



NEWSLETTER

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Activities of the Continuous Legal Education Program (CLEP)

Expropriation Law (CLEP)



- To implement properly the flow of the Expropriation procedure;
 - To distinguish the role of the expropriation organ and preparatory actions;
 - To distinguish when the municipality can be the expropriation authority and when can the government be;
 - To identify the fact that as an expropriation object may be the private property rights and property rights of a municipality or of a municipal authority;
 - To list the subjects of the expropriation process, decisions that arise from this process;
- Determine the ways of compensation and the transparency of this procedure.

On June 1, 2011, KJI in cooperation with the OSCE Mission in Kosovo, within the Continuous Legal Education has conducted the next training session on the topic "Law on Expropriation"

Issues that were involved in this session mainly dealt with novelties of the Law on Expropriation, which was approved by the Assembly on March 26, 2009 and promulgated by the President on April 23, 2009

The purpose of this training was the creation of new and operational practices in the process of expropriation and fair application of legal provisions for expropriation disputes

The process of expropriation was in focus starting from the expropriation organ, the legal public purpose, non-discrimination, subjects of this procedure, preliminary decisions and final decisions, compensation and modes of compensation, complaints and their treatment, transfer of authority for expropriation and cooperation with interest groups.

The main objective was that participants after the completion of this training will be able to:

Beneficiaries of this training were civil judges of municipal, district and supreme level.

Workshop Building of Trial Advocacy Skills KJI + US DOJ (CLEP)



On June 7, 8 and 9, 2011, KJI in cooperation with the Department of Justice of US, the OPDAT Program and National Institute for Trial Advocacy (NITA) from USA conducted workshops.

The main purpose of these trainings was that after its completion participants will be able to use the most advanced techniques of trial advocacy.

Issues that were included in these training sessions mainly dealt with the direct examination, cross examination, impeachment, re-examination of defendants, experts as well the techniques of the opening statement and closing argument by the prosecutor and the defense counsel

During these trainings the participants were enabled through group work to demonstrate their trial advocacy skills by working on a practical case and by using the techniques presented by the local trainers, specially trained for this training.

Also, all presentations of the participants were recorded, with the purpose of making suggestions and guidelines for their presentation. At the end of training certificates were distributed to participants for the successful completion of the training.

The beneficiaries of these trainings were judges and prosecutors of all levels and regions of Kosovo.

Roundtable discussion: Preparatory Procedure for Juveniles (CLEP)

On **June 14, 2011**, KJI conducted the training session for juveniles in the criminal field on the topic “Preparatory Procedure for Juveniles”.

The purpose of this training was to analyze the issues related to the preparatory procedure such as: the beginning and termination of the preparatory proceedings, the role of prosecutor and juvenile judge, the role of the Guardianship Authority and Probation Service in preparatory proceedings and cases when the Preparatory procedure is stayed.

In the roundtable were addressed issues that arise in professional practice from the perspective of judges, prosecutors and others in order to unify the enforcement of legal provisions that regulate the preparatory proceedings for juveniles.



Beneficiaries of this training were judges and prosecutors, official from the Kosovo Police, Guardianship authority and the Probation Service of Kosovo.

Training Course: “EU Law in Practice – Introduction and Focus on the Civil Law” (CLEP)

From June 20 until June 24, 2011, KJI in cooperation with the Twinning Program – Legal Education System Reform in Kosovo, conducted a five day training course on the aforementioned topic. Within this training course in general were addressed issues related to European Law, its history, organizational structure of the European Union, the relationship between European law and the ECHR and the role of the Court of Justice. The objectives of this training were that participants in the future will be able to:

- To interpret the notion “European Union”, “Council of Europe” and “European Council”.
- To understand the role of the European Court of Justice in Luxembourg.
- To explain the role and the function of the European Court of Human Rights in Strasbourg.
- To make the distinction between the ECJ in Luxembourg and ECHR in Strasbourg.



- To interpret the legal sources of the European Union and the impact of the European regulation and directives in the (domestic) national legislation.
- Demonstrate cases from the judicial practice of European Court of Justice in Luxembourg.

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

Workshop in the civil field “Commercial Contracts”

On June 28, 2011, KJI in cooperation with the program for the System of Execution of Agreements (SEAD), supported by the USAID Mission, organized a workshop on the topic “Commercial Contracts”.

The main focus during this roundtable was on the advancement of knowledge about the effective implementation of legal provisions in force regarding the license agreement, leasing, control and storage of goods.

The importance of this training, consist on that judges after its completion will be able to:

- To implement the general legal framework in force regarding license contracts, leasing and storage and control of goods;

- To explain the provisions of the Law for Leasing and the Law on Obligations regarding the contract of license, leasing, storage and control of goods;
- Distinguish the main elements of the contracts of license, leasing and the control and storage of goods;
- Explain the responsibility for damage of the license, leasing, control and storage of goods;
- Explain the legal effects of the contract for license, leasing, control and storage of goods as well to understand the ways of termination of those contracts;

The beneficiaries of this roundtable were civil judges from all the regions of Kosovo.

Activities of the Training Program for Promotion TPP

Module: Administrative Act and Administrative Conflict – TPP

On June 15, 2011, KJI within the Training Program for Promotion conducted the next training session on the topic “Administrative Act and Administrative Conflict”. The purpose of this training was the proper application of the provisions of the Law of Administrative Procedure and Law on Administrative conflict.

The main objectives of this training were: the recognition of administrative acts, the identification of invalid acts relatively and absolutely void, the identification of elements that an administrative act should contain and administrative acts against which the administrative conflict can be developed.

Issues that were involved during this session dealt mainly with administrative acts and their types, the invalidity of administrative acts, administrative conflict and novelties of the Law on Administrative Conflict.

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The beneficiaries of this training were mainly civil judges from the Municipal Court and Minor Offence Court Judges from all the regions of Kosovo.

Advanced Training for Lay- Judges



On June 22, 2011, KJI within the training activities conducted a regional special training session for lay-judges.

The purpose of this training was to advance the knowledge of lay-judges when deciding upon cases in the courts and as well the enhancement of their reputation and position.

- Understand their role when dealing in practice with the statutory issues;
 - Differentiate their role within the panel for juveniles and in that for adults;
- To recognize the good and improper behavior according to the principles and rules of the Code of Ethics and Professional Conduct for Lay-Judges.

Issues that were discussed during the training were mainly related to the role of lay judges in the implementation of the family law, the role of lay judges in court hearings for adults and minors and the ethics of conduct for lay-judges. Also they were enabled through a practical case to demonstrate their skills in identifying the ethical violations.

The beneficiaries of this training were lay-judges of the region of Prishtina, Gjilan and Mitrovica.

Activities of the Initial Legal Education Program (ILEP)

ILEP III Trainings

The trainings for the third phase of the third generation of candidates in the Initial Legal Education Program continued during the month of June of 2011.

Since the trainings of the second phase ended, candidates took the exam on June 6, 8 and 10. Candidates were subject to the exams in all the modules in which they have attended the trainings during the first quarter.

The administration of the exam was done according to the rules of the Preparatory Exam by adapting to the ILEP Exam specifications.

The administration of the exam was monitored by international observers from OSCE.

The assessment of the exam was done in June, where all the trainers that drafted the exam made the assessment in an anonymous way by assessing only the secret numbers of the exam without knowing which exam belongs to which candidate.

Besides being subject to the exams of the second phase of ILEP, candidates attended practical trainings under the supervision Mentor Judges and Prosecutors according to the program determined by KJI in coordination with the Mentor Coordinators.

32 candidates attended these trainings.

The meeting with the Mentor Coordinators ILEP III

In order to assess the work of the Mentors and the impact of the practical training to the candidates, on June 15, 2011, a meeting was held between the Mentor Coordinators and ILEP III candidates.

At this meeting, coordinators were interested in the Mentor's working methodology with candidates and the implementation of the working for the third phase.

At this meeting the candidates presented the modes and conditions of the trainings that were offered by the courts and prosecution office, and in particular the support of the mentors.

All the candidates assessed highly the practical trainings and they concluded that this training period is very useful for their preparation and professional training so that they are able to exercise the function of a judge or prosecutor in a very professional way since their first day at work.

ILEP Trainings – IV generation

Trainings in the first phase of ILEP – IV-generation continued during June according to the schedule and training program.

Candidates are attending intensive trainings (6 days a week), where for 3 days they attend trainings at KJI, while 3 other days in the courts and prosecution offices, depending on the profile to pursue the practical trainings. 57 candidates attend these trainings.



First annual Alumni Conference of KJI



On June 25, 2011, KJI for the first time organized an annual conference for the graduated candidates of the first and second generation of ILEP.

During the conference many important issues were discussed, such as: leadership, drafting and well legal reasoning of opinions, ethics, and experiences during the exercise of the function of a judge and prosecutor challenges and appropriate solutions.

Participants had the opportunity to address the issues they face in their daily work in the courts and prosecution offices. A panel of prosecutors and judges, among them the President of the Supreme Court answered the questions of the attendees.

KJI's commitment for the success of this conference was demonstrated by the ability to assess both training programs (ILEP and CLEP) which was made possible by engaging the participants in completing a questionnaire through which they had the opportunity to assess and give recommendations for the further development of the training programs of KJI.

The conference was attended by the candidates of the first and second generation of ILEP which now exercise the function of a judge or prosecutor.