will be addressed. Objectives of this training were:

- Introduction with the structure of administrative acts;
- Identification of acts relatively invalid and absolutely invalid;
- The difference of the elements that must contain an administrative act and
- The identification of administrative acts against which an administrative conflict can be conducted.

Issues that were discussed in this training mainly dealt with administrative acts, which are competent authorities for promulgation of these acts, types, the invalidity of administrative acts, administrative disputes, court decisions regarding the lawsuit and legal remedies in administrative conflict. Also, to develop this matter after each presentation are also used many examples from case law where judges had the opportunity to demonstrate their knowledge.

During the training were also identified many ambiguities and disadvantages in the provisions of the Law on Administrative Conflict, which have caused irregularities, delays and non implementation in practice. From this training came with the demand to address to KJC as fast as possible in order to amend and supplemented this law.

Beneficiaries were municipal judges (mainly civil judges) and minor offence courts from all the regions of Kosovo.



Professional Judicial Development

### **3. ACTIVITIES FROM THE INITIAL LEGAL EDUCATION PROGRAM (ILEP)**



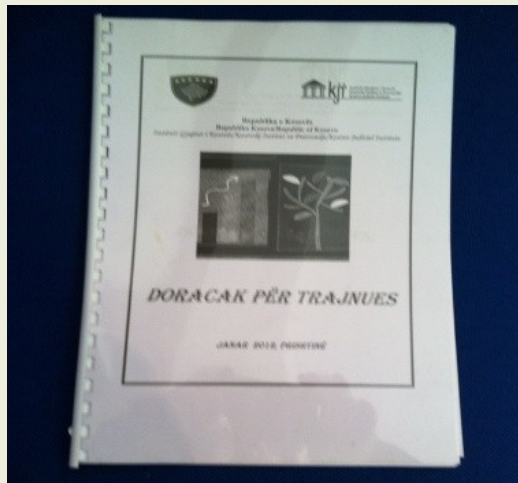
Training in the Initial Legal Education Program in second and third phase for the fourth generation, continued in January and is now this training program is nearly completing.

During this period, for the second phase trainings are organized in 12 training modules, in which trainers use combined theoretical and practical methods which make the training more attractive and professional. The training for this stage is organized 3 days a week, full time on according to the schedule and was attended by 56 candidates. During January 2012 there were held 32 training sessions.

The third phase is characterized by practical training of candidates for judges and prosecutors which are attending their trainings in this phase in courts/prosecution offices, respectively they are being supported by their mentors. At this stage candidates have attended trainings 2 days a week.

In order to prepare the final exam for the first phase of ILEP IV which will be held in February, the trainers have drafted the exam for candidates in each training module, applying the rules for drafting the Preparatory Exam.

## 4. OTHER ACTIVITIES



### PUBLICATION OF THE HANDBOOK FOR TRAINERS

In January 2012, with the purpose of supporting trainers to successfully achieve its various programs for legal education, KJI has drafted the "Training Handbook" which contains general guidelines for training, explains the working practices of trainers and unifies the engagement and assessment procedures of local and international trainers.

The publication of this handbook is intended to provide standardized practices when organizing different programs by different trainers.

The organization of trainings for judges, prosecutors and other justice professionals requires the commitment and participation of many people. For this reason, this handbook is dedicated to all persons who participate in the preparation and realization of trainings at KJI.

This manual is the first of its kind developed by KJI therefore trainers will assist in the preparation and conduct trainings in the most professional manner.

