



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

Newsletter

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January 2023

General activities

Study visit of translators and interpreters to the European Parliament and the European Commission



From January 23-26, 2023, with the support of the EU Program for the Justice Sector in Kosovo - EUKOJUST, translators and interpreters from the Academy of Justice, the Judicial Council of Kosovo and the Prosecutorial Council of Kosovo visited the European translation services in the European Parliament and European Commission in Brussels.

The purpose of this visit was the practical observation of the working methods of

translation services in the European Parliament and the European Commission and the exchange of experiences and best practices in this field.

During this visit, translators and interpreters held meetings with the liaison delegation with Bosnia and Herzegovina and Kosovo, the General Director for translation issues at the European Parliament (DG TRAD), the General Director for interpretation issues at the European Parliament (DG LINC), as well as the head of the unit for coordination and institutional issues.

In these meetings, experiences were exchanged and at the same time the challenges and difficulties of translators and interpreters during work were discussed.



Certification ceremony of participants in the HELP course



On January 24, 2023, the Academy of Justice, in cooperation with the Council of Europe Office in Pristina, organized the certification ceremony for the participants who have completed the course on the topic: "Combating Violence against Women, Domestic Violence" through the distance learning platform HELP.

This course aimed to interactively address the main concepts, international and European legal framework and case law in the field of preventing and protecting women and girls from violence, paying special attention to the Council of Europe Convention on Preventing

and Combating Violence against Women and Domestic Violence (the so-called Istanbul Convention).

The course contained eight modules, which included different aspects of violence against women and domestic violence, which had time limits set in accordance with the materials defined in each of them.

In this occasion, the Executive Director of the Academy of Justice Mr. Enver Fejzullahu and the Head of the Council of Europe Office in Pristina Mr. Frank Power thanked all the legal professionals who were part of this course during 2022, which is being attended by different groups of legal professionals every year.

The certification ceremony was organized with participants from different levels such as: Judges, prosecutors, officials of social work centers, professional associates, legal officials.

Meeting with the presidents and chief prosecutors to review the initial training for judges expected to be appointed (generation X) 2023/2024



On January 27, 2023, as part of the training needs assessment process and determining the initial training program for judges and prosecutors that are expected to be decreed soon, a consultative meeting was held with the court presidents and chief prosecutors as well as with the members of the Program Council.

The purpose of this meeting was to review the current content of the training program, including the structure and methodology of the initial trainings, as well as adapting to the needs of the 10th generation of new judges and

prosecutors.

During the meeting, all participants without exception confirmed the need for initial training for new judges and prosecutors and also reconfirmed the content of the program without changes.

On the part of the Academy, the decision of the KJC on the caseload of new judges was highlighted as one of the factors that harms the continuity in training of judges in accordance with the program.

Participants of this workshop were: members of the Program Council of the Academy of Justice, Chief Prosecutors of Basic Prosecutions, Presidents of Courts and the Chairman of the Training Committee within the Kosovo Judicial Council.



Training for AD staf: Gender sensitivity and Code of Conduct at work



January 31 2023, Academy of Justice supported by the EUKOJUST Project conducted a training for the staff of the Academy of Justice on the following topic: Gender sensitivity and Code of Conduct at work.

The purpose of this training was to raise the capacities of the staff for gender sensitivity as well as for workplace behaviors in accordance with the applicable legislation.

In the first part of the training, gender sensitivity, gender meaning, the meaning of biological sex, roles, gender stereotypes and gender equality in the workplace were discussed. On the occasion of the training, the Law of Kosovo on gender equality, the Law on protection from discrimination as well as EU standards regarding gender equality and gender sensitivity were discussed.

During the training, hypothetical cases are also used for gender sensitivity and stereotypes that affect gender equality and the workplace.

In the second part of the training, the Code of Conduct was discussed, namely its main elements such as the values of employers, the behavior of employees, internal practices and external practices, elaborating on hypothetical cases. Next, the Law on Public Officials was also discussed with an emphasis on lawfulness, transparency, impartiality and professional independence, non-discrimination, avoidance of conflict of interest and the principle of equal opportunities. Despite the principles on which this law is based, the legal difficulties in the implementation of this law were highlighted, since there are no other accompanying acts regulated.

During the training, the participants had the opportunity to discuss and ask questions about the topics that were discussed, also receiving answers about concrete situations.

Beneficiaries of this training were 22 participants from the staff of the Academy of Justice who in the end received certificates for participating in the relevant training.



Activities from Initial Training Program (ITP)

Initial training for newly appointed judges, Group I - generation (IX)



The Initial Training Program that started in early July, for 48 judges of this generation, due to the relatively large number, has been divided into two groups. Group I consisted of 29 judges, 2 of them from the Serbian minority who, due to political circumstances, resigned from the position of judge in November, and still in January are absent from the trainings, and 1 is on maternity leave.

During January, for the 1st group of newly appointed judges (generation IX), a total of 32 training sessions were held from the following modules: Civil, administrative and commercial law, as well as personal and interpersonal skills. Within the scope of the module on: Civil, administrative and commercial law, 4 training sessions were carried out under the module "Uncontested procedure", which covered: the regulation of legal property relations and the use of common property, the drafting of the decision in the uncontested procedure and legal remedies, general provisions of the law of non-contested procedure and the regulation of family relations.

From the "Family Law" module, 6 sessions were held which included important aspects of

family law such as the meaning of the family, the source of family law, the meaning and types of gender, marital law, the matrimony resolving, the divorce procedure maintenance obligation and parental rights, special forms of protection of children without parental care, opposition and confirmation of maternity and paternity, property relations between spouses and domestic violence.

Under the "Labor Law" module, 5 sessions were held, which addressed the following: the establishment of the employment relationship (Labor Law and Law on Public Officials), disputes from the employment relationship according to the Labor Law, disputes from the employment relationship according to the Law on public officials, protection at work and compensation for damage caused at work.

Under the module: "Contested procedure - first part" 2 sessions were held which included cases from court practice.

Within the sub-module: "The law of obligations" 1 session was held, which dealt with: contract on permanent maintenance, contract on rent and contract for sale.

In the framework of the sub-module: "Contested procedure - the second part" 6 sessions were held and dealt with: interruption and possession of the procedure, provision of the claim, expert witnesses and parties, special contentious procedures, simulation of the preparatory session and that of judicial review.

From the module: Personal and interpersonal skills, 4 sessions on "Justification of decisions in the criminal field" and 4 sessions on the Reasoning of decisions in the civil field were held. In these sessions, the principles of legal writing, legal writing, legal interpretation and reasoning and the methodology of the IRAC formula, the structure and content of judgments

in both criminal and civil cases were addressed. The training methodology has been implemented with practical cases by dealing with examples and by means of the interactive discussions method.



Initial training for newly appointed judges, 2nd group - Generation (IX)



During January, for the second group of 18 newly appointed judges (generation IX), a total of 24 training sessions were held from the following modules: Criminal Code of Kosovo, Criminal Procedure Code, Personal and Interpersonal Skills as well as Legislation and supplementary skills.

Within the Module on the Kosovo Criminal Code, 2 training sessions were held on topics like: "Liability of legal entities" with emphasis on Criminal liability of legal entities and the meaning of legal entities and the basis and limits of liability of legal entities.

From the Module on the Criminal Procedure Code, 3 training sessions were held in the following sub-modules "Evidence in Criminal Procedure", which covered: Meaning and types of evidence in criminal procedure, evidence according to the Criminal Procedure Code of Kosovo; and expertise and covert measures techniques of investigation and observation and their types as evidence. Following this module: 1 training session on the role of the judge in the preliminary procedure in determining and continuing the measures to ensure the presence of the defendant in the criminal procedure; 1 session from the sub-module "State prosecutor, the defense of the injured party and the defendant as party in the criminal procedure; 3

training sessions on the judicial review with emphasis on the process of the judicial review, the presentation of evidence and the closing statement, as well as the procedure for rendering and announcing the verdict. Also within this module, 2 training sessions for Special Procedures according to the CPCK, that covered cases and procedures against persons who have committed criminal offenses under the influence of alcohol or drugs; and criminal procedures involving perpetrators with mental disorders and detention.

As part of the Personal and Interpersonal Skills module, 4 training sessions were held under the following topics: Reasoning of decisions in the criminal field with emphasis on Legal Writing, the principles of legal writing, legal writing and the methodology of using the IRAC formula, legal reasoning and the methodology of drafting criminal judgment. Following this module, there is also 1 training session under the module "Increasing judicial skills and stress management" with focus on health protection and improving the quality of work and life.

From the Legislation and complementary skills module, 6 training sessions were held under the "Juvenile Justice Code" module, where important material and procedural aspects were addressed, starting from the introduction to the Juvenile Justice Code, guiding principles, definitions, measures and punishments against minors and their selection, the imposition of major measures and punishments for criminal offenses committed by minors, the effect of punishment on the educational measure, diversity measures and mediation, educational measures and punishments

It continued with the general provisions that characterize the criminal procedure against minors, the principles of the procedure and the powers of the courts, the subjects of the procedure, the probation service and the guardianship body and the different stages of the procedure, who conducts it (the prosecutor, the judge for minors, judicial bodies), preparatory procedures, arrest, police detention, detention and judicial review and court decisions, legal remedies, trial of adults for criminal offenses committed against children and protection of child victims or witnesses. Following this module, 1 training session from



the sub-module for alternative procedures with emphasis on acquittal; as well as 4 days for trial advocacy skills development through the simulation of the trial of a hypothetical case.



Initial training for newly appointed prosecutors, generation (IX)



During the month of January, for the 6 newly appointed prosecutors, 16 theoretical training sessions were held from 6 sub-modules that are part of the Criminal Procedure Code module, as well as 10 days of practical training in the relevant prosecutor's offices.

Under the module "Witnesses and victims in criminal proceedings" 4 training sessions were held, in which case the following areas were covered: examination and statements of witnesses before the indictment; protected witnesses and cooperating witnesses; the victim; the examination of witnesses in the judicial hearing; and reading of transcripts.

Under the module "The defendant in the criminal procedure", 3 training sessions were held with an emphasis on the defendant as the subject of the criminal procedure and the statement of the defendant as evidence, his

rights and obligations during the criminal procedure, the position of the defendant after the initiation of the indictment and during the judicial review, the defendant during the accelerated procedure and procedure for international legal aid.

From the Module on "Transcripts", 3 training sessions were held, in which the Minutes, the creation and keeping of the transcript, the recording of the sessions with audio and video recording and the viewing of the minutes and documents of the case were elaborated.

From the Module on "Administration of criminal procedure", 3 training sessions were held, the topics covered in these sessions are; submissions, deadlines as well as making and communicating decisions, as well as enforcement of decisions.

Under the module "Indictment, examination procedure" 2 training sessions were held, in which the indictment and its necessary elements were covered.

Under the module "Evidence during the investigation", 1 training session was held with an emphasis on evidence in general.



Activities from Continuous Training Program (CTP)

Trainings for Novelties to the Criminal Procedure Code

On January 13-14 and January 27-28, 2023, the Academy of Justice in cooperation with the US Embassy, within its Continuous Training Program developed two trainings on the topic: "Novelties to Criminal Procedure Code. "

The first activity was carried out for the Prizren region, the second activity for the region of Pristina.

The purpose of these trainings was to inform the participants about the novelties of the Criminal Procedure Code, which inclined to necessary and effective changes.

The trainings were oriented on explanation of the mandatory defense, the defense on public expenses, cases when defense is not mandatory, and the rights of the injured party or of the victim.

It continued with the dismissal of the criminal indictment, the right to appeal the decision, special investigative measures, witness protection, interrogation in preliminary proceedings, statements in preliminary proceedings, special investigative opportunity, investigation (deadlines of investigations, cease and reopening investigations).

The handling of these issues was made by presenting the challenges identified in the practice of the courts and prosecutor's offices.

In this training, the Plea Bargaining Agreement

and cooperative witnesses, public access to the indictment and publication of the verdict were also discussed.

Among other things, the training also covered the second Review, the confirmed indictment and the appointment of the judicial review, continuing with the standard of review of complaints, substantial violations, the change of the judgment by the Court of Appeal, the request for protection of lawfulness, the seizure and confiscation, as well as the procedure of criminal cases involving perpetrators with mental disorders.

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

Participants in the training dedicated to the region of Prizren were: 2 judges, 5 prosecutors, 10 lawyers, 2 defenders of victims as well as 9 from the ranks of professional associates, legal officers and other administrative officers from the court and prosecution in Prizren.

Participants in the training dedicated to the region of Pristina were 3 basic level judges, 16 prosecutors (5 from the basic level, 10 from the PRSK and 1 from the State Prosecutor's office) as well as 14 lawyers and 1 victim defender.

Activities from the Training for Trainers

Trainig of Trainers on Mediation – Session IV



January 28-31 2023, the Academy of Justice in cooperation with the Department of Justice and the Federal Mediation and Conciliation Service (FMCS) of the US, supported and funded by the Office of International Narcotics and Law Enforcement Affairs (INL) in the US Embassy, has conducted the IVth session of the Training of Trainers on Mediation.

During this training session, the 15 mediators selected as part of the group of trainers have prepared their plans for basic mediation training, which will take place during the first week of February, with student beneficiaries and other legal professionals.

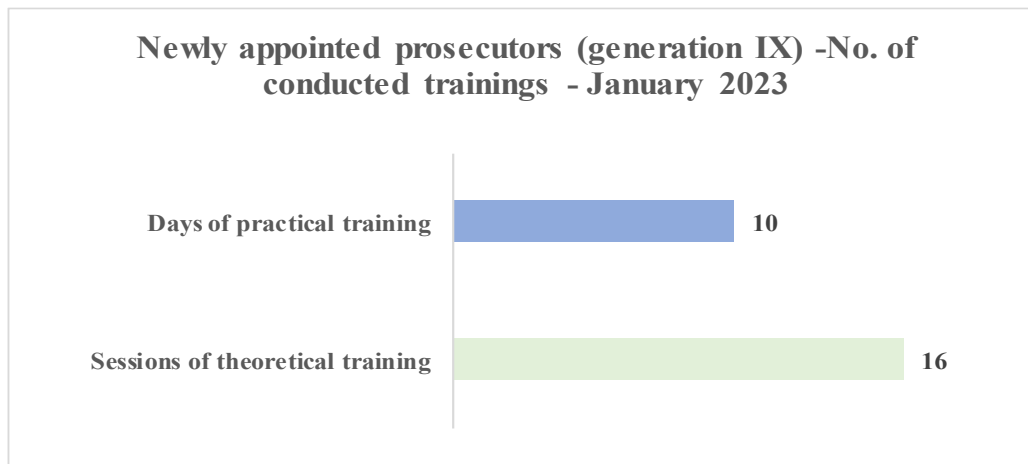
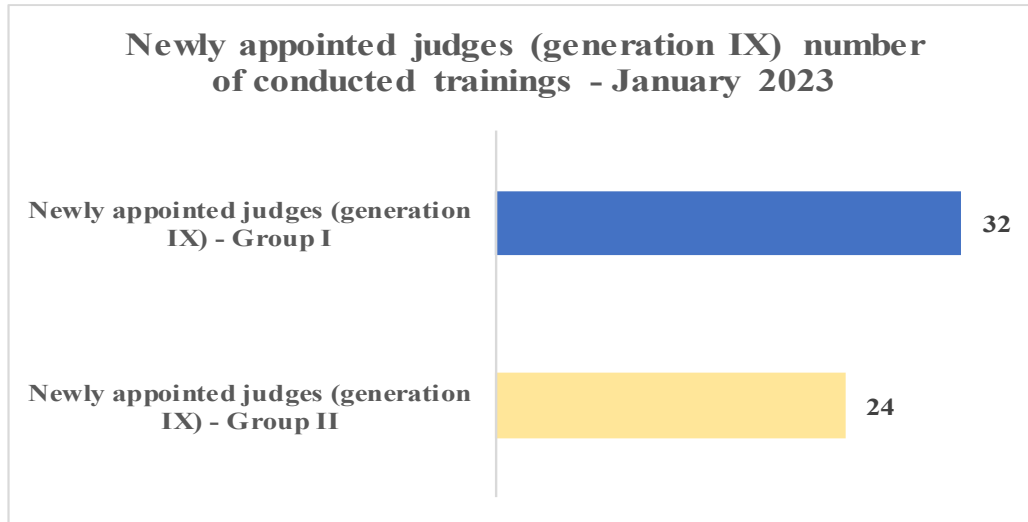
During the three days of training, the group of 15 trainers was divided into 3 working groups and reviewed the adult education methods, the differences in the training of young and experienced mediators, introductory statements, party statements and negotiation forms.

Also during this training they made preliminary preparations for the basic trainings that will be carried out in three different regions (Prishtina, Prizren, Mitrovica).

This activity was mentored by 3 FMCS program experts, Mr. Peter Swanson, Mrs. Emily Rife and Mr. Dave Moore.

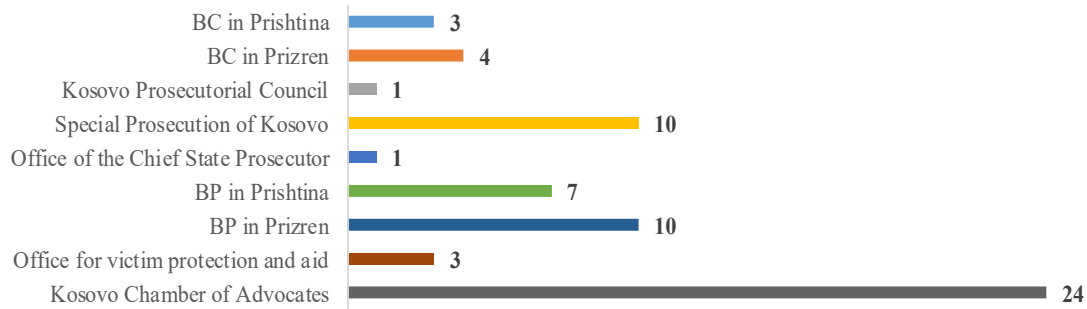
Beneficiaries of the Training are the 15 mediators selected in the Training of Trainers Program within the Academy of Justice.

Attendance at trainings on ITP presented through graphs

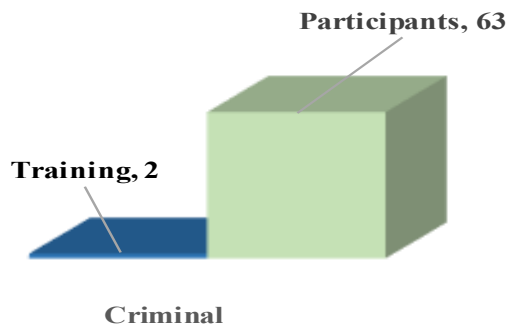


Attendance at trainings on PTV presented through graphs

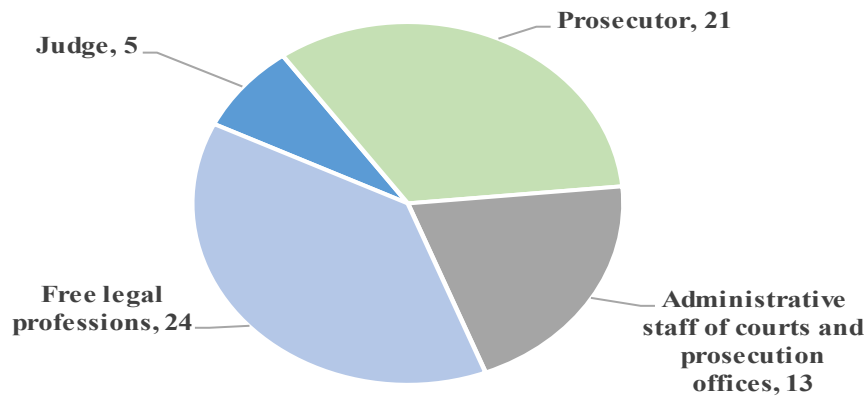
Number of participants in trainings according to institutions - January 2023



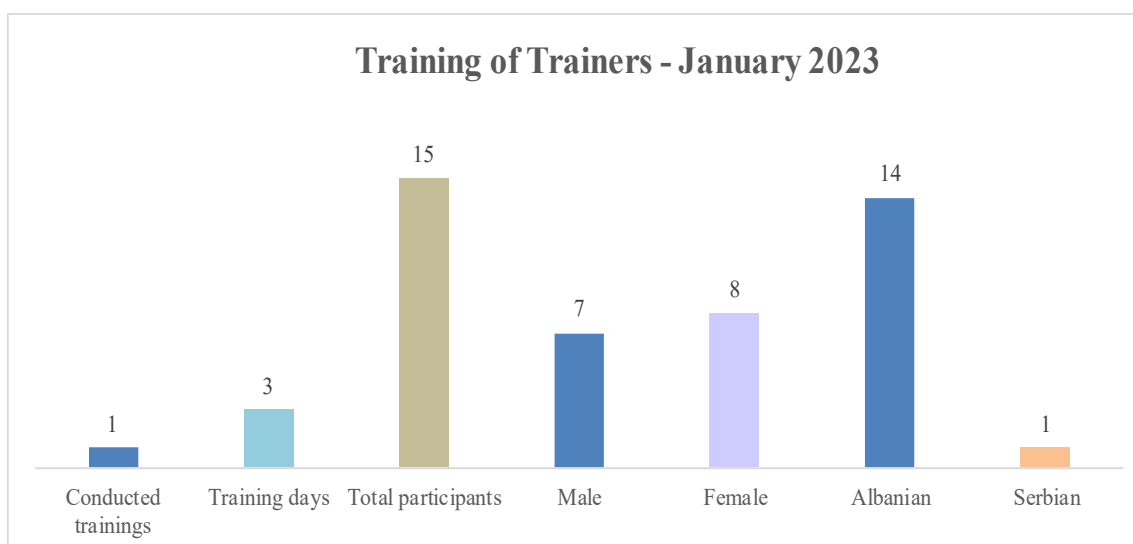
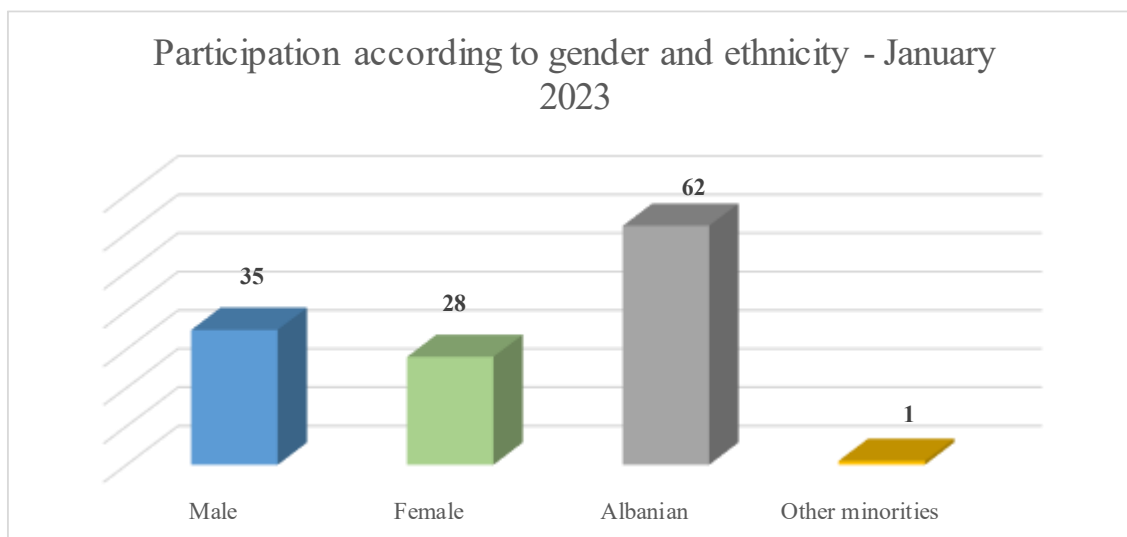
Number of participation and trainings according to areas - January 2023



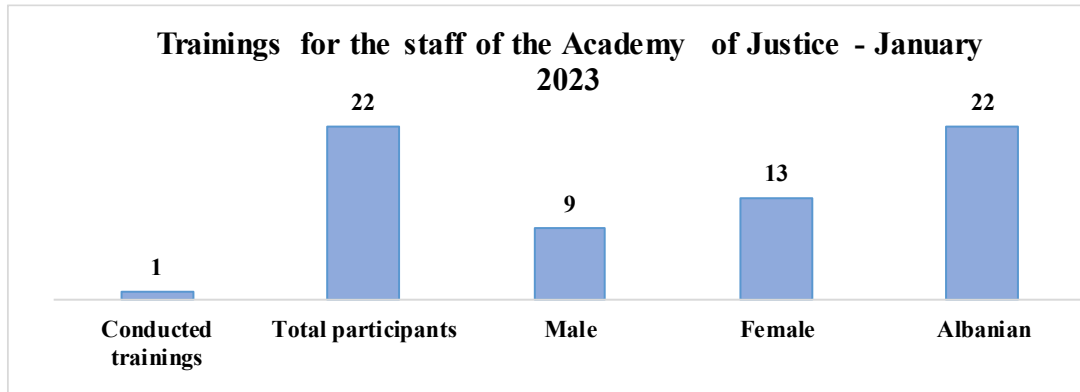
Number of participation in conducted trainings - January 2023



Attendance at trainings on PTV presented through graphs



Participation in training by AOJ staff



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