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## **I. INTRODUCTION**

This Annual Report provides an overview of the Kosovo Judicial Institute's (KJI's) significant training activities and other important accomplishments during 2010. During this period KJI's work was focused on building the capacity of Kosovo's judicial and prosecutorial system by training judges, prosecutors, candidates for future judges and prosecutors and other legal professionals. A number of specialized training courses in each of the respective programs were funded and implemented by KJI in cooperation with a number of international partners.

The training program for sitting judges and prosecutors was conducted through KJI's Continuous Legal Education Program (CLEP). These training courses were organized based on the needs of the judges and prosecutors and through recommendations of the judicial and prosecutorial institutions, recommendations made by various local and international monitors and the needs raised by the promulgation of new laws.

The training courses for the candidates for future judges and prosecutors were conducted through KJI's Initial Legal Education Program (ILEP). During 2010, these training courses were attended by 55 candidates of two generations. The candidates of the second generation finished the respective training program and their graduation ceremony was held on December 2010. The candidates of the third generation, after passing successfully the Preparatory Exam, started attending training courses in September 2010. The preparation of the candidates for future judges and prosecutors represents a significant achievement in KJI's history and a milestone in the development of Kosovo's judiciary.

During 2010, KJI conducted and implemented a new training program, "Training Program for Promotion (TPP). This program is for newly appointed judges and prosecutors and those who have been promoted or changed their positions within the courts. The program is a specialized training course which includes several modules.

In 2010, KJI made significant strides in the field of publications. During this year KJI drafted and published monthly newsletters, brochures, a variety of manuals such as scientific journals and other significant reports for judges, prosecutors and other legal professionals within Kosovo's judicial and prosecutorial system.

This report also highlights the activities that KJI conducted with its international partners, including training courses for certain categories of beneficiaries. It also includes information on study visits implemented through cooperation with international donors.

## **II. THE LAW THAT ESTABLISHED KJI**

Pursuant to Law No. 02/ L-25, the KJI was established as the main professional, independent institution responsible for training judges, prosecutors and other legal professionals within Kosovo's judicial and prosecutorial system. The KJI was also mandated with the professional preparation of all candidates for future judges and prosecutors in Kosovo.

According to this Law, the KJI develops short, medium and long term plans for a strong, impartial, independent and efficient judicial system. KJI also serves as a professional research institute to support the development of Kosovo's judiciary. Within its scope the KJI developed by-laws, strategic plans and different curricula for the development of legal education programs for candidates for judges and prosecutors, judges, prosecutors and other court professionals.

## **III. KJI MANAGING BODIES**

Under the law, the managing bodies of the KJI are the Managing Board and the Director.

During 2010, KJI's Managing Board held five regular meetings, at these meetings the board approved several plans, programs and took relevant decisions, such as approval of the following:

- KJI Working Plan for 2010;
- KJI Budget;
- Composition of the Commission for Drafting and Assessment of the Preparatory/Entry Exam;
- Composition of the Commission for the Selection of the KJI Program Coordinator;
- Composition of the Commission for Drafting of the KJI by-laws;
- Composition of the KJI Program Council;
- 2009 Annual Report;
- Working Plan for 2011.

One of the specific bodies established by the KJI Statute is the Program Council, which supports the Managing Board.<sup>1</sup>The Program Council held several meetings in 2010. During these meetings, the Council discussed and approved the following:

- Working Plan for 2010 (training programs);
- Rules for the Preparatory/Entry Exam for 2010;
- Structure of the Preparatory/Entry Exam for 2010;
- KJI trainers;

## **IV. KJI ORGANIZATIONAL STRUCTURE**

The KJI's activities are based on the work of KJI's Program Department and the Department of Administration and Finance.

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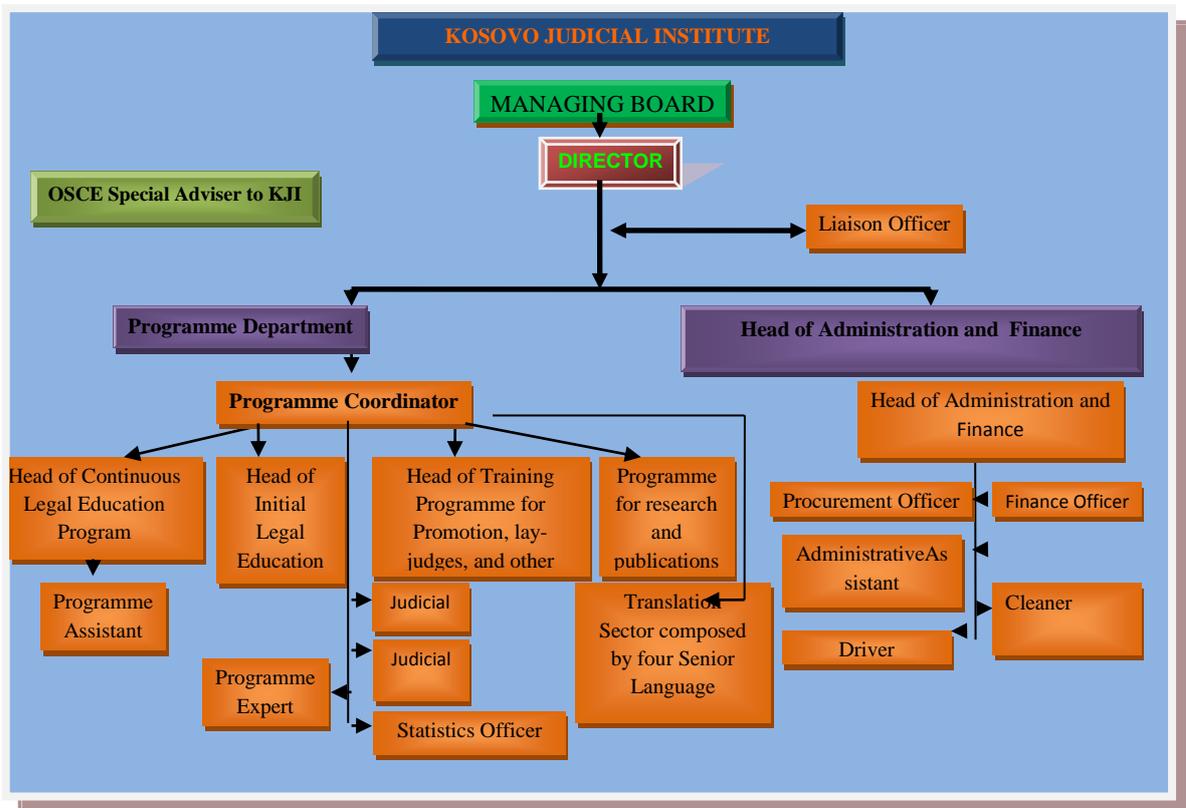
<sup>1</sup> For more see KJI Statute at [www.kjijudicial.org](http://www.kjijudicial.org)

The Program Department is managed by the Program Coordinator, and is responsible for the following matters:

- Identification and Assessment of Training Needs and Teaching Methodologies
- Preparation of the Training Policies and Strategies;
- Organization of the Training Courses for Sitting Judges and Prosecutors;
- Organization and Assessment of the Preparatory/Entry Exam;
- Organization of the Training Courses for the Candidates for Judges and Prosecutors;
- Organization of the Training Courses for the Promotion of Judges and Prosecutors;
- Organization of the Training Courses for Lay-judges and Other Professionals in the Judiciary;
- Organization of Train the Trainer Programs;
- Reporting and Maintaining KJI's Database and other Training Activities, etc.

The Head of Administration and Finance manages the Department of Administration and Finance. This department is responsible for handling administrative and financial issues and provides such support to KJI's programs and activities. This department is led by the Head of Administration and Finance.

All (21) KJI employees are civil servants and are bound by the rules applicable to civil servants.



Pic. 1. KJI Organizational Chart

## V. KJI TRAINING PROGRAMS

The KJI's main training programs are the:

- Continuous Legal Education Program (CLEP)
- Initial Legal Education Program (ILEP) including the development of the Preparatory/Entry Exam for Judges and Prosecutors;
- Training Program for Promotion, training for lay-judges and other professionals in the judiciary;
- Program for research and publication;
- Train the Trainer Program.

Training activities implemented by KJI -2010

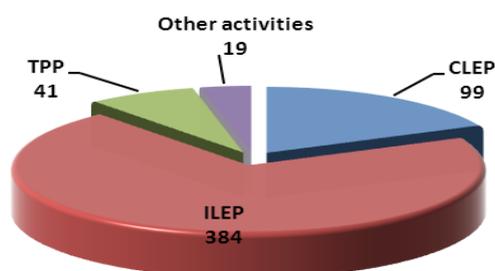


Chart . 1

### V. 1. THE CONTINUOUS LEGAL EDUCATION PROGRAM (CLEP)

The Continuous Legal Education Program (CLEP) is dedicated to practicing judges and prosecutors in Kosovo.

The main objectives of the CLEP are:

- Capacity building of professional skills and legal expertise of judges and prosecutors,
- Advanced development of the practical skills of judges and prosecutors,
- Unification of the judicial case law and building up the capacity of the judiciary to effectively implement the judicial and prosecutorial reforms in the country.

CLEP activities were delivered in different forms such as: local and regional seminars, roundtable discussions, workshops, mock trials and conferences.

The CLEP program received excellent support from KJI's international partners who assisted in the development of various CLEP training programs.

The CLEP training sessions delivered in 2010 covered a broad range of legal topics as follows:

- Criminal Law;
- Civil Law;

- Juvenile Justice Law;
- Administrative Law;
- Constitutional
- Labor Law;
- Minor Offenses;
- Code of Ethics and Professional Conduct for Judges and Prosecutors;
- EU Law “*AcquisCommunitaire*” ;
- European Convention on Human Rights and Fundamental Freedoms;
- Training of other legal professionals;

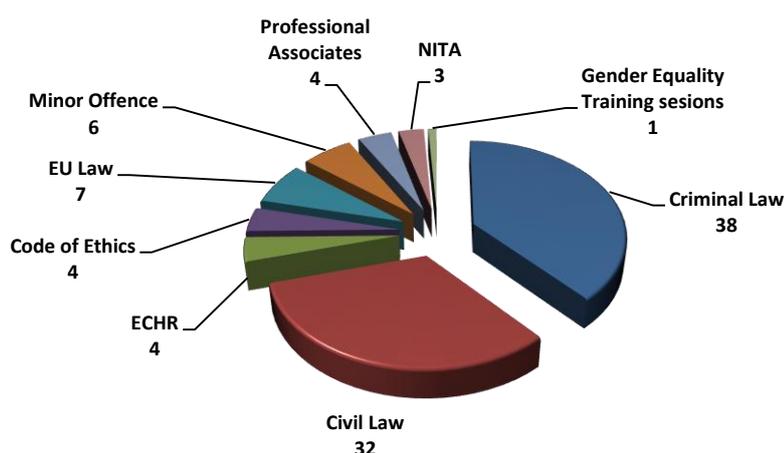
#### ❖ CLEP Training Activities

Ninety nine (99) CLEP training sessions were delivered in 2010. Fifty five (55) training courses were organized and implemented with KJI self-financing. Fifty four (44) training sessions were financed and hosted in cooperation with international partners.

The numbers of the training sessions implemented within the legal field are as following:

- 38 Criminal Law training sessions, including here Juvenile Justice Law;
- 32 Civil Law, Administrative and Constitutional Law training sessions,
- 6 Minor Offense training sessions;
- 4 European Convention on Human Rights (ECHR) training sessions;
- 4 Code of Ethics and Professional Conduct training sessions;
- 7 European Union (EU) training sessions;
- 3 Trial Advocacy training sessions;
- 4 Training Sessions for Professional Associates of Courts and Prosecution Offices;
- 1 Training Session on Gender Equality;

**CLEP Training Activities by Legal Topics Implemented by KJI with Donors 2010**



**Chart . 2 CLEP training Activities by Legal Topics Implemented by KJI with Donors**



Pic.2. Kosovo Judicial Institute

During 2010, KJI, with the support of international partners organized and implemented 44 training activities (see chart 3).

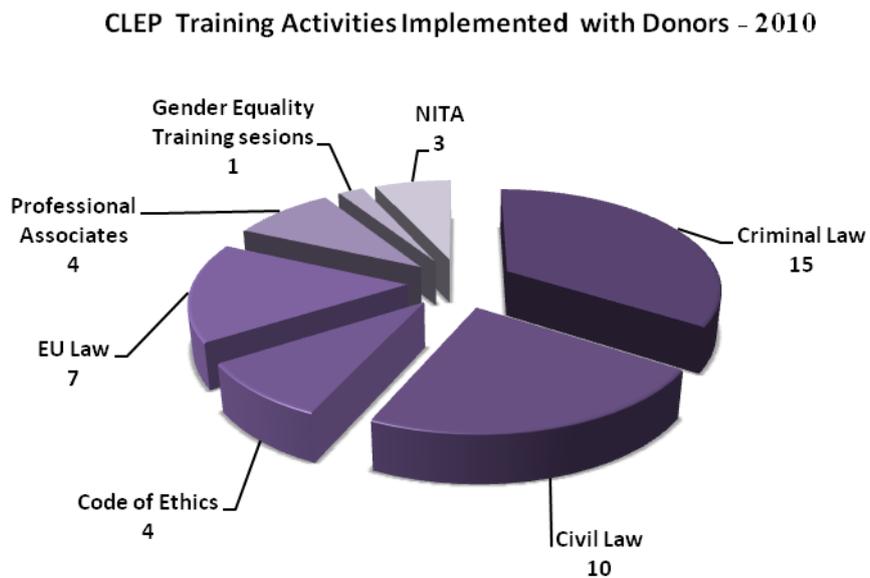


Chart . 3. Training Organized by KJI and Donors

Information regarding the length of training courses is as follows: one day session (83), two days session (3), three days session (6), four day session (1) five day session (6). See the following chart (chart.4):

CLEP Training Activities on daily basis -2010

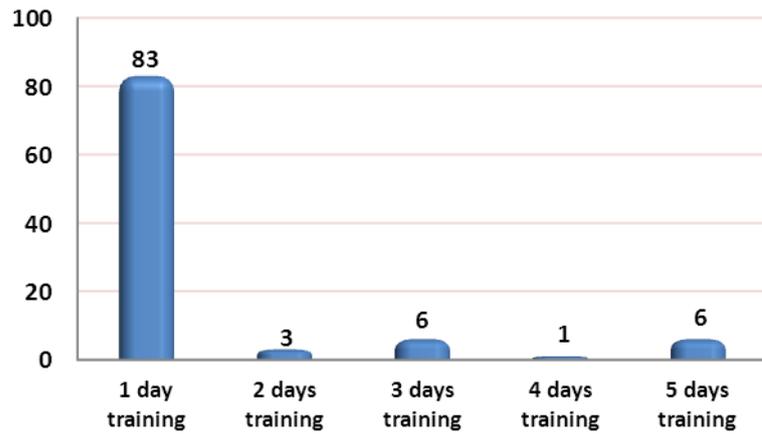


Chart. 4. Length of Training Sessions

❖ **CLEP Training Attendance**

Even though CLEP training is not mandatory, the KJI training attendance rate is high. During 2010, the number of attendees was **2053**.



Pic 3. Participants During Training

The following chart provides a profile of participants (judge, prosecutor/other):

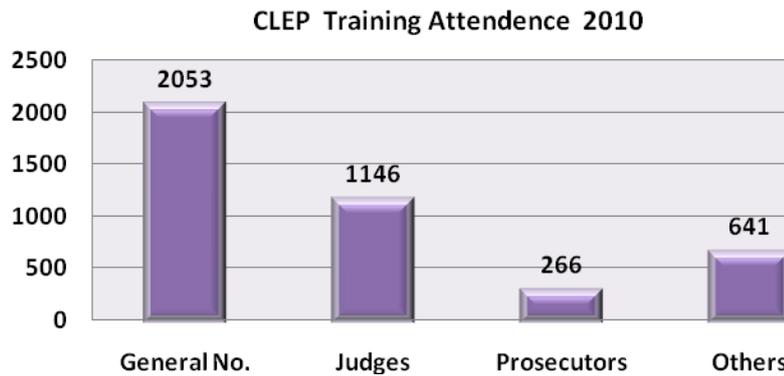


Chart .5. Training Attendance

The following chart provides information on gender and minority attendance:

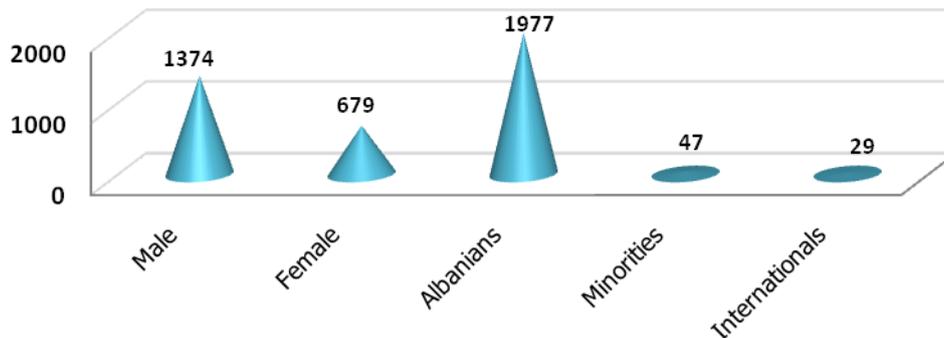


Chart . 6. Gender/Minority Training Attendance

#### ❖ CLEP Monthly and Yearly Training Attendance

The following two charts provide an overview of the number of training activities implemented by the KJI and the number of participants at CLEP training for 2010, on a monthly and yearly basis.

**CLEP Training Activities Implemented on monthly basis in 2010**

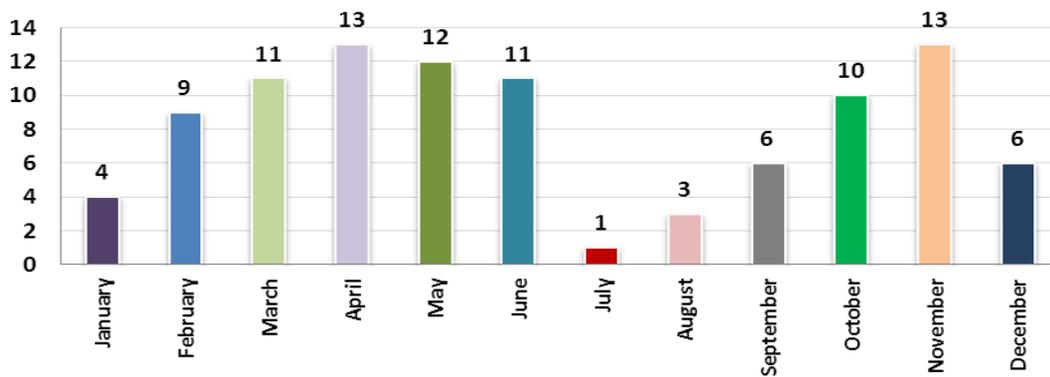


Chart . 7. Monthly Training Activities

**CLEP Training Participation on monthly basis in 2010**

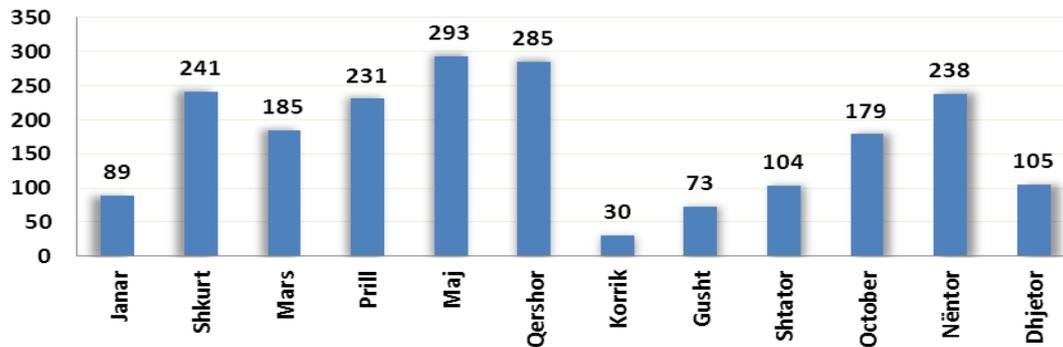


Chart . 8. Number of Monthly Participants

❖ **CLEP Training Activities by Topic**

Ⓢ *Criminal Law Training*

In 2010, the KJI, in close cooperation with its international partners, delivered 38 criminal law training sessions as planned under the Annual Training Curriculum. The topics addressed in the criminal law sessions focused on the Criminal Code of Kosovo, the Criminal Procedure Code of Kosovo, the Juvenile Justice Code and the Law on Execution of Penal Sanctions.

**Criminal Code of Kosovo (CCK):** The Criminal Code training sessions focused on increasing the professional knowledge of judges and prosecutors by providing them with the skills required to identify the elements of criminal offenses and to correctly apply the provisions of the Criminal Code of Kosovo.

**Criminal Procedure Code of Kosovo (CPCK):** within CPCK, by KJI trainers and international trainers, KJI implemented 30 training sessions. These courses focused on many topics, including: plea bargaining agreements, public corruption, trafficking in persons and narcotics, money laundering, cyber-crimes, etc. During 2010, KJI also conducted mock trials to enhance the practical skills of judges and prosecutors.

▪ **Juvenile Justice Code:** KJI, in close cooperation with UNICEF, implemented five regional workshops and one central conference in Prishtina on the “Juvenile Justice Code”. The juvenile justice courses focused on the amendments to the Juvenile Justice law incorporated into the Juvenile Justice Code and the obstacles faced by judges and prosecutors, probation officers, guardianship authorities and the Kosovo Police in understanding the new provisions.

▪ **Law on Execution of Penal Sanctions of Kosovo:** The courses offered on the Law on Execution of Penal Sanctions were mainly focused on the punishment of imprisonment, rendering a stay of execution, juvenile imprisonment and the purpose and effects of various penal sanctions.



Pic. 4 Participant Discussion Group

#### © *Training on Civil, Constitutional, Administrative and Labor Law*

During 2010, KJI delivered 32 training sessions on civil, constitutional, administrative and labor law. The specific topics addressed in these courses, included the following:

- Law on Contested Procedure of Kosovo;
- Law on Executive Procedure of Kosovo;
- Law on Property and other Real Rights;
- Law on Obligation;
- Law on Family;
- Law on Protection against Domestic Violence;
- Law on Mediation;
- Law on Business Organizations;
- Law on Expropriation;
- Law on Administrative Conflicts; and
- Constitutional Court procedures.

The civil law training sessions included several courses on EU Law, (five days) and the implementation of the international conference on: “Property Legislation and its Reform” organized by KJI, in cooperation with the Law Faculty of the Prishtina University co-financed by GTZ’s Project on Legal Reform in Prishtina.



Pic. 5. International Conference

#### 🌀 *Training on Minor Offenses*

In 2010, 6 minor offense training sessions were conducted. The subjects addressed in these sessions focused on the Law on Peace and Public Order (LPPO) and the Law on Traffic Safety on Roads (LTSR). A special focus was also given to the treatment of juvenile offenders in minor offense cases. Two of the workshops were provided specifically for newly appointed judges of the Minor Offense courts.

#### ❖ **CLEP Special Training Courses**

##### ➤ **Building Trial Advocacy Skills**

In 2010, the KJI, in close cooperation with the United States Department of Justice (“DOJ”), Office of Overseas Prosecutorial Development Assistance and Training (OPDAT) and the National Institute for Trial Advocacy (NITA) from the United States, conducted three (3) three-day training courses on Trial Advocacy Skills. The beneficiaries of this training were judges and prosecutors of all levels from Prizren, Peja, Prishtina, Ferizaj and Gjilan. The purpose of these continues courses was to build the trial advocacy skills of sitting judges and prosecutors which were implemented by *local trainers* certified by the National Institute for Trial Advocacy (“NITA) from United States.



Pic. 6. Certified Participants

✦ **Code of Ethics and Professional Conduct**

In 2010, KJI, supported by USAID and the National Center for State Courts (NCSC), conducted four (4) regional training courses on the Code of Ethics and Professional Conduct for judges and prosecutors. This training was conducted in Prishtina, Prizren, Gjilan and Peja.

The training sessions focused on different topics to increase public trust and confidence in the courts and prosecution offices.

✦ **EU Law ( *AcquisCommunitaire* )**

KJI, in cooperation with the Twinning Project on “Legal Education System Reform” (an EU funded project) organized and implemented 9 training sessions on EU Law. These sessions focused on civil and criminal matters and the impact of EU Law on Kosovo’s national laws.



Pic. 7. EU Law Training Sessions

✦ **The European Convention on Human Rights and Fundamental Freedoms (ECHR)**

In 2010, the KJI conducted four (4) training courses on the ECHR. The course topics focused on the right to liberty and security, right to a fair trial (Article 5 and 6), the freedom of peaceful assembly and to freedom of association (Article 11), the right to privacy (Article 8) and the right to an effective remedy (Article 13).

❖ **CLEP Training: Comparative Aspects 2009-2010**

From 2009 to 2010, KJI increased the number of training courses offered by five-fold to satisfy the growing training needs of Kosovo’s judges, prosecutors and other court professionals. The following chart provides an overview of the statistics relating to the number of training courses held. (See Chart No.9)

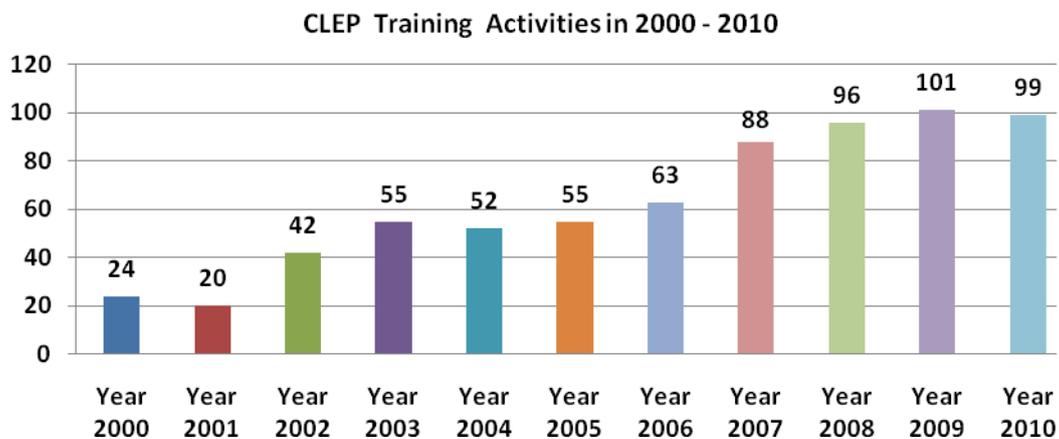


Chart . 9. CLEP Training: Comparative Aspects 2009-2010

**V.2. THE INITIAL LEGAL EDUCATION PROGRAM (ILEP)**

The Initial Legal Education Program (ILEP) is a training Program dedicated to the candidates for future judges and prosecutors. The main objective of this program is the professional preparation of future judges and prosecutors before their appointment. The ILEP program is delivered in three phases and lasts 15 months. KJI launched the ILEP program with the first generation of candidates for judges and prosecutors in September of 2008. In September of 2009, the second generation ILEP program began and graduated in December 2010. The third generation ILEP started in September 2010.

The Law that established the KJI (Law on Establishment of Kosovo Judicial Institute), Article 2. 1 (a) and (b) and Article 7, describes KJI as the main institution responsible for training of potential office holders in the judiciary (candidates for judges and prosecutors). Under this Law, KJI is responsible for the assessment and organization of the Preparatory/Entry Exam for judges and prosecutors.

Pursuant to this Law, the KJI's by-laws, the framework on the organization of the preparatory/entry exam, ILEP and regional practices, candidates can not become judges or prosecutors without first completing ILEP.

According to the law, this training program is organized and administrated by KJI in close cooperation with KJC and KPC and is, dedicated to potential candidates for judges and prosecutors that have successfully completed KJI's Preparatory/Entry Exam.

### ⊕ **ILEP Training Program (second generation)**

During 2010, the candidates of the second generation continued to attend a part of the phase I training and the second phase of the ILEP.

#### ✦ **First Phase**

The first phase of ILEP training started in 2009 and continued until the mid-March of 2010. After the completion of this phase, the candidates are subject to an exam on the material covered during the first phase of ILEP. This phase consists of 60 days of training and is based on 12 training modules, (three days a week), involving 17 local trainers and 5 international trainers.

KJI trainers drafted the training modules and attended specialized training courses. The purpose of these courses was to provide the trainers with knowledge on how to apply the most advanced teaching methods, training objectives and how to develop the training program based on the respective modules. An emphasis was also placed on the expectations of the candidates from the respective trainers.

The following are the training modules developed for ILEP Phase I:

<b>Module No</b>	<b>Title of the Training Module</b>
<b>Module 1</b>	<b>Criminal Code of Kosovo (general part)</b>
<b>Module 2</b>	<b>Criminal Procedure Code of Kosovo (part 1 - 2 )</b>
<b>Module 3</b>	<b>ECHR- Human Rights Legislation</b>
<b>Module 4</b>	<b>Judicial Ethics</b>
<b>Module 5</b>	<b>Criminal Code of Kosovo (special part)</b>
<b>Module 6</b>	<b>Criminal Procedure Code of Kosovo (part 3 - 4)</b>
<b>Module 7</b>	<b>Human Trafficking</b>
<b>Module 8</b>	<b>Legal Writing and Reasoning, Legal Research</b>
<b>Module 9</b>	<b>Criminal Procedure Code of Kosovo (part 5 – 8)</b>
<b>Module10</b>	<b>Juvenile Justice Code of Kosovo</b>
<b>Module 11</b>	<b>Financial Crime and Corruption</b>
<b>Module 12</b>	<b>Constitutional and Administrative Law</b>

Table . 1

This phase of ILEP training was delivered to candidates (both judges and prosecutors) jointly.

This phase consists of 240 training sessions and is delivered in 60 full days of training.

## **II.2 Second Phase**

The ILEP phase II training commenced in mid-March, 2010 and continued until the end of June 2010. This phase is delivered in three months or 12 weeks.

Before the commencement of this phase, KJI trainers attended faculty development training where they learned to write learning objectives and how to incorporate interactive teaching methods in their courses.

During ILEP Phase II, candidates were divided by profile (judges and prosecutors). During this phase the candidates attended different specialized training courses with the exception of the two training modules that were attended by both groups.

Phase II consists of 22 training modules. Each group of the candidates (judges and prosecutors) attended 12 training modules including joint training modules

Phase II Judges' Training Modules:

<b>Module No</b>	<b>Title of the Training Module</b>
<b>Module 13</b>	<b>Civil Law</b>
<b>Module 14</b>	<b>Civil Procedure – first part</b>
<b>Module 15</b>	<b>Civil (Contested) Procedure – second part</b>
<b>Module 16</b>	<b>Civil Procedure – Uncontested and Execution Procedure</b>
<b>*Module 17</b>	<b>*EU Law</b>
<b>Module 18</b>	<b>Civil Law – Law on Obligation</b>
<b>Module 19</b>	<b>Family Law</b>
<b>Module 20</b>	<b>Commercial Law</b>
<b>Module 21</b>	<b>Property Law</b>
<b>Module 22</b>	<b>Inheritance Law</b>
<b>Module 23</b>	<b>Labor Law</b>
<b>*Module 24</b>	<b>*Case Management and Communication Rules</b>

Table .2



Pic 8. Training Modules

Phase II Prosecutors Judges Training Module:

Module No	Title of the Training Module
Module 25	Initiation and Duration of Investigation
Module 26	Indictment
Module 27	The Role and Powers of the Public Prosecutor according to the CPCK
Module 28	Defendants and Criminal Proceedings
*Module 17	*EU Law
Module 29	Covert and Technical Measures of Surveillance and Investigation
Module 30	Measures to Ensure Defendant's Presence at Trial
Module 31	Witnesses at Trial
Module 32	Inspection of the Crime Scene and Forensics
Module 33	Confiscation Procedures
Module 34	Prosecutor Election of Legal Remedies
*Module 24	*Case Management and Communication Rules

Table . 3

For the implementation of these training modules for the candidates (judges and prosecutors) were engaged 28 trainers, 24 local trainers and 4 International trainers. This phase consists of 144 training sessions (36 training days).

#### ✦ ILEP Phase III (Second Generation)

The second generation ILEP candidates, after the completion of the first and second phase, commenced ILEP Phase III. During this phase the candidates served as interns in the courts and prosecution offices and their work is overseen by mentors assigned by KJI.

The candidates served in 4 courts and 2 prosecution offices at the municipal level.

### ✦ **ILEP Drafting, Organization and Implementation of the Second Generation Exams**

To measure the skills acquired by ILEP candidates, KJI organized exams covering the topics taught in ILEP Phase I and Phase II. The exams were drafted by KJI program trainers and administrated by KJI.



Pic. 9. ILEP Candidates during the exam at KJI

The Phase I mid-term was held on December 7, 9 and 11, 2009. The Phase I final exam was held on March 8, 10 and 12, 2010 (six months). The Phase II (three months) final exam was held on June 28,30 and July 2, 2010.

The rules applied during these exams were the same as those applied during the Preparatory/Entry Exam<sup>2</sup>.

The drafting, organization, administration and the assessment of the exam was implemented in conformity with the highest international standards applied by international and European institutions. The exams were organized by KJI and monitored by OSCE monitors.

### ✦ **ILEP International Activities – Study Visit in Turkey (second generation)**

On October 17-31, 2010, KJI, in close cooperation with the Turkey Judicial Academy, organized and implemented a study visit in the Republic of Turkey.

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<sup>2</sup>See the Report on Drafting and Assessment of the Preparatory/Entry Exam [www.kjijudicial.org](http://www.kjijudicial.org)



Pic 10. ILEP Candidates during the Study Visit in Turkey (meeting with the Minister of Justice)

This training program was organized for the third Phase ILEP second generation candidates (monitoring phase). In addition to these candidates, 2 Mentor Coordinators, 5 KJI staff and Kosovo's state chief prosecutor attended this valuable study visit. During the study visit, the ILEP candidates attended various courses and lectures given by judges, prosecutors and other legal experts. They also visited different courts and prosecutorial offices of the Republic of Turkey. During this visit the ILEP candidates exchanged experiences and information on Kosovo's judicial system.

The implementation of this training program was financially supported by the Judicial Academy of the Republic of Turkey.

#### ✦ **ILEP Graduation Ceremony (second generation)**

After 15 intensive months of ILEP training, organized by KJI, the second generation of the candidates for future judges and prosecutors of Kosovo graduated on December 3, 2010. KJI organized the graduation ceremony which was attended by the candidates and their families and friends, the Acting President of Kosovo, USA Deputy Ambassador to Kosovo, the President of the Supreme Court, State Chief Prosecutor, Head of the Judicial Council of Kosovo and other representatives from local and international legal institutions. KJI donors and partners, judges and prosecutors of Kosovo also attended the event, along with many members of the press.



Pic 11. ILEP Second Generation Graduation

During the ceremony, KJI's ILEP program was highly praised by all speakers. The program was referred to as very important and an advanced program for legal education of the potential candidates for judges and prosecutors.

All speakers also acknowledged that the program serves to enhance the judiciary and the prosecutorial system of Kosovo.

At the end of the ceremony all candidates received diplomas for successful completion of the ILEP training program.

#### ✦ ILEP Candidates Appointment (Second Generation)

The second generation ILEP candidates consisted of 23 candidates. All 23 candidates were appointed as judges and prosecutors and are exercising their duties in courts and prosecution offices in different regions throughout Kosovo.

Of the 23 appointed candidates, 5 of them are females and 18 male, 16 judges and 7 prosecutors.



Pic 12. ILEP Second Generation Oath Ceremony

### ❖ PREPARATORY/ENTRY EXAM (ILEP Third Generation)<sup>3</sup>

The Law on Establishment of KJI, Article 2.1 (a) and (b) and 7, indicates that KJI is as the main responsible institution in the country for training candidates that intend to become judges and prosecutors(candidates for judges and prosecutors). KJI is also required to organize, draft and assess the Preparatory/Entry Exam for candidates for judges and prosecutors.

#### ➤ Drafting and Structure of the Preparatory/Entry Exam

KJI Program Council approved the following with respect to the Entry/Preparatory Exam:

- The Rules of the Preparatory/Entry Exam;
- The Structure of the Preparatory/Entry Exam;



Photo.13. Working Group for Drafting the Preparatory / Entry Exam

<sup>3</sup>A special report is prepared and published regarding the drafting, development and assesment of the Preparatory/ Entry Exam , [www.kjijudicial.org](http://www.kjijudicial.org)

In 2010, the KJI Program Council adopted a structure that differs from that of previous years. Professional ethics for judges and prosecutors was made an integral part of the Preparatory/Entry Exam.

From May 31 until June 5, 2010, with the support of UNDP, the Commission for the drafting of the Preparatory/ Entry Exam drafted the Preparatory/Entry Exam for the third generation. The workshop to draft the exam was monitored by OSCE's Special Advisor to the KJI and the Head of the Legal System Monitoring Section of OSCE. The drafting committee approved by KJI's Managing Board on May 12, 2010<sup>4</sup>.

#### ✦ Organization and Assessment of the Preparatory Exam

The preparatory Exam was administered over two days. The written part was held on July 3, 2010 at the Kosovo Center for Public Safety Education and Development (KCPSED) in Vushtrri. Some 82 candidates took the written exam that was monitored by international representatives from OSCE. Security was provided by KCPSED staff.



Photo.14. Preparatory Exam 2010

The assessment (grading) of the written exam was done by the same commission that drafted the exam under KJI administration on July 5 and 6, 2010, at KJI premises. The commission worked divided into groups and evaluated the exams based upon a secret number without being aware which candidate they were evaluating. The confidentiality during the evaluation of the exam was provided by the security officer in charge for the exam and the OSCE Special Adviser to KJI.

The results of the exam were published on July 13, 2010. Of the total number of candidates that took the written exam, 68 of them were identified as having the 60 highest scores (candidates that received the same score were included in the pool of the highest 60 scores). These candidates were invited to participate in the oral exam. (Day B) on July 17, 2010.

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<sup>4</sup>See "Report on drafting, development and assesment of the Preparatory/ Entry Exam , [www.kjijudicial.org](http://www.kjijudicial.org)

The oral exam was held on July 17, 2010 at KJI and 68 candidates took the exam. After the evaluation of the oral exam, 30 candidates with the highest results were invited to attend ILEP training.

### **The ILEP Third Generation Commencement Ceremony**

Upon completion of the Preparatory/Entry Exam candidates who successfully completed this exam, were notified by KJI about further steps and procedures they needed to follow before the training started. At this meeting, candidates signed an agreement with KJI that specified all of the terms and conditions associated with their participation in the ILEP training program.

The commencement of the trainings was preceded by a ceremony organized on September 1, 2010 in which the president of the country, senior representatives of the judicial system in Kosovo as well as senior representatives of the international presence in Kosovo participated.



Photo 15. The commencement ceremony of the ILEP

Training of the third generation of ILEP candidates commenced on September 3, 2010 and continued according to the training calendar. There are 32 candidates in the third generation of the ILEP program: 22 males and 10 females. 31 are Albanian and one is from the Bosnian community.



Photo 16. ILEP Candidates III

### **ILEP Exams (Third Generation)**

During the training period, third generation ILEP candidates will undergo periodic exams. In the first phase of the training they will take sets two exams, while in the second phase they will only take one set of exams. In each set of exams, candidates will be tested in the topics covered by each of the training modules. The first mid-term exam for third generation candidates was held in November 2010. The exams are drafted and evaluated by KJI trainers, and administered by KJI in the presence of international monitors who monitor the entire process of the exams.

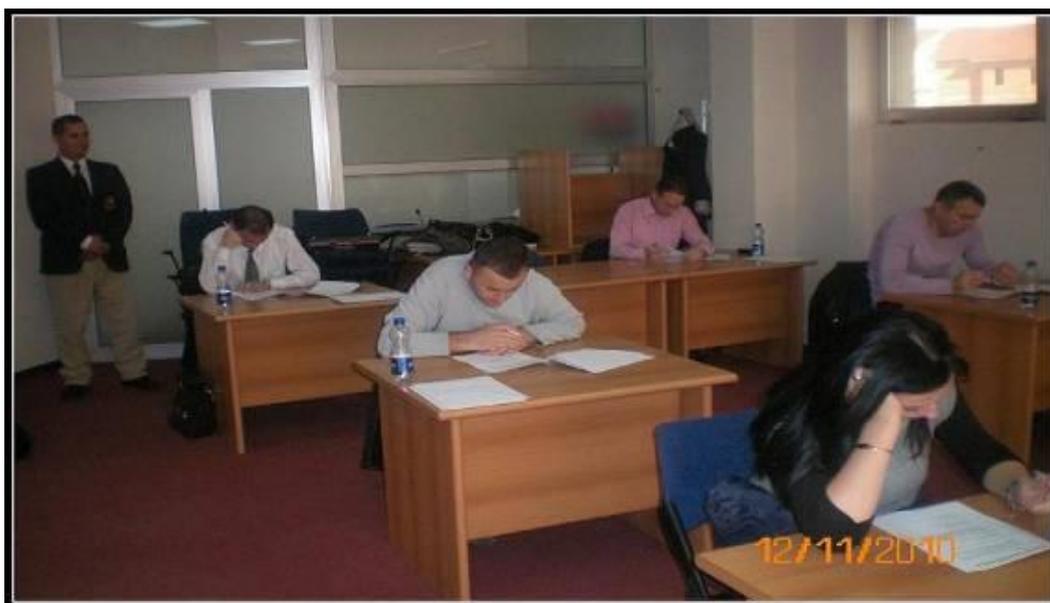


Photo. 17. Mid-term Exam ILEP III

### **Publications in ILEP**

Candidates for judges and prosecutors within the ILEP, in cooperation with KJI, have spent a considerable amount of time on the preparation and publication of the second edition of the legal scientific journal "Justicia", which contains scientific research in the field of justice. This magazine is published by KJI on the day of graduation of the candidates.

### **V.3. TRAINING PROGRAM FOR PROMOTION (TPP)**

The Training Program for Promotion of Judges and Prosecutors (TPP) includes the organization of special training courses for judges and prosecutors who have been or will be promoted within the Kosovo Judicial and Prosecutorial system.

The TPP is foreseen by the Law on the Establishment of KJI. Under this law, newly appointed judges and prosecutors are entitled and obliged to attend special courses for training and promotion while still working.



Photo no. 18 Participation during TPP Trainings

The Training Program for Promotion commenced implementation on March 2010 and successfully conducted 41 training sessions dedicated to the supreme and district level. KJI funded and organized 22 of the training sessions, while 19 were conducted in close cooperation with international partners, such as USAID, the US Department of Justice, Office of Overseas Prosecutorial Development Assistance and Training (OPDAT) and the National Institute for Trial Advocacy (NITA) from the United States.

Within the TPP, trainings are conducted in the form of modules. Modules implemented in 2010 included the following;

• <i>Case management</i>
• <i>Organized crime</i>
• <i>Criminal Code and Criminal Procedure Code</i>
• <i>The organization of the judicial system and the competences of courts at each level</i>
• <i>Legal writing and reasoning</i>
• <i>Civil substantive and procedural law</i>
• <i>Judicial ethics and professional conduct</i>
• <i>The organization of the prosecutorial system and the competences of prosecutors at each level</i>
• <i>Law on Administrative Procedure and Law on Administrative Disputes</i>
• <i>EU Law and the European Convention for Human Rights</i>
• <i>Constitutional law</i>

Table. 4

The beneficiaries of these trainings were the newly appointed judges and prosecutors of the Supreme Court, State and Special Prosecution Office, District Court and District Prosecution Office.

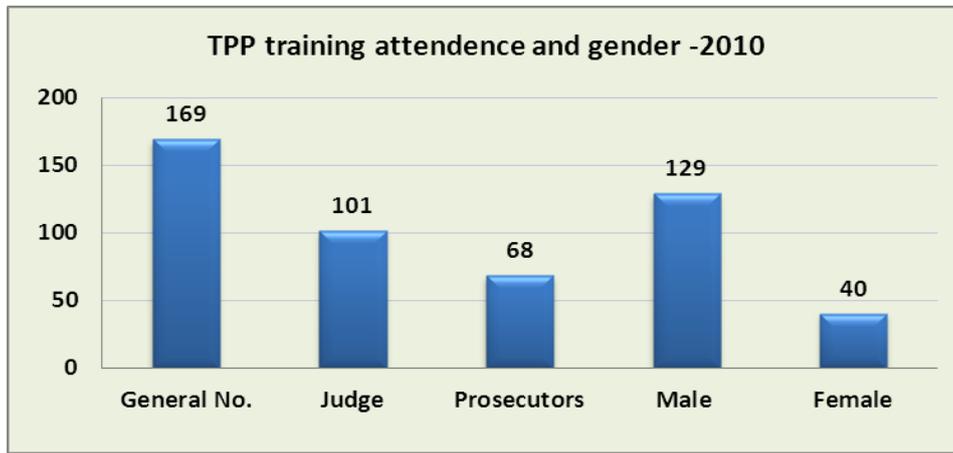


Chart . 10

## V.5 TRAINING OF LAY JUDGES

Within its mandate, KJI is responsible of organizing trainings for lay judges. In this regard, in 2010 a training session was organized for lay judges of the region of Prishtina. During this training various, issues relating to the role of lay judges in cases involving adults and juveniles were addressed, particularly within the context of the Family Law of Kosovo.

## V.4 TRAINING OF OTHER PROFESSIONALS IN THE JUDICIAL FIELD

KJI is responsible for organizing special training courses for professionals in the judicial field. In this context, during 2010, KJI organized trainings for professional associates and executive officers working in courts and prosecution offices. In February 2010 KJI, in cooperation with USAID, GTZ and the Dutch Program for the Reform of Executions in the Balkans commenced with the implementation of a special training program. The beneficiaries of this program were mainly executive officers, administrators and professional associates of the courts.

Within this program, in 2010, trainings were conducted on these modules:

• <i>Administrative and legal issues;</i>
• <i>Managing case load;</i>
• <i>Advanced writing;</i>
• <i>Executive actions in monetary items;</i>
• <i>Executive actions in movable items;</i>
• <i>Executive actions in immovable items;</i>
• <i>Legal remedies and penalties;</i>
• <i>The role and the responsibility of judges, executive officers, parties and third parties;</i>
• <i>Professional Ethics on conclusion of this program for 2010 by certifying all executive officers who participated in these trainings.</i>

Table . 5

In 2010, supported by USAID, KJI organized a two-day training session for professional associates of the courts and prosecution offices. With the support of the Twinning Program, three training sessions were conducted on "Practical Aspects of the Prosecutor's Work." In addition to prosecutors, professional associates from all five regions of Kosovo participated in these sessions.

## VI. TRAINING OF TRAINERS

KJI has consistently paid attention to the application of advanced methods of presentation during trainings. In this regard, in 2010, KJI organized trainings for trainers who participated in the drafting and the implementation of training programs of KJI. These trainings were organized mainly with the support of KJI partners.

In this context, in cooperation with USAID, two training sessions were organized. The purpose of these trainings was to build the capacity of trainers to use more advanced methods of contemporary teaching. Meanwhile, with the support of the US Department of Justice (OPDAT and National Institute for Trial Advocacy - NITA) from the U.S., four three-day trainings for trainers were held. During these trainings, local trainers received instruction and preparation for implementation of a special program entitled “Building of Trial Advocacy Skills.”

Further, in 2010, in cooperation with the Twinning Program, which supports Legal Education System Reform in Kosovo, three training sessions on EU Law were held for future trainers. These sessions will continue in 2011. Their purpose is to prepare a group of local trainers to conduct trainings on EU Law.

The beneficiaries of the training of trainers include judges, prosecutors, lawyers, professors and other professionals who implement the legal education programs of KJI.



Photo no. 19. Practical demonstration by the participants

## VII. PUBLICATIONS

In 2010, the KJI produced several publications:

- ◆ **Manual Guides** - International experts of the Twinning Program (EU LER) provided support and shared their legal expertise with judges and prosecutors in the field of EU Law. As part of this assistance, they prepared some manual guides for judges, prosecutors and other professionals.
- ◆ **Brochures** - In 2010, a new format of brochure was published in which data regarding the activities of the Institute were presented.
- ◆ **Newsletter** - During this period, publication continued of the monthly newsletter containing information about all activities undertaken by KJI.
- ◆ **Book promotion** - In 2010, the KJI promoted a book about the Criminal Procedure Code, on the topic of the public prosecutor in criminal procedure (theoretical and practical aspects). The book was drafted by a KJI trainer who is a prosecutor.
- ◆ **Training modules** – Training modules are a summary of the training courses prepared by the ILEP Trainers for candidates for judges and prosecutors.
- ◆ **Annual Work Program** - The Institute has published its annual program of 2010, which briefly summarizes the activities and the manner of implementation of specific training programs for 2010.
- ◆ **Annual Report** - This annual report reflects all the activities and achievements of the Institute had during the year.
- ◆ **Web Page** - In 2010, KJI continued to publish various information and materials on its web site.





Photo. 20. KJI Publication in 2010

## VIII. PROJECTS OF INTERNATIONAL DONORS IN SUPPORTING KJI

### ✚ KJI Activities with US-DOJ/OPDAT

KJI and the US Department of Justice, Office of Overseas Prosecutorial Development Assistance and Training Program, office in Prishtina, organized the following types of trainings in 2010:

- Training of trainers in the area of trial advocacy skills;
- Training against trafficking in human beings, trafficking of drugs and public corruption;
- Investigation and prosecution of complex crimes in Kosovo;
- Techniques of financial analysis;
- Techniques of financial investigation;
- Investigation, surveillance and treatment of the informants
- Abuse and child pornography;
- Four regional training sessions on the topic building of trial advocacy skills;
- Plea bargaining agreement.

### ✚ KJI Activities with UNDP

UNDP has assisted the KJI in:

- Organizing a workshop for KJI staff, on the topic Strategic Development of Training Programs of KJI for the period 2010-2015;
- Organizing a roundtable for the drafting and the evaluation of the Preparatory/Entry Exam for the third generation of candidates for judges and prosecutors (2010/2011);
- Supporting ILEP with expertise (some modules);
- Financial support for the Initial Legal Education Program (publication of various materials, payment of a portion of the fee for candidates for judges and prosecutors);
- Support regarding translation in all program activities;

- Support for the organization of the graduation ceremony of ILEP candidates (second generation).

In the field of publications, UNDP has supported the publication of a summary of laws in the criminal field, the magazine *Justicia* and the Strategic Plan, among and other materials.

#### **KJI Activities with OSCE**

The OSCE is the only institution with an embedded full time legal advisor to the KJI. The OSCE Legal System Monitoring (LSMS) Chief also serves on the KJI Managing Board. In 2010, the OSCE made significant contributions to enhance the capacity of KJI as a leading institution in Kosovo. OSCE is the only institution that has monitored all exams for the ILEP Program through an entire ILEP yearly cycle. These have included the ILEP Mid-term and final exams and the Preparatory/Entry Exam. OSCE also monitored and assisted with the drafting of the Preparatory/Entry Exam and monitored and checked all graded Preparatory/Entry exams. The KJI Special Advisor and the OSCE LSMS Chief provided a broad range of advice to the KJI Director on matters ranging from legal strategy to donor proposals. OSCE was instrumental in overcoming obstacles presented during the vetting process and provided key advice on how to deal with gaps in the law caused by the New Law on the Courts, the New Law on the Kosovo Judicial Council and the New Law on the Kosovo Prosecutorial Council—all enacted in 2010. The KJI also conducted six training courses for KJI staff and KJI trainers on a wide range of topics, including report writing skills to advanced faculty development training. The Special Advisor also developed a comprehensive publication design strategy and assisted with the development of new curriculum at KJI based upon issues identified in OSCE’s LSMS reports.

#### **KJI Activities with USAID/NCSC**

The following activities were conducted through the partnership of KJI and USAID/NCSC during this period:

- Basic and advanced trainings on the Code of Ethics and Professional Conduct for judges and prosecutors;
- Training of Trainers (basic and advanced level);
- Training on essential skills of professional associates in courts;
- Support for ILEP with modules on Legal Writing and Reasoning and Legal Research, Constitutional and Administrative Law, Case Management and Mediation and Communication Rules;
- KJI staff training.

#### **KJI Activities with USAID/SEAD**

In cooperation with USAID/SEAD, trainings on the following topics were organized:

- Law on Mediation;
- Law on Arbitration;
- Construction contracts;
- Execution cases according to the Law on Executive Procedure;

### **KJI Activities with USAID/Deloitte Consulting**

Within the framework of cooperation with USAID/Deloitte Consulting, several seminars were organized in the civil field, including:

- Law on Trade Associations;
- Law on Copyright and other Related Rights;
- Mortgage and Pledge under the LPORR;
- Law on Expropriation of Real Estate;
- Types of contracts according to the draft Law on Obligations

### **KJI Activities with the Twinning Program (EU LER)**

KJI's cooperation with the Twinning Program is carried out within the context of the Legal Education System Reform project. The project commenced practical implementation in September 2009. This program has 12 activities assigned exclusively to KJI and is financed by EU funds which are managed by the European Commission Office in Prishtina. With support from this program, a range of activities supporting KJI was carried out in 2010. Activities included:

- Training of judges, prosecutors and other professionals in the judiciary on various topics from within EU law (mainly criminal and civil)
- Training of trainers on EU law
- Drafting various handbooks for criminal and civil fields and EU law,
- The implementation of practical programs abroad for judges and prosecutors,
- The implementation of study visits abroad for governing bodies and KJI staff.

### **KJI Activities with CLARD/MPDL**

KJI, in cooperation with the Center for Legal Aid and Regional Development (CLARD) and financial support from the Chamber of Advocates in Madrid and the Spanish Agency for International Cooperation and Development (MPDL), held a roundtable on the topic "Promoting Protection of Labor and Social Rights in Kosovo."

### **KJI Activities with the Assembly of EULEX Judges**

KJI, in cooperation with the Assembly of EULEX Judges, organized a workshop in the field of civil law on "Suspended/Unsolved Cases." At this meeting, issues regarding proposed solutions to pending cases and presentation of recent decisions of the UNMIK Human Rights Advisory Panel on pending cases were addressed.

### **KJI Activities with GTZ**

In June 2010, KJI, in cooperation with the Faculty of Law of the University of Prishtina and with co-financing from GTZ - Legal Reform Project, organized an international conference in Prishtina on the topic "Legal-Property Legislation and its Reform." Outstanding international experts in the field of civil law and judicial practice from Croatia, Macedonia, Albania, Kosovo and the U.S. participated in this conference.

### **KJI Activities with UNICEF**

In 2010, within the framework of KJI's cooperation with UNICEF, six roundtables on the topic of the Juvenile Justice Code were organized at regional level (Prishtina, Prizren, Peja, Gjilan, and Mitrovica).

### **KJI Activities with UNIFEM**

In 2010, the KJI, in cooperation with UNIFEM, conducted three-day training for trainers on the topic "Gender Equality and Human Rights." The purpose of this training was to enhance knowledge of international and national mechanisms for human rights protection, focusing on women's rights and gender equality.

### **KJI Activities with TAIEX – ERA**

In December 2010, KJI in cooperation with TAIEX and ERA Academy organized a workshop entitled "Combating Cyber Crime."

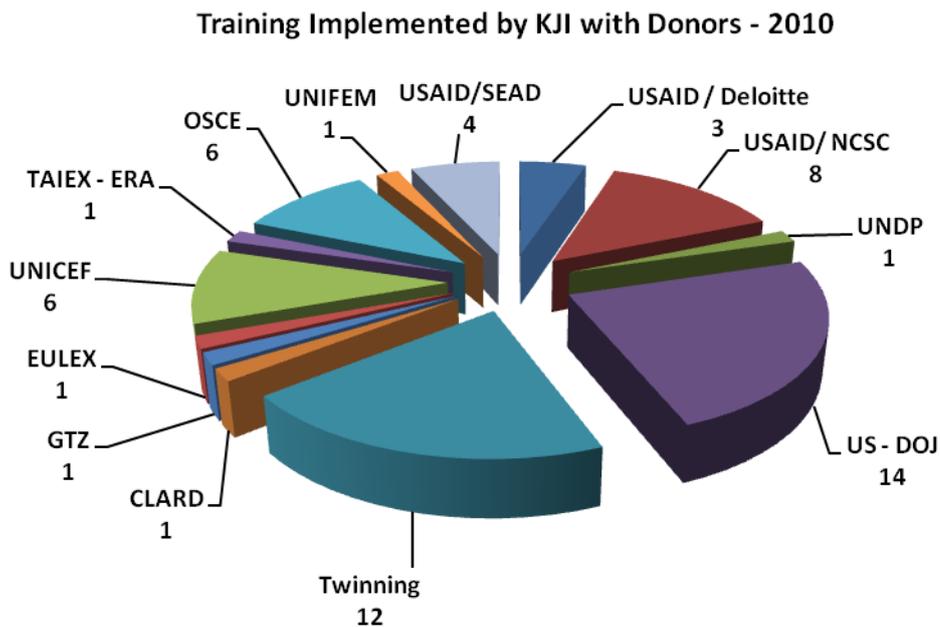


Chart . 11 Training Implemented by KJI with Donors in 2010

## Study Visits

### *Judicial Academy of the Republic of Turkey*

Upon invitation from the Judicial Academy of the Republic of Turkey, in February 2010 a delegation from KJI, led by the Director, conducted a working visit to the Judicial Academy and other institutions of the judicial system in the Republic of Turkey. The purpose of this visit was to exchange experiences in the field of legal education for judges, prosecutors and candidates for judges and prosecutors.

This visit came as a result of a previous visit of the Judicial Academy of Turkey on May of 2010 to KJI and other institutions of the judicial and prosecutorial system in Kosovo. On this occasion, representatives of the Judicial Academy and KJI signed a memorandum of cooperation.

### *Judicial Academy of Hungary and the National School of Magistrates in Paris*

KJI, in cooperation with the Twinning Program (EU LER), which supports the Legal Education System Reform project in Kosovo, organized a five day study-visit in Hungary (Budapest) and France (Paris). The delegation was composed of the: President of Supreme Court, Chief Prosecutor of Kosovo, Chairman of the Judicial Council, professors, judges, the Director of KJI and other KJI staff.



Photo no. 21 Study visit to the Supreme Court in Paris

The purpose of this program was to experience the judicial system of these countries, which are members of the EU, and to become familiar with the organization and functioning of the training programs of the judicial academy and the school of magistrates. Another purpose was to understand the role that a judge or a prosecutor has in the application of EU law at the national level.

### **Visit in the Judicial Academy of Croatia**

On September 23 and 24, 2010 a delegation from KJI, led by the Director, conducted an official visit to the Judicial Academy of the Republic of Croatia in order to receive and exchange experiences in the field of the legal education. During this visit, valuable experiences were

shared regarding trainings for judges and prosecutors on: how to draft educational programs for continuous legal training, organization and delivery of trainings, preparation of materials, methodology used in trainings, the manner of participation in trainings, the form used for the assessment of the trainings and trainers.

### **Multilateral Conference for the Education, Examination and Continuous Training of Judges, Tirana**

On December 8, 2010, a Multilateral Conference for the Education (Formation), Examination and Continuous Training of Judges, was conducted in Tirana. The Conference was organized and supported by Deutsche Stiftung für Internationale Rechtliche Zusammenarbeit E.V. (IRZ) in cooperation with School of Magistrates of the Republic of Albania. Participants in the conference were representatives from the School of Magistrates of the Republic of Albania, the Judicial Academy of Croatia, Kosovo Judicial Institute, the Academy for Judges and Prosecutors of Macedonia, the Judicial Academy of Montenegro and representatives of other institutions that have close cooperation with the projects that IRZ implements.

Issues that were discussed during this conference pertained to the current situation of training centers including legislation, judicial system reforms, programs that develop methodology and techniques of organization of exams and trainings for judges and prosecutors. Reports were presented by representatives from the training centers that were present. The presentation on behalf of KJI was made by Mr. Lavdim Krasniqi, and focused on the establishment, organization and functions of KJI, the path to become a judge or prosecutor in Kosovo (preparatory exam and ILEP), training programs of KJI, positive legislation for the judicial system, reforms and challenges, international cooperation and support from donors.

## **IX. DEPARTMENT OF ADMINISTRATION AND FINANCE**

### **Administration and Finance**

Despite the request of the Kosovo Judicial Institute to increase the number of staff positions and expand the organizational structure, the staff number remained the same in 2010. The organizational structure of the Kosovo Judicial Institute includes 21 employees, one of whom is a member of the Kosovo Serbian community. Under applicable laws, KJI staff has the status of civil servants. Within the internal structure of KJI operate the: Director, Department of Programs (led by the Program Coordinator) and the Department for Administration and Finance (led by the Administrative Financial Director).

During 2010, the main objective of KJI administration was to provide administrative services in support of the training programs and implementation of development policies in the field of administration.

## Procurement

Procurement activities in KJI are conducted by the Procurement Officer under the administration and supervision of the Director of Administration and Finance. During the year 2010, procurement procedures have been developed primarily with high value and medium value and in some cases even those with minimal value under the Law on Public Procurement. The procurement officer of KJI participated in procurement trainings organized by KIPA.

## Finances

During 2010, KJI's costs were mainly covered by the Kosovo Consolidated Budget as a major source of financial support and also by grants from donors. KJI has no bank account other than the Treasury Account.

In late 2010, KJI received direct access from the Treasury on expenditure management. After the determination of the financial officials and after their respective training by the Treasury, from 01 November 2010, processing of expenditure generated by all the activities done by KJI is done by KJI itself, despite the small number of staff and the non-approval of the required positions.

The expenditures of KJI are divided into four main categories: Salaries and Fees, Goods and Services, Utilities and Capital Expenditures.

The following chart shows the budget of the Kosovo Judicial Institute in 2010, including the four main economic categories.

### Report of the budget for 2010

Description	Initial Budget	Final Budget
Salaries and Fee	118,623.00	118,623.00
Goods and Services	507,068.00	377,068.00
Utilities	16,400.00	16,400.00
Capital Expenses		65,000.00
<b>Total Budget 2010</b>	<b>642,091.00</b>	<b>577,091.00</b>

Table .6

The following chart shows actual expenditures in relation to the budgeted amounts shown above according to four main economic categories.

Execution of the Budget for 2010

Description	Allocations	Costs	Balance	Perctnage
Salaries and Fee	118,623.00	108,384.61	10,238.39	91.37
Goods and Services	377,068.00	351,550.08	25,517.92	93.23
Utilities	16,400.00	9,816.91	6,583.09	59.86
Capital Expenses	65,000.00	56,746.70	8,253.30	87.30
<b>Taotal</b>	<b>577,091.00</b>	<b>526,498.30</b>	<b>50,592.70</b>	<b>91.23</b>

Table . 7

Chart no. 12 shows allocated and spent funds and the balance for each economic category of funds.

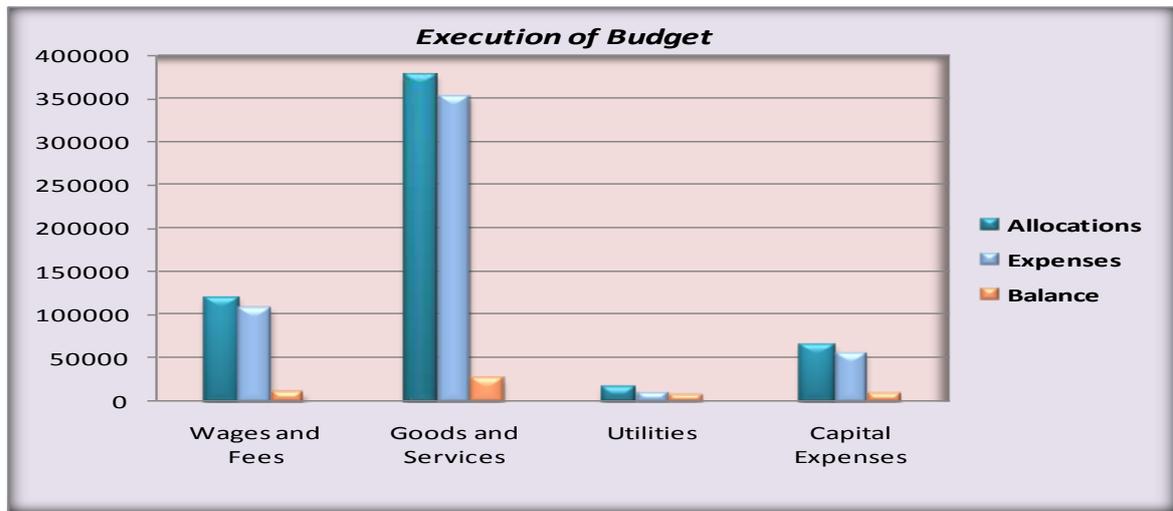


Chart . 12 Execution of the budget

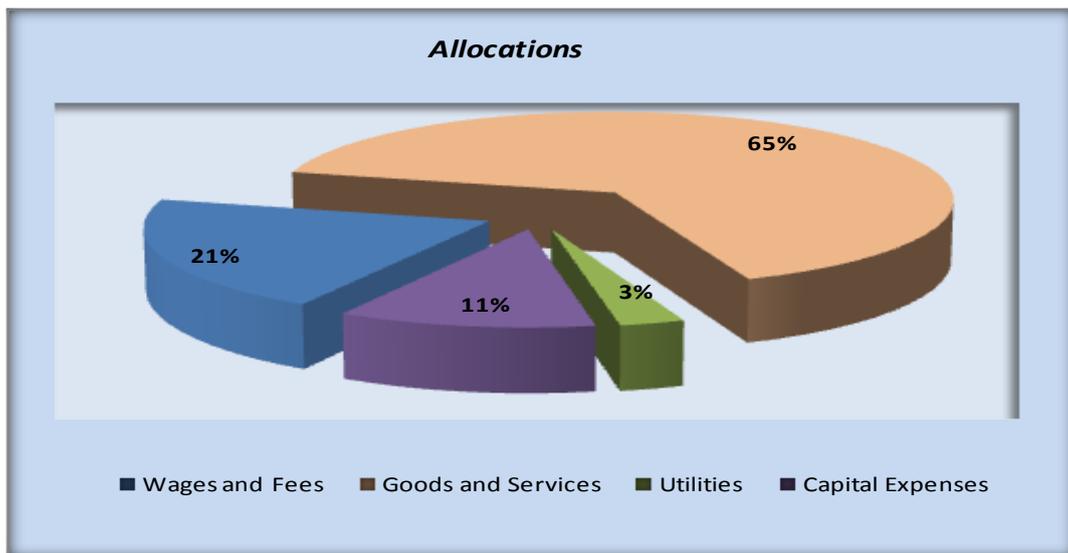


Chart . 13 Allocations of the Funds

As shown in Chart no.13, Goods and Services constituted the largest percentage of allocated funds.

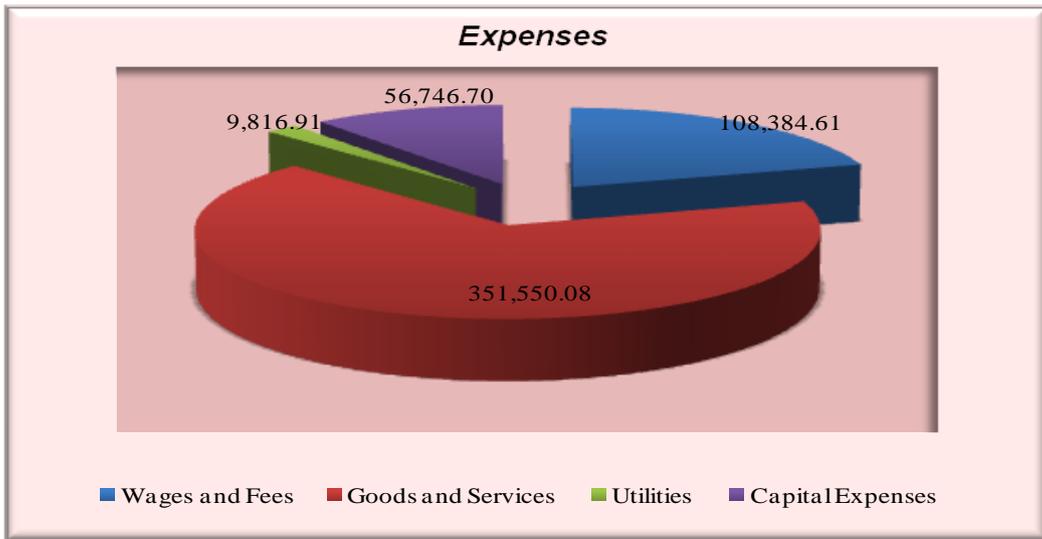


Chart.14.Expenditure of funds

Chart no. 14 shows the expenditure of funds within each of the economic categories. Goods and services accounted for the highest amount of funds spent.

Because KJI is an institution that provides services for legal education, the costs generated by its activities are mainly costs for training services.

The chart below shows detailed expenditures for 2010.

Expenditures on economic sub categories and categories

Details of expenses for each category			
Expenses January-December 2011			
Account Number	Expenses	Allocation	Balance
<b>Utilities</b>			
11140	Utilities	-	16,400.00
13230	Waste	1,125.20	-
13210	Electricity	3,649.24	-
13250	Telephon Expenses	4,474.40	-
13220	Water	568.07	-
<b>Amount</b>		<b>9,816.91</b>	<b>16,400.00</b>
<b>Capital Expenses</b>			
31000	Capital		65,000.00
31700	Vehicles	29,400.00	-
31690	Translation Equipment	27,346.70	-
<b>Amount</b>		<b>56,746.70</b>	<b>65,000.00</b>
<b>Goods and Services</b>			
13000	Good and Services	-	377,068.00
13140	Travel Expenses	27,888.62	-
13300	Telecommunication Services	6,468.30	-
13400	Expenses for services/training	141,491.90	-
13500	Furniture and equipemnt less 100 euro	5,450.00	-
13600	Other purchases of goods and services	22,356.06	-
13700	Fuel	11,736.71	-
13950	Registration and Insurance Services	14,012.75	-
14000	Mintenance	10,417.90	-
14110	Rent	70,599.96	-
14200	Marketing Expenses	36,137.27	-
14300	Representation Expenses	4,990.61	-
<b>Amount</b>		<b>351,550.08</b>	<b>377,068.00</b>
<b>Salaries</b>			
11000	Salaries	-	118,623.00
11110	Net saaries wages through lists	88,486.42	-
11120	Withholding of tax from income	3,743.98	-
11130	Employee's contribution	4,327.61	-
11140	Employer's contribution	4,327.61	-
11300	Fees for member of MB	5,464.00	-
11500	Income Tax	1,534.99	-
11600	Employee's contribution	250.00	-
11700	Employer's contribution	250.00	-
<b>Amount</b>		<b>108,384.61</b>	<b>118,623.00</b>
<b>Total</b>		<b>526,498.30</b>	<b>577,091.00</b>

Table no. 8

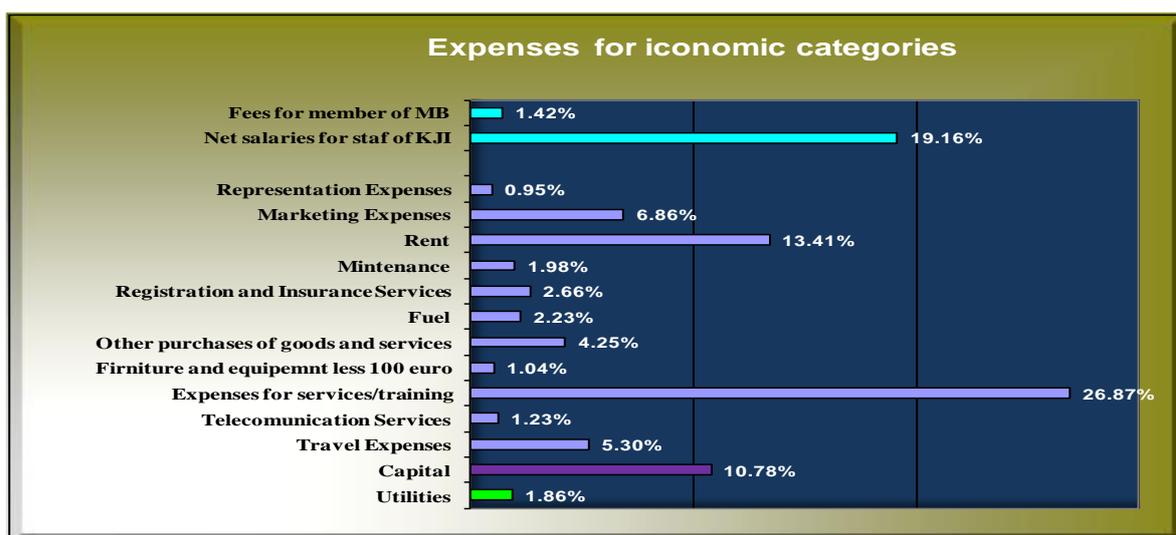


Chart . 15 Expenditures according to the realized percentage

Diagram 15 shows relative expenditures. Training services constitute the highest expenditure because of the high volume of activity conducted in 2010.

All payments made from funds allocated from the budget of the Republic of Kosovo for KJI, are registered in the Financial Information System (Free Balance) and the financial data base of KJI.

### Financial Support from Donors

During 2010 KJI received extensive financial support and technical assistance from donors and various international partners such as USAID, UNDP, OSCE, U.S. DOJ, EU (Twinning), UNICEF, GTZ, UNIFEM.

These projects mainly consisted of training support services. The financial means spent for training costs are managed mainly by donors themselves, which mean that they have no flow through the Treasury account, with the exception of project funds from UNICEF.

The chart below presents the realization of the projects with UNICEF, UNDP and the Twinning Project (EU LER).

<b>UNICEF</b>			
<b>Good and Services</b>	<b>Expenses</b>	<b>Allocation</b>	<b>Balance</b>
96816 Good and Services	-	5,233.50	5,233.50
13410 Expenses for services/training	2,441.20	-	(2,441.20)
13470 Technical services	794.40	-	(794.40)
<b>Total €</b>	<b>3,235.60</b>	<b>5,233.50</b>	<b>1,997.90</b>
<b>UNDP</b>			
<b>Total \$</b>	<b>99,194.88</b>		<b>99,194.88</b>
<b>Twining</b>			
<b>Total €</b>	<b>473,129.00</b>		<b>473,129.00</b>

Table 9.

### **Some of the major challenges during 2010**

During its legal function KJI in 2010 faced various challenges that made a great impact in its development and promotion.

Some of the main challenges that the Judicial Institute faced during 2010 were:

- The implementation of ILEP, CLEP and TPP;
- The organization of the Preparatory Exam during the appointment and reappointment process;
- The development of the reappointment process and the coordination of actions with the Independent Judicial and Prosecutorial Commission (IJPC);
- The organization of trainings for two generations of candidates of judges and prosecutors;
- The appointment of candidates of two generations of ILEP;
- Insufficient number of the staff (only 21 employees);
- The coordination of the support provided by various donors and their different policies;

The process of drafting systematic laws for the judicial and prosecutorial system. In 2010 the new Law on Courts, the Law on State Prosecution, the new Law for the Judicial Council and the new Law on Prosecutorial Council were adopted. These laws presented unmatched criteria regarding the required criteria in order to become judge or prosecutor which was in contradiction with the Law on the Establishment of KJI. Such thing created significant challenges that KJI had to deal together with a working group to ensure that the Preparatory/Entry Exam will be done by KJI itself, and also in order to become a judge or a prosecutor it is mandatory to attend 15 months of training in ILEP. KJI was able to hold the required criteria with the advices given by OSCE.

## CONCLUSION

In the spirit of support for the judicial and prosecutorial system in Kosovo, in 2010 KJI, continued to organize trainings for judges, prosecutors, candidates for judges and prosecutors and other professionals in the field of justice.

During 2010, successful trainings were held for ILEP candidates (second generation). This included the drafting, administration and the evaluation of three exams from each module for candidates of this generation. In terms of support of the judicial and prosecutorial system, the most notable achievement is the appointment of all candidates (53) trained by KJI within ILEP (first and second generation). Another achievement in this context was the drafting, evaluation and administration of the Preparatory / Entry Exam for the third generation of ILEP candidates and the commencement of the trainings of this program for the third generation of candidates for judges and prosecutors.

During 2010, KJI continued to have close cooperative relations with donors and international partners. Through various programs, numerous opportunities for continuous legal education for judges, prosecutors and other professionals in the field of justice were offered.

This year, implementation of the Training Program for Promotion, dedicated to the newly appointed judges and prosecutors after the conclusion of the appointment / reappointment process, commenced for the first time.

As part of joint activities with different partners during 2010, study visits and practical training programs abroad were organized, the beneficiaries of which were trainers and KJI staff, as well as candidates for future judges and prosecutors.

Achievements in the field of publications include: publication of the monthly newsletter, magazine *Justicia*, training modules, manuals, brochures and other publications including some publications through the web site.

Despite numerous challenges, KJI remains committed to continuing to support a professional, efficient, effective, impartial and independent judicial and prosecutorial system that protects the rights and freedoms of citizens before the law without distinction.

**ANNEX I – TRAINING ACTIVITIES - CLEP – January - December 2010**

<b>Month</b>	<b>No.</b>	<b>Topic</b>	<b>Duration</b>	<b>Field</b>	<b>Financing</b>
January	1	Workshop with trainers	1 day	Penal	KJI
	2	Training EU Law,	1 day	other	KJI-TWINNING
	3	Workshop with trainers	1 day	Civil	KJI
	4	Training of Trainers (Building of Trial Advocacy Skills)	3 day	Other	KJI/US DOJ
	5	Law on Peace and Public Order	1 day	Other	KJI
	6	Powers of the State Prosecutor	1 day	Penal	KJI
	7	Property relations between spouses	1 day	Civil	KJI
	8	Training of Trainers (Building of Trial Advocacy Skills)	3 day	Other	KJI/-NITA
	9	Training of Trainers -methodology	2 day	Other	KJI-NCSC
	10	Training of Trainers -methodology	2 day	Other	KJI-NCSC
February	11	Collaboration in the commission of a Criminal Offence	1day	Penal	KJI
	12	Contract on sale of goods under the Law on Obligations and Vienna Convention	1day	Civil	KJI
	13	Training of Trainers (Building of Trial Advocacy Skills)	3day	Other	KJI-NITA
	14	Amendments and Extension of the Indictment	1 day	Penal	KJI
	15	Law on Business Organizations, Dilemmas and Uncertainties	1 day	Civil	KJI USAID & DELOIT
	16	Juvenile Detention on Remand and Imprisonment	1 day	Penal	KJI
	17	Law on order and Traffic Safety on Roads	1 day	Other	KJI
	18	Adoption procedure and Establishment of Adoption	1 day	Civil	KJI
	19	Co-ownership and joint property according to the LPORR	1 day		KJI
	20	Legal Opinion Writing and Reasoning for professional associates of the courts	2 day	Penal	KJI-NCSC
March	21	Acquisition of Ownership under the LPORR and other applicable provisions	1 day	Civil	KJI
	22	Drafting and Reasoning of the judgment	1 day	Penal	KJI
	23	Trafficking in Persons	1 day	Penal	KJI
	24	Freedom of Assembly and Association (article 11) ECHR	1 day	Other	KJI
	25	Pre-trial Review of the Lawsuit	1 day	Penal	KJI
	26	Advance Training for Lay judges	1 day	Other	KJI
	27	Code of Ethics and Professional Conduct	1 day	Other	KJI-NCSC
	28	EU Law,	5 days	Other	KJI-TWINNING
	29	Training against Trafficking with Human Beings, Trafficking with Drugs and Public Corruption	5 days	Penal	KJI-US DOJ
	30	Evidence in Criminal Proceedings	1 day	Penal	KJI
	31	Workshop with KJI Staff,	1 day		KJI-UNDP
	32	Retrial	1 day	Civil	KJI
	33	Covert and Technical Measures of Surveillance	1 day	Penal	KJI
April	34	Alternative Punishments Against Adults	1 day	Penal	KJI
	35	Mortgage and Pledge under the LPORR	1 day	Civil	KJI
	36	Legal Opinion Writing and Reasoning	1 day	Civil	KJI-

					USAID/DELOIT
	37	Money Laundering	1 day	Penal	KJI
	38	Juveniles as Perpetrators of Minor Offences	1 day	Other	KJI
	39	Promoting the Protection of Labor and Social Rights in Kosovo	1 day	Civil	KJI-CLARD
	40	KJI Staff training on how to write rapports and memos at the office	2 days	Other	KJI-NCSC
	41	Techniques of Financial Analysis	3 days	Penal	KJI-US DOJ
	42	Types of Contracts according to the draft law on Obligations	1 day	Civil	KJIUSAID/DELOIT
	43	Code of Ethics and Professional Conduct	1 day	Other	KJI-NCSC
	44	Safeguarding of the lawsuit	1 day	Civil	KJI
	45	Practical aspects of Prosecutors Work	1 day	Penal	KJI-TWINNING
	46	Practical aspects of Prosecutors Work	1 day	Penal	KJI- TWINNING
	47	Practical aspects of Prosecutors Work	1 day	Penal	KJI -TWINNING
May	48	Investigation and persecution of complex crimes	5 days	Penal	KJI- US DOJ
	49	Types of Judgments under the LCP	1 day	Civil	KJI
	50	Criminal Proceedings Involving persons with Mental Disorder	1 day	Penal	KJI
	51	Initiation and Duration of an Investigation	1 day	Penal	KJI
	52	Law on Expropriation of Real Estate	1 day	Civil	KJI
	53	Code of Ethics and Professional Conduct	1 day	Other	KJI-NCSC
	54	Revision and Request for Protection of Legality under the LCP	1 day	Civil	KJI
	55	Article 5 and 6 according to ECHR	1 day	Other	KJI
	56	Building of Trial Advocacy Skills	3 days	Penal	KJI-NITA
	57	Guilty Plea Agreement		Penal	KJI
	58	Investigation of Observation and the Treatment of Informants	3 days	Penal	KJI-US DOJ
	59	On Civil Law, pending/unsolved cases	1 day	Civil	KJI-EULEX
June	60	Neighbor Law (vicinage) and Servitudes	1 day	Civil	KJI
	61	Reopening of Criminal Proceedings	1 day	Penal	KJI
	62	Building of Trial Advocacy Skills	3 days	Other	KJI-NITA
	63	Confiscation of Material Benefits acquired by the commission of Criminal Offences	1 day	Civil	KJI
	64	EU Law,	5 days	Other	KJI-TWINNING
	65	Taxes on Administrative Conflict	1 day	Civil	KJI
	66	Protection of Copyright according to Legal Provisions in force	1 day	Civil	KJIUSAID./DELOIT
	67	Juveniles as Perpetrator of Minor Offences	1 day	Other	KJI
	68	Execution of Penal Sanctions	1 day	Penal	KJI
	69	Abuse and Child Pornography	3 days	Penal	KJI-US DOJ
	70	Law on Property and Other Real Rights	2 days	Civil	KJI-GTZ
July	71	EU Law	5 days	Other	KJI-TWINNING
August	72	Guilty Plea Agreement	1 day	Penal	KJI-US DOJ
		Guilty Plea Agreement	1 day	Penal	KJI-US DOJ
		Guilty Plea Agreement	1 day	Penal	KJI-US DOJ
September	73	Protective Measures to prevent Domestic Violence	1 day	Civil	KJI
	74	Legal and Judicial Rehabilitation	1 day	Civil	KJI
	75	Juvenile Justice Code	1 day	Penal	KJI-UNICEF

	76	Organized Crime	1 day	Penal	KJI
	77	Role of the Disciplinary Prosecutor's Office	1 day	Penal	KJI
	78	EU Law	5 day	Other	KJI-TWINNING
October	79	KJI Staff Training	2 days	Other	KJI
	80	Witnesses and Experts in Criminal Proceedings	1 day	Penal	KJI
	81	Proceedings before the Constitutional Court	1 day	Civil	KJI
	82	Training Program for Trainers – Gender Equality	3 days	Other	KJI-UNIFEM
	83	Code of Ethics and Professional Conduct	1 day	Other	KJI-NCSC
	84	Law on Arbitration	1 day	Civil	KJI-SEAD
	85	Training of Trainers (Building of Trial Advocacy Skills)	3 days	Other	KJI-NITA
	86	Legal Terminology in Judicial Proceedings	1 day	Civil	KJI
	87	Construction Contracts	1 day	Civil	KJI-SEAD
	88	Protection of Injured Parties and Witnesses	1 day	Penal	KJI
	89	Damages in Auto Liability Cases	1 day	Civil	KJI
	90	Building of Trial Advocacy Skills	3 days	Other	KJI-NITA
November	91	EU Law (Training of Trainers)	5 days	Other	KJI-TWINNING
	92	Criminal Prosecution on the Motion of the Private and Subsidiary Prosecutor	1 day	Civil	KJI
	93	Juvenile Justice Code	1 day	Penal	KJI-UNICEF
	94	Legal Obligation for Alimony	1 day	Civil	KJI
	95	Acquisition and Termination of Ownership in Movables according to LPORR	1 day	Civil	KJI
	96	Juvenile Justice Code	1 day	Penal	KJI-UNICEF
	97	The right to respect private and family life, article 8 of ECHR	1 day	Other	KJI
	98	Grounds for Absolute and Relative Nullity of the contract	1 day	Other	KJI
	99	Methodology of legal work	1 day	Other	KJI-TWINNING
	100	Juvenile Justice Code	1 day	Penal	KJI-UNICEF
	101	Minor Offences against Peace and Public Order	1 day	Other	KJI
	102	Methodology of legal work	1 day	Other	KJI-TWINNING
	103	Trials	1 day	Penal	KJI
	104	Juvenile Justice Code	1 day	Penal	KJI-UNICEF
December	105	The right for an effective complain Article 13 of ECHR	1 day	Other	KJI
	106	Execution Cases under the Law on Execution Procedure 2008	1 day	Civil	KJI-SEAD
	107	The fight against Cyber Crime	2 days	Penal	KJI-TAIEX-ERA
	108	Law on Mediation	1 day	Civil	KJI=SEAD
	109	Law on minor offences	1 day	Other	KJI
	110	EU Law (Training of Trainers)	3 days	Other	KJI-TWINNING
	111	Central Conference, Juvenile Justice Code	1 day	Penal	KJI-UNICEF

## ANNEX II – CALENDAR OF THE MAIN ACTIVITIES OF ILEP

### INITIAL LEGAL EDUCATION PROGRAM

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<b>JANUARY</b>	
Simulation Trial by ILEP II candidates	KJI
Evaluation of the first mid-term exam of ILEP II	KJI
Trainings in the first phase	KJI-UNDP

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<b>FEBRUARY</b>	
Drafting of the final exam of the first phase	KJI
Forming the group and assigning the tasks for the drafting of the "JUSTICIA"	KJI
Trainings in the first phase	KJI-UNDP
Visit to the Judicial Academy of Turkey	KJI-AGJT

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<b>MARCH</b>	
Administration of the final exam of the first phase	KJI
Evaluation of the final exam of the first phase	KJI
Candidate Profiling	KJI
Training of trainers second phase	KJI
Commencement of the training for the second phase of ILEP	KJI-UNDP

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<b>APRIL</b>	
Preparations for the organization of the Preparatory Exam	KJI
Trainings in the second phase	KJI-UNDP

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<b>MAY</b>	
Trainings in the second phase	KJI-UNDP
The public announcement for the organization of the Preparatory Exam	KJI
The approval of the rules and the structure of the Preparatory Exam (Program C)	KJI
Drafting the exam for the second phase of ILEP	KJI

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<b>JUNE</b>	
Drafting the Preparatory Exam	KJI
Photocopying and preparing the material for the Preparatory Exam	KJI
Administration of the Final Exam of the second phase of ILEP	KJI

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<b>JULY</b>	
Administration of the Preparatory/Entry Exam (day I written)	
Administration of the Preparatory/Entry Exam (day I written)	KJI
The evaluation of the Preparatory Exam (written exam)	KJI
Announcement of the results of the written exam	KJI
Administration and evaluation of the exam (oral exam)	KJI
Publication of the report and the final results of the Preparatory Exam	KJI
Evaluation of the final exam of the second phase of ILEP	KJI
Meeting/training with the trainers of the first phase of ILEP	
Commencement of the third phase of ILEP - Mentoring	KJI

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**AUGUST**

Meeting/ Training with the mentors	KJI
Orientation meeting with ILEP III candidates	KJI
Training in the third phase of ILEP II	KJI

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**SEPTEMBER**

Ceremony of the commencement of ILEP III	KJI
Training of the first phase of the third generation of ILEP	KJI-UNDP
Coordinators meeting of mentors and candidates of ILEP II	KJI
Training in the third phase of ILEP II	KJI-UNDP

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**OCTOBER**

Training in the first phase of ILEP III	KJI-UNDP
Training in the third phase of ILEP II	KJI-UNDP
Coordinators meeting of mentors and candidates of ILEP II	KJI
Visit of the candidates of ILEP II to the Judicial Academy of Turkey	KJI

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**NOVEMBER**

Training in the first phase of ILEP III	KJI-UNDP
Training in the third phase of ILEP II	KJI-UNDP
Drafting of the first mid-term exam of ILEP III	KJI
Administration of the first mid-term exam of ILEP III	KJI
Evaluation of the first mid-term exam of ILEP III	KJI

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**DECEMBER**

Graduation Ceremony of ILEP II Candidates	KJI-UNDP
Publication of the magazine of the ILEP II candidates "JUSTICIA"	KJI
Training in the first phase ILEP III	KJI

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## ANNEX III – CONDUCTED ACTIVITIES IN TPP

### TRAINING PROGRAM FOR PROMOTION

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#### MARCH

Module –Building of Trial Advocacy Skills KJI&NITA

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#### JULY

Module –Building of Trial Advocacy Skills KJI&NITA

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#### SEPTEMBER

Module- Case management -6 cycles KJI& NCSC  
Module-Organized Crime-5 cycles  
Module-Criminal Code and Criminal Procedure Code -1 cycle

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#### OCTOBER

Module- Organized Crime -1 cycle KJI  
Module-Criminal Code and Criminal Procedure Code – 5 cycles KJI  
Module- Legal Writing and Reasoning -6 cycles KJI&NCSC  
Module- The organization of the judicial system and the corresponding level competencies  
-2 cycles KJI  
Module-Civil material and procedural law – 2 cycles KJI

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#### NOVEMBER

Module- Civil material and procedural law – 1 cycle KJI  
Module- Judicial and prosecutorial ethics - 1 cycle KJI&NCSC  
Module- Administrative act and administrative conflict- 1 cycle KJI  
Module- EU Law- 2 cycles KJI

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#### DECEMBER

Module- Administrative act and administrative conflict- 1 cycle KJI  
Module- Organization of the judicial system and the corresponding level competencies KJI

## LIST OF ACRONYMS

<b>KJI</b> .....	Kosovo Judicial Institute
<b>KJC</b> .....	Kosovo Judicial Council
<b>KPC</b> .....	Kosovo Prosecutorial Council
<b>ILEP</b> .....	Initial Legal Education Program
<b>CLEP</b> .....	Continuous Legal Education Program
<b>DOJ</b> .....	Department of Justice of USA
<b>CCK</b> .....	Criminal Code of Kosovo
<b>CPCK</b> .....	Criminal Procedure Code of Kosovo
<b>LCPK</b> .....	Law on Contested Procedure
<b>LNCP</b> .....	Law on Non-Contested Procedure
<b>LEP</b> .....	Law on Executive Procedure
<b>LRTS</b> .....	Law on Road Traffic Safety
<b>LPPO</b> .....	Law on Public Peace and Order
<b>US-DOJ</b> .....	American Embassy, United States Department of Justice
<b>OPDAT</b> .....	Office of Overseas Prosecutorial Development Assistance and Training
<b>EU</b> .....	European Union
<b>UNDP</b> .....	United Nations Development Program
<b>OSCE</b> .....	Organization for Security and Cooperation in Europe
<b>NCSC</b> .....	National Center for State Courts
<b>UNCEF</b> .....	United Nations Children Fund
<b>UNIFEM</b> .....	United Nations Development Fund for Women
<b>EULEX</b> .....	European Union Rule of Law Mission
<b>NITA</b> .....	National Institute for Trial Advocacy
<b>USAID</b> .....	United States Agency International Development
<b>Twinning Project EU-LER</b> .....	Twinning Project, An EU funded project, managed by the European Commission Liaison Office to Kosovo Legal Education System Reform
<b>CLARD</b> .....	Center for Legal Aid and Regional Development
<b>UP</b> .....	University of Prishtina
<b>GTZ</b> .....	Project for the Legal Reform in Prishtina