

KJI NEWSLETTER

February 2003

This newsletter is published to more fully inform the magistrates of Kosovo of the activities of the KJI. This publication is distributed to judges and prosecutors throughout Kosovo. The Monthly KJI Newsletter now features articles from KJI Staff relating to issues of interest to judges and prosecutors working in Kosovo.

“A CALL FOR SUPPORT”

By Dr. Anton Girginov KJI Judicial Trainer

The situation in Kosovo and the necessity to enhance the fight against crime in particular, make the work of Kosovo Judicial Institute (KJI) in providing continuous legal education, and as the future School of Magistrates, very important. Trafficking in persons, drug smuggling, gun-running – organized crime today as a whole, are complex and difficult challenges for police and judiciary which KJI covers as topics in its activities. The lectures and seminars in the field of criminal law (substantive, procedural, international), that KJI conducts, are on UNMIK regulations, new approaches in investigative actions and extradition, to name but a few.

Such lectures and seminars on these and other topics, related to the fight against modern crime, are necessary as they provoke the interest from our local colleagues and help provide a general orientation with the everyday work. However, lectures and seminars are never enough; they do not give all the information our local colleagues need due to the time

constraints of seminars. The only way to give full information is through writing. More scholarly legal writing on these and other such important topics is needed in Kosovo. KJI, in contact with all the other agencies concerned, wants to take its place in organising publication of materials such as books, manuals and commentaries. That is necessary for criminal law, especially where one can see enormous changes already and new dramatic changes ahead – not only for Kosovo but for all the surrounding countries as well. It is obvious that criminal networks continue to spread throughout the Balkans. If the police and judiciary are to succeed in shattering the problem, they must first of all have the basic knowledge of these matters.

Publication activities are a sensitive, difficult, responsible and sometimes even disappointing enterprise. The process starts with the selection of topics and finding authors. It continues with a thorough review of their enormous work, which shall be encouraged and supported all the time. The next stage is to hold discussions on submitted contributions, consider additional work along with them and have expert and language corrections together with the author. This process is concluded with printing and distribution of the final version.

This noble but difficult and responsible business shall not be a task for KJI only. All the judiciary in Kosovo are to be invited to take part in it. It might be expected that the first publications come out not later than



the end of this year, because there are some very urgent issues. In order to achieve this result, we must first begin by clarifying the most urgent and important ones.

All lawyers in Kosovo, local and international, are invited to make suggestions to the KJI and help it find the best topics for this year. The prompt and

precise clarification of the most timely issues will be the most helpful for the Kosovo judiciary and prosecution.

Dr Girginov is a career prosecutor from Bulgaria with over 25 years of experience in the field of criminal law, and an Associate Professor of Law with 20 years of teaching experience.

Project Activities for February and March 2003

- A Seminar on Ethics
- B Professional Skills Training
- C Seminar for Minor Offences Court Judges
- D Seminar on Civil Procedure
- E Seminar on Criminal Procedure
- F Internship to Germany
- G Study Visit to Slovenia
- H Training for the Bar Exam

Seminar on Ethics 17-18 February 2003

A. A Seminar on Ethics for judges and prosecutors is being offered by KJI on the 17th and 18th of February. The topics to be covered include provisions of the Code of Ethics and professional behaviour of judges and public prosecutors as well as work of the KJPC and the Judicial Inspection Unit of the Department of Justice. There are fifty (50) judges and prosecutors who have been invited for the 17th and the same number for the 18th. This will be the first of four such sessions given throughout the year. KJI plans to invite all Kosovo magistrates to this important ethics training. However, due to the total number of Kosovo magistrates, it is necessary to invite one fourth of the total number per quarter.



**Professional Skills Training
19 – 21 and 24 – 26 February, and
5 – 7 and 10 – 12 March, 2003**

B. KJI, in conjunction with the International Development Law Organisation (IDLO), a USAID funded project, has organised a series of Professional Skills Training Courses. This series of training will focus on development of essential skills necessary in the work of judges and prosecutors. This training is offered to all magistrates in Kosovo.

- The topics covered the first day of training include the introduction on the role of courts in a modern democracy, the role of the judge in a modern democracy, the concept of “fair trial”, magistrate skills and practical aspects of pre-trial process.
- The second day covers an introduction to case flow management, international standards and local practice, handling of evidence, relevance of evidence and recording of evidence.
- The third day addresses questioning of witnesses, relevance of witness statements, recording of witness statements and courtroom management.

The next three-day training will be held from 19-21 February and from 24-26 February for Criminal Law Judges and Prosecutors. Later, from 5-7 March and 10-12 March, sessions will be held for Civil Law Judges. Invitations have been sent out to notify participants which session they will be invited to. These are the last sessions of the first phase of this project. The second phase is scheduled to begin in April and will continue through September 2003. All Kosovo Judges and Prosecutors will be invited to the second phase of training, as they have been for the first phase.

**Seminar for Minor Offences Court Judges
18 March 2003**

C. A seminar for Minor Offences Court Judges is scheduled for 18 March. The topics to be covered are the principles and institutions of the minor offences procedure as well as the initiation and course of the offence procedure and the special juvenile procedure.

**Seminar on Civil Procedure
25 March 2003**

D. KJI is organising a Seminar on Civil Procedure to be held in March for the benefit of Civil Law Judges. The topics to be included in the agenda for this seminar are the Law on Executive Procedure, obstacles in the execution of judgements, i.e. monitoring of execution of judgements in civil cases, executive title in the procedure of execution in present situation and execution upon bank accounts.



Seminar on Criminal Procedure March 2003

E. A seminar on Criminal Procedure is also schedule to take place in March. The topics that are planned for this event include pre-trial detention provisions in the Law on Criminal Procedure and related UNMIK Regulations, the role of the defence attorney in Criminal Procedure, investigatory actions in the Law on Criminal Procedure and related UNMIK Regulations, and finally, investigatory actions abroad. The exact date has not been determined for this seminar. Invitations will be sent in the near future.

STUDY ABROAD PROGRAMME

Internship to Germany 09 – 29 March 2003

F. KJI is making preparations to send a group of three (3) magistrates from Kosovo, two (2) judges and one (1) prosecutor, for an internship to Germany. The three-week internship will be held in Konstanz, Germany. The President of the District Court in Konstanz is hosting the internship. During this period of time, the participants will have an opportunity to work along side German magistrates in the District and Municipal Courts as well as the Office of the Prosecution. They will examine cases together and observe first hand the functions of the courts. Upon return, the participants will share their experience with their colleges in Kosovo.

Study Visit to Slovenia 24 – 28 March 2003

G. KJI has begun preparations for a Study Visit to Slovenia. Applications have been received and are being considered for selection. Participants will have an opportunity to visit the ministry of justice of Slovenia, as well as to interact with members of the Slovenian Judiciary. This will allow for a dialog among colleagues to discuss common problems and potential solutions. The study visit is planned for the last full week in March.

OTHER EVENTS

Training for the Bar Exam 10 January – 01 March 2003

H. Judicial Training Officers of the KJI are providing ongoing support to the Legal Community Support Section of OSCE, giving lectures in the training for the bar exam review course held each Friday and Saturday at the KJI. The first class for 2003 began on 10 January and will continue until 01 March. The Bar Exam will be held in March.

