



NEWSLETTER

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**PROFESSIONAL
JUDICIAL DEVELOPMENT**

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Seminar EU Law – KJI & TWINNING



- European Law, its historical background,
- Organization structure of European Union,
- Relation between European Law and European Convention on Human Rights and Fundamental Freedom,
- Sources of the European Law,
- The supremacy of the European Law over National Laws, and
- Fundamental freedom of European Law.

During this training were treated various study cases of the European Court of Justice, these cases were analyzed by the participants. The beneficiaries of this training were: criminal judges and prosecutors from all regions of Kosovo.

On 05-09 July 2010, the Kosovo Judicial Institute in cooperation with Twinning Project on legal education system reform in Kosovo, held a five days training on EU Law on the topic: "EU Criminal Law". The topics that were treated during this training were as following:

Initial Legal Education Program

On July, within the Initial Legal Education Program was organized a the Preparatory/Entry Examination for the third generation of ILEP candidates. The Preparatory Exam was held on 3 of July (written part), whereas, after the assessment of the exam and verification of the results by the commission, on 17 July was held the oral part of the exam. Based on the examination 31 candidates will attend the Initial Legal Education Program starting from September. The candidates of the second generation have taken the final examination for the second phase of ILEP. In order to prepare the third phase of the ILEP training program

For the candidates of the second generation and preparation of the commencement of the first phase trainings for the third generation were held several meetings such as with; Mentor Coordinators, the trainers of the first phase of ILEP, meeting with the mentors, the candidates of ILEP II and the meeting with the candidates of ILEP III. In July commenced the third phase of trainings for the second generation, during this period the candidates were engaged in preparation of the scientific work called: "Justicia".

Training Program for Promotion - Module - Trial Advocacy Skills

On 28-29-30 July 2010, the Kosovo Judicial Institute in cooperation with OPDAT/US. Justice Department - National Institute for Trial Advocacy (NITA), within the Training Program for Promotion have conducted a three days training session on: "Trial Advocacy Skills". The topics that were treated during this training were mainly focused on conducting direct examination, cross examination, impeachment and redirect and rehabilitation of the defendant and witnesses during the trial, they also learned the opening statement and closing argument from both sides, prosecution and defence council.

During this training the participants during break out groups had the chance to demonstrate their skills on trial advocacy by working on the various study cases based on the techniques that were taught by the local trainers. It is important to emphasize that during the session the presentations and the performance of the participants was recorded so they could see and follow the suggestions and instructions of the experts in order to be prepared and improve their skills during the trial.

Roundtable Discussion - Subject : Guilty Plea Agreement

On 24-25-26 August 2010, the Kosovo Judicial Institute in cooperation with US Department of Justice and Overseas Prosecutorial Development Assistance and Training (OPDAT) organized a training session on: "Guilty Plea Agreement".

The main objective of this training was to analyze the problems related to the practical implementation of the legal provisions of guilty plea agreement and to increase the level of implementation of this new legal institution in the judicial system of Kosovo.

In the training capacity were very experienced international experts from USA, whereas the beneficiaries of this training were judges, prosecutors and defence counsels from all regions of Kosovo.



Practical trainings of the candidates of second generation of Initial Legal education Program

In the beginning of August was noted the commencement of practical trainings for the candidates of second generation of the Initial Legal Education Program that already were settled in courts and prosecution offices depending on their profile.

During this time the candidates under the supervision of Mentors appointed by KJI and in cooperation with JPC have followed the practical work of courts and prosecution offices and have been engaged on the implementation of the practical pro-

designed for this phase. The candidates have been visited and observed by KJI officials in order to see their system, working conditions, needs and support, the coordination with Mentors, the proper implementation of the training program and KJI support in this direction.

With the purpose of having better working conditions, KJI provided computers to some courts and prosecution offices that did not have sufficient means for the candidates.

The Commencement Ceremony of Initial Legal Education Program for the Second Generation of Candidates for Judges and Prosecutors



On 01 September 2010, KJI held the solemn ceremony commemorating the beginning of the third generation of the candidates for judges and prosecutors. These candidates will attend training courses in duration of 15 months. To mark this special occasion the ceremony was attended by: President of Republic Mr. Fatmir Sejdiu, representatives from local and international institu-

From courts and prosecutorial offices and other supportive mechanisms of the judiciary such as: The President of Supreme Court of Kosovo, Head of Judicial Council, State Chief Prosecutor, Department of Justice, EULEX representatives, European Commission, USAID, UNDP, OSBE and other collaborators and donors of KJI. On 03 September commenced the implementation of the ILEP and continued according to the plan and training calendar for September.

Whereas, relating to the ongoing process of the phase I of the training, on 10 September was held a meeting between Mentor Coordinators and ILEP candidates.

The purpose of this meeting was to present the candidates with their job on phase I and professional challenges faced by them during practical work.

KJI and Mentor Coordinators have encouraged to continue to be engaged in the practical trainings, since this is the last phase where they have the opportunity to gain professional knowledge from their Mentors before starting to practice law depending on their profile.

Roundtable Discussion: Civil Law - Protective Measures and their Impact in the Prevention of Domestic Violence

On 03 September 2010, the Kosovo Judicial Institute held a roundtable discussion on Civil Law on the topic: "Protective Measures and their Impact in the Prevention of Domestic Violence".

The importance of this roundtable for the judges was gaining the advanced knowledge on the Law on Domestic Violence (03/L-182), the protective measures and their impact in the prevention of domestic violence, the differences between protective and emergency measures as well as the difference between the judicial decision and their insufficient reasoning.

The beneficiaries of this roundtable discussion were judges, prosecutors, lawyers, Kosovo Police Officers and representatives of Social Center from all regions of Kosovo.



Roundtable Discussion: Criminal Law - Legal and Judicial Rehabilitation

On 07 September 2010, the Kosovo Judicial Institute (KJI) organized a roundtable discussion on: “Legal and Judicial Rehabilitation”. During this roundtable were discussed issues related to the condition of the legal and judicial rehabilitation including the procedures that should be applied in order to implement the aforementioned rehabilitations.

During this roundtable were also discussed the most difficult issues and the practical application of the legal provisions related to the subject matter.

On this roundtable was especially emphasized the non-existence of a data base where should be registered all persons which went through the rehabilitation regardless the type of it, that have a positive impact on re-socialization and reintegration of the injured persons.

The beneficiaries of this roundtable were judges, prosecutors and professional associates from all regions of Kosovo.



Workshop (Regional) Juvenile Justice Code of Kosovo: Prishtina Region KJI - UNICEF



The Kosovo Judicial Institute in cooperation with UNICEF, on 16 September 2010, organized a workshop on: “Juvenile Justice Code of Kosovo”. Within the frame of this workshop were discussed the amendments of the Juvenile Justice Law of Kosovo that has been transformed into a Code, different obstacles faced during their practical work by the judges, prosecutors, probation officers, guardianship authority and Kosovo police officers..

The workshop was characterized the new constructive ideas on how to interpret and apply in unique way the new legal provision of the respective Code.

The beneficiaries of this workshop were judges, lawyers, police officers, probation officers, Central Social Work and EULEX representative.

Roundtable Discussion: Criminal Law - Organized Crime

ON 16 September 2010, KJI organized a roundtable discussion on Organized Crime. The issues discussed during this roundtable were focused on fighting the organized crime, right qualification of the criminal offence which falls under the organized crime and other related crimes. During this roundtable especially were emphasized the financial crime, trafficking with human beings and trafficking with narcotics, it was also noted that these types of crime shall be fight with all necessary means and which is the only way to go ahead , the main institutions who have the competences to fight these crimes in the Republic of Kosovo are: the Kosovo Police, State Prosecution of Kosovo, the Courts of Republic of Kosovo, Custom,



Tax Administration, Kosovo Central Bank, Financial Intelligence Center, etc. The beneficiaries of these training were judges and prosecutors from all regions of Kosovo.

Training of Trainers: Trial Advocacy Skills

On 2, 13, 20, 27 September 2010, the Kosovo Judicial Institution in cooperation with OPDAT/US–Justice Department– National Institute for Trial Advocacy (NITA) conducted a training of trainers.

During this training the experienced local and international trainers delivered lectures through breakout case studies and demonstrated their concrete skills as trainers, during this training the participants were able to practice the special techniques of

Opening statement, direct examination, cross examination, impeachment, closing argument, redirect examination and rehabilitation of the witnesses of both sides prosecution and defence counsel.

The beneficiaries of this training were: Supreme Court, District Court, High Minor Offence Court, Municipal Court and Special Prosecution of Kosovo.

Seminar: The Role of the Office of Disciplinary Prosecutor

On 23 September 2010, KJI organized a seminar on: “The Role of the Office of Disciplinary Prosecutor”. During this seminar were discussed the role and power of the office of disciplinary prosecutor. The topics that were also discussed during this seminar were mainly focused on the responsibilities and duties of the office of the disciplinary prosecutor and issued related to the occurrence of lay judged and prosecutors in general,

“on this occasion was concluded that the office of disciplinary prosecutor is not established to impact on the independency of the judge nor prosecutor, but to straighten their power and arise the public trust toward judicial and prosecutorial system and rule of law.

The beneficiaries of this seminar were judges from all regions of Kosovo.

Training - EU Criminal Law - KJI & TWINNING



On 27, 28, 29, 30 September and 1 October 2010, KJI in cooperation with Twinning Project, Legal Education System Reform in Kosovo, held a five days training on EU Law with the special emphasis on Criminal Law.

During this training were discussed the topics relates to:

- EU Law - Its historical background,
- The relation between European Law and European Convention on Human Rights and Fundamental Freedom,
- Trafficking with human being, arms and narcotics,
- Mutual recognition in criminal law: instruments and legislation,
- Supremacy of European Law over National Law; European legislation,
- The Court of European Union: its composition, duties and competences,
- Specialized fields of European Law of Criminal Law.

During this session were also discussed and analyzed different practical cases from European Union. Beneficiaries of this training were criminal judges and prosecutors from all regions of Kosovo.