



NEWSLETTER

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JUDICIAL
PROFFESIONAL
DEVELOPMENT

Roundtable Discussion-Criminal Law: Execution of Imprisonment Punishments



On 02 June 2009, the Kosovo Judicial Institute conducted the roundtable discussion under the topic: **“Execution of the Punishment of Imprisonment”**. The subjects treated within the aforementioned event

mainly focused on the commencement of the execution of the punishment of imprisonment and ruling on staying the commencement of the execution of imprisonment. In addition to, a detailed analysis was carried out on the execution of the punishment of imprisonment for juveniles and adult cases. A special attention was paid to the troublesome issues faced during the court practice and unification of best practices.

The beneficiaries of the respective training were judges and prosecutors from all regions of Kosovo.

Roundtable Discussion-Criminal Law: Extraordinary Legal Remedies-proposal for repetition of the procedure



On 04 June 2009, the Kosovo Judicial Institute conducted the roundtable discussion under the topic: **“Novelties concerning the Extraor-**

dinary Legal Remedies”. The subjects that were treated during this session were focused on the motion for re-opening of the proceedings. A special attention was paid to the difficulties encountered by judges in the practical application of the new provisions of the LCP concerning the extraordinary legal remedies.

The beneficiaries of the respective training were civil law judges from all regions of Kosovo.

Seminar-Civil Law: Mediation and Judicial Settlement

On 09 June 2009, the Kosovo Judicial Institute conducted the seminar on the civil law under the topic: **“Mediation and Judicial Settlement”**.

The subjects treated within the aforementioned seminar mainly focused on the issues related to the: law on mediation, characteristics of the settlement in the resolution of the civil disputes (judicial settlement) and advantages of applying judicial settlement. A special attention was paid to the clarification of the provisions containing dilemmas and difficulties encountered by judges in the practical application of the law on mediation. The beneficiaries of the respective seminar were civil law judges from all regions of Kosovo



Advanced Course-Code of Ethics, Prizren Region



On 11 June 2008, the Kosovo Judicial Institute (KJI) in cooperation with the National Centre for State

Courts (NCSC) conducted the roundtable discussion under the topic: **“the Judicial and Prosecutorial Ethics in Kosovo”**.

The purpose of this training was to provide judges and prosecutors with the knowledge on the fundamental principles and interpretation of the rules set forth under the code of ethics and professional conduct. Moreover, this training was conducted through the presentation of concrete cases from the real life aiming to develop the practical skills with regard to the impartiality and independence of the office holders on the judicial decision-making process, role-playing, communication with media and identification of applicable rules during the practice.

Roundtable Discussion-Criminal Law: Statutory Limitation on Criminal Prosecution and Execution of



On 12 June 2009, the Kosovo Judicial Institute conducted the roundtable discussion under the topic:

“Statutory Limitation on Criminal Prosecution and on Execution of Punishments”.

The subjects treated within the scope of the aforementioned session mainly focused on the most relevant issues manifested in the judicial practice concerning the periods of the statutory limitation on criminal prosecution.

This training was delivered through an interactive form discussion, comments, questions and concrete suggestions drawn out by the participants on the statutory limitation on criminal prosecution, execution of punishments, accessory punishments and measures of the mandatory treatment.

The beneficiaries of the respective training were judges and prosecutors from all regions of Kosovo.

Rountable Discussion: Measures to ensure the presence of the defendant during the criminal proceedings



On 16 June, the Kosovo Judicial Institute conducted

to the rountable discussion under the topic: **“Measures o Ensure the Presence of the Defendant in the Criminal Proceedings”**. The subjects treated in the course of the aforementioned training mainly focused on the specific applicable measures to ensure the presence of the defendant in the criminal proceedings.

The concrete analysis was conducted on the house arrest and detention on remand as effective measures of ensuring the presence of the defendant for the successful conduct of the criminal proceedings.

The purpose of this training was that through the discussion and comments to draw out concrete suggestions on the harmonisation of the judicial practice.

The beneficiaries of the respective training were judges and prosecutors from all regions of Kosovo.

Advanced Course: European Convention on Human Rights

On 17 June 2009, the Kosovo Judicial Institute conducted the advanced training course on the “European Convention for the Protection of Human Rights and Fundamental Freedoms”.

The issues treated during the aforementioned seminar focused on the organizational structure, composition of the Human Rights Court, principles and the rights protected under the Convention as well as to conduct of the procedure before the respective Court. Furthermore, an attention was also paid to the following legal provisions provided for in the Convention: Article 5 paragraph 4 and 5, and Article 6 paragraph 1, 2 and 3. On the same occasion, special attention was paid to the procedure for lodging an application for alleged violations and approximation of the domestic practices in the light of the European Court case law.



The beneficiaries of the respective training were judges and prosecutors form all instances.

Training of Trainers Advocacy Teaching Skills “NITA” New York

On 11, 12 and 13 June 2009, the Kosovo Judicial Institute in cooperation with the U.S Department of Justice, OPDAT office in Prishtina organized the training of trainer’s course on the advocacy skills “NITA”. This training event took place in New York.

The subjects treated during the aforementioned program focused on the practical demonstration of cases through “NITA” critiquing method, direct and cross-examination, impeachment and closing argument. The purpose of this teaching program was to equip the group of five local prosecutors with advanced knowledge on the advocacy skills, who after

being certified by the respective Institute, shall be capable of training their fellow colleagues, in order to establish a unified advocacy practice in Kosovo.

Seminar: Law on Competition



On 18 - 19 June 2009, the Kosovo Judicial Institute in close cooperation with the USAID/Bearing Point conducted the two-day seminar under the topic: “Law on Competition”. The main objective of this training course was providing of advanced knowledge on the policies envisaged under the new Law on Competition. A special attention was paid to the compatibility of the respective law with best International and EU Standards and Practices, as well as to the proper enforcement of the competition proceedings pursuant to the respective requirements. At this point, the participants gave their input through concrete suggestions and recommendations for the future amendment and improvement of the aforementioned law.

The beneficiaries of the respective training were civil law judges from all regions of Kosovo, commercial court judges and professional associates.

Workshop (Criminal Law) Main aspects of the Main Trial

On 22, 23 June 2009, the Kosovo Judicial Institute conducted the workshop under the topic: **“the Main Aspects of the Main Trial”**.

The subjects treated within the course of this training event focused on the applicable imperative provisions on the preparation of the main hearing and the ones on the conduction of the main trial. More concretely, a detailed analysis was done on the issue of the trial publicity and its applicability in Kosovo, preparations for the main trial, pleadings of the accused, modification and extension of the indictment including the conduct of the main trial as well as the evidence presentation during this phase of the procedure.



Practical Training: “Building of Trial Advocacy Skills” KJI & NITA

On 23, 24 and 25 June 2009, the Kosovo Judicial Institute in cooperation with the U.S. Department of Justice and National Institute for Trial Advocacy (“NITA”), conducted the three-day training under the topic “Building of Trial Advocacy Skills”.

The main goal of this event was to develop its participant’s advocacy skills through applying the most advanced structure and techniques of the witness examination. At this point, the participants through working group breakouts had the opportunity to practice their advocacy skills during which they used an invented case of domestic violence. In addition to, the session was de-

veloped through role-playing between the prosecutors and lawyers, who applied the most sophisticated methods of direct and cross-examination to the closing argument, at the same time they were video-recorded and had the chance to do the self-critiquing. The beneficiaries of the respective training were prosecutors from all regions and lawyers from different regions of Kosovo.

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Workshop-on the level KJI experts-Law on the Executive Procedure

On 25, 26 June 2009, the Kosovo Judicial Institute, supported by the UNDP, conducted the roundtable discussion on the level of civil law experts under the topic: **“NOVELTIES OF THE LAW ON EXECUTIVE PROCEDURE”**. The respective event was held in Prizren.

The following are the topics treated in the course of the aforementioned roundtable:

- Difference between the old and new provisions of the Law on Executive Procedure,
- Novelties of the LEP regarding the execution of real estates,
- Proposal for the execution pursuant to the LEP,
- Novelties of the LEP regarding the legal remedies,
- The executive document in the executive procedure, and Counter-execution in the executive procedure

A special attention was paid to the approach of judges in the application of the new provisions envisaged by the LEP, with special emphasizes the difficulties encountered by them. The assigned experts to the roundtable throughout an interactive debate introduced their views and input on the aforementioned topics, out of which were drawn concrete recommendations. In this regard, the KJI will carry out the publication of the respective recommendations, which will serve to all judges as contribution for facilitating the application of the new legal provisions.

Advanced Course for Lay-judges



On 30 June 2009, the Kosovo Judicial Institute conducted the advanced training course dedicated to the lay-judges. The subjects treated during the aforementioned training focused on the practical aspects related to the role of law judges during the application of the Family Law, rendering of decisions during the criminal proceedings conducted against adults and juveniles. A special attention was paid to the aspects related to the relationship between the lay-judges and the public opinion in the light of the Code of Ethics and Professional Conduct for Lay-judges.

The beneficiaries of the respective training were lay-judges from the region of Mitrovica and Gjilane.

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