



Republika e Kosovës
Republika Kosova - Republic of Kosovo
Akademia e Drejtësisë - Akademija Pravde - Academy of Justice

Newsletter

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March 2022

General activities

Meeting with representatives of the German Foundation for International Legal Cooperation (IRZ) and EUKOJUST

March 3 2022, Executive Director of the Academy of Justice Mr. Enver Fejzullahu welcomed in a meeting representatives of the German Foundation on International Legal Cooperation (IRZ), Mrs. Teresa Thalhammer Project Director, Mrs. Trime Ahmeti Project Manager and Mr. Volkmar Theobald Project Team Leader, and Mr. Dragomir Yordanov from the EU Justice Sector Program in Kosovo (EUKOJUST).

During this meeting, AJ Executive Director thanked the project's representative for their continuous support and informed them about

the achievements and challenges of the institution he represents. The Project Director, Mrs. Thalhammer, emphasized the IRZ support for the academy of Justice based on the needs and priorities of the Academy with the purpose of implementing this Project.

At the end of this meeting, the interlocutors expressed readiness to extend cooperation in areas of mutual institutional interest, in order to increase efficiency, transparency and accountability within the judicial system.



Meeting with representatives from the US Federal Mediation and Reconciliation Service (FMCS)

On March 14, 2022, the Executive Director of the Academy of Justice hosted representatives of the US Federal Mediation and Reconciliation Service (FMCS).

This meeting came as a result of the initiative organized for the recruitment of trainers in the field of Mediation by the Academy of Justice and the US Federal Mediation and Reconciliation Service (FMCS), supported and funded by the Office of International Narcotics and Law Enforcement (INL) at the US Embassy.

The purpose of the training program in the field of Mediation is the continuous effort of AJ to improve the quality of mediation services in Kosovo.

The Academy of Justice is pleased to welcome within the 2-week period, from March 14, 2022 to March 25, 2022, experts from the United States of America, Mr. Peter Swandon, Mrs. Emily Rife and Mr. David Moora, who will be responsible for interviewing and selecting candidates for training in the field of Mediation within the Academy of Justice.

Meeting of the Program Council of the Academy of Justice

On March 23, 2022, The Academy of Justice held the following meeting of the AJ Program Council.

The focus of this meeting, as the main point were the discussion of the Draft - Initial Program for prosecutors ninth generation 2022/2023, as well as the Draft - Amendment to Regulation no. 02/2019 for Trainers and Mentors of the Academy of Justice, where at the same time the members of the PK gave their recommendations, which will be presented to the AJ Managing Board for discussion and approval at the next meeting.

During the meeting, members of the Program Council reviewed and discussed the list of

certified trainers for the training on Commercial Court judges, in which case they unanimously recommended the approval of the respective list by the Managing Board, to include them as temporary trainers at the Academy of Justice.



Roundtable - Establishing the Friends of the Academy Network

On March 28, 2022, the Academy of Justice in cooperation with the EUKOJUST project organized the workshop on Strengthening access to justice through judicial training in partnership with the civil society – Establishing the Friends of the Kosovo Justice Academy Network.

The purpose of the roundtable is to discuss the establishment of a coordination mechanism between the Academy of Justice and civil society organizations in advancing cooperation and providing training activities in capacity building in the field of rule of law, under the auspices of the Friends of the Academy.

Civil society in Kosovo has a strong role to play in monitoring and raising awareness on justice issues, especially where there are strong shortcomings that need to be addressed. A strong partnership between the Academy and civil society is essential in promoting good practice for judges, prosecutors and support staff on issues related to human rights, corruption, organized crime, domestic violence

and in particular access to justice.

Topics that were addressed during the workshop were mainly related to the role of civil society and non-governmental organizations in capacity building of the free legal professions, the effectiveness of training organized by the Academy and the treatment of specific topics by the judiciary in Kosovo.

Representatives of non-governmental organizations and civil society welcomed the cooperation with the Academy of Justice where they expressed readiness for better coordination in the future. Also, for the concept of Friends of the Justice Academy, the Academy aims to establish a cooperation mechanism by signing a Memorandum of Understanding between civil society organizations and the Academy of Justice between which the cooperation between the Academy and the aforementioned organizations will be further strengthened with the intention to reach the common goals.



Meeting of the Managing Board of the Academy of Justice

On 30.03.2022, the regular meeting of the Managing Board of the Academy of Justice was held at the Academy of Justice, chaired by the Chairman of the Council, Mr. Vaton Durguti, Head of the Special Department at the Court of Appeals.

In this meeting, the members of the Managing Board discussed the draft Initial Program for Ninth Generation of Prosecutors 2022/2023, who are in the process of recruitment by the Kosovo Prosecutorial Council, as well as the list of modules from the Training Program for newly appointed judges, eighth generation. The Managing Board assessed that the respective draft Initial Training Program meets all the required criteria and is highly professional, as such unanimously approved together with the list of modules from the Training Program for

Newly Appointed Judges, including Council recommendations of the Program.

The Executive Director of the Academy briefly presented the Annual Work Report for 2021, which contains all the activities carried out by the Academy during 2021. The members of the Board, evaluating the work of the Academy during 2021, unanimously approved the submitted report.

At this meeting of the Board was also approved the list of certified trainers in the field of Commercial Justice, who will be included as interim trainers in the Academy of Justice.



Activities from Initial Training Program (ITP)

Activities within the initial training for newly appointed judges, generation (VIII)

Until March 18th, the VIII generation of the newly appointed judges will continue to attend the practical training sessions in the criminal field in the respective court. This date marks the end of the practical training sessions and the initial training, conform the training plan and program for this generation.

Based on the Regulation of the initial training and the training calendar, on 09 and 10th of March 2022, has been developed the final exam for this generation in the criminal module of the last follow-up program, respectively in the module "Criminal Code of the Republic of Kosovo ", Code of Criminal Procedure". "and the module "Legislation and additional skills".

Whereas the final evaluation has been conducted after the completion of the exam, followed by the announcement of the results on

March 17, 2022 in line with the regulation of the respective program.

Another important activity during March is the preparation of physical and electronic files of judges including final reports for each judge of this generation, submitted after to the Evaluation Performance Commission of the Kosovo Judicial Council.

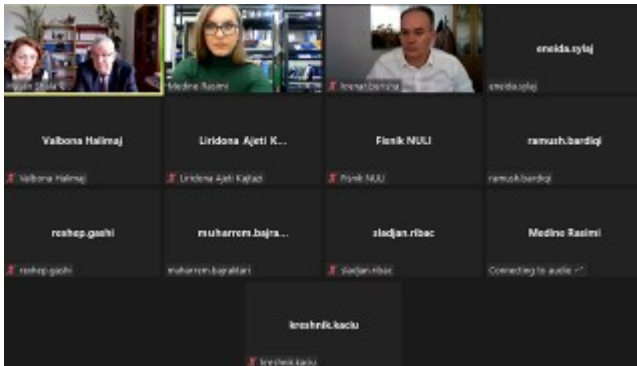
This generation officially started the initial training on February 18, 2021. Beneficiaries of the generation 2021/2022 were 24 newly appointed judges, two from them from Serbian community.



Activities from Continuous Training Program (CTP)

Training: Administrative conflict object and procedure of administrative conflict

On March 1, 2022, an online training was conducted through the ZOOM platform on the topic "Administrative conflict, object and procedure of administrative conflict".



The purpose of this training was to advance the knowledge of judges regarding the administrative conflict procedure for deciding cases in a meritorious manner by the court. During this training, were discussed the administrative conflict in detail, the main principles and rules of the Law on Administrative Conflict, the procedure based on the lawsuit, the main review session - the issuance of evidence and judgment, and finally the procedure according to legal remedies. Thus, the training focused on the treatment of the procedure for initiating administrative conflict, the way it is conducted by the competent court against the decisions of public administration bodies and governing bodies in Kosovo which violated the law to the detriment of natural persons or legal persons, as well as which types of cases are most often submitted to the Department of Administrative Affairs.

During the training it was said that the

administrative conflict can be initiated only against the administrative act issued in the administrative procedure in the second instance. The administrative conflict can also be initiated against the administrative act of the first instance, against which in the administrative procedure, the appeal is not allowed. Also, the administrative conflict can be initiated even when the competent body has not issued a relevant administrative act upon the request or complaint of the party under the conditions provided by the ADL.

Through the practical case, the judges participating in the training had the opportunity to discuss the legal provisions to be applied in this case and at the same time to avoid various professional procedural and material dilemmas regarding the placement of similar cases.

The training methodology was of a combined nature with theoretical explanations and interactive discussions presenting practical cases as well.

Beneficiaries of this training were 12 judges (3 from the Department of Administrative Affairs and 9 from the General Department) and 1 prosecutor. All participants were from the basic level of the courts of the Administrative Cases Department of the Court of Appeals and the judges of the Administrative Cases Department of the Basic Court.

Training: Stress management

On March 2, 2022, an online training was conducted through the ZOOM platform on: "Stress Management".

The purpose of this training was to develop the interdisciplinary skills of judges and prosecutors on ways and techniques of emotional content to keep stress under control while working in courts and prosecution offices and different life circumstances.

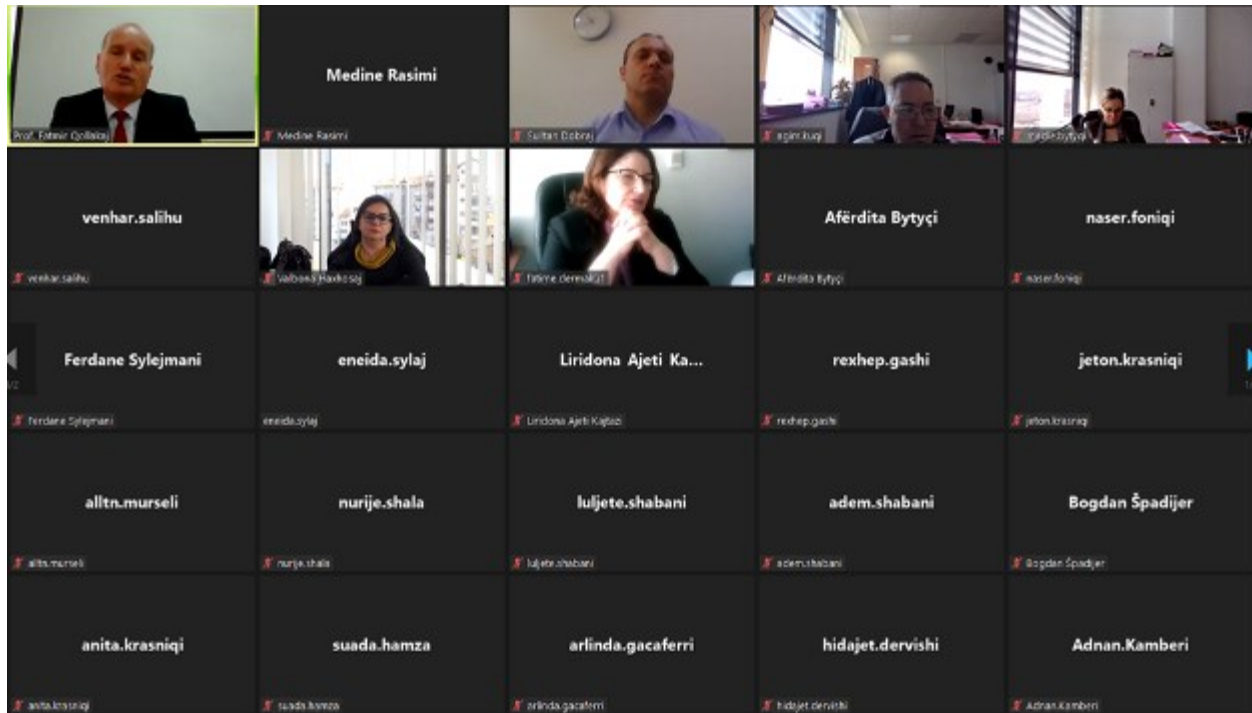
The training focused on elaborating on stress factors, types of stress, stress warning signs and symptoms, stress at work, and time management.

During the training it was emphasized that good time management and prioritization of needs are key factors for keeping stress under constant

control. Also, the rigorous and reasonable planning of daily, weekly and monthly priorities has been shown as a successful stress management strategy, which is followed by increasing the quality of work performance and improving the standard of living.

The training methodology was of a combined character with theoretical explanations and interactive discussions.

Beneficiaries of this training were 27 judges (3 from the Court of Appeals and 24 from the Basic Courts) and 6 prosecutors from the Basic Prosecution Offices.



Training: Amendments to the Juvenile Justice Code

On 03 March 2022, the Academy of Justice in cooperation with EULEX within the Continuous Training Program conducted a hybrid and online training through the zoom platform with the theme "Amendments in the Juvenile Justice Code".

The purpose of this training was to advance the knowledge of juvenile judges and prosecutors regarding the legal innovations of the Juvenile Justice Code and its proper implementation in case law.

The training focused on theoretical and practical aspects paying attention to the legal provisions related to the protection of child victims or witnesses as well as the general principles contained in this code, as well as procedural actions.

During the training, participants had the opportunity to analyze through legal cases new legal provisions of the code and provide the

meritorious solution to the respective case.

The training methodology was of a combined nature with theoretical explanations and interactive discussions presenting practical cases as well.

Beneficiaries of this training were 12 judges and 23 prosecutors from the Juvenile Department and General Department, as well as 4 officials from the Kosovo Probation Service and one investigator from the Kosovo Police.

Department and the Department for Serious Crimes.



Training: Annulment of contracts and means for ensuring the contracts

On 08-09 March 2022, the training was conducted through hybrid and ONLINE platform, on the topic "Annulment of contract and means for ensuring the contracts".



On the first day of the training, were elaborated the reversible contracts, the legal reasons that make a contract reversible, the subjects who can request the annulment of the reversible contracts, the character of the court decisions in case of annulment of the contracts, legal consequences of the annulment of relatively invalid contracts, the position of the contracting parties and the third person after the annulment of the relatively invalid contract, as well as the legal deadlines within which the annulment of the revocable contracts can be requested.

On the second day, the means of ensuring the execution of contracts were discussed, the main characteristics of these means, contracting the insurance means and the manner of their realization, as well as the court procedures for settling such disputes.

During this training, through practical cases, dilemmas have been clarified that refer mainly to the annulment of absolutely null and relative contracts, the manner of their establishment (type of decision, ruling or judgment), then their deadlines, as well as cases the court formally takes care of the nullity and in cases based on the objection of the party.

It was also clarified quite well that the means for ensuring the contracts are not binding in each contract, and are not an integral part of the contract, but these means can be provided by parties through mutual agreement as insurance mechanisms.

The training methodology was of a combined character with theoretical explanations and interactive discussions.



Training: Evidence in criminal proceeding, Covert measures of investigation and surveillance, as well as Protection of witnesses and injured parties (victims) and cooperative witnesses – Session I

On March 8-9 2022, Academy of Justice within the Continuous Training Program conducted the first training session via Zoom platform on Evidence in criminal proceeding, Covert measures of investigation and surveillance, as well as Protection of witnesses and injured parties (victims) and cooperative witnesses – Session I.

The purpose of this training was to increase the capacity of judges and prosecutors in the analysis of evidence, relevance and reliability of evidence as a prerequisite for the fair and meritorious resolution of these cases.

On the first day, the training focused on the facts and their verification in the criminal proceedings, provision of evidence in the initial police actions, provision of evidence through covert measures of investigation and surveillance, as well as evidence in the investigation phase.

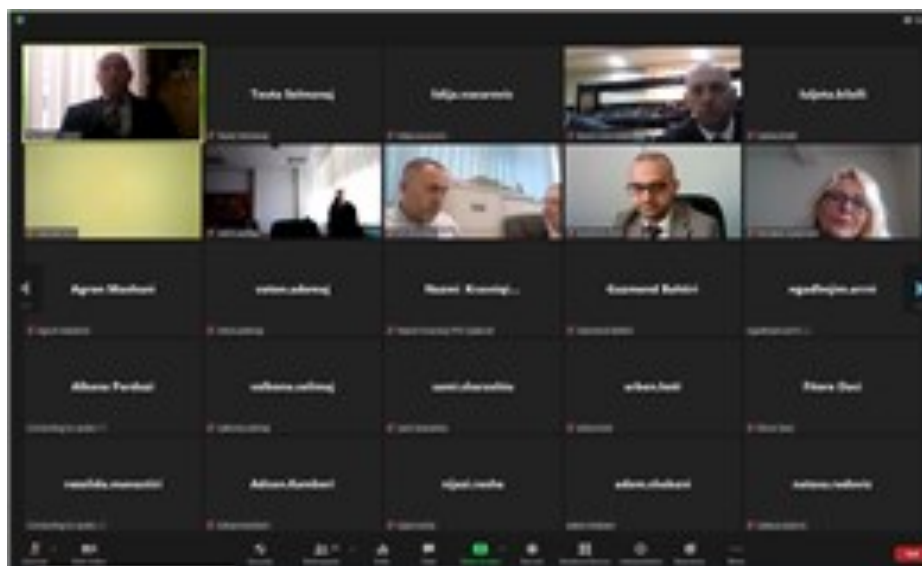
The second day continued with the aspect of

lawfulness of evidence and their objection, the review and evaluation of evidence, the reliability and the probative power.

Participants had the opportunity through different cases from the case law to elaborate the legal provisions governing the provision and use of evidence and other procedural aspects of importance in order to establish the facts and evidence in criminal proceedings and bring the perpetrators to justice.

The training methodology applied was of a combined nature, with theoretical explanations and interactive discussions.

Beneficiaries of this training are: 60 judges, 34 prosecutors, 4 defense attorneys and 1 legal officer from the prosecution.



Training: International legal cooperation in criminal matters, opportunities and challenges

On March 10, 2022, a training was conducted through the Zoom platform on "International legal cooperation in criminal matters, opportunities and challenges."

The purpose of this training was to advance the knowledge of judges and prosecutors in the field of international legal assistance, respectively about extradition, transfer of cases, provision of evidence and other requests in criminal cases to increase efficiency in the execution of requests for legal assistance according to the highest international standards good in international legal cooperation.

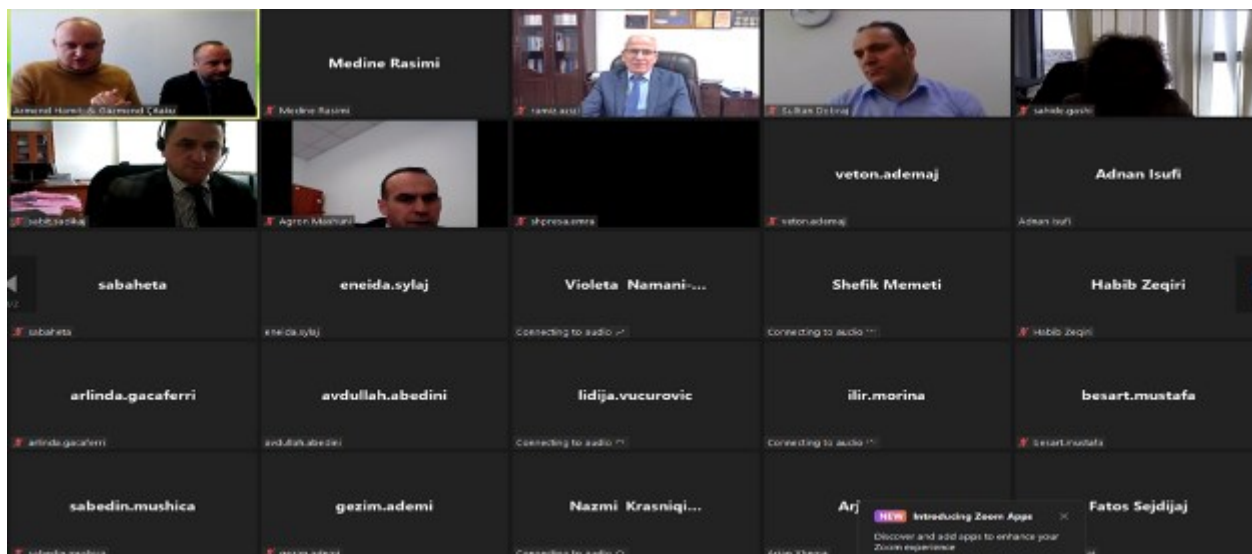
The training focused on the theoretical and practical treatment of international legal cooperation in criminal matters, paying special attention to the legal basis of international legal cooperation in Kosovo, legal provisions and the importance of cooperation through prompt action in these cases. During the training were treated various cases of cooperation with emphasis on cases of extradition of wanted or convicted persons, international requests,

transfers of convicted persons and transfer of criminal proceedings, recognition and execution of foreign judgments, mutual legal assistance as well as the provability of evidence provided through international legal assistance and informal channels.

The participants in the training had the opportunity to elaborate all the respective issues of mutual legal assistance through different scenarios and thus implemented various institutes in the field of international legal cooperation by identifying opportunities for implementation and reaching concrete solutions

The methodology applied was of a combined nature, with theoretical explanations and interactive discussions.

Beneficiaries of this training were 35 judges from the Basic Courts from all regions, and 26 prosecutors, 2 of them from the Special Prosecution and 24 others from the Basic Prosecution from all regions.



Training: Trafficking in human beings

On March 15-16, 2022, an online training was conducted through the Zoom platform on: "Trafficking in human beings".

The purpose of this training was to advance the knowledge of judges, prosecutors and other legal professionals on investigations, prosecution and trial of criminal offenses of trafficking in human beings in practice in a meritorious manner through accurate identification of the elements of these offenses and proper implementation of the procedure and legislation in force.

On the first day, the training was focused on addressing the legal infrastructure of criminal offense of trafficking in human beings, the elements of this offense, distinguishing the elements of this offense from other offenses, transnational referral mechanisms and drafting a plan for investigation and identification of victims of trafficking in human beings and early indicators of identification of victims of trafficking.

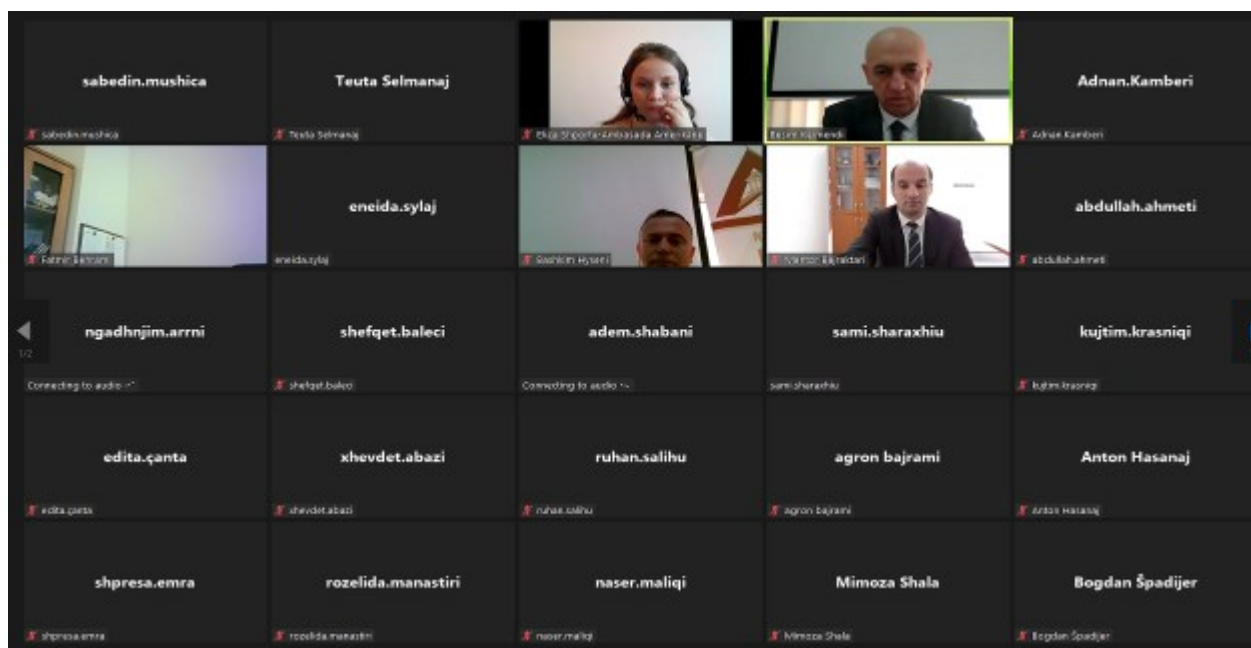
On the second day, special attention was paid to the procedural aspects with the focus on the rights of victims in the procedure, the time of

rehabilitation and protection of trafficked victims, the reintegration of trafficked victims and the procedure for compensation of victims of trafficking.

In addition to the material and procedural aspects which were treated at length, the rapid spread of this offense throughout the world, including Kosovo, was also highlighted. Therefore, legal professionals were encouraged to apply the knowledge gained during this training in practice so that victims are provided with adequate protection so the perpetrators of these acts are punished according to law.

The applied methodology is of combined character, with theoretical explanations and interactive discussions.

Beneficiaries of this training are: Judges from the Court of Appeals, judges and prosecutors from basic level prosecutors from the Special Prosecution.



Roundtable on family law cases

The Academy of Justice on March 15-16, 2022 organized a round table on Family law cases. The purpose of this roundtable was to address and address the challenges of judicial practice in the Republic of Kosovo regarding the implementation of material and procedural provisions in the field of family law and thus advancing the knowledge of judges regarding these challenges.

On the first day of the roundtable, current issues related to: Family-legal aspects regulated by the EU and its legislation were addressed; Ways of dissolving the marriage; Judicial practice in statutory disputes; and Divorce Procedures.

On the second day, the current issues related to: Typical cases from the case law of the CJEU in Luxembourg in the field of family relations were addressed; Food Obligation - Children's trust; Objection and confirmation of maternity or paternity; Property relations between spouses and Special forms of protection of children without parental care (Adoption).

From the beginning it was emphasized that the Republic of Kosovo has incorporated most of the legal institutes that contain the Conventions, regulations and directives of the EU related to legal-family-status and inheritance relations. Also in the new Draft Civil Code (drafted by the Government of Kosovo) which is in parliamentary procedure these institutes and solutions that are applicable in the European Union are incorporated. It is also important that the decisions of the ECJ in Luxembourg relate not only to EU member states but also to third countries, in this case in the Republic of Kosovo. The Draft Law on Private International Law (which is in the process of approval) also contains solutions and legal institutes in the field of family-status and inheritance law that contain EU conventions, regulations and directives.

EU law must be applied effectively because one third of our EU citizens in one way or

another have entered or are continuously entering into statutory and inheritance family-legal relations in the EU countries where they live, and EU law then applies to these legal relations. Another reason is our orientation as Kosovo for the EU, which requires the harmonization-approximation of each law with the EU legislation, knowing that this right provides for equality, rights and quality solutions in legal-family relations.

The roundtable emphasized the stand that family rights as a whole are regulated by the Family Law, which in 2019 has undergone some changes regarding the way of calculating the contribution of spouses, but at the same time the case law has recognized its development in handling cases from marital and family relationships which were dealt with comprehensively. Given that family matters are usually challenging and require high-level commitment and professionalism in handling cases according to requests for judicial protection, this roundtable addresses issues related to proper implementation of the provisions of the Kosovo Family Law.

It was a conclusion that the roundtable provided in-depth knowledge to the participating judges regarding the consolidated practice on issues involved within the field of marital and family relations. It was also important to address the issues and challenges identified in the practice of the second and third instance courts, which were presented through concrete cases and in a comprehensive manner.

The presented cases were carefully selected and they enabled the treatment of all challenges related to the field of family matters. Through the selected cases, the panelists-moderators presented their research from the case law in the courts where they work and explained that the cases objectively present the problems of the cases but also how to act in the future.

Also, the presentations at the roundtable were based on the legal concepts of family relations regulation, for which the moderators were prepared and provided their answers and comments based on the case law and legal provisions for all issues in the field that were addressed. The issues addressed were a careful selection of the most important and current issues.

The presentation of current case law which was part of this roundtable was assessed as a useful resource not only to clarify the manner of implementation of legal provisions but also to recognize the standards developed in this area.

The roundtable was accompanied and held in an interactive environment of practical discussions and questions. The presentation of the topics was done through the presentation of some practical cases directly related to the issues that were addressed according to the agenda. The moderators presented the factual and legal aspects of the cases, providing answers to the questions / dilemmas on which the discussion took place. At the same time, they provided answers and solutions by providing theoretical /

doctrinal views, legal perspective and case law in support of roundtable conclusions.

According to the participants, this two-day roundtable achieved its objectives in terms of explaining issues / dilemmas in the field of family and inheritance legal relations, the role and impact of current court practice, understanding the jurisprudence of the CJEU in interpreting and setting standards in application of rights and their proper implementation in practice by courts and other state bodies in Kosovo.

In this roundtable were used the methods of explanation based on cases from domestic case law and that of the CJEU and accompanied by interactive discussions, through the analysis of case studies, elaborating and clarifying EU provisions and the implementation of national legislation. in this field.

Participants in this roundtable were 11 judges, mainly of basic level from all regions of Kosovo.



Training: Enforcement of Intellectual Property Rights

On March 17-18, 2022, the Academy of Justice in cooperation with the EU Support to Intellectual Property Rights in Kosovo, within its Continuous Training Program, conducted a training on "Implementation of Intellectual Property Rights".



The purpose of this training was to advance the knowledge of judges and other legal professionals regarding the legal basis and international standards of the EU for the protection and enforcement of intellectual property rights for the fair and meritorious resolution of cases in court practice.

On the first day, important aspects of intellectual property rights were addressed, starting from the Policy and practice of the European Court of Justice of the IPR (Intellectual Property Rights) with a focus on the interpretation of the notions of EU acquis, CJEU Policy and Practice in the Field of IPR and Fundamental Rights, Best Practices for Collective Management of Copyright and Related Rights and Best Practices for dealing with IPR Violation Online - digital environment.

On the second day the participating judges and other legal professionals were divided into two groups and attended the training with adequate content depending on the competence and jurisdiction they represented.

In the first group were judges from the Department of Commercial and Administrative Affairs, while in the second group the Division for Criminal Cases of Judges as well as police officers and other legal professionals from the Department of Economic Crimes.

On the second day for the first group the training focused on interim measures and rights to obtain information in IPR cases, methods of determining damages for infringement of copyright and industrial property rights, setting tariffs general use of copyrighted content, international case law on International / Regional IPR extinguishment or exhaustion, and finally practical exercises on copyright and trademark enforcement.

For the second group, the training focused on the nature and seriousness of IPR violations, misdemeanors as a form of IPR violation, criminal intent related to copyright infringement and related rights in light of case law, sanctions for violation of industrial property rights, international standards and national legislation and finally practical exercises related to the investigation of IPR cases and the punishment of the offender.

Participants in both groups had the opportunity to review relevant case law and best practices applied in this area from the perspective of foreign experts such as former judges, lawyers and other legal professionals involved in International Intellectual Property Organizations.

The training methodology was of a combined nature with theoretical explanations and interactive discussions, presenting practical cases in the implementation of copyright and trademarks.

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This training was attended by 17 judges, of which 6 judges from the SCSC, 1 Judge of Appeal and 10 others from the Basic Courts, 1

prosecutor and other legal professionals from other institutions such as: 3 police officers, 1 legal officer from Kosovo Customs, 2 legal officers from the Ministry of Culture and Sports and a legal officer from the Ministry of Industry and Trade.

Roundtable on the Freedom of Expression and Freedom of the Media

On March 17-18, 2022, the Academy of Justice in cooperation with JUFREX - the European Union Project and the Council of Europe held a roundtable on Freedom of Expression and Freedom of the Media.

The roundtable aimed to increase the capacity of legal professionals to implement European and international standards in the field of freedom of expression.

The roundtable on the first day initially focused on the theoretical part, addressing separately the freedom of expression, defamation and protection of reputation based on local legislation and the standards of the ECtHR, which were then accompanied by court cases of Kosovo practice. The strategic lawsuits against public participation were also discussed, as well as the role of the Independent Media Commission and the Press Council of Kosovo in protecting reputation.

The second day focused on the safety of journalists based on local legislation and the standards of the ECtHR, which were then accompanied by cases from domestic and

ECtHR case law.

Through practical cases, the participants had the opportunity to get acquainted with the cases when there are violations of freedom of expression and media and in which cases not, as well as to get acquainted with the latest developments in the jurisprudence of the European Court of Human Rights on Freedom of Expression.

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Beneficiaries of this roundtable were 7 judges who were mainly of basic level from the region of Ferizaj and Gjilan, 1 prosecutor from the Basic Prosecution of Ferizaj and 5 lawyers from the region of Gjilan and Ferizaj.



Training: The right to privacy, family life, residence and correspondence, to marry and to found a family and equality of spouses"

On March 22, 2022, through the online platform was conducted training on: The right to private life, family life, residence and correspondence, to marry and start a family and equality of spouses - Article 8 of the ECHR

The purpose of this training was to advance the knowledge of the European Convention and the case law of the ECHR regarding the right to privacy and family life and the correct application of the provisions of the European Convention and the criteria set by the ECHR regarding this right.

The training was initially focused on the theoretical part due to the specifics of the topics, then moving on to the practical part with cases from the case law of the ECHR, but also related to cases of the Kosovar practice.

The participants of the training were acquainted

precisely with the aspect of notions and definitions of private life, family, place of residence, correspondence and other issues related to Article 8 of the ECHR. Also through practical cases they had the opportunity to get acquainted with the cases when the state authority intervened in such a right, in which cases the ECHR has assessed that the state intervention has violated Article 8 and in which cases not, etc.

Beneficiaries of this training were 36 judges (4 from the Court of Appeals and 32 others from the Basic Courts) 6 prosecutors mainly from the basic level and 1 professional associate from the Basic Court in Gjilan.



Specialized training program on Money laundering and financial investigation – Session I

On March 23-24 2022, Academy of Justice within its Continuous Training Program conducted the first Session of the specialized Training on Money laundering and financial investigation, that was delivered online - via Zoom platform.

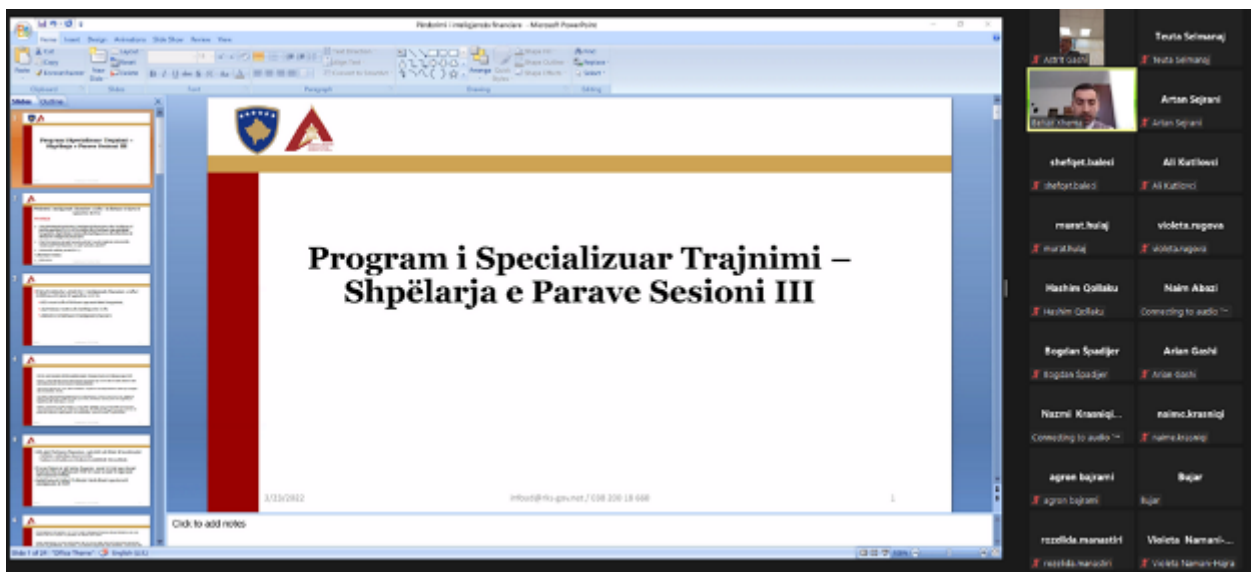
The purpose of this training was to advance the knowledge of judges and prosecutors in identifying the elements of criminal offenses related to money laundering and the correct legal qualification of these offenses for the fair and meritorious resolution of cases in court practice.

During the training it was particularly discussed about the legal basis in local and international domains and the elements of money laundering crimes were elaborated. The training continued with addressing the money laundering, competencies and cooperation with the Financial Intelligence Unit. Particular attention has also been paid to pro-active criminal and

financial investigations which provide admissible evidence to support the indictments filed as well as various forms of international co-operation. All these issues were elaborated through the practical case addressing the most challenging issues during the case law.

The training methodology is based on interactive discussions of training participants and trainers.

Beneficiaries of this training were: 8 judges, 2 from the Court of Appeals and 6 from the Basic Courts as well as 11 prosecutors, 7 from the Basic Prosecution Offices, 2 from the Special Prosecution Office and 1 from the Appellate Prosecution Office.



Introductory training on competition law and policy and regulation of state aid in Kosovo

On March 25, 2022, the Academy of Justice within its Continuous Training Program with the EU Support to the Kosovo Competition Authority and the State Aid Commission conducted an online introductory training on Competition law and policy and regulation of state aid in Kosovo.

The purpose of this training was to advance the basic knowledge of judges and other legal professionals about the basic concepts of Law and Competition Policy and regulation of the state aid in Kosovo in accordance with EU law and practice.

The training focused on the theoretical and practical treatment of EU Competition Law and EU Law on State Aid and their implementation in Kosovo. The main features of anti-competitive practices and how to regulate them were also discussed, including the main features of the state aid regulatory process.

During the training it was said that in relation to competition, including state aid, the Energy Community Treaty (ECT) requires all parties to take steps to combat market distortions and barriers to competition in economic activities in the energy sector. They should ensure that their legal framework includes provisions to address

any unilateral or coordinated anti-competitive behavior in economic activities in the energy sector. This also applies to all State-owned enterprises or bodies granted exclusive or special privileges by the ECT and ECT member countries.

During the training, numerous practical cases were analyzed, both in terms of competition and in terms of state aid, which enabled joint discussions of all participants and recognition of cases when they conflict with the basic concepts of these laws.

The training methodology is of a combined nature including theoretical and practical explanations.

Beneficiaries of this training were 10 judges, of which 7 from the Basic Court and 3 from the Court of Appeals and 7 Investigative Inspectors in the Kosovo Competition Authority, Heads of the Dominant Position Division in the Kosovo Competition Authority, 1 legal officer and 3 interns from Kosovo Competition Authority.



Specialized training program on official corruption and crimes against official duty – Session I

March 29-30 2022, Academy of Justice within its Continuous Training Program conducted an online specialized training on official corruption and crimes against official duty – Session I.

The purpose of this training is to advance the knowledge of the participants regarding the official persons who have a public function or exercise a public service, the persons responsible for the management and administration of companies and the persons who are initiators of corrupt behavior.

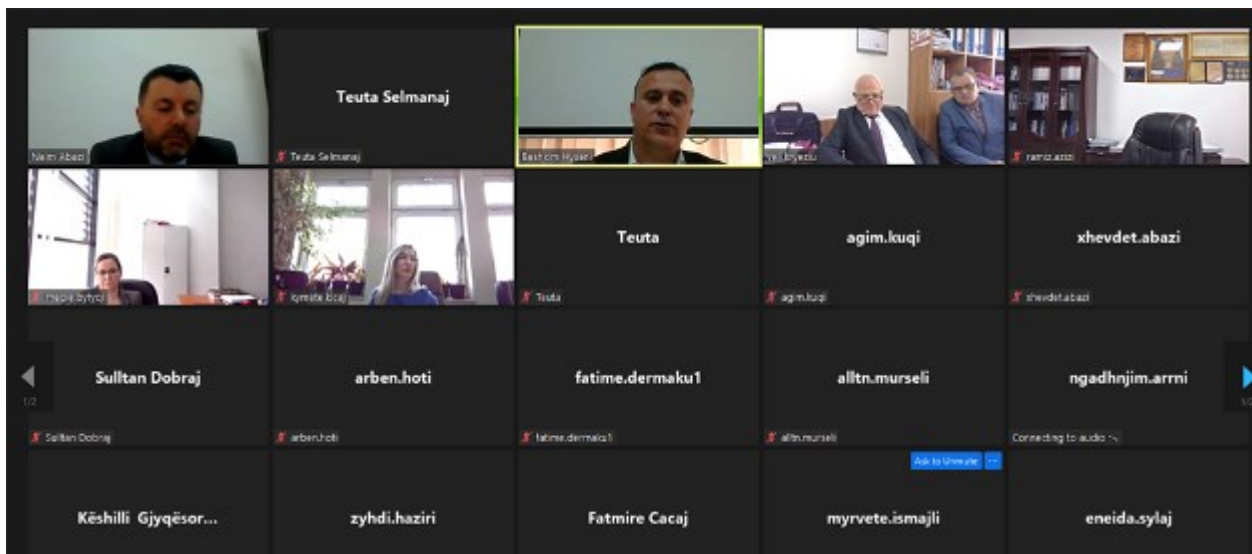
Because of the importance and gravity of these criminal offenses, the CCRK dedicates a chapter to all criminal offenses of official corruption and criminal offenses against official duty. Recently in our case law we have many cases in which the perpetrators are charged due to the criminal offenses of this Chapter and we often face various dilemmas. Corruption seriously undermines the rule of law, poses an obstacle to combating and eradicating poverty, becomes a serious development challenge undermines democracy and good governance,

affects the further strengthening of crime, weakens the country's authority, removes quality cadres, deteriorates the judiciary.

During this training were treated topics: Discussions regarding the elements of the criminal offense of abuse of official duty; Intent as an element of the criminal offense of corruption; The issue of realization or non-realization of harm or benefit; Purpose as an element to prove the criminal offense of corruption; Evaluation of convincing (direct) and circumstantial evidence; Creating the image of a criminal offense of corruption with circumstantial evidence; Procurement fraud as a complex criminal offense and Practical cases.

The training methodology is based on interactive discussions of training participants and trainers.

Beneficiaries of this training were: Judges from the Court of Appeals, judges and prosecutors from the Basic instance from all regions of Kosovo.



Training: Protection of judges and prosecutors involved in anti-corruption cases

March 29-30 2022, Academy of Justice within its Continuous Training Program in cooperation with EULEX conducted training on Protection of judges and prosecutors involved in anti-corruption cases.

The purpose of this training was to familiarize judges and prosecutors working in resolving anti-corruption cases with ways to protect them from various forms of obstruction and potential threats against them.

During this training, national and international legislation and principles in judicial and judicial deontology were discussed, as well as the different types of threats, the analysis of each type of threats identified and the challenges in

protecting judges through different systems. Special attention has been paid to the establishment of two bodies within the KPC and the KJC as support mechanisms for judges and prosecutors.

The training methodology was of a combined nature including theoretical and practical explanations and examples of case law.

Beneficiaries of this training were 9 judges, of which 7 from the Basic Court, 1 from the Court of Appeals and one from the Supreme Court - Special Department and 4 prosecutors from the Special Prosecution of the Republic of Kosovo.



Activities for judicial and prosecutorial administrative staff

Trining: File and case management in the judicial system

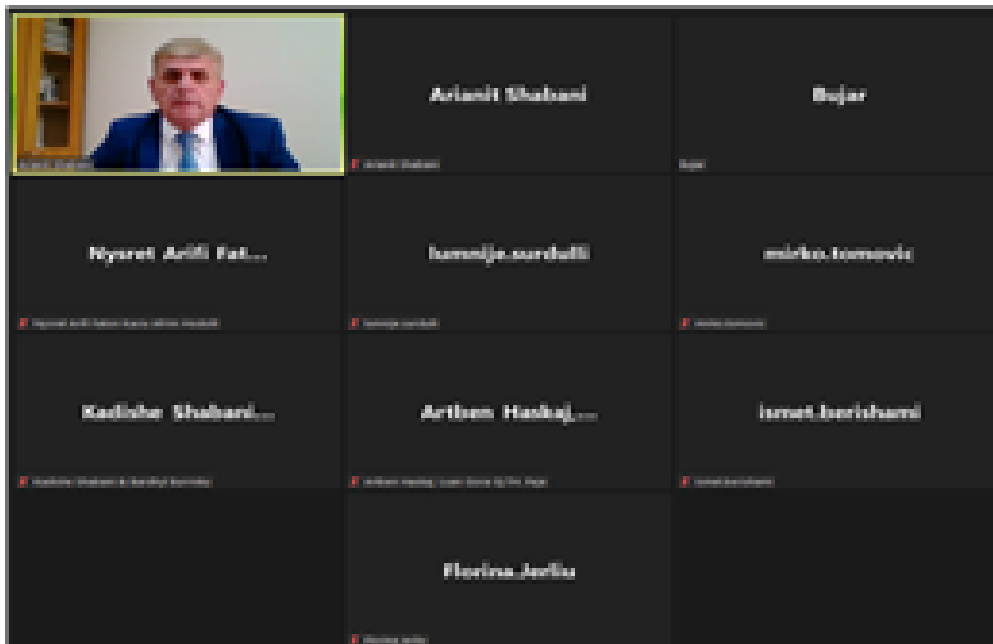
On March 16, 2022, in the framework of the Continuous Training Program for the administrative staff of the courts, an online training was conducted on: "File and case management in the judicial system".

The purpose of this training was to advance and train the administrative staff of the courts in file and case management during their daily work.

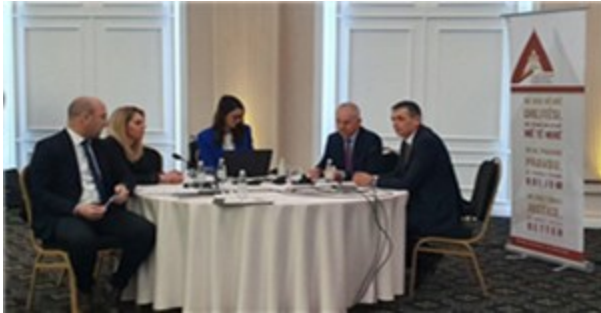
The training focused on the principles of case flow management, forms of management which enable the efficiency of the court. Special attention was also paid to the control of case delays, which affects the efficiency and effectiveness not only of the individual judge but also of the judge in general, as well as the public trust.

Furthermore, the training focused on the contribution of the administrative staff in the management of files by providing the solution through periodic control of cases, deadlines and other procedural actions that have been undertaken in order to apply in practice these techniques which have been proven for the management of successful cases in the workplace.

Beneficiaries of the training were: 14 participants from the ranks of administrators, assistant administrators, heads of ZML, clerks and officials, from the Basic Courts within the Republic of Kosovo.



Training: CMIS registers, statistical reports and dashboards



March 24 2022, in cooperation with the Kosovo Judicial Council, funded and supported by the Council of Europe - Strengthening the quality and efficiency of justice in Kosovo KoSEJ II - project, the training on Registers, statistical reports and CMIS dashboards was conducted for the administrative staff of the Courts.

The purpose of the training was for the administrative staff of the courts, in particular administrators, statistical officers, IT officers, to be more informed about the introduction of registers at all levels of the courts.

The training focused on the presentation of court registers, respectively the types of registers in CMIS, civil and criminal as well as dashboards for all levels of courts separately.

Participants during the training had the opportunity to discuss and clarify any ambiguities or obstacles that arise in practice through methods and techniques presented by the trainers, respectively the head of the ICT office and senior systems analyst at the KJCS.

Beneficiaries of the training were a total of 35 participants who came from the ranks of Assistant Administrators, Chiefs of CMOs, clerks, statistical officers and IT officers within the courts.



Training: General and Special Part of Criminal Law-Group I

On March 29-31, 2022, the Academy of Justice in cooperation with UNDP, has conducted 3 trainings for Group I from the Basic Module for professional and legal officer on the topic "General and special part of criminal law".

To enable the participation in training of all professional associates and legal officers of courts and prosecutors working in the criminal field, the Academy of Justice has divided them into 4 groups.

The purpose of these trainings was to advance the knowledge of professional associates and legal officers of courts and prosecutors regarding the legal framework in the criminal field and the correct application in court practice for the meritorious resolution of cases.

During of these trainings from the general part of criminal law were discussed the general principles in the implementation of the most favorable law with a focus on the implementation of the most favorable law, criminal offenses, elements, manner of commission, time and place of the commission of the criminal offense. The reasons for the exclusion of unlawfulness with the emphasis on the necessary protection, extreme necessity, violence and intimidation, offenses of minor importance and criminal liability.

In the special part, criminal offenses against life and body were discussed with emphasis on

murder and aggravated murder, as well as criminal offenses against sexual integrity, addressing the important aspects of rape and sexual assault.

During of these trainings, the participants had the opportunity to discuss and give legal opinions through numerous case studies of collaboration in the commission of criminal offenses and assistance in the commission of criminal offenses, and at the same time break down legal provisions for the respective cases.

Beneficiaries in the first training were 44 participants, out of which 21 professional associates and legal officers from the courts, 22 professional associates and legal officers from prosecutors and 1 professional associate from ANJF

Beneficiaries in the second training were 41 professional associates and legal officers from the courts and prosecution offices, 20 from courts, 20 from prosecution offices and 1 professional associate from ANJF.

Beneficiary in the third training were 42 professional associates and legal officers from the courts and prosecution offices, 21 from courts, 20 from prosecution offices and 1 professional associate from ANJF.



Activities for other legal professionals

Trining: Property law and judicial practice in property law

On March 17, 2022, thanks to the cooperation with GIZ, a training was conducted on the topic: Law on Property Law and Judicial Practice in Property Law.

The training was dedicated to free legal aid officers in order to build professional capacity and improve their services for citizens who need legal aid in the field of property.

The training focused on the material and procedural aspects of the legislation applicable in Kosovo in the field of legal property, the Law on Basic Property-Legal Relations of 1980 and the Law on Property and Other Real Rights of 2009. Special attention was paid to the ways of acquiring ownership according to the Law on Basic Legal Property Relations and the protection and termination of property rights by

addressing the questions and dilemmas that free legal aid officers had during the processing of these cases in court.

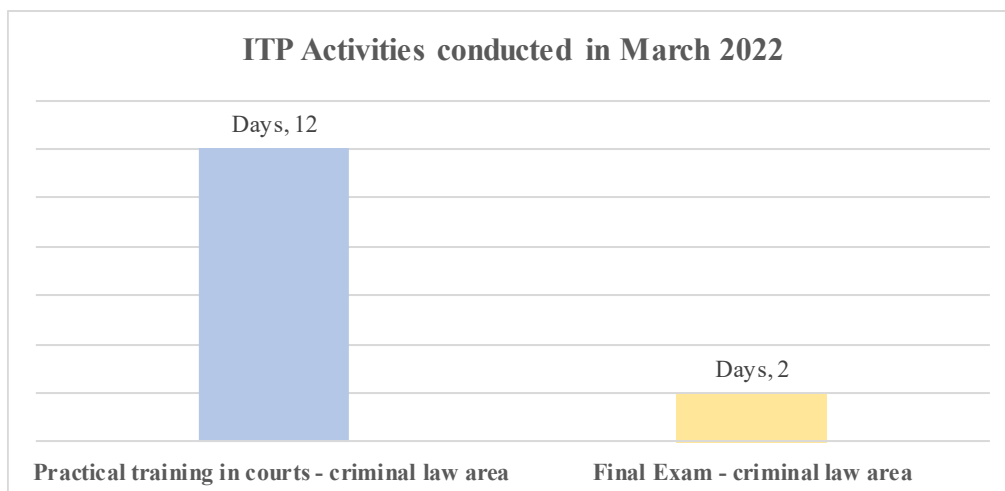
In this training, the participants had the opportunity to analyze case studies from court practice and benefit from recommendations from trainers for the fair and meritorious resolution of relevant cases.

The methodology of this training was developed in a combined way through the interactive method and practical cases.

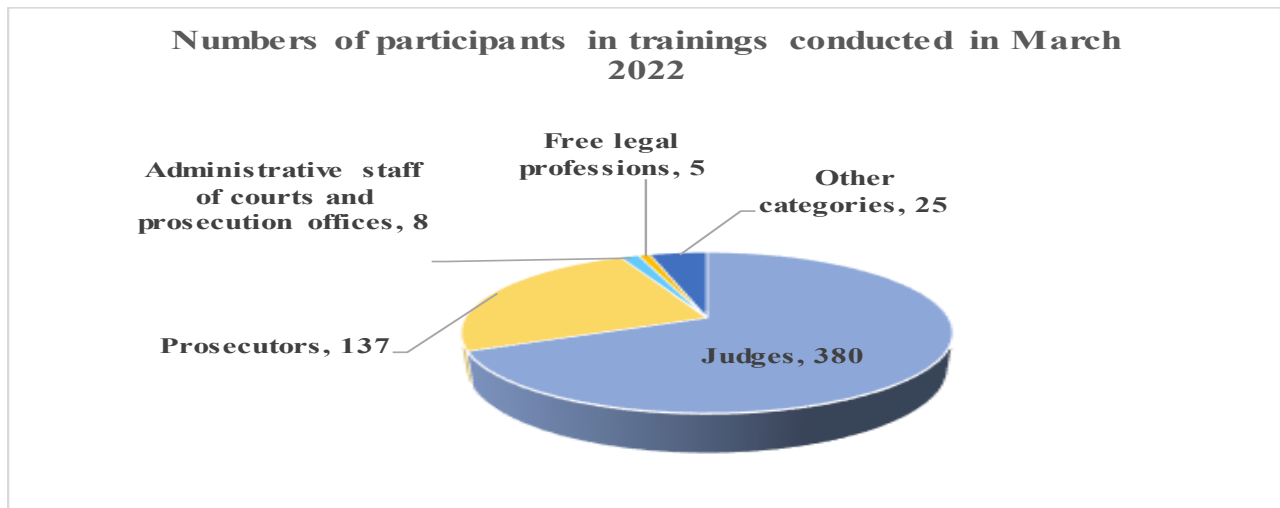
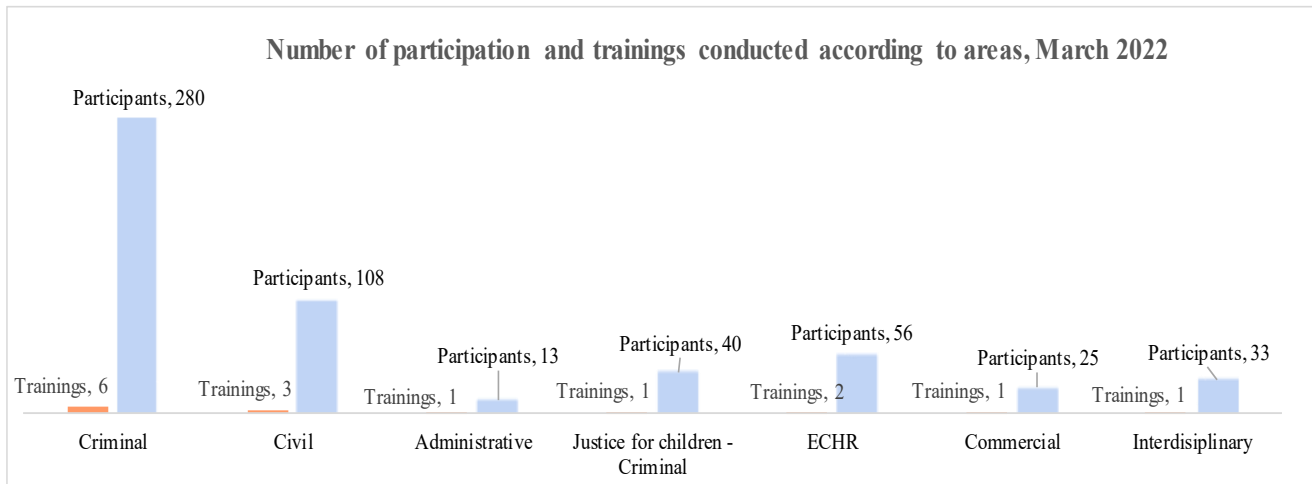
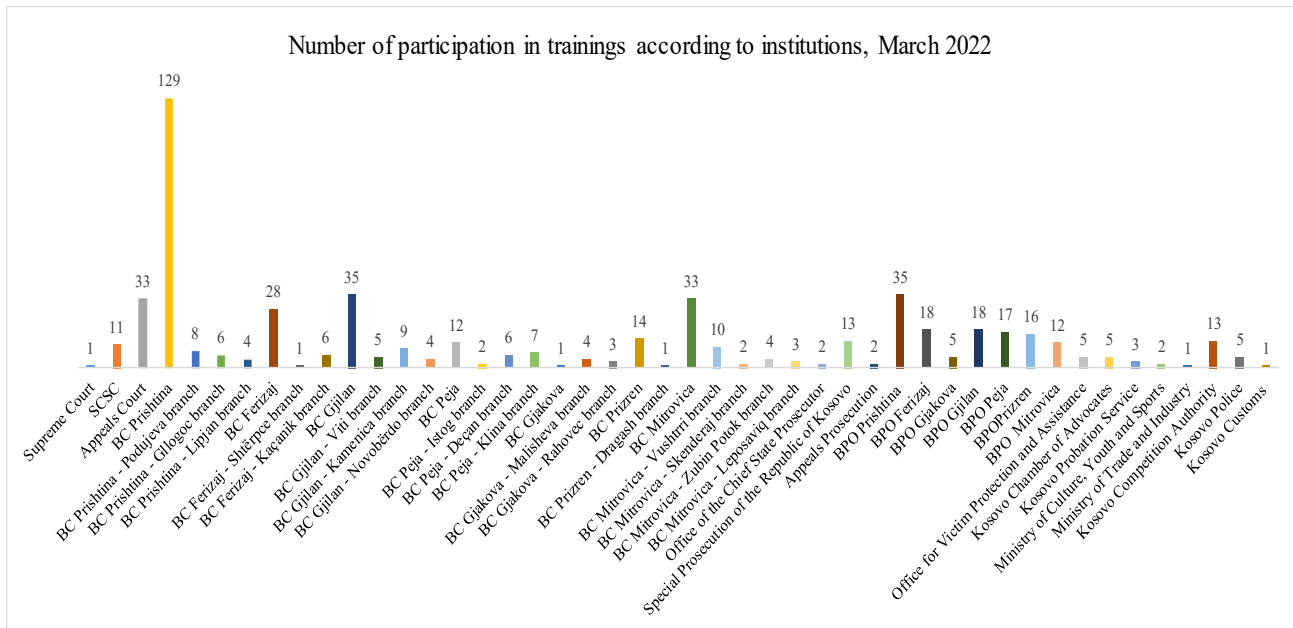
Beneficiaries in this training were 16 officials of the Free Legal Aid Agency from all regions.



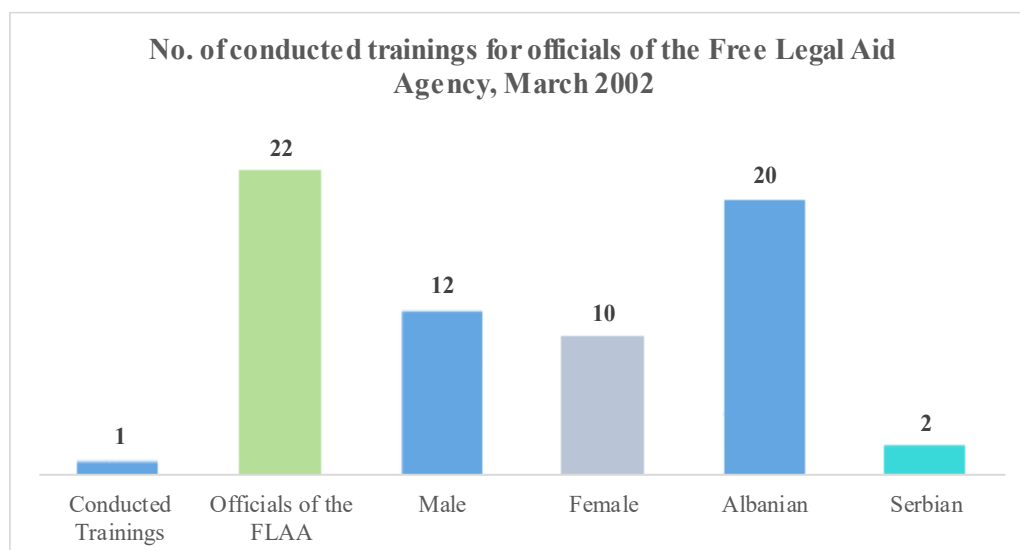
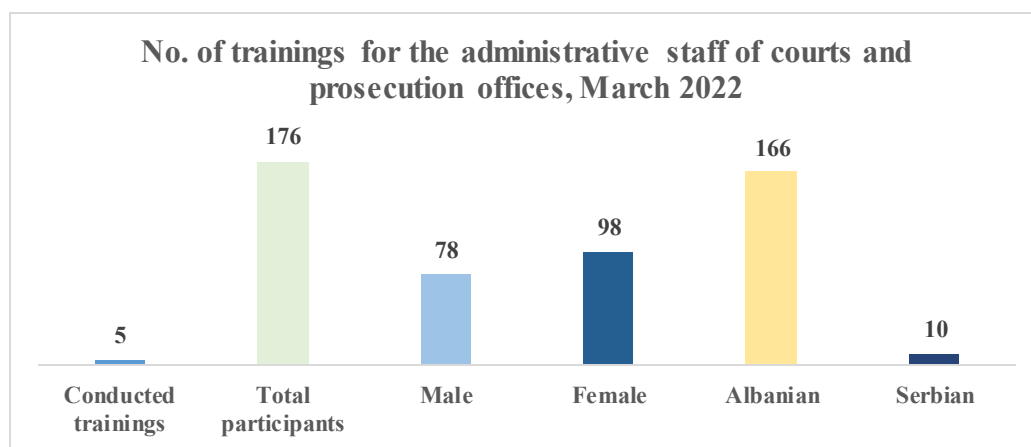
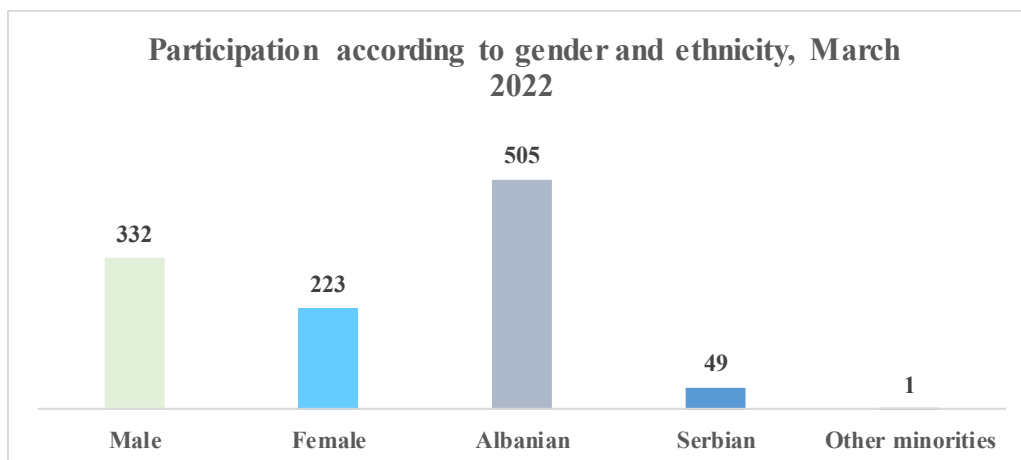
Attendance at trainings on ITP presented through graphs



Attendance at trainings on PTV presented through graphs



Attendance at trainings on PTV presented through graphs



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