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Activities from the Continuous Legal Education Program (CLEP)

A 7– Civil EU Law in practice: Introduction and Presentation of the Civil Law
KJI - Twinning



From April 04 till April 08, 2011, KJI in cooperation with the Twinning Program for the Legal System Education Reform in Kosovo organized a five day training on the topic “European Union Law in practice—Introduction and focus on the civil law”.

In this training course were addressed issues related to the European Union Law, its background and the organizational structure of European Union, the link between the European Union Law, ECHR and the European Court of Justice.

The importance of this training consists in that participants after its completion will be able to:

- Interpret the notion “European Union, Council of Europe and European Council”.
- Explain the role of the European Court of Justice in Luxembourg.
- Explain the role and the function of the European Court of Human Rights in Strasbourg.
- Differentiate the ECJ in Luxembourg and the ECHR in Strasbourg.
- Interpret the legal resources of the European Union.
- Interpret the European regulations and directives in national laws.
- Demonstrate and interpret cases from the Judicial practice of the European Court of Justice in Luxembourg..

The beneficiaries of this training were civil judges and minor offence judges from all the regions of Kosovo.

Certificates were distributed to the participants at the end of the training.

Roundtable discussion: Criminal Corruption



On April 14, 2011 KJI organized a training from the criminal field on the topic “Corruption”.

The purpose of this training was to discuss about the criminal offences of corruption, such as: the breach of the official duty by the responsible persons in legal subjects and any activity of the initiators or of beneficiaries of this conduct, the remuneration directly or indirectly was promised, offered, provided, required or received for the person itself or another person.. Learning objectives of this training were that

Participants will be able to:

- Differ the areas where corruption is present;
 - Identify the forms and ways of conducting corruption;
 - Apply the modern forms of detection of corruption;
 - Identify the forms and the ways in which the corruption could be prevented;
 - Deepen the knowledge about the institutions that deal with the combating of corruption;
- During this training session were addressed issues regarding situations when persons, whether public officials or ordinary citizens perform one or more prohibited actions, which by their motives and purposes compose elements of a criminal offence.

During this training were discussed issues regarding the identification of criminal offences related to corruption since for their legal qualification there are uncertainties.

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

Training of Trainers: “European Union Civil Law”

From April 18 until 20, 2011, KJI in cooperation with the Twinning Program which supports the Legal System Education Reform in Kosovo, organized a specialized three day seminar for trainers on the topic “European Union Civil Law”.

This seminar focused on: the drafting of judicial manuals regarding European Union Law, related to judicial practice in Kosovo.

Participants during this seminar worked in groups in drafting judicial draft-manuals on different topics under the supervision of international experts from, the field of EU Law.

The importance of this training consists on that, participants after the completion of this training will be able to:

- Develop and draft a judicial manual on the EU Law related to the judicial practice in Kosovo.
- Develop and structure clearly the content of a judicial manual on EU Law.

Beneficiaries of this training were trainers of the Kosovo Judicial Institute.

Workshop: Criminal Witnesses in criminal procedure



On April 21, 2011, KJI organized a training session from the criminal field, on the topic “Witnesses in criminal procedure”.

The purpose of this training was to analyze the issues regarding witnesses in criminal procedure which can provide important information for the criminal procedure, related to: the perpetrator of the criminal offence, the circumstances of the commission of the criminal offence, the injured party etc, in contributing in solving the issue in the right way.

Objectives of this training were that participants

After the completion of this training will be able to:

- Make the necessary clarifications regarding released witnesses in the criminal proceedings;
- Evaluate the effects of the testimony of witnesses in criminal procedure and to distinguish them;
- explain the admissibility of the testimony of witnesses, as evidence in criminal proceedings;
- distinguish cases when a witness is declared a protected witness and cooperative witness;

This training session focused on addressing the problematic issues that arise in practice from a professional perspective in order to unify the implementation of legal provisions regulating this field. On this occasion, through improvised practical examples there was an interactive discussion regarding the issue of witnesses.

The beneficiaries of this training were judges and prosecutors at all levels from all regions of Kosovo.

Workshop: Criminal Covert Technical Measures of Investigation and Surveillance



On April 26, 2011, KJI organized a training on the abovementioned topic.

The purpose of this training was to increase the efficiency and effectiveness when imposing and applying covert technical measures of surveillance and investigation.

During this visit were analyzed issues regarding

Measures imposed by the public prosecutor and the judge of the preliminary procedure, procedural matters related to the report of the prosecutor and preliminary procedure judge, their competencies related to the application of covert and technical measures of surveillance and investigation.

Among the main objectives of this training were that participants after the completion of this training are able to:

- Assess properly the purpose of these measures, with the help of these measures which is made the collection of evidences and facts;
 - To differentiate the measures imposed by the prosecutor and those issued by the preliminary procedure judge;
- identify evidence that should be taken without an order of a preliminary judge or the prosecutor and their treatment;
- Beneficiaries of this training were judges and prosecutors from all the regions of Kosovo of all levels.

Training of Trainers: “European Union Civil Law - EU”

From March 28 until 30, 2011, KJI in cooperation with the Twinning Project which supports the Legal System Education Reform in Kosovo, organized a specialized three day seminar for its trainers on the topic “European Union Civil Law and its relevant legal instruments for the protection of the consumer”.

The importance of this training consists in that, participants after its completion will be able:

- To explain the role of the EU Legislation for the protection of the consumer.
- To recognize the content of the regulation of the Council of Europe (EC-Brussels I.) No. 44/2001 of December 22, 2000 on the jurisdiction and recognition of executions of decisions in civil and economic matters (Brussels I).
- To recognize the content of the Parliament and European Council Regulation (EC),

No. 805/2004 of April 21, 2004 on the execution of uncontested claims in,

in the process between Member States in civil and economic matters (Brussels II).

- To recognize the content of the Regulation of the Parliament and of European Council, No. 593/2008 of June 17, 2008 on the applicable law for contractual obligations (Rome I),
- To recognize the content of the Regulation of the Parliament and of European Council (EC), No. 864/2007 of July 11, 2007 on the applicable law for non-contractual obligations (Rome II).
- To take decisions by having in mind the judicial practice of the European Court of Justice in Luxemburg.

Beneficiaries of this training were the trainers of Kosovo Judicial Institute.

Training of Trainers: “Workshop on the “Development of the Advance Skills of Trainers”



On April 28 and 29, 2011, KJI organized a two day workshop for trainers engaged in the Initial Legal Education Program.

The purpose of this roundtable was to develop skills and presentation skills in more effective way by using a variety of teaching methods, and it was required from trainers to demonstrate the teaching techniques and they also took comments from trainers and colleagues.

The importance of this workshop consists on that, participant after its completion will be able to:

- Develop the skills of very effective presentations;
- Draft clear learning objectives by including practical exercises in trainings;
- develop a training session using learning objectives to organize the training content;
- apply interactive teaching methods in trainings;
- Manage the time of the training according to the agenda.

The beneficiaries of this training were judicial trainers and the Kosovo Judicial Institute staff, which deals with the development of legal education programs.

2. Activities of the Training Program for Promotion (TPP)

Module: Constitutional Law



On April 20, 2011, KJI within the Training Program for Promotion conducted the training session on the topic “Constitutional Law”.

Some of the main objectives of this training were that participants after the completion of this training will be able to:

- To know the constitutional resources in Kosovo;
- To understand the structure of the Constitution of Kosovo and its values;
- Distinguish cases when the international law prevails the Constitution of Kosovo;

- To recognize the legal basis regarding the organization and the functioning of the Constitutional Court; and Distinguish the subjects that put in motion the process of the constitutional control.

Issues that were addressed during this training mainly dealt with the constitutional sources in Kosovo, the nature and effect of the Constitutional Court decisions, individual complaints, substantive and procedural requirements for lodging a complaint, time limits and the procedure for reviewing the complaint, and other issues related to the scope of the Constitutional Court.

Also issues regarding the elements that make the Constitution as special as it is, were addressed such as: the formative process of Kosovo as a state, conflicting provisions of the constitution related to the supremacy of the Plan of President Ahtisaari, the absence of the preamble in the Constitution, the reasons for not lodging it and the circumstances that touch the President Ahtisaari’s Plan.

Beneficiaries of this training were Municipal , Minor Offence Judges from all the regions of Kosovo..

3. Activities in the Initial Legal Education Program (CLEP)

Administration and Assessment of the Preparatory Exam

The Preparatory Exam for the fourth generation of candidates for judges and prosecutors of the Initial Legal Education Program was held in April. The written part of this exam was held on April 02 at the Kosovo Center for Public Safety Education and Development (KCPSD) in Vushtrri. The exam was divided into five (5) parts and 161 candidates took the test.

This exam is administered under strict safety measures which ensured a confidential, fair and equal process for all candidates. The exam was held under the monitoring of international monitors and the President of the Supreme Court of Kosovo and Head of the Kosovo Judicial Council.

The assessment of the exam was made by the Commission for Drafting and Assessment of the Exam on April 04 and April 5 at the premises of KJI in spaces with limited access by staff. The assessment was made anonymously, by assessing only the secret numbers of exam.

Even the process of the assessment of the exam was monitored and supported by officials of the Department for Monitoring the Legal System (LSMS) of

On April 12, publicly, in front of candidates, representatives of OSCE and a representative of the Board of KJI, opened the envelopes containing the names of candidates where the adaptation of the number of exam with the name of the candidate was made. Based on the exam rules approved by the Program Council of KJI, 70 highest scores were qualified to participate in the oral exam.

Of the total number of candidates who took the written exam, 92 were included in the group of 70 highest results (including the same results). These candidates were invited to participate in the oral exam which was held on April 16.

Final results showed that 42 passed the Preparatory Exam and now are attending the trainings in the Initial Legal Education Program (ILEP) organized by KJI. Candidates who have not passed the exam had the opportunity to file a complaint or a request to see their exams in order to verify the points that they scored.

ILEP Trainings III

The trainings in the Initial Legal Education Program for the second and third generation of candidates continued during April.

These trainings were attended by the candidates depending on their profile assigned to them, where candidates for judges attended trainings in different modules from those of prosecutors. Each group had 12 training modules.

Training in the second phase will continue until the end of May, where at the end of this phase of training candidates will be subject to an exam,

for each training module that they have attended.

While in the third phase candidates attended trainings in the courts or prosecution offices depending on their profile .

Practical trainings are held under the supervision of a mentor judge or prosecutor, according to the program determined by KJI in coordination with the Mentor Coordinators.

These training were attended by 32 candidates.

Other activities

International Conference – Zagreb -Croatia

Topic: “Local and European Judge/Prosecutor - The role of Professional Training Centers”

On April 7 and 8, 2011, in Zagreb Republic of Croatia an International Conference on the topic “Local and European Judge/Prosecutor—The role of Professional Training Centers was held.

In the first session of this conference, an Agreement on Multilateral Cooperation in the regional aspect in the field of training of judges and prosecutors was signed. This agreement was signed by representatives of training institutions from:

Poland, Hungary, Slovenia, Bosnia and Herzegovina, Montenegro, Kosovo, Macedonia, Croatia and Slovakia, This agreement on behalf of the Kosovo Judicial Institute was signed by the Director of the Institute Mr. Lavdim Krasniqi who participated in this conference.

The topics that were discussed in this conference were: Learning about the EU Law, Distance Learning (e-learning) and Training of Trainers on EU Law During the conference different experiences were exchanged within the continuous training and initial training and practices regarding the application form of EU funds and the labor aspects of the twinning programs were discussed.

Participants in this conference were senior representatives of training institutions for judges and prosecutors from: Slovenia, Poland, Hungary, Bosnia and Herzegovina, Montenegro, Kosovo, Macedonia, Croatia, Slovakia, Spain, France and Bulgaria.

Staff Training “ Drafting and development of Curriculums”

Topic: Developing of Training Curriculums

On April 28 and 29, 2011, KJI in cooperation with GIZ—”Project for the Legal Reform in Kosovo” conducted a two day workshop where it was discussed about the development of the training curriculums of KJI..

The main goal of this workshop was the support of the staff and the trainers of KJI regarding the drafting and development of trainers programs starting from the identification of objectives, content and teaching methods and assessment of needs, in order for them to deepen their knowledge about the highest standards of curriculum development and the standards incorporated in programs of KJI.

Issues that were addressed in this workshop had to do mainly with the competences,

leadership and self-management with ethical responsibility, conceptual planning and organizational reform by addressing specific models for the definition of the learning objectives and the transformation of these objectives into operational procedures.

During this roundtable participants were divided into groups and identified the advantages and disadvantages of training activities within the KJI Programs and in cooperation with experts discussed the possibilities of avoiding the disadvantages.

The beneficiaries of this workshop were the professional staff and trainers of the KJI, while experts were provided by GIZ within the project "Strategy for supporting KJI".