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Akademia e Drejtësisë/Akademija Pravde/Academy of Justice

Training Program

2022

(Annex II to the Framework Program 2021-2022)

Pristina, December 2021

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TRAINING PROGRAM 2022

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A Word from the Chairman of the Managing Board

Honorable reader,

Professional and interdisciplinary capacity building of judges and prosecutors, including other legal professionals, is a mandate set out in the Law on the Academy of Justice. Through this law, this institution is the only authority and competent for judicial training, as well as for the design and implementation of the training program based on the training needs of its beneficiaries.

We all know that the judicial and prosecutorial system is facing many challenges and difficulties. This situation is presented by the work reports of the courts and prosecutorial offices, including the reports of various organizations that monitor the justice system in country, including here the European Commission Report, which despite improvements in some areas continues to have poor ratings, which undoubtedly continue to affect the weakening of public confidence in the judiciary.

Based on these findings, the Academy of Justice will be committed to implementing training programs adequate to the training needs to influence the improvement of judicial capacity and the well-being of citizens and important processes that our country is going through.

Therefore, the Training Program for 2022 is designed taking into account the Framework Program 2021-2022, the difficulties and practical problems which were detected during the assessment of training needs by its beneficiaries and the findings of reports, strategic documents and especially the European Commission Report for Kosovo.

The program offers the opportunity to unify practice and resolve legal issues fairly and efficiently through training and roundtables designed for judges and prosecutors as well as the engagement of leading experts in the judicial and prosecutorial system who will provide best practices in various legal solutions.

Finally, I am grateful and thankful to all those who through recommendations, proposals and other forms contributed to the design of this program which is comprehensive and adequate to the real needs of the beneficiaries and the judicial system in general.

Sincerely,

Vaton Durguti,
Chairman of the Managing Board

Implementation of the Framework Program 2021-2022 and priorities and trainings for 2022

Based on the data of the Academy of Justice, the Training Program for 2021 accomplished activities planned in accordance with the Framework Program 2021-2022, respectively the Training Program of 2021, including other activities which were later integrated in the curriculum at the request of partners and donor projects.

Within the Continuous Training scope, specialized trainings which focused on prevention, investigation, prosecution and fair adjudication of money laundering and financial investigation cases, cybercrime, extremism, radicalization and terrorism, organized crime and corruption, were delivered. These trainings were attended by judges and prosecutors from the special department and the department for serious crimes as well as judges and prosecutors from the criminal division including professional associates. However, the number of participants in these trainings by the Special Prosecution should have been higher as it was a recommendation from the EU report on Kosovo to train prosecutors in order to reduce these cases which are exclusive competence of this prosecution. However, the Academy of Justice has had these topics in its training program considering that they were set a priority in the country and the justice system institutions' level, enabling all judges and prosecutors in charge of such cases to develop their capacities on fair resolution and meritorious judgment of respective cases.

These trainings continue to be a priority for 2022 both from the Framework Program and from the training needs assessment. Training concepts for these topics have been drafted taking into account the recommendations from the various mechanisms for the 2022 training program.

Also a priority in the Framework Program is protection against domestic violence both in criminal and civil terms, in which case training of trainers were provides, including trainings for judges and prosecutors/ coordinators of domestic violence. Resources and guidelines have also been developed to assist in a fair approach to domestic violence by the Police, the Court, the Prosecution, the Victims' Advocates and other stakeholders for the correct handling of cases under applicable law and international instruments, namely the Istanbul Convention which is already part of the country's legal order.

Preventing and combating domestic violence remains a priority for 2022. The content of this theme has been revised and redesigned in accordance with the requirements of the Strategy for Protection from Domestic Violence and Violence against Women for 2022-2026.

In the framework of continuous trainings, other trainings in the criminal, civil, administrative, economic fields were conducted, including trainings related to juvenile justice, human rights and other trainings that have resulted from the Framework Program 2021-2022, respectively the Training Program of 2021. For 2022, the most challenging issues of judicial practice in these areas have been identified which have resulted from training needs assessment mechanisms and are designed to be addressed through roundtables in order to discuss and find unique legal solutions for all courts and prosecutorial offices.

Trainings for the administrative staff of courts and prosecution offices, as well as the development of the induction training curriculum for professional associates and legal officers of courts and prosecution offices have also had a significant place.

For 2022, the trainings for the administrative staff of courts and prosecutor's offices will be implemented depending on the work tasks, experience and specific competencies that each of them has in the judicial and prosecutorial system. Professional associates and legal officers will benefit from the implementation of basic training modules for the civil and criminal field which include both material and procedural aspects. The assessment of training needs for other administrative staff of courts and prosecution offices has identified significant shortcomings which affect inefficiency and consequently unsatisfactory performance. Therefore, the focus of the training program designed specifically for this category will be on professional development, improving the quality of services and the application of adequate standards during the work process in courts and prosecution offices.

Within the Initial Training Program, training activities were developed for the 24 newly appointed judges of the VIII generation, in which case theoretical and practical sessions were conducted in accordance with the training program for this generation. For the 2022, the practical training sessions from the modules in the criminal field continue, as well as design of the new training program for the upcoming generations of judges and prosecutors that will be appointed in the future.

Based on the Framework Program, the Academy of Justice has also provided support for the free professions by providing training for private bailiffs as well as for state lawyers who have benefited from joint training with judges and prosecutors.

It has also provided support in the process of assessing the needs of free legal aid officers in the process of drafting a handbook with best practices of free legal aid. For 2022, the Academy will continue to provide training for these professions and according to the agreements reached it will carry out the trainings.

For 2022, the support from the donors will continue in implementing trainings on the commercial field, human rights, abuse of official duty, as well as other topics which will be further concretized through agendas and training calendar for 2022.

Also, the program will be flexible in cases when new laws are enacted and which are under review and in the agenda of the Kosovo Parliament.

List of training modules according to areas

Criminal area				
<i>No.</i>	<i>General Criminal Area</i>	<i>Year 2021</i>	<i>Year 2022</i>	<i>Beneficiaries</i>
1.	Criminal offenses against the environment	-	(1 day) 2022	Judges, prosecutors, police, municipal inspectors, representatives of the respective Ministry.
2.	Trafficking in human beings	(2 days) 2021	(2 days) 2022	Prosecutors and judges of the first and second instances, as well as professional associates and SPRK experts.
3.	Illegal usurpation and restitution of property	(1 day) 2021	(1 day) 2022	Judges and prosecutors of the basic instance.
4.	Incitement to national, racial, religious, or ethnic hatred, division, or intolerance	(1 day) 2021	(1 day) 2022	Judges and prosecutors of the Appeals and Basic instances.
5.	Criminal offenses against life and body, with a focus on the criminal offenses of murder and aggravated murder	(1 day) 2021	(1 day) 2022	Judges and prosecutors of all instances.
6.	Criminal offenses against narcotics with special emphasis when committed in an organized form	(1 day) 2021	(1 day) 2022	Prosecutors and judges of the first and second instances.
7.	Criminal procedure involving perpetrators with mental disorders	(1 day) 2021	(1 day) 2022	Judges and prosecutors of the Basic and Appeals instances
8.	International legal cooperation in criminal matters, opportunities and challenges	(1 day) 2021	(1 day) 2022	Judges and prosecutors, and professional associates from the SPRK
9.	Covert measures of investigation and surveillance, as well as protection of witnesses and injured parties (victims) and of cooperative witnesses	-	5 days (2022)	Beneficiaries of this training will be judges and prosecutors of the basic instance and the special department, and if needed the victim advocates, police officers and other law enforcement officers.
10.	Detention and other measures to ensure the presence of the defendant in the proceedings	(1 day) 2021	(1 day) 2022	Judges and prosecutors of the basic and appeals instances.
11.	Court hearing and trial in absentia	(1 day) 2021	(1 day) 2022	Judges and prosecutors of the basic and appeals instances
12.	Legal remedies in criminal proceeding	(1 day) 2021	(1 day) 2022	Judges and prosecutors of all instances.

13.	Criminal liability of legal persons	(1 day) 2021	(1 day) 2022	Judges, state prosecutors, professional associates
14.	Compensation of crime victims within the legal system of the Republic of Kosovo	(2 days) 2021	(2 days) 2022	Judges and prosecutors as well as professional associates
Specialized Program Modules		Year 2021	Year 2022	Beneficiaries
15.	Organized crime	Three two-day sessions 2021	(2 days) 2022	Judges of the Appeals and Basic Courts, as well as professional associates and SPRK experts.
16.	Money laundering and financial investigation	Three two-day sessions 2021	Three two-day sessions 2022	Prosecutors and judges of the first and second instances, including particularly the special prosecutors and judges of the special department of both instances, and the professional associates and SPRK experts.
17.	Official corruption and crimes against official duty	Corruption used to be together with the Organized Crime	Three two-day sessions 2022	Judges and prosecutors of the special department and serious crime department (basic and appeals instances), and professionals associates and SPRK experts.
18.	Specialized Program on “Fraud and Corruption in Public Procurement, Session I and II”	Two two-day sessions 2021	Two two-day sessions 2022	Judges of basic courts, including judges of the special department, prosecutors of special prosecution, and the SPRK experts, as well as police investigation officers.
19.	Extremism, radicalization and terrorism	Three two-day sessions (6 days) 2021	Three two-days sessions (6 days) 2022	Judges of the appeals and basic instances, special prosecutors, judges and prosecutors of the juvenile department (2 nd session), and law enforcement agencies that work in fighting terrorism, and professional associates and SPRK experts.
20.	Cybercrime and crypto currencies	Three two-day sessions (6 days) 2021	Three three-days sessions (9 days) 2022	Judges and prosecutors of the basic and appeals instances, as well as SPRK professional associates and experts.
21.	Domestic violence	(1 day) 2021	2 days	Beneficiaries of this training will be judges, state prosecutors, professional associates. 1 st day will deliver lectures, whereas the second day will be a roundtable applying hypothetical cases to identify forms of domestic violence and qualification of criminal offences with practical cases.
22.	Drafting of indictments by the Special Prosecution	-	(1 day) 2022	Judges and prosecutors at the level of the Special Prosecution and the Special Department.
23.	War crimes	2 days (2021)	(2 days) 2022	Judges of the special department of both instances, SCD judges, Supreme court judges, Appeals court judges, and SPRK prosecutors,

				including professional associates and SPRK experts.
Workshops/ Roundtables/ Criminal law area		Year 2021	Year 2022	Beneficiaries
24.	Punitive policy and implementation of the guide	(2 days) 2021	(2 days) 2022	Judges and prosecutors.
25.	Sequestration and confiscation	(3 days) 2021	(3 days) 2022	Judges and prosecutors.
26.	Crimes against sexual integrity		(1 day) 2022	Judges and prosecutors of the basic instance, psychologists, victim advocates and investigation police
Trainings in Civil Law area		2021	2022	Beneficiaries
27.	Compensation for material and immaterial damage and the case law	-	(1 day) 2022	Judges of basic courts and professional associates
28.	Contract annulment and means to ensure the contract enforcement	(1 day) 2021	(2 day) 2022	Judges of the Appeals Court and Basic Courts (civil division) and professional associates and legal officers.
29.	Preliminary review of the lawsuit	-	(1 day) 2022	Judges, professional associates and legal officers
30.	Court procedure in cases of protection from domestic violence with emphasis on types of measures, implementation and consequences	(1 day) 2021	(1 day) 2022	Judges of the appeals court and basic courts (civil division, professional associates, legal officers, Kosovo Police, victim advocates and Social Welfare Centers.
31.	International Legal Cooperation in civil area	-	(1 day) 2022	Judges of basic courts (civil division), court professional associates, and legal officers
Workshops/ Roundtables of the Civil area		Year 2021	Year 2022	Beneficiaries
32.	Roundtable on family cases	(2 days) 2021	(2 days) 2022	Judges of the Appeals Court and Basic Courts
33.	Roundtable on matters of the Contentious Procedure	(3 days) 2021	(3 days) 2022	Judges of the Appeals Court and of Basic Courts
34.	Roundtable on matters of the Enforcement and uncontested procedure	(2 days) 2021	(2 days) 2022	Judges of the Appeals Court and Basic Courts as well as mediators
35.	Roundtable on Property Issues	(2 days) 2021	(2 days) 2022	Judges of the Appeals Court and Basic Courts
36.	Roundtable on unification of court practice	(2 days) 2021	(2 days) 2022	Judges of the Supreme and Appeals Court

37.	Roundtable on judicial protection in labor disputes, according to the Labor Law	-	(1 day) 2022	Judges of the Appeals Court and of Basic Courts.
38.	Roundtable of judicial protection in cases of obstruction to possession and servitudes	-	(1 day) 2022	Judges of the Appeals Court and Basic Courts.
39.	Roundtable: Mediation in civil matters	-	(1 day) 2022	Judges of the Appeals Court and the Basic Courts as well as mediators.
Trainings and roundtables on the justice for children area				
<i>Criminal-trainings</i>				
40.	Changes to the Juvenile Justice Code	-	(1 day) 2022	Judges and prosecutors from the Juvenile Department and officials from the Kosovo Correction Service.
41.	Measures and sanctions imposed on juvenile	(1 day) 2021	(2 day) 2022	Judges and prosecutors from the Juvenile Department and officials from the Kosovo Correction Service.
42.	Crimes against the children sexual integrity	(2 days) 2021	(2 days) 2022	Judges and prosecutors of the Juvenile Department as well as officials from the Kosovo Correction Service.
43.	Obtaining statement from children-victims, by the experts	-	Three two-days sessions 2022	Judges and prosecutors of the General Department and the Serious Crimes.
<i>Civil law area – roundtables</i>				
44.	Protection of the rights of children without parental care and in cases of the changes to their status	(2 days) 2021	(2 days) 2022	Judges of the Appeals Court and Basic Courts
45.	Protection of the rights of children in cases of divorce and in cases of domestic violence	(2 days) 2021	(2 days) 2022	Judges of the Appeals Court and Basic Courts
Trainings of the economic area				
46.	Training curriculum for judges according to the Law on Commercial Court	-	10 modules	Judges and professional associates of the Commercial Court
47.	Recognition and enforcement of decisions of the national and international Arbitration Tribunal	-	One day	Judges of the commercial department – Prishtina Basic Court
48.	Implementation of the Intellectual Property Rights	(2 days) 2021	(2 days) 2022 -	Judges of the basic and the appeals instances – Commercial and Administrative Departments, Civil Division, basic and appeals instance prosecutors. Police officers – Economic Crimes Department, and the Cybercrime Section.
49.	Implementation of the Intellectual Property Rights	(2 days) 2021	(2 days) 2022	Judges of the basic and the appeals instances – Commercial and Administrative Departments, Civil Division, basic and appeals instance

			-	prosecutors. Police officers – Economic Crimes Department, and the Cybercrime Section.
50.	Insolvency Law in business organizations		(1 day) 2022	Judges and professional associates of the Commercial Court
51.	Roundtable for unifying the case law in commercial area		(1 day) 2022	Judges of the Appeals Court and Basic Courts
Trainings and roundtables on the administrative area				
52.	Administrative Dispute, object and the administrative dispute procedure	-	(1 day)	Judges of the commercial departments of the Basic and the Appeals Courts, prosecutors of the Economic Crimes Department
53.	Role and implementation of the Law on Asylum and its relation with the International Asylum Convention	(1 day) 2021	(1 day) 2022	Judges of the administrative department of the basic and appeals instances, MIA officials – Department for Citizenship, Asylum and Migration
54.	Implementation of the Law on Personal Data Protection and judicial protection of the personal rights, and the Law on public access and the procedure for attaining the rights for access to information	-	(1 day) 2022	Judges of the administrative department in the basic and appeals instances, MIA, Officials of the National Agency for Personal Data Protection
55.	Application of the Customs and Excise Code of Kosovo	(1 day) 2021	(1 day) 2022	Judges of the administrative departments within the basic and appeals instance, and Professional advisors of the Administrative Departments – Fiscal Division and Commercial Division. Training duration is one (1) day.
56.	Pension schemes, financed according to the applicable laws in the Republic of Kosovo	(1 day) 2021	(1 day) 2022	Judges of the administrative department in the Basic and appeals instances, as well as officials of the Ministry of Labor and Social Welfare
57.	Roundtable on administrative justice: Supreme Court case law, Administrative Department of the Appeals Court, and Administrative Department of the Prishtina Basic Court	-	(2 day) 2022	Judges of the administrative departments of the Appeals and Basic instance, and judges of the Supreme Court
Minor offence trainings				
58.	Minor offence procedure upon the request of inspectors	(1 day) 2021	(1 day) 2022	Basic court judges-minor offense division and inspectors of the Directorate of Inspectors.
59.	Disruption of Public Order and Peace	-	(1 day) 2022	Minor offence judges

60.	Legal entities as perpetrators of minor offenses	-	(1 day) 2022	Minor offence judges
Trainings on the Special Chamber of the Supreme Court				
61.	Judicial review of Agency decisions created by the Privatization and Liquidation process	-	(1 day) 2022	Judges from the Special Chamber, judges of the Basic Courts-civil division, legal officers and professional associates.
62.	The role of the Agency and the privatization process - liquidation of socially owned enterprises by the KPA	(1 day) 2021	(1 day) 2022	Judges from the Special Chamber, judges of the Basic Courts-civil division, legal officers and professional associates.
63.	Defining the legal status of joint stock companies – socially owned enterprises	Was not conducted and will be carried	(2 days) 2022	Judges of the Special Chamber, judges of other courts, professional associates and legal officer of the court.
Constitutional area trainings				
64.	Current practice of the Constitutional Court according to claims - complaints in the criminal field	-	(1 day) 2022	Judges and prosecutors of all instances in the Republic of Kosovo.
ECHR				
65.	Prohibition of torture – Jurisprudence of the European Court of Human Rights	(1 day) 2021	(1 day) 2022	Judges, professional associates, legal officers
66.	Property rights - Jurisprudence of the European Court of Human Rights and Article 1 of Protocol No. 1 of the ECHR	(1 day) 2021	(1 day) 2022	Judges of the General, Commercial and Administrative Departments and prosecutors of all instances and professional associates
67.	The right to private life, family life, residence and correspondence, to marry and to found a family and to equality of spouses - Article 8 of the European Convention for the Protection of Human Rights and Fundamental Freedoms	(1 day) 2021	(1 day) 2022	Judges, prosecutors, professional associates
68.	The right to a fair trial	(1 day) 2021	(2 day) 2022	Judges, prosecutors, professional associates

69.	Thematic training in the field of defamation and protection of reputation	-	(1 day) 2022	Judges and prosecutors from different regions
70.	Protection and safety of journalists	(1 days) 2022	(2 days) 2022	Judges and prosecutors from different regions
71.	Implementation of Article 2 of the European Convention for the Protection of Human Rights and Fundamental Freedoms	-	(1 day) 2022	Judges and prosecutors of all instances in the Republic of Kosovo and professional associates
72.	Conference on the Judiciary - Freedom of Expression and Freedom of the Media	-	(1 day) 2022	Judges, prosecutors and attorneys
73.	Material and procedural aspect of the Law on Protection from Discrimination and the challenges in its implementation	(2 days) 2021	(2 days) 2022	Judges of the civil and administrative division, professional associates of the Supreme, the Appeals and Basic instances, as well as lawyers, the Free legal aid lawyers, central and local government officials and the Ombudsperson institution representatives, as well as non-governmental organizations of this field.
74.	ECHR in cases of discrimination including the Law on protection from Discrimination of the Republic of Kosovo and its relation with the law on Contentious Procedure.	(2 days) 2021	(2 days) 2022	Judges of the civil, criminal and administrative departments of the Supreme, the Appeals and Basic instances, prosecutors, professionals associates and lawyers.
Trainings of the EU Law				
75.	Court practice in civil, administrative and commercial matters according to the European Court of Justice	-	(3 day) 2022	Judges and prosecutors of all levels in the Republic of Kosovo.
Interdisciplinary curriculum				
76.	Stress management	(1 day) 2021	(1 day) 2022	Judges and prosecutors of all instances
77.	Key CEPEJ tools, starting from the statistical reports and dashboards for court presidents and judges developed for the Case Management Information System (CEPEJ – European Commission for the Efficiency of Justice)	-	(2 days) 2022	KJC members (12 of them) the court staff, particularly the staff particularly the staff directly assisting judges, and the administrative staff
78.	Reasoning of court judgments	(1 day) 2021	(1 day) 2022	Judges and prosecutors
79.	Access to and regular use of the Central Criminal Record System in Kosovo (CCRSK).	-	(2 days) 2022	Judges and prosecutors authorized for access and obtaining information from the CCRSK.
80.	European Criminal Records Information System	-	Half day	Judges and prosecutors
Trainings for the judicial and prosecutorial system administrative staff				

81.	Basic modules for professional associates and legal officers of courts and prosecutorial offices	-	Training sessions according to the training content	Professional associates and legal officers of courts and prosecution offices
82.	Case file management in the judicial and prosecutorial system	(1 day) 2021	(1 day) 2022	Professional associates, legal officers
83.	Communication skills	(2 days) 2021	(1 day) 2022	Beneficiaries of this training are information and media monitoring officers of courts and prosecution offices
84.	Integrity and ethical conduct	(1 day) 2021	(1 day) 2022	Administrative staff of courts and prosecution offices
85.	Time and stress management	(1 day) 2021	(1 day) 2022	Administrative staff of courts and prosecution offices
86.	Training on Case Management Information System (CMIS)	(2 days) 2021	(2 days) 2022	Administrative staff of courts and prosecution offices
87.	Protocol trainings	-	(1 day) 2022	Administrative staff of courts and prosecution offices
88.	Protection of whistleblowers	-	(2 days) 2022	Administrative officials of courts and prosecutors' offices and whistleblowing officers in courts and prosecutors' offices
89.	Maintaining court sites on Facebook and informing the public through them	-	(2 days) 2022	Information and monitoring officers in courts and prosecution
90.	Trainings for the audio/ video systems and for witness protection systems	-	(2 days) 2022	Administrative staff of courts and prosecution offices
Trainings for free professions				
91.	Submission of writs in enforcement proceedings	-	(1 day) 2022	Private bailiffs
92.	Enforcement through bank accounts - unification of acts	-	(1 day) 2022	Private bailiffs
93.	Deposit of bank guarantee	-	(1 day) 2022	Private bailiffs
94.	Domestic violence – amendments to the law	-	(1 day)	Victim advocates
95.	Compensation of victims – amendments to the law	-	2022	Victim advocates

96.	Trafficking in human beings, coercion to prostitution, sexual abuse, rape, etc.		(1 day) 2022	Victim advocates
97.	Trainings with practical experiences in cases of murder and robbery	-	2022	Victim advocates
98.	Law on property and other real rights and the case law on property area	-	2022	Free Legal Aid Agency Officers
99.	Gender equality in property issues of joint ownership	-	2022	Free Legal Aid Agency Officers
100.	Case law in labor disputes	-	2022	Free Legal Aid Agency Officers
101.	ECHR and the case law	-	2022	Free Legal Aid Agency Officers
102.	Evidence procedure and extraordinary remedies in civil proceedings	-	2022	Free Legal Aid Agency Officers
Training of Trainers				
103.	Mediation	-	2022	Judges and prosecutors and mediators
104.	Cybercrime	-	2022	Judges and prosecutors
105.	Fighting violence against women / domestic violence	-	2022	Judges and prosecutors
106.	Confiscation	-	2022	Judges and prosecutors
107.	Money laundering without basic offence	-	2022	Judges and prosecutors
Trainings for court and prosecution management				
108.	Court and Prosecution office management		2022	Court Presidents, Chief prosecutors, supervisory judges of court branches, heads of departments and divisions
Distance learning				
109.	Confiscation and sequestration	2021	2022	Judges, prosecutors, administrative staff and other professionals
110.	Detention	2021	2022	Judges, prosecutors, administrative staff and other professionals
111.	Prohibition of Torture	-	2022	Judges, prosecutors, administrative staff and other professionals
112.	Trade marks, patents, industrial design	-	2022	Judges, prosecutors, administrative staff and other professionals

Criminal area trainings

1. Criminal area trainings

1.1 Criminal offenses against the environment

Environmental protection is a basic condition for ensuring the development of society. Criminal offenses against the environment have recently become very frequent in our country, damaging the existing natural environment due to over-consumption, population growth and use of technology, constantly increasing the degradation of the environment and we still do not have proper and necessary response from institutions responsible for environmental protection.

The most frequent degradations in our country are mainly done with the destruction of forests, damage to the river bed, numerous quarrying activities, as well as many other illegal activities that harm the environment. Environmental protection is also sanctioned by provisions of the CCRK, defining its basic form and some other forms of these criminal offenses.

This training will discuss thoroughly on definition and essential elements of criminal offenses against the environment, circumstances, ways and forms of commission and practical problems in the case of qualification of these offenses. The training will also address other issues by breaking down legal provisions and analyzing practical cases.

Training objectives

After completion of this training, participants will be able to:

- Extend knowledge on crimes against environment;
- Identify forms, circumstances and other aspects of these offences;
- Analyze practical cases of these crimes.

Content of the training module

- ✓ Pollution, degradation or environment destruction;
- ✓ Destruction of the flora with harmful substances;
- ✓ Deforestation.

Training methodology

Training methodology will focus on interactive discussion with participants, who will also be divided in groups to discuss practical cases from the case law with the purpose of correct legal qualification of the crimes from this chapter.

Beneficiaries and duration

Judges, prosecutors, police, municipal inspectors, representatives of the respective Ministry.
Training duration is one (1) day.

1.2 Trafficking in human beings

Nowadays, all over the world, human trafficking is considered as one of the most complex crimes and is one of the most serious forms of human exploitation and is currently considered as the modern slavery, which in terms of profits has already achieved those dimensions that **the drugs and arms trafficking has reached**. This module aims to advance the participants' knowledge on the Standard Action Procedures, the Strategy and Action Plan related to the prevention and fight against human trafficking as well as the local and international Mechanisms dealing with the prevention and fight against human trafficking, especially with the Transnational Referral Mechanisms, where Kosovo is also an active participant together with all the countries of South-Eastern Europe and some member states of the European Union.

Since trafficking in human beings is complex and in itself contains elements of some other criminal offenses, in judicial practice there are still dilemmas on how to identify the elements of this criminal offense, including the elements of action, means and purpose, and then distinguish these elements from elements of other criminal offenses related to trafficking but which are in fact criminal offenses as such.

What are the three groups of elements of trafficking - action, means and purpose, how is trafficking investigated? What are the early indicators of identification of trafficking victims? What is the rehabilitation time, how are trafficking victims protected? How is the reintegration of victims done? How are you compensated for the damage and what are their rights in criminal proceedings, etc.

Participants will be provided access to practical cases specially prepared for this training, where they can see the successes and failures in the investigation, prosecution, trial and even regular and extraordinary legal remedies in criminal proceedings; as well as on issues related to early indicators of identification of trafficking victims, rehabilitation time, protection of trafficking victims, their reintegration, compensation for damage and their rights in criminal proceedings.

Training objectives

After completion of this training participants will be able to:

- Identify elements of the crimes of trafficking in human beings;
- Distinguish elements of the crimes of trafficking in human beings with elements of other criminal offences;
- Apply the Strategy and the Action Plan for fighting Trafficking and the Transnational Referral Mechanisms;
- Recognize early indicators of identifying trafficking victims;
- Apply protection of trafficking victims and their reintegration;
- Apply correctly the rights of victims in criminal procedure including the damage compensation.

Content of the training module

- ✓ Legal infrastructure related to trafficking in human beings;
- ✓ Identify elements of the crimes of trafficking in human beings;
- ✓ Distinction of elements of the criminal offence of trafficking in human beings from elements of other offences;
- ✓ Strategy and the Action Plan for fighting trafficking;

- ✓ Transnational Referral Mechanisms;
- ✓ Drafting the investigation plan and identification of the victims of human trafficking;
- ✓ Early indicators of identification of victims of trafficking;
- ✓ Rights of victims in criminal procedure;
- ✓ Rehabilitation time and protection of victims the victims of trafficking;
- ✓ Reintegration of the victims of trafficking;
- ✓ Procedure for damage compensation for the victims of trafficking.

Training methodology

This training will use interactive method of case simulation, work in groups, questions and discussions by the participants.

Beneficiaries and duration

Prosecutors of the first and second instances, as well as professional associates and the SPRK experts. Training will last two (2) days.

1.3 Illegal usurpation and restitution of property

Illegal usurpation of immovable property is a criminal offense against property. In our country, although this issue is protected by the provisions of the Law on Contested Procedure, because the owner for any concern on the use of his property, has the right to seek legal protection with a lawsuit. As a result of the increase in the number of usurpations of foreign properties, there is a need for the owners of these immovable properties to be offered protection through criminal law, in order to prevent such abuse of foreign properties. Through this training it is intended to define the legal conditions that must be met to be considered the existence of this criminal offense, as well as through criminal proceedings not only to find the perpetrator guilty, but also to return the property to the owner, as well as compensation caused by this offense.

Training Objectives

After completion of this training, participants will be able to:

- Properly apply the legal provisions related to this criminal offense;
- Advance knowledge about the legal conditions that must be met for the existence of this offense;
- Identify the differences in which cases we are dealing with civil-legal relations, and not a criminal offense;

Content of the training module

- ✓ Criminal offense of illegal occupation according to the CCRK;
- ✓ The legal conditions required to be met for the existence of this criminal offense;
- ✓ Criminal sanctions that may be imposed on the perpetrators of this criminal offense as well as additional punishments.

Training methodology

During the training, a combined methodology will be used, where in addition to the presentation, interactive discussions with the participants will be applied, as well as the study of cases from court practice.

Beneficiaries and duration

Basic instance judges and prosecutors. Training duration is one (1) day.

1.4 Incitement to national, racial, religious, or ethnic hatred, division, or intolerance

A condition for the construction and functioning of a democratic and stable legal system is the recognition and respect of the diversity of national, racial, religious or ethnic groups. This postulate means recognizing and respecting all differences related to language, customs, historical features, religious affiliation, etc. Recognition and observance of these features, according to international conventions and national rights, is part of individual and collective fundamental freedoms and rights. For this reason incitement to hatred, division or intolerance on the basis of national, racial, religious or ethnic characteristics has been deemed to be considered a criminal offense. This concept has been accepted by the criminal law of Kosovo. In line with the precise provision of protection mechanisms through international law and standards it is necessary to mention that there is no single and final definition of what is hate speech and hate speech as a separate institution is often placed in a vacuum gap between different rights and their interpretation (for example: the right to protection against discrimination and freedom of speech), so in the defense part the role of the courts is especially important.

Based on this, it is necessary to further increase the professional capacity of judges and prosecutors in the proper implementation of applicable law and strengthen cooperation with other relevant institutions to successfully combat this phenomenon. During the training, participants will have the opportunity to access cases from practice, where they can see the challenges and problems of proper implementation of legislation to prevent and combat cases of incitement to hatred, as well as ways to overcome or solve these challenges and problems.

Training objectives

After completion of this training, participants will be able to:

- Properly enforce hate crime legislation;
- Identify the elements of the criminal offense of hate crimes;
- Enforce and respect the rights of victims of hate crimes in criminal proceedings.

Content of the training module

- ✓ Understanding and elements of the criminal offence of Incitement to national, racial, religious or ethnic hatred, division or intolerance;
- ✓ Criminal offenses related to hate crimes;
- ✓ The rights of victims of hate crimes during criminal proceedings;
- ✓ Protecting, assisting and compensating victims of hate crimes;
- ✓ Strengthening cooperation and coordination between key actors;

Training methodology

The training will use interactive methods, case simulations, group work on practical cases as well as questions and discussions on topics covered in this training.

Beneficiaries and duration

Judges and prosecutors of the Appeals and the basic instances. Training duration is one (1) day

1.5 Criminal offenses against life and body with focus on the criminal offenses of murder and aggravated murder

Criminal offenses against life and body and especially against life are criminal offenses which in the case law consistently present problems in the correct and authentic qualification. Moreover, the human right to life is the most important right in the group of fundamental human rights and freedoms and this right is absolute. For this reason, this right is guaranteed by the most important international acts, but it is also guaranteed by the Constitution of the Republic of Kosovo. Protection of life is also sanctioned by the provisions of the CCRK, defining its basic form and some qualified and privileged forms of this criminal offense.

At this training it will be thoroughly discussed about the definition and essential elements of the crime of murder, the circumstances, ways and forms of murder and practical problems in qualifying aggravated murder. These and other issues will be addressed through this training by breaking down legal provisions and analyzing practical cases.

Training objectives

After completion of this training, participants will be able to:

- Advance knowledge about murder offenses and its qualified and privileged forms;
- Identify forms, circumstances and other aspects of aggravated murder;
- Analyze the practical cases of these criminal offenses.

Content of the training module

- ✓ Criminal offenses against life;
- ✓ Murder and types of murders;
- ✓ Qualified and privileged killings.

Training methodology

The training methodology will focus on interactive discussion with the participants, also the participants will to discuss in groups the cases from the case law in order to have a fair legal qualification of the criminal offenses of this chapter.

Beneficiaries and duration

Judges and prosecutors of the basic instance. Training duration is one (1) day.

1.6 Criminal offenses against narcotics with special emphasis when committed in an organized form

“Drug dealers live by selling death, while drug addicts buy death from them”. Young people, many of them teenagers, are victims of drugs, large criminal organizations or otherwise organized crime structures dealing with drug trafficking, are increasingly competing with any kind of local and international business, imposing political developments and economics that go in favor of their interests. In the conditions of a decentralized political and security system, in which the society and the state of Kosovo are in recent years, a drug user, to provide the necessary money for daily drugs will either enter the path of crime or will become a victim of narcotics. According to data from University Clinical Center in Kosovo, patients admitted for treatment use types of drugs such as: heroin, cocaine, methadone, marijuana, hashish, combined with alcohol. The state strategy of the Republic of Kosovo against drugs, as well as the Action Plan, obliges the Ministry of Health, the Ministry of Education, the Ministry of Internal Affairs, the Ministry of Economy and Finance and the Intelligence Agency, within the general and specific objectives, to build a healthy society in Kosovo, without the threat of drug abuse, therefore this strategy and this action plan should be part of the work of prosecutors and judges.

Training objectives

After completion of this training, participants will be able to:

- Identify the elements of criminal offenses related to dangerous narcotics and psychotropic substances;
- Conduct proactive criminal and financial investigation in cases related to trafficking in dangerous narcotics and psychotropic substances;
- Identify the types of narcotics and consequences of using dangerous narcotics and psychotropic substances.

Content of the training module

- ✓ Elements of criminal offenses related to dangerous narcotics and psychotropic substances;
- ✓ Proactive criminal and financial investigations, in cases related to trafficking in dangerous narcotics and psychotropic substances;
- ✓ Identification of types of dangerous narcotics and psychotropic substances Competencies and cooperation with the Financial Intelligence Unit;
- ✓ Consequences of the use of dangerous narcotics and psychotropic substances;
- ✓ Case study.

Training methodology

During the training, interactive methods, case simulation, group work, questions and discussions by participants will be used.

Beneficiaries and duration

Prosecutors and judges of the first and second instance. Training duration is one (1) day.

1.7 Criminal procedure involving perpetrators with mental disorders

Persons with mental disorders are a special category of perpetrators of criminal offences, therefore, the CPCJ has foreseen specific procedures in cases when these persons are involved as perpetrators of criminal offences. Handling of these cases requires a special attention, because of the mental state in which they are at the moment when the procedure against them is taking place. Also, the judgments certainly shall be adjusted with their mental state, in order that the measure imposed impacts on improvement of the state of these persons.

How to identify these persons? What are the initial procedural actions to be taken against them? What examinations shall be taken? What measures are imposed against them and in which institutions they shall be placed?

This training program therefore, addresses questions analyzing the procedure developed against perpetrators with mental disorders, then the expertise that shall be taken for determining if a person suffers from a mental disorder, and when can detention be imposed against these persons. The training will treat the criteria to be taken into account when imposing measures of the mandatory treatment, as well as supervision of enforcement of these measures.

Training objectives

After completion of this training, participants will be able to:

- Extend knowledge about the features of criminal proceedings involving perpetrators with mental disorders;
- Assess the legal conditions and criteria when imposing detention for perpetrators with mental disorders;
- Analyze the types of compulsory treatment with detention in health care institutions and compulsory psychiatric treatment in liberty;

Content of the training module

- ✓ Features of criminal proceedings involving perpetrators with mental disorders;
- ✓ Detention for persons with mental disorders;
- ✓ Implementation of psychiatric examination;
- ✓ Compulsory psychiatric treatment with detention in health care institutions and in liberty;

Training methodology

Combined training methods will be used during the training, using interactive discussion with participants on practical cases.

Beneficiaries and duration

Judges and prosecutors of the basic and the Appeals instances. Training duration is one (1) day.

1.8 International legal cooperation in criminal matters, opportunities and challenges

Our daily practice in courts and prosecution offices is increasingly bringing variety of cases which requires the minimal legal aid – the requests for obtaining witness statements, or submission of documents/summons, or various judgments, up to extradition of the wanted persons in form of the incoming request from the requesting states.

Purpose of this training is to clarify and define correctly the extradition, transfer of case, provision of evidence, execution of foreign decisions in international legal cooperation. The training also aims for courts to establish acceptable practice so that the implementation of the provisions of the law on international legal cooperation is consistent.

This training will treat the aspect of the principles "Ne bis in Idem and Res Judicata" in order to understand the correct setting of requirements for international legal cooperation, but also addressing the aspect of international legal cooperation in the organization of EU, to understand and enhance the skills of judges and prosecutors in applying the best international standards in international legal cooperation.

Training objectives

After completion of this training, participants will be able to:

- Extend their knowledge on institutions of the international legal cooperation;
- Analyze incoming ILC requests from the requesting states;
- Extend their knowledge in the area of international legal cooperation to increase efficiency in execution of the legal aid requests.

Content of the training module

- ✓ International legal cooperation as a tool for the administration of justice;
- ✓ Law on International Legal Cooperation in Criminal Matters and Bilateral Agreements;
- ✓ Institutional framework;
- ✓ Extradition of wanted or convicted persons;
- ✓ International letter lining;
- ✓ Transfer of convicted persons and transfer of criminal proceedings;
- ✓ Recognition and execution of foreign judgments in the Republic of Kosovo;
- ✓ Mutual legal assistance.
- ✓ Proof of evidence provided through international legal assistance and informal channels.

Training methodology

The training will follow a pro-active and practical approach, with focus on 'operational' issues. The training will include group assignments and through case studies based on real cases, the issues mentioned above will be outlined in the content of the training module. Through the analysis of different 'scenarios', participants will implement institutes in the field of international legal cooperation in criminal matters, in order to identify opportunities and challenges in implementation and achieve concrete solutions.

Beneficiaries and duration

Judges, prosecutors and professional associates from the SPRK. Training duration is one (1) day.

1.9 Evidence in criminal proceeding, Covert measures of investigation and surveillance, as well as Protection of witnesses and injured parties (victims) and of the cooperative witnesses.

The circumstances of the commission of the criminal offense and the guilt of the defendant can only be determined through evidence. Before imposing a criminal sanction on the perpetrator of a criminal offense, the prosecuting authorities must ensure the full verification of the relevant legal facts on which the application of substantive criminal law depends. Another dimension of evidence is to think about what that evidence is proving; is there direct evidence that a person has been harmed by that unlawful act or some evidence that suggests that someone may be guilty. In most countries, including our country, the burden of proof falls on the prosecutor, who must gather evidence that overturns the presumption that the defendant is innocent. Verification of facts in criminal proceedings, compared to other proceedings is much more difficult because in criminal proceedings the guilty defendant has an interest in making it difficult to prove the facts, distort the truth and mislead the court.

Covert investigative and surveillance measures are among the most sensitive investigative actions. Taking these measures obviously affects the privacy of the individual, as one of the fundamental human rights and freedoms. In case law, the decision regarding these measures has room for improvement, both in respecting the principles when issuing orders for these measures but also in overseeing their implementation in practice. These investigative actions are aimed at providing evidence which will serve as a basis for filing an indictment and arguing it before the court. Given that in terms of the implementation of these measures as criminal procedural actions they can often cause serious violations of human rights and freedoms by interfering with the level of privacy of persons, it is necessary and necessary to have training for implementation of these measures.

One of the important evidences in a criminal case that serves to prove in a fair and complete way a factual situation is also the testimony of the witness and the injured party in the capacity of witness. Witnesses as a rule can be any person who can give information about the criminal offense, the perpetrator of the criminal offense and the circumstances relevant to the criminal proceedings, but these persons in some criminal cases, may need protection, due to threatening serious danger to that person or his family, therefore in these cases there is a need to take action by all institutions involved in criminal proceedings, such as the police, the prosecution and the court. Procedural measures for witness protection are classified as measures to conceal the identity of the witness - including the witness' s personal data, appearance and voice from the general public and in exceptional cases the identity is not even known to the defendant and his defense counsel, as well as to measures that prevent the physical meeting of the witness or the injured party with the defendant.

This training and examples from case law will address the dilemmas regarding the difference between facts and evidence, understanding and analysis of evidence, relevance and reliability of evidence {direct and indirect evidence

Training objectives

After completion of this training, participants will be able to:

- Properly apply the legal basis for the provision and use of evidence;
- Identify the subjects authorized for the collection of evidence;

- Examine the types of evidence that can be provided during the investigation phase;
- Assess correctly the legality of the evidence;
- Recognize the relevance of the test;
- Administer material evidence;
- Distinguish the probative power of evidence;
- Distinguish between direct and circumstantial evidence.
- Understand the types of covert measures;
- Assess the conditions for issuing these measures;

Content of the training module

Session I – Evidence in Criminal Proceeding

- ✓ Facts and their verification in criminal proceedings;
- ✓ Providing evidence in initial police actions;
- ✓ Securing evidence through covert surveillance and investigation measures;
- ✓ Evidence in the investigation phase;
- ✓ Legality of evidence and their opposition
- ✓ Review and evaluation of evidence,
- ✓ Reliability and probative power
- ✓ Practical examples

Session duration: 2 days

Beneficiaries of this training are basic level judges and prosecutors, but, if necessary, may also be victim advocates, police officers and other law enforcement officers.

Session II – Covert measures of investigation and surveillance

- ✓ Types of covert measures;
- ✓ Criminal offenses for which secret measures may be issued;
- ✓ When covert measures are issued, grounds for suspicion;
- ✓ Requirements for issuing an order for covert measures;
- ✓ Use of covert measures as evidence in criminal proceedings;
- ✓ Duration of covert measures;
- ✓ Admissibility of evidence provided by the warrant for covert and technical surveillance and investigation measures and the Surveillance and Investigation Review Panel;
- ✓ The rights of persons against whom directives for covert and technical surveillance and investigation measures are applied.

Session III – Protection of witnesses and injured parties (victims) and of cooperative witnesses

- ✓ Request for protection measure or anonymity and issuance of protection order by the judge;
- ✓ Procedure for declaring a protected witness;
- ✓ Order on anonymity and its forms;
- ✓ Conducting interviewing of protected persons
- ✓ Benefits of a protected witness under the law.
- ✓ Drafting a request and hearing for a cooperating witness
- ✓ Order for cooperating witness.

Session duration: 2 days

Beneficiaries: Prosecutors and judges of first and second instance, including special prosecutors and judges of the special department at both levels

Training methodology

During the training, interactive methods, practical cases, group work, questions and discussions by participants will be used.

Beneficiaries and duration

The training will use combined methods of explanation, including theoretical and practical explanations followed by examples from case law, and cases from case law will be provided.

1.10 Detention and other measures to ensure the presence of the defendant in the proceedings

Detention is the most severe measure within these measures. According to international instruments but also according to our legislation, it suggests that detention is applied only when all other possibilities to achieve the goal are exhausted. Measures to ensure the presence of the defendant in the proceedings are provided in the CPCK as instruments which restrict freedom of movement, and determine the legal conditions in order to successfully conduct criminal proceedings. Measures to ensure the presence of the defendant in the proceedings are often not implemented according to the manner and conditions provided by law, so in court practice there are still difficulties in identifying, assessing and analyzing the circumstances related to deciding on each basis for these measures.

Training objectives

After completion of this training, participants will be able to:

- Assess correctly the elements for determining the measures for ensuring the presence of the defendant in the proceedings;
- Apply the basic principles related to these measures;
- Draft and sufficiently justify the decisions for imposing these measures.

Content of the training module

- ✓ Legal conditions - the basis for determining the measures for ensuring the presence of the defendant in the procedure;
- ✓ The rights of the defendant in the court proceedings;
- ✓ Detention and justification of the ruling on detention on remand;
- ✓ Detention and other measures related to human rights and freedoms.

Training methodology

The training methodology will be combined including theoretical and practical explanations, instructed discussions and handling of cases from practice.

Beneficiaries and duration

Judges of the basic courts and of the Appeals Court, and prosecutors of the basic and Appeals prosecutions, including the Special Prosecution of the Republic of Kosovo. Training duration is one (1) day.

1.11 Main trial and trial in absentia

The Criminal Procedure Code, among others, has undergone major changes in provisions governing the procedure after filing of indictment by the state prosecutor, providing for the initial review and the second review. On the other hand, after the entry into force of the CPC, in the case law, there have been many difficulties and confusions in the application of legal provisions referring to the initial review, second review and main trial. Besides others, trial of the defendant in absentia, that is foreseen in the supplement to the Code, respecting the standards of the right to a fair trial and other principles of the international human right law. This is an exception to the general rules of criminal procedure, and must be related to the purpose of the fight against impunity for crimes against international humanitarian law and international criminal law, committed in the territory of the Republic of Kosovo.

Training objectives

After completion of this training, participants will be able to:

- Organize fairly the development of the procedure in the initial review and in the second review;
- Evaluate the role of the judge and state prosecutor during the initial, second and main trial;
- They correctly apply the legal provisions that regulate the trial in absentia.

Content of the training module

- ✓ Development and course of the procedure in the initial review and in the second review;
- ✓ The role of the judge and state prosecutor during the second hearing;
- ✓ Session to establish relevant facts related to the sentence;
- ✓ Main trial;
- ✓ Trial in absentia.

Training methodology

Through the presentation of cases from case law and group discussion, different situations will be analyzed in which judges could find themselves during the initial hearing, the second hearing or the main trial.

Beneficiaries and duration

Basic and appellate judges and prosecutors. Training duration is one (1) day.

1.12 Legal Remedies in criminal proceedings

The purpose of using legal remedies is to avoid legal and factual deficiencies allegedly committed by the relevant court. The Code of Criminal Procedure provides that parties dissatisfied with court decisions in criminal proceedings have the right under certain conditions to use regular and extraordinary legal remedies.

Training objectives

After completion of this training, participants will be able to:

- Properly apply the general rules regarding legal remedies;
- Identify the grounds on which remedies can be presented;
- Avoid some of the potential dilemmas that have arisen in case law.

Content of the training module

- ✓ Appeal against the judgment;
- ✓ Appeals against court rulings;
- ✓ Request for protection of legality;
- ✓ Request for extraordinary mitigation of sentence;
- ✓ Review of criminal proceedings.

Training methodology

During this training active conversation with participants regarding issues and dilemmas from court practice will be used, not leaving aside the discussion of different situations that judges and prosecutors would face in deciding cases related to regular and extraordinary legal remedies.

Beneficiaries and duration

Judges and prosecutors of all instances. Training duration is one (1) day.

1.13 Criminal liability of legal persons

Legal entities may be liable for criminal offenses under the separate part of the Criminal Code of the Republic of Kosovo for other criminal offenses, if the conditions for liability of the legal entity provided by the Law on Liability of Legal Entities for criminal offenses are met. According to this law, a legal person is responsible for a criminal offense of the responsible person who, acting on behalf of the legal person within the authorizations, has committed a criminal offense in order for the legal person to realize any benefit or cause damage. The liability of the legal person exists even when the action of that legal person has been contrary to the business policy or orders of the legal person. However, despite these legal provisions, in court practice there are frequent problems in determining the criminal responsibility of legal entities.

Training objectives

After completion of this training, participants will be able to:

- Implement correctly the institute of criminal responsibility of legal persons according to the law;
- Analyze knowledge of when a legal offense can be prosecuted;
- Legal norms correctly interpret the criminal liability of legal persons.

Content of the training module

- ✓ Legal framework for criminal prosecution of legal entities;
- ✓ Types of companies that can be prosecuted;
- ✓ Criminal liability of the legal person for the criminal offense and criminal liability of the person responsible for the offense committed on behalf of and for the legal person;
- ✓ Types of penalties that can be imposed on a legal entity;
- ✓ Practice of local courts and courts of the EU and USA regarding the criminal liability of legal persons.

Training methodology

The training will use interactive methods, case simulation, group work, questions and discussions by participants divided into groups, case simulations with participants in the training, discussion of domestic and international court decisions.

Beneficiaries and duration

Judges, prosecutors, professional associates. Training duration is one (1) day.

1.14 Compensation of crime victims within the legal system of the Republic of Kosovo

The training for compensation of victims of crime within the legal system of the Republic of Kosovo is aimed at increasing and advancing the knowledge of Judges and Prosecutors in the field of compensation of victims of crime within the legal system of the country. Furthermore, the purpose of the training is focused on Judges and Prosecutors having the opportunity to get acquainted with the changes and promotion of legislation on compensation of victims of crime, due to the fact that it is the Judges and Prosecutors who will implement this legislation to victims have access to justice and exercise this Constitutional and Legal right.

Training objectives

After completion of this training, participants will be able to:

- Advance knowledge about the compensation of victims of crime within the legal system of the country;
- Understand the obligations of relevant institutions that are Legal categories for handling, notifying and deciding on compensation cases for victims of crime;
- Expand the knowledge for handling and resolving cases based on the compensation of victims of crime and in accordance with the relevant legislation in force.

Content of the training module

- ✓ Compensation to victims of crime a right that victims should be notified of;
- ✓ Compensation of crime victims within the legal system of the Republic of Kosovo;
- ✓ Institutional mechanisms for treatment, notification and decision-making regarding the compensation of crime victims
- ✓ Challenges in the realization of the right to compensation by victims of crime, as a legal right;
- ✓ Inter-institutional cooperation in the implementation of relevant legislation in order to realize the right of victims to compensation.
- ✓ Legal obligations for financial contribution to the fund for compensation of victims of crime.

Training methodology

The training will include group work, discussions, simulations, short presentations by Judges and Prosecutors, in order to assess the situation, reflect problems in practice and what is defined by the relevant legislation in force for compensation of victims of crime.

Beneficiaries and duration

Judges and Prosecutors as well as professional associates. Training duration is two (2) days.

Specialized programs

Specialized programs

1.15 Organized crime

Organized crime is one of the greatest contemporary challenges. The UN Convention against Transnational Organized Crime and its two additional protocols represent the most important international instruments that create an appropriate legal basis for the prevention and effective prosecution of transnational organized crime, for which the Republic of Kosovo has appropriated almost all the provisions of this instrument by transposing them into a number of national acts.

The consequences of the criminal activity of organized groups are evident, which pose a serious threat to national and international security and presents detrimental consequences for public health and safety, democratic institutions, macro-financial and economic stability. Organized criminal groups in Kosovo are characterized by several characteristics as follows: hierarchical structure, loyalty, cooperation between criminal groups, diversity of crime, severity and aggressiveness, corruption of officials and some other characteristics.

The current situation in relation to the activities of criminal groups in the Republic of Kosovo includes the following forms of organized crime: drug trafficking, human trafficking, smuggling of goods, smuggling of migrants, arms trafficking, cybercrime, corruption and money laundering. The existence of organized criminal groups is closely linked to the non-enforcement of law by public authorities, which is reflected in the infiltration of criminal groups within public authorities using the instrument of corruption for survival and continuity, using public officials to keep the activity criminal alive. Corruption as a compromising instrument can be used in two forms, in the first case corruption itself can be committed in a form organized by a structured group, and in the second case corruption is used as an instrument to neutralize law enforcement against illegal criminal activity, creating a suitable environment for the unhindered exercise of criminal activity.

Training objectives

After completion of this training, participants will be able to:

- Define organized crime and its association with, terrorism, money laundering and corruption;
- Explain and distinguish forms of organized crime;
- Demonstrate the acquisition of special investigative techniques, namely investigative strategies, sequestration of crime products and international cooperation;
- Enforce the law regarding confiscation and criminal sanctions against perpetrators of organized crime.

Content of the training module

Session I

- ✓ Legal framework against organized crime and organized crime markets;
- ✓ Causes and mitigating factors of organized crime;
- ✓ Infiltration of organized crime in businesses and public institutions;
- ✓ The link between organized crime, money laundering and corruption;
Forms of organized crime.
- ✓ Forms of cooperation in the commission of criminal offenses and organized crime;

Session II

- ✓ Special investigative techniques of organized crime;
- ✓ Ways of evaluating evidence in organized crime cases with special emphasis on financial investigations
- ✓ Witness protection and victims' rights to organized crime;
- ✓ Prosecution strategies for investigating criminal groups;
- ✓ Seizure of corpora delict in organized crime;
- ✓ Sequestration of benefits obtained from organized crime;
- ✓ Strategic and institutional framework in the field of cooperation in criminal matters.

Session III

- ✓ Confiscation of property acquired through criminal offenses;
- ✓ Criminal sanctions against perpetrators of organized crime;
- ✓ Links between organized crime and terrorism.
- ✓ National Strategy against Organized Crime in Kosovo.

Training methodology

The topic of this training will be taught with interactive lectures, respectively will be combined with case studies, being defined in the solution of individual and group tasks within the attendees.

Beneficiaries and duration

Judges and prosecutors of basic and appellate level as well as professional associates from the relevant Department and experts from the SPRK. Training duration will consist of three two-days sessions.

1.16 Money laundering and financial investigation

In recent years, Kosovo is increasingly expanding cooperation with other countries that are part of the European Union, the United States of America and other countries and are making continuous efforts to be part of all Euro-Atlantic structures, so the cleansing of money as one of the most complex criminal offenses, due to the manner of commission and persons involved as perpetrators, in the wake of these efforts Kosovo in recent years has drafted legislation in line with European Union standards, but it is an ongoing requirement that this legislation and all international standards are implemented in practice, in order to prevent and combat this phenomenon that brings great losses or financial damage to the country, which can directly affect the economic development of the country.

Although money laundering as a phenomenon and a criminal offense has been addressed by prosecutors and judges, still one of the dilemmas raised in case law is the identification of elements of criminal offenses related to money laundering and the correct legal qualification of this criminal offense. In court practice, dilemmas are still discussed regarding the cases when there is a possibility of being found guilty of money laundering, of persons who, for some reason, could not be found guilty of the basic criminal offense, as well as sequestration and confiscation of property acquired through money laundering. Another challenge still exists in cases of international cooperation between the monitoring bodies of the Republic of Kosovo and the monitoring bodies of the European Union countries and in particular with those countries that have not yet recognized Kosovo.

The current approach to the prosecution and courts of Kosovo, shows the need for a different approach from what has been seen so far, because the approach of prosecutors and judges should be based not only on the provisions of the Criminal Code and the Code of Criminal Procedure, of the special law that deals with money laundering as a criminal offense, as well as the law on extended powers for confiscation of property, but also in international standards and in particular those of the European Union, so the training will focus more on case law, foster questions and answers as well as discussions on the dilemmas and challenges presented during the practical work in the prosecution and the court.

Training objectives

After completion of this training, participants will be able to:

- Implement correctly the legal provisions regarding the legal qualification of money laundering;
- Conduct pro-active criminal and financial investigations and provide admissible evidence to support the indictments filed;
- Impose adequate criminal sanctions on the perpetrators of these criminal offenses;
- Seize and confiscate the property acquired through these criminal offenses;
- Compare domestic legislation with that of the EU;
- Implement various forms of international cooperation.

Content of the training module

Session I

- ✓ Legal, local and international basis for combating money laundering and financial investigations;
- ✓ Elements of the criminal offense of money laundering
- ✓ Stages of money laundering;
- ✓ Competencies and cooperation with the Financial Intelligence Unit;
- ✓ Reporting entities according to the Law on Prevention of Money Laundering;
- ✓ Case study.

Session II

- ✓ Investigation and securing evidence in money laundering cases;
- ✓ Techniques of examining money laundering fraud;
- ✓ Collection of information;
- ✓ Preparation of personal profile;
- ✓ Tracking of funds by the recipient;
- ✓ Tracking of funds by the payer;
- ✓ Return of hidden assets;
- ✓ Case study.

Session III

- ✓ Sequestration and confiscation of property acquired through the criminal offense - money laundering;
- ✓ Cross-border and international cooperation in the fight against money laundering;
- ✓ Possible alternative solutions;
- ✓ Preparing the case for court;
- ✓ Sequestration and confiscation of property acquired through the criminal offense - money laundering;
- ✓ Criminal sanctions against perpetrators of money laundering;
- ✓ Cases when persons were found guilty of money laundering without being found guilty of the basic criminal offense;
- ✓ Money laundering as a criminal offense related to organized crime;
- ✓ Case study.

Training methodology

During the training, interactive methods, case simulation, group work, questions and discussions by participants will be used.

Beneficiaries and duration

Prosecutors and judges of first and second instance, including in particular special prosecutors and judges of the special department at both levels as well as professional associates and SPRK experts. Training duration is two(2) days.

1.17 Official corruption and criminal offenses against official duty

Due to importance and dangerousness of these criminal offenses, the CCRK dedicates a chapter to all official 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 are often presented with various dilemmas regarding the correct application of the legal provisions referring to these criminal offenses.

This act is committed by officials who hold a public office or exercise a public service, persons responsible for the management and administration of companies and persons who are initiators of corrupt behavior. In this regard, official corruption means the realization of a right or interest for which the official person or a certain group has no legal basis or the realization of rights and interests. In the practice of criminal offenses Abuse of official position or authority, there are dilemmas regarding the definition of who is considered an official person, that by law seeks to define what are the public services he offers - exercises during his work and duties as an official person, respectively except for state institutions which were to be non-public entities that provide public services.

Therefore, in this training, during the presentation of different cases from the case law, it will be claimed that prosecutors and judges will be facilitated in their work regarding these criminal offenses.

What are the elements of each offense in this Chapter? What are the sanctions provided for these criminal offenses? Who is considered an official person in committing these criminal offenses? Can co-perpetration exist in official corruption? Can there be an institute of continuity in official corruption? Is the bank cashier an official person? Is the Insurance Bureau officer and official? Is the manager of the Utility Company an official person? How to consider officials in public-private concerns through the prism as an official person?

These and other issues will be addressed through this training, analyzing practical cases and breaking down the legal provisions that refer to these criminal offenses.

Training objectives

After completion of this training, participants will be able to:

- Properly implement the legal provisions of the chapter on criminal offenses of official corruption and criminal offenses against official duty;
- Identify the essential elements of each form of criminal offenses of this Chapter;
- Extend their knowledge about the consequences and gravity of these criminal offenses.

Content of the training module

- ✓ 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 for proving 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;

- ✓ Abuse of official position or authority;
- ✓ Conflict of interest;
- ✓ Taking bribes;
- ✓ Giving bribes;
- ✓ Illegal issuance of court decisions; and
- ✓ Other criminal offenses of this Chapter.

Training Methodology

During the training, interactive methods, case simulation, group work, questions and discussions by participants will be used.

Beneficiaries and duration

Judges and prosecutors of the Special Department and the Department of Serious Crimes (basic and appellate level) as well as professional associates and SPRK experts. Training duration is three two-days sessions.

1.18 Specialized Program “Fraud and corruption in public procurement, Session I and II”

Based on the reports of institutions and organizations that monitor public procurement and the reports of the Auditor General, it is estimated that public procurement is one of the areas where there is corruption and that there is a need to develop the knowledge of judges and prosecutors on this area. It is also a constant request of judges and prosecutors to discuss with all relevant actors in the country about public procurement procedures and problems of their implementation in practice. This program addresses the aforementioned requirements focusing on the practical elaboration of all phases of public procurement. In this context, cases from practice on how to assess needs and determine requirements, the tender dossier and the process of evaluating a tender will be analyzed. The focus of this program will be the implementation phase of the contract as well as the investigation and trial of criminal offenses of this nature.

This training aims to gain theoretical and practical knowledge for judges and prosecutors regarding public procurement procedures and the investigation of fraud and corruption in public procurement at all stages of public procurement.

One of the dilemmas is whether in case of suspicions of fraud during the procurement phases, should legal remedies be exhausted first, such as an objection to the Contracting Authority and a complaint to the Procurement Review Body or can the officials involved in fraud despite the possibility of filing the aforementioned legal remedies be prosecuted?

Training objectives

After completion of this training, participants will be able to:

- Understand and analyze the main principles and procurement procedures and tender dossier;
- Identify the main functions of institutions in the field of procurement;
- Understand the definition of fraud and corruption in procurement;
- Identify fraudulent and corrupt schemes in the procurement phases;
- Analyze the procurement planning process;
- Understand the responsibilities of the evaluation committee, the selection of the contractor and the awarding of the prize;
- Analyzing the grievance process and responsibilities in contract management;
- Identify indicators of corruption and fraud related to public procurement;
- Develop a plan for the investigation of criminal offenses of corruption in public procurement;
- Detection of conflict of interest.

Content of the training module

Session I

General principles

- ✓ The principle of cost-effectiveness and efficiency
- ✓ The principle of competition
- ✓ Equality of treatment / non-discrimination;
- ✓ Transparency;
- ✓ Open and restricted procedures;
- ✓ Negotiated procedures after and without publication of the contract notice;

- ✓ Price quotation procedures and procedures for minimum value contracts and immovable property contracts;
- ✓ Public Framework Contracts.

Institutional framework in the public procurement area

- ✓ Public procurement regulatory commission
- ✓ Procurement review body
- ✓ Central procurement agency
- ✓ Roles and responsibilities in the decision-making process in the procurement cycle within the contracting authority
- ✓ Chief Administrative Officer (CAO), Chief Financial Officer (CFO), Authorizing Officer (AO) and Certification Officer (CO)
- ✓ Responsible Procurement Officer (RPO)
- ✓ Procurement Department
- ✓ Requesting unit
- ✓ Project Manager

Definition of corruption and fraud

- ✓ Causes of corruption;
- ✓ The psychology behind fraud and the elements of fraud;
- ✓ Reasons behind procurement fraud;
- ✓ Corruption and fraudulent acts under the CCK.

Corruption and fraud in the procurement process

- ✓ Pre-tendering fraud and corruption - typical procurement fraud schemes during the pre-tendering phase;
- ✓ Fraud and corruption in the tendering phase - typical procurement fraud schemes during the tendering phase;
- ✓ Fraud and corruption in the post-contract phase - typical procurement fraud schemes in the post-contract phase.

Session II

The process of planning and initiating the procedure

- ✓ Procurement planning;
- ✓ Initiation of procurement;
- ✓ Tender dossier;
- ✓ Technical specifications;
- ✓ Selection criteria.

Examination, Evaluation and Comparison of Tenders

- ✓ Evaluation Committee;
- ✓ Awarding the contract.

Complaints and Contract Management

- ✓ Corruption - bribery and ransom;
- ✓ Payments and corrupt influence;
- ✓ Offers with fraudulent deals
- ✓ “Formal” bidding

Manipulated specifications/ special adaptation of offers

- ✓ Manipulation of bids;
- ✓ Non-competitive procurement methods or unreasonable single source procedures;
- ✓ Separate procurements.

Invoice fraud

- ✓ Configuration of works in contracts;
- ✓ False cost billing;
- ✓ False invoicing in accounting reports;
- ✓ False material billing;
- ✓ False labor invoices;
- ✓ Defective price schemes in negotiated contracts;
- ✓ Failure to meet the specifications of the contract;
- ✓ False, inflated or doubled invoices;
- ✓ Fictitious service providers;
- ✓ Product replacement.

Investigation and detection of corruption and fraud

- ✓ Identification of information sources;
- ✓ Planning and conducting investigations;
- ✓ Use of special investigative techniques and methods.

Identification of conflict of interest in public procurement

- ✓ Definitions of conflict of interest;
- ✓ Conflict of interest according to the procurement code of ethics of the PPRC;
- ✓ Statement regarding the absence of conflict of interest.

Training methodology

During the training, interactive methods, case simulation, group work, questions and discussions by participants will be used.

Beneficiaries and duration

Judges of the Basic Courts, including judges of the Special Department, prosecutors of the Basic Prosecutions as well as those of the Special Prosecution, including SPRK experts as well as police investigating officers. Training duration is two two-days sessions.

1.19 Extremism, radicalism and terrorism

Terrorism continues to be one of the main security threats, both nationally and internationally, threatening not only the life and property of the individual, but also democratic values and the very way society functions. The global trend of terrorism and its spread, especially during the last two decades, has threatened the Republic of Kosovo, as well as the entire region, Europe and beyond. Preventing and combating terrorism continues to be one of the main strategic priorities of the Republic of Kosovo. The Counter-Terrorism Strategy, as well as other legislative and policy measures in this area, are linked to the strategic priority for "Good Governance and the Rule of Law". It is also related to the European integration process and as such is part of the National Program for the Implementation of the Stabilization and Association Agreement 2017-2021 and the conclusions of the first meeting of the subcommittee on Justice, Freedom and Security between Kosovo and the European Union.

Due to the presence of elements of extremism and radicalism that lead to terrorism, a number of important legal instruments have been drafted, focusing on the effective fight against this illegal phenomena, always from the perspective of the instruments of the justice system, namely prosecution and adjudication. Considering the need to increase the professional capacity of judges and prosecutors, it is considered necessary for this community of law enforcement officers to benefit from these training cycles in order to increase knowledge, skills and competencies for effective, independent investigation and professional adjudication.

Training objectives

After completion of this training, participants will be able to:

- Advance knowledge about national and international legal framework against terrorism;
- Understand violent extremism and radicalism that favor terrorism;
- Demonstrate the technique of investigating and proving terrorism, with particular emphasis on human rights and freedoms, international cooperation and victim protection;
- Compare the links between terrorism and organized crime;
- Enforce the law regarding criminal sanctions against perpetrators of terrorism.

Content of the training module

Session I

- Overview of the national and international legal framework against terrorism;
- Prevention of terrorism, as a strategic focus of counter-terrorism efforts;
- Understanding and confronting violent extremism and radicalism that favor terrorism.

Session II

- Terrorism investigation and proving techniques;
- Fundamental human rights and freedoms endangered by repressive measures against terrorism;
- Strategic and institutional framework in the field of cooperation in criminal matters against terrorism;
- Victims of terrorism and access to justice from the perspective of victims.

- Juveniles as perpetrators of extremism, radicalization and terrorism crimes.

Session III

- Criminal sanctions against perpetrators of terrorist offenses;
- The links between organized crime and terrorism.
- National strategy against terrorism in Kosovo.
- Terrorism and participation in foreign wars.

Training methodology

The topic of this training will be taught with interactive lectures, respectively will be combined with case studies, being determined in solving individual and group tasks among the attendees.

Beneficiaries and duration

Judges of the Court of Appeals and Basic Courts, Prosecutors of the Special Prosecution, and Law Enforcement Agencies dealing with the fight against terrorism as well as professional associates and SPRK experts, as well as judges and prosecutors of the Juvenile Departments, and Correction Center Officers (Session II). Training duration is three two-days sessions.

1.20 Cybercrime and cryptocurrencies

Cybercrime today is one of the biggest legal challenges. Since 2000 the internet has expanded tremendously globally and currently billions of people are online. Cyberspace today is one of the biggest legal challenges which has spurred another form of crime, creating an environment for new methods of crime, now almost all crimes can be committed using computers.

Cybercrime is a phenomenon that affects a number of competencies, such as those in the field of informatics, energy, criminology, economics, medicine, law and many other fields. The use of new information technologies and especially the Internet has taken on a special importance in daily life. This phenomenon affects not only the activities of an organization, whether public or private, implicated in the field of business or a non-profit activity, but can also affect the common persons in their daily activities, in their private or professional sphere. Like any new technology made available to a large number of users, the Internet presents not only good and benefits, but at the same time and a variety of problems. Being a "liberalized" technology for some time, there is no doubt that the benefits of using this technology are great.

With the support of societies around the world in information and communication technologies, judges and prosecutors need to be prepared to adjudicate cybercrime and review electronic evidence. Although in many countries, law enforcement authorities have strengthened their capacity to investigate cybercrime and provide electronic evidence, this is not the case with judges and prosecutors. Experience suggests that in most cases, judges and prosecutors have difficulty coping with the new realities of the cyber world. Therefore, special efforts are required to enable judges and prosecutors to be able to prosecute and prosecute cybercrime and to use electronic evidence through training, networking and specialization.

Cryptocurrencies have become a very prominent and controversial topic even among private and public sector professionals who are involved in preventing and combating money laundering. The most popular cryptocurrency, Bitcoin has aroused a lot of interest especially for the fact that the media continue to deal with a number of high-profile investigations and prosecutions around the world.

This training is aimed at addressing the audience of law enforcement agencies, prosecutors and representatives of the Financial Intelligence Unit (FIU) who are engaged in financial investigations, prosecutions involving economic crime and recovery of illicit assets. The training will explore and extend the experience and expertise of practitioners from the prosecutor's office and the FIU in tracking illegal financial flows channeled through cryptocurrencies.

Training objectives

After completion of this training, participants will be able to:

- Identify the field of cybercrime - trends and instruments;
- Advance knowledge about technology involved in cybercrime;
- Expand knowledge about Cybercrime as a criminal offense in domestic legislation;
- Implement correctly the legislation, procedures and practices related to electronic evidence;
- Procedural law/ investigative measures in domestic legislation;
- Recognize international legislation and international cooperation.

Content of the training module

Session I

- ✓ Cybercrime – tendencies and tools;
- ✓ Technology involved in cybercrime.
- ✓ Cybercrime as a criminal offense according to the domestic legislation – child pornography
- ✓ Legislation, procedures and practices related to electronic evidence.

Session II

- ✓ Procedural law/ investigative measures in the domestic legislation;
- ✓ Legislation, procedures and practices related to electronic evidence.
- ✓ International cooperation

Session III

- ✓ Familiarity with cryptocurrencies;
- ✓ Bitcoin 101 - Addresses, Keys and Transactions;
- ✓ Block chain;
- ✓ Block chain analysis;
- ✓ Mutual legal assistance;
- ✓ Sequestration and confiscation;
- ✓ Ownership of beneficiaries.

Training methodology

During the training, interactive methods will be used, case simulation, group work, questions and discussions by participants, use of technology and electronic equipment (evidence) during the training.

Beneficiaries and duration

Appellate instance and basic instance judges and prosecutors. Training duration, three (3) days.

1.21 Domestic violence

Domestic violence is a widespread negative phenomenon that challenges not only Kosovo society in general but also the justice system in particular. The legal and institutional framework in this area is largely in line with EU and international standards. The Law on Domestic Violence should be harmonized with the new criminal code ... “Law no. 06/ L-074 Criminal Code of the Republic of Kosovo (hereinafter "CCRK"), in Article 248 has defined domestic violence as a special offense by defining the features of the figure of this offense and determining criminal sanctions. Further, in this regard there have been positive developments in terms of the legal framework. According to the 2020 Report on Kosovo, in September 2020, the Assembly adopted an amendment to the Constitution of Kosovo, an amendment that gives direct effect to the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention). This is a positive step in guaranteeing fundamental rights, protecting women's rights and combating domestic violence. However, the challenge is to implement the provisions of Article 248 of the CCRK, in the daily work of the prosecutorial and judicial system. The implementation of this provision encountered difficulties regarding the cases when in the framework of domestic violence a special criminal offense was committed, such as Threat, Assault, minor bodily injury, etc., regarding the legal qualification of the criminal offense. To this end, ongoing discussions took place between local and international actors supporting the judicial system in Kosovo through various roundtables and forums which yielded the expected result. On June 12, 2020, the Supreme Court of Kosovo, approved the Instruction number Gj.A.Su. 113/2020 regarding the legal qualification and treatment of cases of Domestic Violence according to the Criminal Code of the Republic of Kosovo. This guideline represents a major development in advancing the existing institutional mechanisms in addressing and dealing with cases of domestic violence by facilitating the work of prosecutors and judges, regarding the legal characterization of this criminal offense.

How should cases of domestic violence be qualified in practice, as a criminal offense of domestic violence or minor bodily injury? Which criminal offense should be qualified, when we have elements of the criminal offense of economic violence in the context of domestic violence, such as domestic violence or destruction or damage to property? Is the violation of the protection order to be qualified according to the law on protection from domestic violence or is it a criminal offense to disregard the court decision?

Training objectives

After completion of this training, participants will be able to:

- Advance knowledge regarding legal provisions related to domestic violence, investigation and prosecution of cases of domestic violence;
- Recognize the forms of manifestation of domestic violence, including physical, psychological and economic violence;
- Expand the knowledge of unique practices in the implementation of legislation and the qualification of criminal offenses according to the instruction of the Supreme Court;
- Analyze the provisions which refer to cases of violation of the protection order;
- Advances knowledge about the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention).

Content of the training module

- ✓ General and specific elements that constitute the figure and criminal offense of Domestic Violence, according to Article 248 of the CCRK;
- ✓ Psychological violence, Economic violence;
- ✓ Legal qualification in cases when another criminal offense has been committed within the framework of Domestic Violence;
- ✓ Criminal offense of domestic violence and child abuse and abandonment (elements of criminal offense differences and competencies)
- ✓ Violation of the protection order and legal provisions that apply in the case of legal qualification;
- ✓ Implementations of the instructions of the Supreme Court, (Instruction No. Gj.A.Su. 113/2020);
- ✓ Domestic violence by perpetrators with mental disorders.
- ✓ Amendment No. 26 of the Constitution of the Republic of Kosovo, the Council of Europe Convention on Preventing and Combating Violence against Women referred to as the Istanbul Convention has become an integral part of the Constitution.
- ✓ Furthermore, Article 22 of the Constitution stipulates that this Convention now enjoys direct application in the Republic of Kosovo.
- ✓ Use of mitigating and aggravating circumstances in criminal procedure as part of calculation of the punishment with the focus on domestic violence cases;

Training methodology

The trainings will be organized in the form of presentations by experienced trainers in cases of Domestic Violence who will provide theoretical materials and practical examples. This methodology applies the forms of practical case exercises, large group discussions or sub-group discussion, case simulations with training participants, discussion of the reasoning of the Court of Appeals decisions and of the Supreme Court. The materials provided for this module will be the respective provisions of the legislation in force, the instruction of the supreme court and the ruling of the court.

Beneficiaries and duration

Beneficiaries of this training will be Judges, State Prosecutors, Professional Associates. One day lectures will be held while on the second day a roundtable will be organized where hypothetical cases will be practiced to identify forms of domestic violence and the qualification of criminal offenses with practical cases. Training duration is two (2) days.

1.22 Drafting of accusatory acts by the Special Prosecution

For indictments from the Special Prosecution Office to be well-received and reviewed by the Special Department of the Basic Court, they must be well-drafted, contain good reasoning, and be thorough and well-argued with evidence. All indictments that fall outside the competence of this prosecution should definitely be treated especially to avoid the shortcomings that have been identified during the case law and to increase their quality in the future. Special attention will be paid to the drafting of an indictment model by the SPRK, which will initially be reviewed by the Special Department (SD). Following any remarks and suggestions from the SD, the same model will be used to draft future indictments by the SPRK, of course depending on the case.

Training objectives

After completion of this training, participants will be able to:

- Identify challenges in the case law;
- Extend knowledge about the description of criminal offenses and summary of facts in the drafting of the enacting clause the indictment;
- Unify case law regarding the drafting of indictments;
- Justify the indictments and other acts by the SPRK and SD correctly;
- Recognize the ways in which cases are included in the indictment in cases of sequestration and protection measures.

Content of the training module

- ✓ Indictments, with emphasis on organized crime;
- ✓ Forms of other acts in preliminary procedure;
- ✓ Identification of assets for sequestration and application of measures for property insurance;
- ✓ Control of indictments in early stages and the possibility for improvement before commencement of the court hearing.

Training methodology

This training will use a combined methodology which besides power point presentation, will also apply interactive discussion method with participants. Also, the participants will be provided practical and hypothetical cases for discussion of the dilemmas and challenges from the court case law.

Beneficiaries and Duration

Judges and prosecutors of the Special Department and the Special Prosecution. Training duration is one (1) day.

1.23 War crimes

Our country is one of the countries that came out of the war during which there have been cases of various war crimes, which are suspected to be part of the scope of war crimes.

These cases were a competence and were handled by judges and prosecutors of international missions in Kosovo, respectively by judges and prosecutors of UNMIK and EULEX.

With the transfer of competencies from the European Union Rule of Law Mission in Kosovo (EULEX) to local institutions, respectively to local prosecutors and judges, these cases started to be handled by local judges and prosecutors.

The lack of continuous trial and treatment of these cases by local judges and prosecutors has led to the lack of any great experience among local judges and prosecutors in handling these cases. Therefore, local judges and prosecutors need eminent measures in capacity building for handling these cases. Local judges and prosecutors need capacity building in this area as there has been no long-standing domestic judicial practice in this regard.

Participants will initially be acquainted with the criminal legislation as a whole in Kosovo which covers war crimes, as well as the criminal legislation in force at the time when these crimes were committed, or with the most favorable law to the perpetrators of these crimes. They will be informed about the criminal offenses provided in the Criminal Code of the Republic of Kosovo, which provide for and sanction the actions of perpetrators of war crimes and which will be presented in conjunction with international conventions as a whole and the Geneva Conventions, which cover war crimes and genocide in particular.

The special emphasis in this training will be on categorization of war crimes responsibility always based on the nature of the forms of cooperation, assistance, incitement, co-perpetration, joint criminal enterprise and command responsibility, aiming to analyze local practical cases and international tribunals to also assess impunity for the nature of responsibility for war crimes.

Forms of incrimination of war crimes with special emphasis on sexual rape as an act categorized in violation of international law will also be important.

This training aims to build entirely on domestic and international practical cases of war crimes, to identify shortcomings in judicial practice, whether in cases that have received an epilogue or in cases that are considered that solutions according to court decisions are not in accordance with legal provisions, in order to build a consistent practice and aiming not to repeat the mistakes already identified in case law.

This training will also address the issue of trial in absentia and legislative changes in relation to trial in absentia, which is one of the major challenges in dealing with war crimes cases.

Training objectives

After completion of this training participants will be able to:

- Acquire knowledge to deal with war crime cases;
- Recognize applicable forms of criminal liability for war crimes;
- Recognize applicable forms of criminal liability for war crimes;

- Recognize command responsibility;
- Acquire knowledge on implementation of legislative changes in relation to the trial in the absence of war crimes;

Content of the training module

- ✓ Applicable forms of criminal responsibility for war crimes (armed conflict, participation in military or paramilitary formations in armed conflicts, etc.);
- ✓ Decisions of the Supreme Court and the Court of Appeals in the application of international criminal law in the jurisdiction of Kosovo;
- ✓ Joint criminal enterprise;
- ✓ Other forms of cooperation
- ✓ Commanding responsibility;
- ✓ Genocide
- ✓ Evaluation and analysis of evidence in war crime cases, especially in light of the practice of international tribunals;
- ✓ Utilization of international mechanisms, international tribunals in providing evidence for war crime cases;

Training methodology

The training will focus on the study of practical cases, especially international cases and tribunals, the application of legal categories in factual scenarios. Elaboration and consolidation of practice for judges and prosecutors dealing with cases of this nature.

Beneficiaries and duration

Judges of the Special Department of both instances, judges of the serious crimes department, judges of the Supreme Court, the Appeals Court and the Basic Courts; as well as SPRK prosecutors and professional associates of the SPRK. Training duration is two (2) days.

This module, in addition to being organized in the form of training, will also be organized in the form of a roundtable and the concept of it and the agenda will be built on the basis of the content of this module.

WORKSHOPS AND ROUNDTABLES OF THE CRIMINAL LAW AREA

Workshops and roundtables of the criminal law area

1.24 Punitive policy and enforcement of the guideline

Punitive policy poses an ongoing challenge for judges in determining mitigating and aggravating circumstances when determining the type and severity of a sentence. As a result, numerous problems have been identified in the unequal treatment of perpetrators of criminal offenses and inconsistencies in sentencing, and this has had a direct impact on reducing transparency and public confidence. In order to avoid these shortcomings and to assist judges and especially to unify the punitive policy, the Supreme Court of Kosovo has issued a guideline on punitive policy and a table for sentencing the perpetrator of the criminal offense and the criminal offense committed.

Taking into account the weaknesses and shortcomings identified in the penal policy, the Consultative Commission for Penal Policy has been formed, which continuously monitors the phenomena and challenges that judges face in the implementation of the penal policy guide and during its work continuously issues specific instructions regarding harmonization of penal policy which will be presented and discussed during these roundtables that are planned to be organized.

Purpose of this roundtable is to enable the proper implementation of sentencing methods by all judges, but at the same time that prosecutors and victims' advocates can contribute to clarifying the circumstances before the court that would affect the correct sentencing, in accordance with the penal policy guidelines. Also address specific aspects of sentencing guidelines such as the penal policy guide for corruption offenses, in order to establish equal sentencing standards for all defendants in the proceedings.

Roundtable objectives

After conclusion of this roundtable, the participants will be able to:

- Analyze the importance of correctly and accurately determining mitigating and aggravating circumstances;
- Apply the relevant circumstances when sentencing;
- Analyze the implementation of the guideline and the activity of the Consultative Commission for Penitentiary Policy.

Roundtable content

- ✓ Mitigating and aggravating circumstances in sentencing;
- ✓ Implementation of the penal policy guideline;
- ✓ Activity of the Consultative Commission for Punitive Policy.
- ✓ Methodology of implementation of the guideline for sentencing;
- ✓ Methodology for assessing the circumstances of the category of liability and damage;
- ✓ Division of categories for sentencing for criminal offenses of corruption.

Roundtable methodology

The methodology of the roundtable work will focus on interactive discussions with the participants, regarding the practical problems of applying aggravating and mitigating circumstances when determining the type and amount of punishment, improving and harmonizing the penal policy. The implementation of the penal policy guideline will be discussed in particular, as well as the activity of the Consultative Commission on Penal Policy.

Beneficiaries and duration

Appellate and basic instance judges and prosecutors. Roundtable duration is two (2) days.

1.25 Sequestration and confiscation

The roundtable on sequestration and confiscation issues aims to address the challenges of case law regarding the implementation of the provisions of the Criminal and Procedural Code as well as the law on extended powers for confiscation of property. Sequestration and confiscation are regulated through a procedural prism by two parallel laws that are intertwined in terms of practical application, as well as by the provisions of the criminal code related to confiscation. Although the legal provisions especially with the law on extended powers have aimed at advancing the legislation, on the other hand the jurisprudence so far does not reflect that it has advanced in terms of sequestration and confiscation of property and practical unification of legal implementation. Currently, according to the provisions of the Criminal Procedure Code, there are a number of legal provisions that regulate the aspects of sequestration but also of confiscation, which reflects that there are more provisions that regulate sequestration, than in essence confiscation. Therefore, this roundtable aims to address in the practical and legal sense the provisions of sequestration and confiscation, always in conjunction with the provisions of the special law on confiscation of property.

The roundtable would basically serve two purposes for judges and prosecutors:

- a) To reflect the built court practice;
- b) Practice practical cases as erroneous by the higher judicial instances to prevent the same or similar errors in the future in judicial practice.

To achieve these two goals, some basic factors must be taken into account, which would reflect the roundtable with positive results, and such factors would be:

1. Research and selection of practical cases should be done carefully;
2. Specifics of practical problems in the context of sequestration and confiscation;
3. The choice of practical cases to reflect the solutions of different levels of courts;
4. The choices of practical cases as wrong should be treated only in the limitations of errors with emphasis on non-repetition in practice, always taking care if the case was found to be wrong but has not yet received an epilogue of the final solution;
5. Reflections on future actions based on the practical situation.

In order to implement the roundtable effectively and efficiently, the moderators of the roundtable must be ready and sufficiently prepared, which would consist of the possibility of giving comments based on the case law based on the legislation in force for any issue that can be addressed, whether of sequestration or confiscation. The agenda framework that would include topics as such should be chosen very carefully, which will be based on aspects of current procedural and material issues in the context of built practice. As such, the topics would reflect the problems from the practice of sequestration, of the criminally acquired property, as means that enabled commission of the criminal offense, and sequestration due to the nature of the item/ property, seizure that can be considered evidence and procedure followed. Basis of confiscation and consolidated practical aspects of confiscation and other specific topics. The case law selected for the roundtable would help to reflect the correct application of the provisions by judges and prosecutors to reflect the established practical standards of acceptance within the courts.

This roundtable aims at the interactivity and involvement of all participants as well as case exercises. Each topic that will be presented will aim to present some practical circumstances related to the topic being addressed, highlighting the dilemmas that that topic entails. Moderators should be willing to discuss the presented case/ case circumstances in relation to the topic by encouraging the analysis and exhaustion of case dilemmas, always aiming to provide explanations based on consolidated practice and legal provisions with the correct interpretation.

At the end of the roundtable work the moderators draft the report of the roundtable with results which could serve to address any issue within the Academy or which would reflect on the necessity of the principled positions of the Supreme Court to unify the implementation of laws by judges, which would also reflect on prosecutors.

Roundtable objectives

- Identification of legal problems for sequestration and confiscation;
- Identification of inconsistent practices in basic courts;
- Identification of incompatible practices of the Court of Appeals with the consolidated practice of the Supreme Court;
- Identification of problems related to temporary measures for securing property;
- Addressing problems through unified case law as a conclusion;
- Challenges of implementing the law on Extended Powers, for confiscation and sequestration.

Roundtable content

- ✓ Seizure of items/ property: as evidence, as benefit, as means, due to nature.
- ✓ Procedural regulation, for sequestration, measures for securing property, temporary freezing and detention orders, long-term detention order.
- ✓ Procedural regulation according to the special law on sequestration and confiscation.
- ✓ Confiscation of property, review for confiscation of property and order for confiscation

Roundtable methodology

Presentation of practical cases, discussion of practical cases in the context of legal solutions, summary of conclusions drawn.

Beneficiaries and duration

Beneficiaries and focus groups are divided into two levels. At the first level the beneficiaries are the judges of the Court of Appeals and the state and Appellate Prosecutors. At the second level the beneficiaries are the judges of the Basic Courts and the prosecutors of the Basic and Special Prosecutions.

The roundtable must last three days to be built on two levels. The first level in 1-day duration, which would include the Supreme Court and the Court of Appeals, the State and Appellate Prosecutors. The second level in duration of 2 days, which would include the Supreme and Appellate Courts, Basic Courts and Special Prosecutors, Appellate and Basic instance Prosecutors.

1.26 Roundtable: Offenses against sexual integrity

The sensitivity of criminal offenses against sexual integrity requires a more detailed treatment to remove the dilemmas from the fact that legal provisions leave room for interpretation and confusion. Also, within the chapter of criminal offenses against sexual integrity, among others, it envisages some offenses that affect sexual integrity. Proper implementation of the legal provisions of this chapter is often presented as a challenge for judges and prosecutors.

What are the criminal offenses against sexual integrity according to the Criminal Code of Kosovo? What are the elements and characteristics of criminal offenses against sexual integrity? Through the presentation of cases from case law and group discussion, alternatives will be provided to many issues related to criminal offenses against sexual integrity.

These issues will be addressed, among other things, through participation and interactive discussion with participants, to answer all questions and dilemmas that may arise in court practice.

Objectives of the training module

After completion of this training, participants will be able to:

- Expand knowledge about criminal proceedings when the perpetrator is an adult;
- Analyze forms of rape and other similar acts related to sexual integrity;
- Properly apply the provisions related to these criminal offenses.

Content of the training module

- ✓ Criminal offenses against sexual integrity according to the Criminal Code;
- ✓ Elements and characteristics of criminal offenses against sexual integrity
- ✓ Early marriages
- ✓ Sexual assault

Training methodology

Group work and handling of case studies from case law will characterize the methodology of realization of this topic.

Beneficiaries and duration

Basic level judges and prosecutors, psychologists, victim advocates and investigative police. The training will last one (1) day.

Trainings of the Civil law area

2. Trainings in the civil law area

2.1 Compensation of the material and immaterial damage and the case law

The large number of litigation disputes for compensation of damage, whether material and immaterial, inconsistent court practice in terms of judgments and criteria for determining the amount of immaterial damage, are indicators that show that this topic is very important to be treated.

Civil legal protection of goods and the existence of civil legal responsibility (if someone infringes these goods) is an important segment in ensuring a higher level of protection of legally protected human rights. Accurate determination of the responsibility of the cause of the damage and the realization of the right of the injured party in the compensation of the damage, in the non-contractual civil legal relationship is one of the challenges for the judges of the civil field.

Although the case law is relatively developed on this topic, still the large number of cases in the courts of Kosovo, the dynamics of increasing number of cases filed for damages, has led to differences in case law, especially in terms of criteria for determining the amount of material and immaterial damage, but also the way of proving the factual situation in these cases often have shortcomings.

The basis of liability for compensation of material and immaterial damage? What are the criteria for determining the amount of material and immaterial damage? How is the factual situation proven in the procedure of compensation for material and immaterial damage? How to apply the material provisions in practice in concrete cases in disputes for compensation of material and immaterial damage? What is the practice for determining the amount of material and immaterial damage compensation? The theme of the training is structured in such a way as to answer the questions and uncertainties raised above through the analysis of all material legal provisions that refer to the compensation of material and immaterial damages.

Training objectives

After completion of this training, participants will be able to:

- Interpret and apply correctly the provisions regarding liability for material and immaterial;
- Unify case law regarding the criteria and amount of immaterial damage;
- Properly apply the provisions regarding the determination of the height for the compensation of material and immaterial damages;
- Apply correctly the provisions for setting interest for immaterial and material damage.

Content of the training module

- ✓ Material and immaterial damages according to the LOR;
- ✓ Liability for compensation of material and immaterial damage;
- ✓ Criteria for determining the amount of material and immaterial damage;
- ✓ The way of proving in the procedure of compensation of material and immaterial damage;
- ✓ Practice for determining the amount of compensation for material and immaterial damage;

Training methodology

The training should be done in the form of a roundtable, to use combined methods of explanation, followed by practical examples and joint discussions, so that each of the participants is active throughout the training, to fully achieve the objectives of this training.

Beneficiaries and duration

Basic court judges and professional associates. Training duration is one (1) day.

2.2 Null and void contracts and remedies for ensuring the contract

Judicial practice has shown that there are many cases when the contracting parties in the case of concluding the contract do not respect the conditions provided by law which make that contract valid, so that the treatment of this topic would help in analyzing and elaborating the reasons on the basis which can lead to the nullity and volatility of a contract

In the framework of legal science, consequently also in the framework of the legislation for the regulation of civil relations, special importance is given to the means for ensuring the execution of contracts. There are cases when the creditor does not have the necessary trust towards the other contracting party, then the creditor has certain means at his disposal to directly ensure that the contract will be fulfilled. mainly the means to ensure the execution of the contract are required in those contracts whose fulfillment will last for a long time.

Training objectives

After completion of this training, participants will be able to:

- Distinguish the legal conditions that must be met to be considered a null and void contract;
- Recognize the circle of entities that can invoke the relative invalidity of contracts;
- Advance knowledge about the consequences of relative nullity of contracts;
- Implement correctly the provisions of the LOR regarding the invalidity of revocable contracts.
- Advance knowledge on the remedies to ensure the execution of the contract;
- Apply properly the provisions related to establishment and specifics of the real and personal means of the contract execution;
- Expand their knowledge on procedures and the manner of decision making in judicial disputes related to realization of the means for ensuring the contract;

Content of the training module

- ✓ Revocable contract, legal reasons which make a contract revocable;
- ✓ Circle of entities that can request the cancellation of revocable contracts;
- ✓ The character of the court decision in case of cancellation of these contracts;
- ✓ Legal consequences of cancellation of the contract are relatively invalid;
- ✓ Position of the contracting parties and the third person after the cancellation of the contract is relatively invalid;
- ✓ Legal deadlines within which cancellation of revocable contracts may be requested;
- ✓ Meaning of the remedies for execution of the contract
- ✓ Remedies for real execution of the contract
- ✓ Remedies for personal execution of the contract;
- ✓ Main characteristics of these remedies;
- ✓ Contracting of the remedies for ensuring and the manner of their realization;
- ✓ Judicial procedure when deciding in such cases.

Training methodology

During this training, combined methods of explanation will be used, including theoretical and practical explanations, followed by interactive conversations and practical examples, so that each

of the participants is active during the training, in order to fully achieve the objectives of this training.

Beneficiaries and duration

Judges of the Court of Appeals and Basic Courts, professional associates and legal officers.

Training duration is one (2) days.

2.3 Preliminary review of the lawsuit

It often happens that in court practice, no importance is given to this phase of the procedure, i.e. the appropriate measures are not taken by the court to verify whether the procedural presumptions for the conduct of the contentious procedure have been met.

The preliminary review of the lawsuit is a filter that helps the court in eliminating all obstacles in order to proceed with other stages of the procedure. In this sense, it is more important for the judges of the civil field to advance their knowledge regarding the preliminary review of the lawsuit in order to correctly apply the provisions of the Law on Contested Procedure regarding the verification of the fulfillment of procedural presumptions and that: Presumptions related with the court, the parties and the object of the dispute as well as the presumptions regarding the regularity of the lawsuit.

In the framework of this training it will be discussed the procedural actions that judges are obliged to take until the stage of scheduling the hearing for the main hearing of the case.

Training objectives

After completion of this training, participants will be able to:

- Expand knowledge about the lawsuit and its content;
- Interpret and apply correctly the provisions of the LCP, regarding the preliminary review of the lawsuit;
- Define actions for court decisions;
- Recognize and distinguish the decisions taken at this stage of the procedure.

Content of the training module

- ✓ Procedural presumptions regarding the court;
- ✓ Procedural presumptions regarding the parties;
- ✓ Procedural presumptions regarding the object of the dispute;
- ✓ Procedural presumptions related to the lawsuit;
- ✓ Decisions which can be given at this stage of the procedure respectively after responding to the lawsuit.

Training methodology

During this training, combined methods of explanation will be used, including theoretical and practical explanations, followed by interactive conversations and practical examples, so that each of the participants is active during the training, in order to fully achieve the objectives of this training.

Beneficiaries and duration

Judges of the Court of Appeals and Basic Courts, professional associates and legal officers.
Training duration is one (1) day.

2.4 Judicial proceedings in cases of protection from domestic violence with a special emphasis on types of measures, enforcement and consequences

Every natural or legal person has the right to enjoy his property in a peaceful manner and no one should be deprived of his property, except when it is done in the public interest and in accordance with the conditions provided by law and the general principles of international law. The purpose of security measures is to protect the rights and interests of the parties before the start of the trial or during the trial, preventing irreparable losses or damages from occurring, before the court makes a final decision on the merits of the lawsuit. Such measures are most often proposed in cases where property disputes are involved, but are not absent in disputes according to the debt lawsuit, as well as in family disputes. Security measures are a type of court order that prohibits a party from having access to, or otherwise disposing of, his or her assets while a decision on the merits of the case is pending. They may also take the form of an order that certain goods be raised, or alternatively confiscated pending a judgment.

Judicial practice has shown that there are many cases when the submission of a proposal for a security measure creates uncertainty as to whether we are dealing with an interim measure or a security measure, with which the treatment of this topic would help in the analysis and elaboration. of the causes and conditions on the basis of which such measures may be imposed.

Training objectives

After completion of this training participants will be able to:

- Evaluate who can file a motion to secure a claim;
- At what stage of the procedure can the proposal be submitted;
- Distinguish the types of security measures of the claim;
- Determine the jurisdiction of the court which must decide on these measures;
- Distinguish between temporary claim security measures and precautionary measures; and
- Evaluate the cases when the guarantee should be provided.

Content of the training module

- ✓ Securing the claim;
- ✓ Conditions for imposing security measures;
- ✓ Types of security measures for the claim;
- ✓ Interim measures;
- ✓ Competence to decide on the security measures of the claim;
- ✓ Content of the ruling on imposing a security measure;
- ✓ The difference between a temporary precautionary measure and a precautionary measure;
- ✓ Guarantee when determining the security measure of the claim

Training methodology

During this training, combined methods of explanation will be used, including theoretical and practical explanations, followed by interactive conversations and practical examples, so that each of the participants is active during the training, in order to fully achieve the objectives of this training.

Beneficiaries and duration

Judges of the Court of Appeals and Basic Courts, professional associates and legal officers. Training duration is one (1) day.

2.5 International legal cooperation in the civil field

International legal cooperation in civil matters is one of the most complex areas characterized by difficulties in defining, exploring and applying foreign law, including a number of procedural issues, such as cross-border document services issues, international legal aid, recognition and execution of foreign court decisions, etc.

Each judge has dealt equally with both domestic and cross-border issues, and as a result each civilian judge needs training in handling cases with an international element. The program is designed to address the dilemmas and difficulties encountered in current case law, through interactive discussions and case review. The case law of the Court of Justice of the European Union will also be addressed through case studies.

Training objectives

After completion of this training participants will be able to:

- Advance knowledge about international legal cooperation on civil matters, as well as knowledge of foreign decisions;
- Properly implement local and international legislation on cross-border cooperation in civil matters.

Content of the training module

- ✓ Local legal framework for international legal cooperation in civil matters;
- ✓ EU Regulations on International Legal Cooperation in Civil Matters (Regulations Brussels I, Brussels II, Rome I and Regulations No. 805/2004, 1393/2007, 650/2012, 4/2009);
- ✓ The Hague Conventions on International Legal Cooperation in Civil Matters

Training methodology

Combined methods will be used during the training including theoretical explanations followed with examples from case law.

Beneficiaries and duration

Judges of the basic courts (civil division), professional associates of the courts, as well as legal officers. Training duration is one (1) day.

Workshops and roundtables of the civil law area

Workshops and roundtables of the civil law area

2. 6 Roundtable on family matters

The roundtable on family issues focuses on elaborating and addressing the challenges of case law related to implementation of the material and procedural provisions in the field of family law. Family law as a whole is regulated by the Family Law, which in 2019, has had 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 marital and family relationship cases which will also be addressed in this roundtable. Family matters are usually sensitive and require high level commitment and professionalism in handling cases according to requests for judicial protection, therefore this roundtable aims to address issues related to the implementation of the Kosovo Family Law.

The roundtable will serve as a good basis for providing knowledge to participating judges about consolidated practice. The roundtable will be conducted according to a (pre-defined) framework agenda for issues included in the field of marital and family relations. The handling of cases will be done by presenting the challenges identified in the practice of the second and third instance court which will be presented through concrete cases.

The presented cases should be carefully selected in order to consume all the challenges related to the respective field, in this case the field of family affairs. Regarding the selected cases, the moderators should do the appropriate research from the case law in the courts where they work and should ensure that those cases present objectively the problems of the cases handled, but also how to act in the future.

The roundtable work should be based on the legal concepts of family relations regulation, for which the moderators should be prepared to give their comments based on case law and legal provisions on all issues in the field addressed.

The topics included in the framework agenda are a careful selection of the most important and current issues, which are summarized in: Marital law, divorce resolution, divorce proceedings, alimony obligation and parental rights; Special forms of protection of children without parental care; Objection and confirmation of maternity or paternity; Property relations between spouses, etc.

Judicial practice which should be part of this roundtable is an irreplaceable resource not only to clarify the manner of implementation of legal provisions but also to recognize the standards developed in this area.

The roundtable is designed to take place in an interactive environment of practical discussions and exercises. The presentation of topics will be done through the presentation of one or several practical cases directly related to the issue to be addressed according to the agenda. For submitting the case, the moderator should take into account the factual and legal aspects of the case, ask some questions / dilemmas on which the discussion will take place and the topic will be consumed. The moderator should be prepared and open to discuss the case/s related to the topic of the respective session by encouraging interactive and analytical discussion of the relevant issue, but at the same time offering theoretical/ doctrinal views, legal perspective and case law as support for possible conclusions arising from the case under discussion. The addressing of each issue/ topic

summarized in this roundtable should be done through a very short (theoretical) presentation of the notions and other meanings of each issue raised and at the same time should be followed by examples for each topic/ issue. Examples should be carefully selected and should be based on consolidated case law. At the end of the roundtable work the moderators should compile a summary report for the conducted roundtable. The report will serve to disseminate the results of the roundtable but also to identify any issues that should be included in the academy's training programs or eventually be addressed by the general session of the Supreme Court of Kosovo.

Roundtable objectives

- Identification of challenges for implementation of the provisions of the Family Law of Kosovo;
- Identification of non-unique practices in lower courts;
- Addressing challenges through the introduction of unique case law, as a conclusion

Content

- Dissolution of marriage, divorce proceedings, maintenance obligation and parental rights;
- Special forms of protection of children without parental care;
- Objection and confirmation of motherhood or paternity;
- Property relations between spouses.

Roundtable methodology

During this roundtable there will be an interactive discussion, presentation of issues through cases, discussion of cases and summary of conclusions on the discussed issue.

Beneficiaries and duration

Judges of the Court of Appeals and the Basic Courts. Duration of the roundtable is two (2) days, (to be repeated if needed).

2. 7 Roundtable on issues from the Contentious Procedure

The Roundtable on Contested Procedure focuses on addressing and addressing the challenges of case law regarding the implementation of the provisions of the contentious procedure. Civil procedure is part of positive law and as such includes all legal rules according to which the protection and realization of subjective civil rights related to legal-civil relations is done. In this sense, the development of skills for the implementation of the provisions of the contentious procedure due to the wide scope of application is the goal of the ongoing program within the Academy of Justice. The roundtable is designed to present how the provisions of the Law on Contested Procedure should be applied in court practice. So, an important part of the presentation at the roundtable are the practical cases which were supported by a genuine and unique court practice. The issues that will be addressed are: preliminary review of the lawsuit and preparation of the main trial, holding the main trial (preparatory and main), means of proof, co-litigation and participation of third parties in the procedure, completion of the procedure with available actions and court decision , means of strike and special contentious procedures.

The need to hold such a roundtable is dictated by the large number of cases returned for reconsideration due to violations of the provisions of the adversarial procedure and the need to unify case law for all levels of judicial instances. The roundtable will serve as a good basis for providing knowledge to participating judges on consolidated practice in procedural matters. The roundtable will be conducted according to a (pre-defined) framework agenda for issues included within the scope of application of the provisions of the contentious procedure. The handling of cases will be done by presenting the challenges identified in the practice of the second and third instance court which will be presented through concrete cases. The presented cases should be carefully selected in order to consume all the challenges related to the respective field, in this case with the field of application of the provisions of the contentious procedure. Regarding the selected cases, the moderators should do the appropriate research from the case law in the courts where they work and should ensure that those cases present objectively the problems of the cases handled, but also how to act in the future. The roundtable should be based on the legal concepts of regulating the procedure for the realization and protection of subjective civil rights, for which the moderators should be prepared to give their comments based on case law and legal provisions on all issues. the field being addressed.

Moderators should constantly refer to the case law regarding the challenges of unique implementation of the Law on Contested Procedure, as a guarantee of the legality of the judicial process and the advancement of standards for a fair and timely trial. Sufficient materials should be presented at the roundtable to explain the central institutes in the context of the Contested Procedure, to clarify and eliminate the challenges and dilemmas regarding the manner of implementation of the procedural provisions and to especially support young judges with sufficient case law on cases treated. Judicial practice which should be part of this roundtable is an irreplaceable resource not only to clarify the manner of implementation of legal provisions but also to recognize the standards developed in this area.

The roundtable is designed to take place in an interactive environment of practical discussions and exercises. The presentation of topics will be done through the presentation of one or several practical cases directly related to the issue to be addressed according to the agenda. For submitting the case, the moderator should take into account the factual and legal aspects of the case, ask some questions / dilemmas on which the discussion will take place and the topic will be consumed.

The moderator should be prepared and open to discuss the case/s related to the relevant topic by encouraging interactive and analytical discussion of the relevant issue, but at the same time providing theoretical/ doctrinal views, legal perspective and case law as support for conclusions. possible arising from the case under discussion.

The addressing of each issue/ topic summarized in this roundtable should be done through a very brief (theoretical) presentation of the notions and other meanings of each issue raised and at the same time should be followed by examples for each topic/ issue. Samples should be carefully selected and should have support in a consolidated case law. At the end of the table work the moderators should compile a summary report for the table held. The report will serve to disseminate the results of the roundtable but also to identify any issues that should be included in the academy's training programs or eventually addressed by the general session of the Supreme Court of Kosovo.

Roundtable objectives

- Identification of challenges for the implementation of the provisions of the law on Contested Procedure of Kosovo;
- Identification of non-unique practices in lower courts;
- Addressing challenges through the introduction of unique case law, as a conclusion

Content of the roundtable

- ✓ Principles of contentious procedure;
- ✓ General reviews regarding the competence;
- ✓ Regular composition of the court and dismissal of the judge;
- ✓ The parties in the contentious procedure;
- ✓ Sessions, deadlines and return to the previous state;
- ✓ Completion of the procedure with a court decision;
- ✓ Types of judgments according to the LCP;
- ✓ Regular and extraordinary means of strike;
- ✓ Filing a lawsuit in the court of first instance;
- ✓ Preliminary review of the lawsuit and response to the lawsuit;
- ✓ Co-litigation and participation of third parties in the trial;
- ✓ Preparatory hearing and court settlement as well as main hearing;
- ✓ Proof tools and taking evidence;
- ✓ Witnesses, experts and parties;
- ✓ Securing the claim;
- ✓ Termination and conclusion of the contentious procedure;
- ✓ Special contentious procedures.

Roundtable methodology

During this roundtable there will be an interactive discussion, presentation of issues through cases, discussion of cases and summary of conclusions on the discussed issue.

Beneficiaries and duration

Judges of the Court of Appeal and the Basic Courts The roundtable duration is two (2) days. (possibly in four regions).

2. 8 Roundtable on issues from the enforcement and non-contentious procedure

The roundtable on enforcement proceedings focuses on addressing and addressing the challenges of case law regarding the implementation of the provisions of the enforcement proceedings. The roundtable on enforcement proceedings includes all matters regulated by the Law on Enforcement Procedure.

Enforcement procedure is part of the positive law and as such includes all legal rules which regulate the procedural-legal and substantive-legal relations that are created during the enforcement procedure and related to it. Enforcement procedure is a procedure that guarantees the violent implementation of enforcement according to court decisions and other executive titles, therefore the number of enforcement cases is extremely large which in itself justifies the need to include the table in the program for 2021/2022. The roundtable is designed to present how the provisions of the Law on Enforcement Procedure should be applied in court practice. So, an important part of the presentation at the roundtable are practical cases which were supported by a genuine and unique court practice. The roundtable will address the most essential issues of the execution procedure, both for cases when the procedure is initiated by the private bailiff and for cases when the procedure is initiated in court, without excluding issues related to the implementation of the execution and the procedure by means of strikes.

The roundtable is designed to present how the provisions of the Law on Enforcement Procedure should be applied in court practice. So, an important part of the presentation at the roundtable are practical cases which were supported by a genuine and unique court practice. The roundtable will address the most essential issues of the execution procedure, both for cases when the procedure is initiated by the private bailiff and for cases when the procedure is initiated in court, without excluding issues related to the implementation of the execution and the procedure by means of strikes.

The need to hold such a roundtable is dictated by the large number of cases returned for reconsideration due to violations of the provisions of the contentious and enforcement proceedings and the need to unify case law for all levels of courts. The roundtable will serve as a good basis for providing knowledge to participating judges on consolidated practice in procedural matters. The roundtable will be conducted according to a (pre-defined) framework agenda for issues included within the scope of application of the provisions of the enforcement procedure. The handling of cases will be done by presenting the challenges identified mainly in the practice of the second and third instance court which will be presented through concrete cases. The presented cases should be carefully selected in order to consume all the challenges related to the respective field, in this case the field of application of the provisions of the enforcement procedure. Regarding the selected cases, the moderators should do the appropriate research from the case law in the courts where they work and should ensure that those cases present objectively the problems of the cases handled, but also how to act in the future.

The roundtable should be based on the legal concepts of regulating the procedure for exercising the rights through the violent implementation of the execution, for which the moderators should be prepared to give their comments based on case law and legal provisions on all issues. of the field being treated.

Moderators should constantly refer to the case law regarding the challenges of unique implementation of the Law on Enforcement Procedure, as a guarantee of the legality of the enforcement process and the advancement of standards for efficiency in this procedure. Sufficient materials should be presented at the roundtable to clarify and eliminate challenges and dilemmas regarding the manner of implementation of procedural provisions and to especially support young judges with sufficient case law on the cases handled. Judicial practice which should be part of this roundtable is an irreplaceable resource not only to clarify how to implement legal provisions but also to recognize the standards developed in this area.

The roundtable is designed to take place in an interactive environment of practical discussions and exercises. The presentation of topics will be done through the presentation of one or several practical cases directly related to the issue to be addressed according to the agenda. For submitting the case, the moderator should take into account the factual and legal aspects of the case, ask some questions/ dilemmas on which the discussion will take place and the topic will be consumed. The moderator should be prepared and open to discuss the case/s related to the topic of the respective session by encouraging interactive and analytical discussion of the relevant issue but at the same time offering theoretical/ doctrinal views, legal perspective and case law as support for possible conclusions arising from the case under discussion.

The addressing of each issue / topic summarized in this roundtable should be done through a very brief (theoretical) presentation of the notions and other meanings of each issue raised and at the same time should be followed by examples for each topic/ issue. Samples should be carefully selected and should have support in a consolidated case law.

The addressing of each issue/ topic summarized in this roundtable should be done through a very brief (theoretical) presentation of the notions and other meanings of each issue raised and at the same time should be followed by examples for each topic/ issue. Samples should be carefully selected and should have support in a consolidated case law.

At the end of the table work the moderators should compile a summary report for the table held. The report will serve to disseminate the results of the roundtable but also to identify any issues that should be included in the academy's training programs or eventually addressed by the general session of the Supreme Court of Kosovo.

Roundtable objectives

- Identification of challenges for the implementation of the provisions of the law on Kosovo Execution Procedure;
- Identification of non-unique practices in lower courts;
- Addressing challenges through the introduction of unique case law, as a conclusion.

Content of the roundtable

- ✓ Initiation of the enforcement procedure, competencies and decisions of the executive body;
- ✓ Legal basis for scheduling execution;
- ✓ Means, object and implementation of execution;
- ✓ Regular and extraordinary means in the execution procedure, the procedure for returning the employee to work and the procedure for receiving and handing over the child.

- ✓ Procedure for regulation of lands
- ✓ The procedure for administration and use of the shared items;

Methodology

During this roundtable there will be an interactive discussion, presentation of issues through cases, discussion of cases and summary of conclusions on the discussed issue.

Beneficiaries and duration

Judges of the Court of Appeal and the Basic Courts as well as mediators. Duration of the roundtable is two (2) days.

2. 9 Roundtable on property rights

The Roundtable on Property Issues focuses on addressing and addressing the challenges of case law regarding the implementation of substantive provisions in the field of property law. The roundtable on property issues will address the most essential issues in the field of property law. Property issues in our country attract a wide range of issues ranging from legal ones to the judicial practice of non-uniform application of substantive law.

Given the importance of legal property relations not only for the citizens but also for the country itself, but also for the complexity and challenges of this field, this roundtable should be given due importance in the continuing legal education program. Legal changes that have occurred in recent years regarding the way of regulating property relations, changes in the social system regarding the concept of property and types of property, informal property transfer transactions, non-examination of inheritance, etc., have affected the number of cases to be extremely large in our courts. Judicial practice faces major challenges which have not been uniquely addressed in the judicial system, which has had a direct impact on legal certainty.

The Supreme Court of Kosovo, within its jurisdiction as the court for assessing the legality of decision-making at other judicial levels, intends through this roundtable organized by the Academy of Justice to directly support the increase of judicial performance by increasing efficiency, quality, unique enforcement of legal provisions so that the work of the courts is objective, legal and credible. The topics covered in this roundtable are a careful selection of the most important and current issues, which are summarized in: Property rights; Joint Ownership and Joint Ownership; Ways of gaining ownership - Derivative and original acquisition of ownership; Judicial protection of property rights; Real rights in foreign things, certification, constitution and termination of real servitudes as well as protection of real servitudes; Possession and protection of possession; Mortgages, Mortgages, Purchases, Loans, and Building Rights (Superficies).

The case law which should be part of this sub-module is an irreplaceable resource not only to clarify ideas about central institutions but also to understand the ways of action and the whole existing case law for uncertainties, dilemmas or even legal shortcomings. The roundtable work will be conducted according to a (pre-defined) framework agenda for issues included within the scope of property relations. The handling of cases will be done by presenting the challenges identified in the practice of the court of third instance which will be presented through concrete cases.

The presented cases should be carefully selected in order to consume all the challenges related to the respective field, in this case the field of property issues. Regarding the selected cases, the moderators should make the appropriate research from the case law in the courts where they work and should ensure that those cases present objectively the problems of the issues addressed, but also how to act in the future. The roundtable should be based on the legal concepts of regulating property relations, for which the moderators should be prepared to give their comments based on case law and legal provisions on all issues in the field addressed.

The roundtable is designed to take place in an interactive environment of practical discussions and exercises. The presentation of topics will be done through the presentation of one or several practical cases directly related to the issue to be addressed according to the agenda. For submitting the case, the moderator should take into account the factual and legal aspects of the case, ask some questions / dilemmas on which the discussion will take place and the topic will be consumed. The moderator should be prepared and open to discuss the case / cases related to the topic of the

respective session by encouraging interactive and analytical discussion of the relevant issue but at the same time offering theoretical / doctrinal views, legal perspective and case law as support for possible conclusions arising from the case under discussion. The addressing of each issue / topic summarized in this roundtable should be done through a very brief (theoretical) presentation of the notions and other meanings of each issue raised and at the same time should be followed by examples for each topic/ issue. Samples should be carefully selected and should have support in a consolidated case law.

At the end of the table work the moderators should compile a summary report for the table held. The report will serve to disseminate the results of the roundtable but also to identify any issues that should be included in the academy's training programs or eventually addressed by the general session of the Supreme Court of Kosovo.

Roundtable objectives

- Identification of challenges for the implementation of the provisions of the Law on Property and other property rights;
- Identification of non-unique practices in lower courts;
- Addressing challenges through the introduction of unique case law, as a conclusion.

Content of the roundtable

- ✓ Property right;
- ✓ Coownership and joint ownership;
- ✓ Ways of acquiring the right of ownership - Derivative and original acquisition of the right of ownership;
- ✓ Judicial protection of property rights;
- ✓ Real rights in foreign things, certification, constitution and termination of real servitudes, and protection of real servitudes;
- ✓ Possession and protection of possession;
- ✓ Mortgages, mortgages, prepayments, encumbrances, and construction rights (Superficies).

Roundtable methodology

During this roundtable there will be an interactive discussion, presentation of issues through cases, discussion of cases and summary of conclusions on the discussed issue.

Beneficiaries and duration

Judges of the Court of Appeal and the Basic Courts. The roundtable will last two (2) days (repeated as needed).

2. 10 Roundtable for unification of case law

The need for a roundtable regarding the unification of judicial practice which should be done by the Supreme Court, as a court with jurisdiction to determine the standards of judicial practice arises as a result of discussions at various roundtables at the Academy of Justice but also from internal discussions of judges at different levels of the judiciary. It is a known fact that the jurisprudence in our country faces various difficulties related to unification, due to several factors which have continuously influenced the cause of non-unique implementation of laws and consequently the creation of non-unique practices. Findings for non-unique practices are also assessments from the judicial decision-making in the Supreme Court, which assesses the legality of the decisions of lower instances, therefore in this context the need for such a roundtable is necessary and urgent.

The purpose of the roundtable is for roundtable moderators, who should be judges of the Supreme Court, to identify challenges, law enforcement issues and non-unique action in case law at all levels of the judiciary through decisions from case law. The presentation of challenges, problems and non-unique action in court practice should be done through the presentation of concrete cases (Supreme Court decisions) through which the issue identified as a challenge, problem, or non-unique action will be ascertained.

The presented cases should be carefully selected by the moderators in such a way that through the case or cases the selected issue is discussed for the roundtable discussion. Cases should be submitted according to a concept prepared by the moderators, which means that the moderator should present some data on the factual and legal aspects of the case addressed in relation to the court decision, ask some questions on how to apply the substantive legal provisions, according to factual figure of the case raised.

In addition to introducing challenges, problems and non-unique action in the case law, the moderators should provide participants with sufficient case law material that addresses the issues discussed and instructs judges on how to act in the case law. This means that moderators should research the practice of the Supreme Court sufficiently to ensure that the materials presented (decisions, opinions, instructions and legal opinions) present a unique position of the court.

Roundtable work should take place in an interactive discussion environment, where participants will be free to submit questions for discussion, while moderators should be prepared to provide adequate answers to the issues raised. The roundtable is held according to a predetermined framework agenda which is framed on the basis of the most problematic issues of judicial practice. As issues for discussion in the framework agenda are foreseen the discussions on property issues: especially on how to gain and protect property; discussion of procedural issues especially for decision making (drafting and reasoning of decisions); discussions on issues from the relationship of obligations - especially the issue of grounds of liability, causing damage, criteria and measures for assessing damage, nullity and voidability of contracts, statute of limitations, interest rates, etc.; discussions on issues of inheritance law with a focus on violating the necessary part, statute of limitations, etc.; discussions on issues of marital and family relations, with a focus on the division of joint property, financial support, trust and child alimony.

In the framework agenda can be included in the meantime issues which are identified by the table moderators themselves who must also draft the table agenda. After the completion of the roundtable work, the moderators should draft a report on the work of the roundtable, which among other things should present the conclusions of the roundtable but also issues that may be addressed in the general session of the Supreme Court of Kosovo. The report should be drafted in such a way

as to provide the non-participating judges with sufficient information on the discussions and conclusions reached at the roundtable.

Roundtable objectives

- Identification of challenges in case law;
- Identification of situations of non-unique application of legal provisions by colleges or judges of different levels;
- Addressing, presenting and giving recommendations for a unique way of acting in court practice.

Content of the roundtable

- ✓ Ways of gaining and protecting property;
- ✓ Discussion of procedural issues especially for decision making (drafting and reasoning of decisions);
- ✓ Discussions on issues from the relationship of obligations - especially the issue of grounds of responsibility;
- ✓ Causing damage;
- ✓ Criteria and measures for damage assessment;
- ✓ Nullity and cancellation of contracts;
- ✓ Institute of the statute of limitation;
- ✓ Interest;
- ✓ Discussions on issues of inheritance law with a focus on violating the necessary part;
- ✓ Statute of limitation;
- ✓ Discussions on issues from marital and family relations, with a focus on the division of joint property,
- ✓ Financial support,
- ✓ Children trust and alimony

Roundtable methodology

During this roundtable there will be an interactive discussion, presentation of issues through cases, discussion of cases and summary of conclusions on the discussed issue.

Beneficiaries and duration

Judges of the Supreme Court and the Court of Appeal. The roundtable duration is two (2) days.

2. 11 Roundtable on judicial protection in labor disputes, according to the Labor Law

The roundtable on judicial protection in disputes arising from the employment relationship, according to the Labor Law, focuses on addressing and addressing the challenges of case law related to the implementation of material and procedural provisions in the field of labor law. This roundtable will, among other things, address issues related to the procedure initiated by employees in cases of breaches of work duties by employers, including the identification of prerequisites that must be met by the applicant before going to court. with lawsuits to provide judicial protection in such disputes.

The roundtable will serve as a good basis for providing knowledge to participating judges about current case law. The roundtable will be conducted according to a (pre-defined) framework agenda for issues included in the field of labor relations, with special emphasis on judicial protection in labor disputes. The handling of cases will be done by presenting the challenges identified in the practice of the second and third instance court which will be presented through concrete cases.

The cases presented should be carefully selected in order to consume all the challenges related to the respective field, in this case the field of issues related to judicial protection in labor disputes. Regarding the selected cases, the moderators should do the appropriate research from the case law in the courts where they work and should ensure that those cases present objectively the problems of the cases handled, but also how to act in the future.

Issues for discussion at this roundtable could be as follows: What are the types of employment contracts under the Labor Law? What are the reasons for termination of employment according to the Labor Law? What is the procedure before termination of employment by the employer? What are the employee's tools for providing judicial protection? What are the legal deadlines for providing judicial protection in labor disputes? What are court rulings in labor disputes? etc.

At the end of the table work the moderators should compile a summary report for the table held. The report will serve to disseminate the results of the roundtable, but also to identify any issues that should be included in the academy's training programs or eventually addressed by the general session of the Supreme Court of Kosovo.

Roundtable objectives

- Identification of challenges for the implementation of the provisions of the Labor Law, which are related to judicial protection in labor disputes;
- Identification of non-unique practices in lower courts;
- Addressing challenges through the introduction of unique case law, as a conclusion.

Content of the roundtable

- ✓ Employment contracts and their types;
- ✓ Disputes from the employment relationship according to the labor law;
- ✓ Court proceedings for the protection of labor rights;
- ✓ Adherence to deadlines for seeking judicial protection.
- ✓ Implementation of the General Collective and Sectoral Agreement.

Roundtable methodology

During this roundtable there will be an interactive discussion, presentation of issues through cases, discussion of cases and summary of conclusions on the discussed issue.

Beneficiaries and duration

Judges of the Court of Appeals and the Basic Courts. The roundtable will last one (1) day (if needed it can be organized as a regional roundtable).

2. 12 Roundtable on judicial protection in cases of obstruction of possession and servitudes

The roundtable on judicial protection in disputes arising from obstruction of possession and servitudes, focuses on addressing and addressing the challenges of case law related to the implementation of material and procedural provisions in this area. This roundtable will, among other things, address issues related to the procedure of obstruction of possession and servitude, as there are many issues raised in court practice that need to be interpreted, harmonized and unified, starting from the legal framework governing these rights, specifics depending on the type of property whose protection is required, differences and similarities in the application of provisions on ownership and servitudes, differences in cases of protection of property and obstruction of possession, the relationship of the procedure of obstruction of possession with the protection of property. The roundtable will serve as a good basis for providing knowledge to participating judges about current case law. The roundtable will be conducted according to a (pre-defined) framework agenda for issues included within the scope of obstruction of possession and easements. The handling of cases will be done by presenting the challenges identified in the practice of the second and third instance court which will be presented through concrete cases.

The presented cases should be carefully selected in order to consume all the challenges related to the respective field, in this case with the field of issues related to judicial protection in disputes of obstruction of possession and servitude. Regarding the selected cases, the moderators should do the appropriate research from the case law in the courts where they work and should ensure that those cases present objectively the problems of the cases handled, but also how to act in the future.

Issues for discussion at this roundtable may be as follows: What are the specifics for the protection of possession and servitude disputes by type? What are the specifics of providing judicial protection in cases of obstruction of possession and servitudes? etc.

At the end of the table work the moderators should compile a summary report for the table held. The report will serve to disseminate the results of the roundtable, but also to identify any issues that should be included in the academy's training programs or eventually addressed by the general session of the Supreme Court of Kosovo.

Roundtable objectives

- Identification of challenges for the implementation of the provisions of the Law on Property and Other Real Rights, which are related to judicial protection in disputes of obstruction of possession and servitudes;
- Identification of non-unique practices in lower courts;
- Addressing challenges through the introduction of unique case law, as a conclusion

Content of the roundtable

- ✓ Lawsuits for protection of servitude and protection from obstruction of possession;
- ✓ Specifics of the procedure in cases of claims for protection of property,
- ✓ Servitudes and obstruction of possession;
- ✓ Drafting a court decision in each case according to the request for protection of property, servitude or obstruction of possession

Roundtable methodology

During this roundtable there will be an interactive discussion, presentation of issues through cases, discussion of cases and summary of conclusions on the discussed issue.

Beneficiaries and duration

Judges of the Court of Appeals and the Basic Courts. The roundtable duration is one (1) day (if necessary, it can be organized as a regional table).

2. 13 Roundtable on mediation in civil matters

The roundtable on issues that refer to mediation as an alternative way of resolving court disputes in the civil aspect, focuses on addressing and addressing the challenges of case law related to the implementation of provisions governing the aspect of mediation, especially compulsory mediation, but also not mandatory, as the practice has dictated cases when in the mediation procedure the treatment of the case is unjustly refused. The provisions governing this procedure are clear, while the practice dictates the challenges that will be discussed and which will be given concrete solutions on how to act in the future.

Mediation should not be seen as a burden or an obstacle by judges, but as a help in reducing cases, this is also the reason for the incorporation of this instrument. The roundtable will also discuss unfounded refusals to refer cases to mediation. go with self-referral are not processed in time and no epilogue is given to the issues in question, where as a result of these practices we have process blockage, and negligence in treatment.

The roundtable should be based on the legal concepts of regulating the procedure for exercising the rights through the violent implementation of the execution for which the moderators should be prepared to give their comments based on case law and legal provisions on all issues. of the field being treated. Moderators should constantly refer to the case law regarding the challenges of unique implementation of the Law on Enforcement Procedure, as a guarantee of the legality of the enforcement process and the advancement of standards for efficiency in this procedure. Sufficient materials should be presented at the roundtable to clarify and eliminate challenges and dilemmas regarding the manner of implementation of procedural provisions and to especially support young judges with sufficient case law on the cases handled. Judicial practice which should be part of this roundtable is an irreplaceable resource not only to clarify how to implement legal provisions but also to recognize the standards developed in this area.

The roundtable is designed to take place in an interactive environment of practical discussions and exercises. The presentation of topics will be done through the presentation of one or several practical cases directly related to the issue to be addressed according to the agenda. For submitting the case, the moderator should take into account the factual and legal aspects of the case, ask some questions / dilemmas on which the discussion will take place and the topic will be consumed. The moderator should be prepared and open to discuss the case / cases related to the topic of the respective session by encouraging interactive and analytical discussion of the relevant issue but at the same time offering theoretical / doctrinal views, legal perspective and case law as support for possible conclusions arising from the case under discussion.

The addressing of each issue / topic summarized in this roundtable should be done through a very brief (theoretical) presentation of the notions and other meanings of each issue raised and at the same time should be followed by examples for each topic / issue. Samples should be carefully selected and should have support in a consolidated case law.

At the end of the table work the moderators should compile a summary report for the table held. The report will serve to disseminate the results of the roundtable but also to identify any issues that should be included in the academy's training programs or eventually addressed by the general session of the Supreme Court of Kosovo.

Roundtable objectives

- Identification of challenges for the implementation of the provisions of the Law on Mediation;
- Challenges in practice about the implementation of mandatory mediation;
- Examination of appropriate mediation issues;
- Examination of Mediation Agreements;
- Addressing challenges through the introduction of unique case law, as a conclusion

Content of the roundtable

- ✓ Mediation
- ✓ Referral of good practices and barriers to referral;
- ✓ Implementation of the procedure in compulsory mediation;
- ✓ Examination of the mediation agreement and the steps that follow;

Roundtable methodology

During this roundtable there will be an interactive discussion, presentation of issues through cases, discussion of cases and summary of conclusions on the discussed issue.

Beneficiaries and duration

Judges of the Court of Appeal and the Basic Courts and mediators. Roundtable duration is one (1) day.

Trainings and roundtables in the field of justice for children

3. Trainings and roundtables in the field of justice for children

3.1 Justice for children criminal aspect

3.1.1 Amendments to the Juvenile Justice Code

The Juvenile Justice Code with the new provisions that has entered into force has paid primary attention to the cases when the child victim or witness of the criminal offense should be treated in a friendly and sensitive manner, respecting his dignity throughout the legal proceedings, taking into account his personal situation and immediate and special needs, age, gender, disability, if any, and his level of maturity. Interference with a child's private life is limited to the minimum necessary, as defined by law, in order to ensure high standards of testimony and an objective and impartial outcome of the proceedings.

How to apply the provisions of the JJC when dealing with children who are victims of crime or witnesses? What are the obligations of persons and institutions when dealing with this category of children? What are the benefits of these legal changes?

Addressing problematic issues that arise in practice will be the primary objective of the training. Also, the organized training will answer questions related to this issue by analyzing the relevant legal provisions which have entered into force with the JJC which are in line with international standards.

Training objectives

After completion of this training participants will be able to:

- Identify new legal provisions;
- Implement in practice the novelties of JJC;
- Assess that their implementation in practice goes in the best interest.

Content of the training

- ✓ Protection of child victims or witnesses;
- ✓ General principles;
- ✓ Procedural actions.

Training methodology

During this training a combined methodology will be used, where the methods of interactive discussion with the participants will be applied. You will also be offered to discuss practical cases.

Beneficiaries and duration

Judges and prosecutors from the Juvenile Department as well as an official from the Kosovo Probation Service. Training duration is one (1) day.

3.1.2 Measures and sentences imposed on the juvenile

JJC guarantees that the best interests of the child are carefully defined in the justice system and will bring the juvenile justice system in line with international standards derived from the UN Convention on the Rights of the Child. Thus, the educational measures as well as the punishments that can be imposed on the perpetrators of criminal offenses provide some legal restrictions, so they can be imposed on any juvenile who has reached the age determined according to JJC.

Incomplete or unprofessional social surveys and failure to properly assess the benefits of these measures are often considered as factors for non-implementation. Juvenile justice in Kosovo is permeated by a large number of principles, some of which are universal. Whereas, among special and specific principles is that against juvenile offenders are imposed various educational measures and punishments as needed.

How is this measure or sentence selected? What are the educational measures and the punishments that can be imposed on juveniles? What are the benefits of these measures and punishments? How to evaluate the understanding of the purpose of educational measures or punishments?

Addressing problematic issues faced in practice will be the main objective of this training. The training will also answer questions related to this issue by analyzing all relevant legal provisions.

Training objectives

Upon completion of this training, participants will be able to:

- Assess correctly the conditions for imposing measures and punishments;
- Implement correctly the measures and punishments provided by the JJC;
- Determine the type of measures and punishments imposed on the juvenile;

Training content

- ✓ Diversion measures;
- ✓ Educational measures (judicial reprimand, increased supervision, institutional measures);
- ✓ Imposing measures against juveniles with mental disorders - expertise;
- ✓ Punishments;
- ✓ Rulings and Judgments.

Training methodology

During this training will be used a combined methodology involving interactive discussions with participants and cases from court practice.

Beneficiaries and duration

Judges and prosecutors from Juvenile Department as well as officials from the Kosovo Probation Service. Training duration, two (2) days.

3.1.3 Offenses against sexual integrity of children

Children are the most sensitive category of society to which the state with its mechanisms is obliged to take care and provide protection throughout the procedure and after it, always taking into account the best interest of the child and the negative consequences experienced by the child as a victim of these crimes. The Criminal Code of the Republic of Kosovo, within the chapter of criminal offenses against sexual integrity, among others, provides several offenses that affect the sexual integrity of children. Therefore, proper implementation of legal provisions from this chapter is often presented in practice as a challenge for judges and prosecutors due to the specifics that must be respected.

What are the elements and characteristics of criminal offenses against the sexual integrity of children? What are the criminal offenses against the sexual integrity of children according to the Criminal Code of Kosovo?

These criminal offenses are frequent in practice, therefore, in order to detect, investigate and prosecute them, an increased commitment of the stakeholders involved is required. Professional capacity building of prosecutors and judges as well as addressing problematic issues by them will be discussed interactively with the beneficiaries of this training, aiming to properly implement the legal provisions in question.

Objectives of the training module

Upon completion of this training, participants will be able to:

- Interpret properly the provisions related to these criminal offenses;
- Advance their knowledge on criminal proceedings when the child is a victim;
- Analyze forms of rape and other similar offenses related to sexual integrity of children;

Training module content

- ✓ Sexual harassment of minors;
- ✓ Rape;
- ✓ General principles to be respected as well as procedural actions to be taken when dealing with a child victim of criminal offenses against sexual integrity;
- ✓ Interrogation of the injured child when he / she is a victim of a criminal offense against sexual integrity.

Training methodology

During this training will be presented cases from court practice, group discussions will provide alternatives to many issues related to criminal offenses against sexual integrity of children. The handling of these issues will be done, among other things, with participation and interactive discussion with participants, to answer all the questions and dilemmas that may arise in the case law.

Beneficiaries and duration

Judges and prosecutors from the Juvenile Department, as well as officials from the Kosovo Probation Service. Training duration, two (2) days.

3.1.4 Obtaining statement from the child - victims by the expert

Article 39 of the Convention on the Rights of the Child¹ stipulates that the state must take all appropriate measures for better physical and mental recovery for the social reintegration of the child victim of any form of neglect; exploitation; misuse; torture or any other form of cruel, inhuman or degrading treatment or punishment or armed conflict. Recovery and reintegration takes place in environments, which fosters the health, self-respect and dignity of the child. Forensic interviewing of children can be carried out in all forms of violence, abuse or neglect which threaten or violate the physical and mental integrity of the child and which constitute a violation of one of the fundamental human rights protected by the convention.

Recently, following the trend of developed countries, there is a need to standardize procedures and profile prosecutors for various criminal offenses, in which children are victims of violence or criminal offenses². It is very necessary that the prosecuting authorities (Prosecution and Police) possess adequate education, special knowledge in the field of protection of the rights of child victims³. International standards set certain minimum limits, which must be encountered in any national legislation, in order to guarantee the protection of children victims of violence or criminal offenses.

In this context, the standards provide for interrogation and other forms of research that should be carried out by trained professionals who treat the child with respect. All contacts with the child should be made in an adequate environment, which will meet the special needs of the child and in the language that the child understands and speaks, in order to have a more favorable opportunity for participation (cooperation) by the child themselves. Child victims and witnesses, their parents or guardians, from the first contact with the legal system must be informed in a timely and adequate manner about their rights. Measures should be taken to limit unnecessary contact between the child and the legal system, such as limiting the number of child interviews (interrogations) and using video footage as evidence. Child victims have the right to a remedy, as set out in national legislation for full reintegration and recovery. Child victims should have access to assistance and support services, such as financial, legal, counseling, health, social and educational services, physical and physiological recovery services and all other services necessary for the reintegration of children through governmental, voluntary organizations, etc) .The formation, strengthening and expansion of national victim compensation funds should be encouraged.

Training objectives

Upon completion of this training, participants will be able to:

- Recognize the importance of forensic interviewing of children;
- Respect the basic principles from which all articles of the Convention on Protection of the Rights of the Child derive;

¹ <https://www.unicef.org/montenegro/media/9291/file/MNE-media-MNEpublication505.pdf>

² Article 19 States Parties shall take all appropriate measures to facilitate the physical and psychological rehabilitation and reintegration into society of any child victim: of any form of neglect, exploitation or ill-treatment, torture or any other form of cruel treatment or punishment; inhuman and degrading treatment or armed conflict. This rehabilitation and reintegration must take place in the conditions of an environment that helps the health, personality and dignity of the child.

³https://www.unicef.org/northmacedonia/media/3441/file/MK_ProceduresChildrenVictimsOfViolence_Report_AL.pdf

- Contribute to the advancement of children's well-being;
- Implement correctly the legislation, procedures and practices related to forensic interviewing of children;
- Unify practices in such cases;
- Get familiar with international legislation;
- Apply methods and techniques of conversation with the child victim of crime, in order for the child not to be victimized again;
- Create a conducive environment for interviewing children.

Training content

Session 1

- ✓ Forensic interview of children
- ✓ Basic principles from which all articles of the Convention for the Protection of the Rights of the Child derive.

Session 2

- ✓ Juvenile Justice Code
- ✓ Coordination between Prosecutors, police and other relevant bodies

Session 3

- ✓ Procedural law, investigative measures in domestic legislation
- ✓ International legislation (European Convention on Human Rights 1950, Convention on the Protection of the Rights of the Child, 1989-Article 3 of the Convention).

Training methodology

During this training will be used interactive discussions, mock trials, working groups, questions and discussions by participants discovering best practices of child for interviewing children, etc.

Beneficiaries and duration

Judges and prosecutors of the respective DP and SCD. Training duration, two days.

3.2 Justice for children-civil aspect

3.2.1 Roundtable on the protection of the rights of children without parental care and in cases of change of their status

The roundtable on the protection of the rights of children without parental care and in cases of change of their status, focuses on addressing the challenges of the case law related to the implementation of material and procedural provisions in the field of family law. In this roundtable, among others, will be addressed issues regarding protection of the rights of children without parental care, as well as the forms of special protection of these children which are regulated by the Family Law (KLF), having as reference the Convention for the Rights of the Child (CRC). It will also discuss the manner and methods of communication of the court with children in court proceedings, the principle of the best interests of the child, the role of the court and the guardianship body in this procedure, concerning the protection of the rights of children without parental care and in cases of change of their status, as well as applicable domestic and international legislation, including the novelties of the Law on Child Protection.

The roundtable will serve as a good basis for providing knowledge to participating judges about current case law. The roundtable will be conducted according to a (pre-defined) framework agenda for issues included in the field of family relations, with special emphasis on protection of children's rights in court proceedings. The handling of cases will be done by presenting challenges identified during the practice of the second and third instance court which will be presented through concrete cases.

The presented cases should be carefully selected in order to consume all the challenges related to the respective field, in this case with the field of issues related to the protection of the rights of children without parental care and in cases of change of their status. Regarding the selected cases, the moderators should do the appropriate research from the case law in the courts where they work and should ensure that those cases present objectively the problems of the cases treated, but also how to act in the future.

The issues for discussion at this roundtable could be as follows: What are the conditions that must be met to allow the adoption of a child? What is the legal procedure that must be followed by the adoptive parent to adopt a child? Can Kosovo children as be adopted by foreign citizens? What are the international acts that apply in the procedure of establishing adoption? What are the effects of recognizing or opposing paternity / motherhood in relation to the child? etc.

At the end of the roundtable the moderators should compile a summary report for the roundtable. The report will serve to disseminate the results of the roundtable, but also to identify any issues that should be included in the academy's training programs or eventually addressed by the general session of the Supreme Court of Kosovo.

Roundtable objectives

- Identification of challenges for the implementation of the provisions of the Family Law of Kosovo, which are related to the protection of the rights of children without parental care and in cases of change of their status;
- Identification of non-unique practices in lower courts;
- Addressing challenges through the introduction of unique case law, as a conclusion.

Roundtable content

- ✓ Protection of the rights of children without parental care;
- ✓ Adoption, motherhood and fatherhood;
- ✓ Manners and methods of court communication with children in court proceedings;
- ✓ Protection of children's rights in the procedure of challenging and proving paternity or maternity and the principle of the best interests of the child.
- ✓ Novelties and practical implementation of the provisions of the Law on Child Protection.

Roundtable methodology

During this roundtable there will be an interactive discussion, presentation of issues through cases, discussion of cases and summary of conclusions on the issue discussed.

Beneficiaries and duration

Basic and Appellate Court Judges. Training duration, two (2) days (as needed can be organized as regional roundtable).

3.2.2 Roundtable on protection of children's rights in cases of divorce and cases of domestic violence

The roundtable on the protection of children's rights in cases of divorce and domestic violence, focuses on addressing challenges of the case law related to the implementation of material and procedural provisions in the field of family law. This roundtable will address, among other things, issues related to the protection of children's rights in cases of divorce and domestic violence, which are regulated by the Family Law (FLK), with reference to the Convention on the Rights of the Child. (CRC). It will also address the manner and methods of communication of the court with children in court proceedings, the principle of the best interests of the child, the role of the court and the guardianship body in proceedings relating to the protection of children's rights in these cases, as well as applicable domestic and international legislation, including novelties in the Law on Child Protection.

The roundtable will serve as a good basis for providing knowledge to participating judges about current case law. The roundtable will be conducted according to a (pre-defined) framework agenda for issues included in the field of family relations, with special emphasis on the protection of children's rights in court proceedings. The handling of cases will be done by presenting challenges identified in the practice of the second and third instance court which will be presented through concrete cases.

The presented cases should be carefully selected in order to consume all the challenges related to the respective field, in this case with the field of issues related to the protection of the rights of children without parental care and in cases of change of their status. Regarding the selected cases, the moderators should do the appropriate research from the case law in the courts where they work and should ensure that those cases present objectively the problems of the cases treated, but also how to act in the future.

Issues for discussion at this roundtable may be as follows: What are the principles for the protection of children's rights under applicable law? What is the applicable international legislation in these cases? What criteria does the court decide in these cases? What are the consequences of children as a result of domestic violence? Who can request a protection order? What information should the claim include? Who is notified of the protection order?

At the end of the roundtable the moderators should compile a summary report for the roundtable held. The report will serve to disseminate the results of the roundtable, but also to identify any issues that should be included in the academy's training programs or eventually addressed by the general session of the Supreme Court of Kosovo.

Roundtable objectives

- Identification of challenges for the implementation of the provisions of the Family Law of Kosovo, which are related to protection of children's rights in cases of divorce and domestic violence;
- Identification of non-unique practices in lower courts;
- Addressing challenges through the introduction of unique case law, as a conclusion.

Roundtable content

- ✓ Principles for protection of children's rights according to local and international legislation;
- ✓ Criteria as a court ground in cases of child trust and principles for determining alimony;
- ✓ Domestic violence, protection order and court proceedings for deciding on protection order requirements;
- ✓ Types of protection measures and their duration, execution and consequences of non-execution of the protection order.

Roundtable methodology

During this roundtable there will be an interactive discussion, presentation of issues through cases and summary of conclusions on the discussed issue.

Beneficiaries and duration

Judges of the Court of Appeals and the Basic Courts. Training duration, two (2) days (if necessary, it can be organized as a regional table).

Training on Commercial Field

4. Training on commercial field

In the context of training in the commercial field will be addressed issues that have arisen as a result of the training needs of current judges in the department of commercial affairs. Also, the Academy of Justice in step with the developments taking place in the judiciary, especially with the initiatives for the establishment of the Commercial Court has drafted a special curriculum which will be dedicated to judges who will work in the future in this court after the entry into force of Law on Commercial Court. This curriculum contains 10 training modules addressing the following issues:

- ✓ Specifics of tax and budget fiscal law
- ✓ Construction contract
- ✓ Intellectual property, trademarks, patents
- ✓ Implications in practice for the business organization
- ✓ Understanding of the banking industry, insurance and financial institutions
- ✓ Summary of ICT industry specifics licensing and property rights-
- ✓ Execution Procedure
- ✓ Suspensive regimes and procedures with economic impact
- ✓ Implementation and specifics of international instruments, EU Directives and Regulations, on commercial, fiscal and customs matters

Based on the Framework Program 2021-2022 and the training needs assessment, the following topics will be addressed.

4.1 Recognition and enforcement of decisions of the domestic and foreign Arbitration Tribunal

The training on recognition and enforcement of domestic and foreign Arbitration Tribunal rulings aims to clarify precisely the importance and procedure of recognizing and enforcing both domestic and foreign arbitral decisions by helping judges to unify recognition and enforcement practices. The aim of the training is to achieve the capacity building of judges in terms of fair and accurate interpretation of provisions that may have ambiguities in the recognition and enforcement of arbitral decisions.

What are the challenges that judges face during the procedure of recognizing and enforcing domestic and foreign arbitral decisions? What are the possible shortcomings that judges see in terms of the procedure for recognizing and enforcing arbitral awards? Are there any eventual challenges regarding the implementation or content of the Law on Arbitration?

The best way to understand all the concepts and solve dilemmas is to interact with the judges and ask and answer questions by giving best practices and clarifying issues on practical examples or concepts.

Training modules objectives

Upon completion of this training, participants will be able to:

- Understand properly the role of judges in the process of recognizing arbitral decisions;
- Properly apply the legal basis of arbitration;
- Unify the practice of recognition and enforcement.

Training module content

- ✓ The process of recognizing arbitral decisions;
- ✓ Enforcement of arbitral decisions issued by Arbitration Tribunals inside and outside Kosovo.

Training module methodology

The training will be conducted interactively by the participants, PowerPoint presentation and practical case studies.

Beneficiaries and duration

Judges of the Commercial Department of the Basic Court of Prishtina. Training duration, one (1) day.

4.2 Enforcement of Intellectual Property Rights

Intellectual property rights (IPR) are rights protected by the Constitution of our country, these rights are regulated by special laws, thus creating a branch of law which is new and developing in our country. Judges and prosecutors in Kosovo have limited practical experience in handling these cases. There is a need for them to receive training in this relatively new and complex field of law. In addition, Kosovo's industrial property and copyright legislation is being largely amended and supplemented to reflect recent international and EU developments. The training will aim to improve the skills of the judiciary and the prosecution, in particular to improve the knowledge of judges and prosecutors on IPR legislation and to enable them to better deal with IPR cases. This will be achieved by exchanging of best practices from EU member states and other countries and by presenting in detail the latest developments in the protection of intellectual property rights in Kosovo, with a special focus on issues and problems arising from the case law of the IPR, such as parallel imports, evidence in IPR cases, damage assessment, setting general fees for the use of copyright works; criminal liability for infringement of intellectual property rights, modalities for issuing ex parte measures and collective management of rights.

How to address the needs of judges from various fields, administrative, criminal and civil?
What are the national and international legal bases for IPR protection? How to apply parallel import rules to trademark, patent and copyright issues?
Involvement of the judiciary in setting general fees for the use of copyrighted content?

Training objectives

Upon completion of this training, participants will be able to:

- Increase their knowledge on legal basis, as well as international and EU standards for protection and enforcement of intellectual property rights;
- Gain knowledge on the application of the rules for parallel import and temporary measures
- Better enforce the provisions of the criminal code for infringement of intellectual property rights in relation to specific laws, such as copyright law, trademark law and patent law;
- Know better the collective management and setting of general tariffs.

Content

Day I- of training

- ✓ Introduction to Intellectual Property and Basic Principles;
- ✓ National and international legal basis for IPR protection;
- ✓ Policy and practice of the European Court of Justice in the field of IPR;
- ✓ IPR and fundamental human rights;
- ✓ Collective Management of Copyright and Related Rights.

Day II- of training

Group I

- ✓ Evidence in IPR cases
- ✓ Interim measures and modalities for issuing ex parte measures
- ✓ Parallel imports

- ✓ Setting values for general fees for using content that is legally protected
- ✓ author

Group II

- ✓ The nature and seriousness of IPR violations from criminal perspective
- ✓ Minor offense as a form of IPR violation
- ✓ Criminal infringements of copyright, international standards and national legislation
- ✓ Criminal infringements of trademarks, patents, international standards and national legislation

Training methodology

Presentations by trainers, hypothetical cases, simulation of court cases and investigations from the criminal aspect. Active engagement of participants in discussions and exercises is required.

Beneficiaries and duration

Judges from the Basic Court of Prishtina - Department of Commercial and Administrative Affairs; Judges from the Court of Appeals - Department of Commercial and Administrative Affairs, Judges from the Division for Criminal Cases from the Basic Courts and from the Criminal Division of the Court of Appeals; Prosecutors of Basic and Appellate Prosecutions. Police Officers, Economic Crimes Department and Cybercrime Sector. Training duration, two (2) days

4.3 Enforcement of Intellectual Property Rights

Intellectual property rights (IPR) are rights protected by the Constitution of our country, these rights are regulated by special laws, thus creating a branch of law which is new and developing in our country. Judges and prosecutors in Kosovo have limited practical experience in handling these cases. There is a need for them to receive training in this relatively new and complex field of law. In addition, Kosovo's industrial property and copyright legislation is being largely amended and supplemented to reflect recent international and EU developments. The training aims to improve the skills of the judiciary and the prosecution, particularly, to improve the knowledge of judges and prosecutors on IPR legislation and to enable them to better deal with IPR cases. This will be achieved by exchanging of best practices from EU member states and other countries and by presenting in detail the latest developments in the protection of intellectual property rights in Kosovo, with a special focus on issues and problems arising from the case law of the IPR, such as application of IPR in digital environment, responsibility of intermediaries, blocking of internet webpages and removal of pages that infringe the IPR, piracy, forgery, investigation of IPR crimes, sanctions and victims of crimes in IPR cases.

How to address the needs of judges from various fields, administrative, criminal and civil? How to deal with IPR cases in the digital environment? Is Kosovo legislation in line with international standards for combating IPR crime? How are criminal sanctions applied in IPR cases?

Training objectives

Upon completion of this training, participants will be able to:

- Enhance their knowledge of the legal basis and international and EU standards for the protection and enforcement of intellectual property rights in the digital environment;
- Gain knowledge on the case law of the EU and member states for the implementation of the IPR in the digital environment;
- Recognize the responsibility of intermediaries and the removal of content that violates the IPR;
- Properly apply provisions of the criminal code for infringement of intellectual property rights in cases of piracy and counterfeiting;
- . Know better the procedures of confiscation and destruction of products that infringe trademarks.

Content

Day I of training

- ✓ Legal regulations on the implementation of IPR in the digital environment;
- ✓ The case law of the EU and member states regarding the implementation of IPR in the digital environment;
- ✓ Responsibility of internet service providers according to EU and national legislation;
- ✓ Temporary measures, blocking of websites and removal of illegal content;
- ✓ Importance of civil cases in criminal cases;

Day II of the training

Group I

- ✓ Industrial property and trademark repeal procedures
- ✓ Exceptions and limitations of copyright
- ✓ Assessment and decision regarding damages in IPR cases
- ✓ Confiscation and destruction procedure of products that infringe trademark rights.

Group II

- ✓ Piracy, counterfeiting and smuggling
- ✓ IPR violations and investigations in the digital environment
- ✓ Cooperation for the investigation of IPR crime in the digital environment
- ✓ Criminal sentences - cases of imposing severe sentence for IPR violations

Training methodology

Presentations by trainers, hypothetical cases, simulation of court cases and investigations from the criminal aspect. Active engagement of participants in discussions and exercises is required.

Beneficiaries and duration

Judges from the Basic Court of Prishtina - Department of Commercial and Administrative Affairs; Judges from the Court of Appeals - Department of Commercial and Administrative Affairs, Judges from the Division for Criminal Cases from the Basic Courts and from the Criminal Division of the Court of Appeals; Prosecutors of Basic and Appellate Prosecutions. Police Officers, Economic Crimes Department and Cybercrime Sector. Training duration, two (2) days

4.4 Training on the Law of Insolvency of Business Organizations

The purpose of this training is to provide practical support to Kosovar law practitioners, demonstrate European best practices, and thus contribute to legal certainty in the field of insolvency law, promoting entrepreneurial activity, economic growth and in this way making progress in Kosovo. The training builds on the November 2021 presentation on German and international insolvency law and can be provided as a follow-up activity or introductory training. Kosovo has made significant progress in envisaging the legal framework in the field of insolvency law. Following the adoption of Law No. 05 / L-83 'On Bankruptcy', Kosovo's ranking in the World Bank Group Doing Business Report improved significantly, moving from 163rd to 43rd place. In 2018, the Kosovo Parliament adopted a new Law on Business Organizations, which, among other things, regulates bankruptcy and insolvency.

However, due to the small number of lawsuits up-to-date, there is little practical and judicial experience regarding these legal concepts in Kosovo. The training includes the introduction and discussion of the domestic and European legal framework on the right to insolvency based on the German example. The training also relies on the discussion of case studies by well-known experts and practitioners in the field to illustrate the dynamics of insolvency proceedings.

Training objectives

Upon completion of this training, participants will be able to:

- Recognize insolvency procedures;
- Recognize the role and duties of creditors;
- Understand out-of-court restructuring procedures

Training Content

- ✓ Insolvency procedures and their regulation in domestic and European legislation (legal framework, causes of insolvency, requirements and consequences of opening insolvency procedures);
- ✓ Practical aspects of the insolvency procedure (i.e. reorganization / sale / liquidation);
- ✓ The role of the court and the interaction between the bankruptcy administrator, the company and its creditors;
- ✓ The role and duties of creditors (creditors committee);
- ✓ Objection to the debtor's transactions before the insolvency procedure;
- ✓ Self-administration / Insolvency plan;
- ✓ Out-of-court restructuring procedure ("StaRUG");
- ✓ International recognition + judicial cooperation ("CoCo")
- ✓ Cost of procedures

Training methodology

The training includes the introduction and discussion of the domestic and European legal framework on the right to insolvency based on the German example. The training also relies on

the discussion of case studies by well-known experts and practitioners in the field to illustrate the dynamics of insolvency proceedings.

Beneficiaries and duration

Judges of the first and second instance. IRZ suggests supporting the Kosovo Academy of Justice with two training sessions, lasting 1-2 days each.

Training on administrative field

5. Trainings and roundtables in the administration filed

5.1 Administrative conflict, object and procedure of administrative conflict

In the processing of these cases in courts, various professional, procedural and material dilemmas are being presented regarding the decision making. Therefore, this training aims to provide practical solutions based on law, facilitating the work of judges and ultimately affect the overall reduction in the number of cases. The training will focus on the procedure for initiating administrative dispute and how it is conducted in the competent court against the decisions of public administration bodies and government bodies in Kosovo, and types of cases most often submitted to the Department of Administrative Affairs of the Basic Court of Prishtina.

In this training dilemmas and questions will be addressed through partial and theoretical explanations, based on the case law and using concrete examples which are presented in court proceedings when deciding on concrete cases.

Training objectives

Upon completion of this training, participants will be able to:

- Interpret legal provisions on the administrative dispute procedure;
- Break down the object of administrative conflict;
Breakdown the main trial;
- Recognize the role and importance of decisions of the Department of Administrative Affairs of the Basic Court;
- Properly apply the provisions of the administrative dispute procedure separately to the procedure according to legal remedies.

Training content

- ✓ Administrative conflict-principles;
- ✓ Procedure based on the lawsuit;
- ✓ Preliminary review of the lawsuit;
- ✓ Main hearing - issuance of evidence and judgment;
- ✓ Procedure according to legal remedies.

Training methodology

Dilemmas and issues raised during the training will be addressed through partial and theoretical explanation, based on concrete cases and examples. Through exercises, discussions and practical examples on the main principles and rules of the Law on Administrative Disputes, Group work - preliminary division of tasks; practical cases and discussion with participants.

Beneficiaries and duration

Judges of the Department of Administrative Affairs of the Basic Court of Prishtina and judges of the Department of Administrative Affairs of the Court of Appeal, as well as professional associates of these courts. Training duration, one (1) day.

5.2 The role and application of the Law on Asylum and its relationship with the International Convention on Asylum

The purpose of this training is to advance the knowledge of judges regarding proper implementation of the provisions of the Law on Asylum of Kosovo, the relationship of this law with the International Convention on Asylum and its efficient implementation in the case of asylum decision. Also this training will focus on the role that the parties have in the asylum procedure taking place in the Republic of Kosovo. The topic of asylum is present today in most programs of Academies in European countries and the region, because of the consideration and care that these institutions should have in the training of judges, and therefore in Kosovo in the programs of our Academy lots of attention is paid in deepening judges' knowledge on international guarantees contained in international instruments on the subject matter.

Also, the provisions of the Law on Asylum of Kosovo are specifically handled, focusing on issues and dilemmas related to the status and stay of persons seeking international protection, also the training will focus on the legal procedure of detention and deportation from the Republic of Kosovo, based on the provisions of the Law on Asylum and their proper implementation by the competent bodies of the Republic of Kosovo. In this training all the dilemmas and issues will be explained through partial and theoretical explanations, followed by examples from administrative and judicial practice.

Training objectives

Upon completion of this training, participants will be able to:

- Recognize the role and identify the characteristics of the Kosovo Asylum Law;
- Analyze the relationship of the Kosovo Asylum Law with the international asylum convention;
- Properly apply the provisions of the Law on Asylum in Kosovo when deciding on asylum cases.

Training content

- ✓ The role and implementation of the provisions of the Law on Asylum in Kosovo;
- ✓ The relation of the Kosovo Asylum Law with the International Asylum Convention;
- ✓ Proper implementation of the provisions of the Law on Asylum of Kosovo when deciding on asylum cases;
- ✓ The case law of the country, region and Europe.

Training methodology

In this training the issues and dilemmas presented will be addressed through partial and theoretical explanation, focusing on those issues that have been presented in practice. After elaborating and comprehensively discussing the subject matter, recommendations will be issued regarding the issues raised in the training. The training will be conceived in such a way that all participants through their discussions can contribute to its success.

Beneficiaries and duration

Judges of the administrative department of the Basic Court in Prishtina, judges of the administrative department of the Court of Appeals, officials from MIA - Department of Citizenship, Asylum and Migration. Training duration, one (1) day.

5.3 Implementation of the Law on Personal Data Protection and administrative and judicial protection of personal rights as well as the Law on Public Access and the procedure for exercising the rights of access to information

Recent progress reports stress that Kosovo needs to improve the implementation of personal data protection laws and build its capacities toward implementation of the laws. This training also aims to review judicial protection of the right to privacy as guaranteed by constitutional and legal provisions.

In practice, there is a need to elaborate the law on public access, taking into account that it guarantees the right of every natural and legal person, without discrimination on any grounds, to have access, upon request, to documents held, drafted or received by public institutions. The law on access to public documents is based on several principles on the right of access to information, so these principles need to be elaborated in detail. Also in this training will be treated the role of the Ombudsperson Institution as an independent body, which helps citizens to exercise the right to access the necessary documents which have been denied.

The questions that will be asked and answered in this training are: what are the constitutional and legal guarantees of the right to privacy and data protection in Kosovo? What are the main problems in the implementation of the Law on Personal Data Protection? How are the claims of the parties in the protection of personal data are being handled by the judiciary and what are the standards set? What are the stages in the procedure of exercising the rights of access to information, types of payments for access to official documents, how are the exceptions to the right of access to public documents being treated and what are the established standards? What is meant by the restriction of this right - practical cases when exercised proportionately and only for defense purposes. In this training all dilemmas and thematic issues will be explained through partial theoretical explanations and examples from administrative and judicial practice.

Training objectives

Upon completion of this training, participants will be able to:

- Interpret legal provisions for personal data protection and access to information;;
- Compare the local and international legal framework;
- Elaborate the ways of administrative protection of personal data;
- Implement properly legal provisions in force for the judicial protection of personal data.
- Know the ways and forms of payments for access to official documents;
- Recognize the exceptions to the right of access to public documents;
- Get familiar with the limitations of this right - practical cases when exercised proportionately and only for protection purposes.

Training content

- ✓ Applicable legal provisions for personal data protection;
- ✓ Data protection within the context of the EU law and ECHR;
- ✓ Administrative protection of personal data;
- ✓ Judicial protection of personal rights.
- ✓ Procedure for exercising the rights to access information,

- ✓ Payments for access to official documents,
- ✓ Exceptions to the right of access to public documents,
- ✓ What does the restriction of this right mean - practical cases when it is exercised proportionally and only for protection purposes.

Training methodology

In this training the issues and dilemmas presented will be addressed through partial and theoretical explanation, focusing on those issues that have been presented in practice. After elaborating and comprehensively discussing the subject matter, recommendations will be issued regarding the issues raised in the training. The training will be conceived in such a way that all participants through their discussions can contribute to its success.

Beneficiaries and duration

Judges of the administrative department of the Basic Court in Prishtina, judges of the administrative department of the Court of Appeals, officials of the State Agency for Personal Data Protection. Training duration, one (1) day.

5.4 Application of the Customs and Excise Code of Kosovo

This training aims at advancing the knowledge of judges and professional advisers regarding the proper application of the provisions of the Customs and Excise Code of Kosovo. Another goal is to address the methods of estimating imported goods, methods of estimating transport costs by analyzing the relevant Administrative Instruction and determining tariff codes. This training will explain the legal provisions contained in the Customs and Excise Code of Kosovo and the accompanying administrative instructions for its implementation. The establishment of tariff codes will also be treated based on the accompanying documentation that must be attached to the Customs Declaration for placing the goods in free circulation. It will also be of interest to address the issue of temporary imports.

In this training all dilemmas and issues will be addressed through partial and theoretical explanation, based on concrete cases and examples.

Training objectives

Upon completion of this training, participants will be able to:

- Recognize and understand correctly the rules of application of the Customs and Excise Code of Kosovo;
- Evaluate tariff codes and mandatory customs documents correctly;
- Implement properly the provisions contained in the Customs and Excise Code of Kosovo and the accompanying administrative instructions in court disputes;
- Properly apply the provisions and criteria on temporary imports.

Training content

- ✓ Application of the Kosovo Customs Code and the Excise;
- ✓ Tariff codes (TARIK) and mandatory customs documents for fair assessment of the tariff code;
- ✓ Kosovo Customs and Excise Code and Administrative Instructions.
- ✓ Treatment of temporary imports.

Training methodology

Dilemmas and issues raised during the training will be addressed through partial and theoretical explanation, based on concrete cases and examples. The training will also be conducted through exercises, discussions and practical examples on the main principles and rules of the Customs and Excise Code in Kosovo, Group work - preliminary dissemination of duties and practical cases.

Beneficiaries and duration

Judges of the Department of Administrative Affairs of the Basic and Appellate Court of Prishtina, as well as Professional Advisers of the Department of Administrative Affairs - Fiscal Division and Economic Departments. Training duration, one (1) day.

5.5 Pension schemes, financed according to the laws in force in the Republic of Kosovo

In the administrative department, the general number of cases in the highest percentage is from the pension schemes which continue to increase, out of which the largest number consist of pension requests for persons with disabilities. This shows the large number of these type of requests and the degree of dissatisfaction with the way the MLSW decides on these requests.

As a result, issues that will be asked and required answers in this training will be: What are the main problems in the implementation of Social Scheme Laws such as: (Law on War Veterans, Law on Blind Persons, Law on KSF Pensions and Law on War Values) e. The pension scheme for contributory pensioners, the categorization of which is regulated by law and Administrative Directive No. 09/2015, often constitutes cases of review in the administrative dispute procedure. Paragraph 5 of the above-mentioned directive has defined the conditions and relevant documents needed for the qualification of pensioners as beneficiaries of the contributory, while paragraph 5 of this article stipulates that all evidence of qualification, such as certificates, diplomas and other evidence of school-university preparation, must be before 01.01.1991. Applying this provision in practice, shows complication in resolving certain issues fairly, as the factual situation is presented differently.

In this training all dilemmas and issues will be explained through partial and theoretical explanations, examples from the administrative-state practice of bodies and from the case law.

Training objectives

Upon completion of this training, participants will be able to:

- Interpret legal provisions in force for basic old-age pensions;
- Properly apply legal provisions on old-age contributory pensions;
- Know the legal provisions for disability pensions,
- Interpret legal provisions on early retirement,
- Recognize and apply correctly the legal provisions on family pensions and disability work pensions, as state-funded Pillar I pensions.

Training content

- ✓ Legal provisions in force for basic old-age pensions;
- ✓ Implementation of legal provisions on old-age contributory pensions;
- ✓ Familiarity with the legal provisions for disability pensions,
- ✓ Legal provisions on early retirement,
- ✓ Legal provisions on family pensions and invalidity work pensions, as Pillar I pensions funded by the state.

Training methodology

In this training the issues and dilemmas presented will be addressed through partial and theoretical explanation, focusing on those issues that have been presented in practice. After elaborating and comprehensively discussing the subject matter, recommendations will be issued regarding the issues raised in the training. The training will be conceived in such a way that all participants through their discussions can contribute to its success.

Beneficiaries and duration

Judges of the Administrative Department in the Basic and Appellate Court in Prishtina, officials from Ministry of Labor and Social Welfare (MLSW). Training duration, one day.

5.6 Round table on administrative judiciary: “The case law of the Supreme Court, Department of Administrative Affairs of the Court of Appeals and Department of Administrative Affairs of the Basic Court in Prishtina

The main purpose of the roundtable is to review current issues that are being raised in relation to administrative disputes. This roundtable also aims to address current issues from the case law and harmonize and unify opinions related to administrative matters as well as the proper implementation of procedures in administrative dispute between judges of the administrative department of the Basic Court in Prishtina, department Administrative Court of the Court of Appeals and the Supreme Court of Kosovo.

This roundtable will address current issues from the case law of the administrative department of the Basic Court in Prishtina, the administrative department of the Court of Appeals and the Supreme Court of Kosovo. Whereas, will focus also on the harmonization of case law between these three judicial instances when deciding cases in the field of administrative judiciary. In this roundtable, participants will have the opportunity to exchange experiences with each other through discussions on various current issues from the case law of the administrative department of the Basic Court in Prishtina, the administrative department of the Court of Appeals and the Supreme Court of Kosovo.

Roundtable objectives

Upon completion of this training, participants will be able to:

- Avoid dilemmas that have arisen in the case law of the administrative department of the Basic Court in Prishtina.
- Clarify and avoid dilemmas that have arisen in the case law of the administrative department of the Court of Appeals.
- Recognize the current case law of the Supreme Court of Kosovo and its principles.
- Unify opinions regarding the implementation of the LPPA and the LKA.

Roundtable content

- ✓ Review of the lawsuit;
- ✓ The procedure regarding the proposal for postponement of the execution of the administrative act;
- ✓ New facts and new evidence in the administrative conflict;
- ✓ Binding of the judgment;
- ✓ Procedures according to legal remedies with the current practice of the Supreme Court of the Republic of Kosovo

Roundtable methodology

Questions and issues raised during this roundtable will be addressed by trainers, having in focus issues faced in practice. Through explanations and discussions, recommendations related to the roundtable will be provided. The roundtable will be conceived in a way that involves all participants into discussions and as such providing a great contribution to the roundtable itself.

Beneficiaries and duration

Judges of the administrative department of the Basic Court in Prishtina, judges of the administrative department of the Court of Appeals, judges of the Supreme Court of Kosovo. Roundtable duration, one (1) day.

Training on minor offense filed

6. Minor offense

6.1 Minor offense procedure at the request of inspectors

During their work, judges encounter many uncertainties regarding the requests for the development of the minor offense procedure submitted by the inspectorates of various fields. As a result of this ambiguity, the minor offense judges, in addition to conducting the procedure with a request which is unclear and contrary to the legal provisions, also issue an erroneous and unlawful verdict, whereas, in the appealing procedure these cases are being annulled. In many cases, the requests of the inspectorates are filed against the legal entities and not to the responsible person of the legal entity, they are presented to the business enterprise whose responsibility is individual, but in the request the owner of the business enterprise is also accused.

Also a permanent problem of these requests is the legal qualification of minor offenses and sanctioning provisions, because of the application of the legal provisions provided in some laws and amendments to the laws. Therefore, ambiguities are being created in the legal application of the relevant provisions of the law. It is an important measure that after receiving such a request for initiating the minor offense procedure, before issuing the decision to initiate the minor offense procedure, the judge will be able to assess the legality of the request, and after conducting the procedure to concretely determine which are those actions that constitute a minor offense, the legal provisions according to which the minor offense is determined and the sanctioning provisions.

Training module objectives

Upon completion of this training, participants will be able to:

- Implement the minor offense procedure correctly and issue proper judgments as also applying properly the legal provisions;
- Compile a legal request for the development of the minor offense procedure;
- Implement procedures correctly in cases where the request is not drafted in accordance with the law;

Training module content

- ✓ Content of the request article 87 of LK, - submitted by the competent bodies-inspectors;
- ✓ Factual description of the actions from which the legal features of the minor offense result;
- ✓ Legal qualification of the minor offense;
- ✓ Decision for initiation of the procedure - conditions.

Training module methodology

During this training will be used a combined training methodology such as: short theoretical explanation, interactive discussions, PowerPoint presentations, questions and answers, followed by practical examples, and joint analysis of problems regarding the application of these provisions in practice, involving as such all participants.

Beneficiaries and duration

Beneficiaries of this training will be judges of the Basic Courts – minor offense division and inspectors of the Inspectorates Directorates. Training duration, one (1) day.

6.2 Disruption of Public Order and Peace

The current law on public order and peace is quite poor and deficient in the inclusion and definition of minor offenses in the field of public order and peace, and as such, in many cases presents a problem for its application by judges of the first instance.

What are the differences between a minor offense and a criminal offense, with a special emphasis on the offense of beating? How to understand articles 4 and 5 and especially article 16 of LDPOP? Detailed elaboration of these issues will be the purpose of this training which will be done through practical cases.

Training module objectives

Upon completion of this training, participants will be able to:

- Identify incriminating offenses in the field of protection of public order and peace;
- Clearly define verbal assaults, and the power to decide;
- Apply correctly legal provisions in the field of Public Order and Peace.

Training module content

- ✓ Definition of public place;
- ✓ The difference between Article 4 and 5 of the LPORP as well as the difference between non-compliance with the order of the authorized official person - Article 16 PORP, and the minor offense - failure to act according to the order of the official authorized person in the field of road traffic;
- ✓ Sanctions provided for perpetrators of minor offenses disturbing public order and peace;
- ✓ Punishments for perpetrators of minor offenses disturbing public order and peace.

Training methodology

Detailed elaboration of all provisions of the Law on Public Order and Peace, through PowerPoint presentation, interactive discussions, practical examples, providing alternatives about the difficulties encountered in practice, etc.

Beneficiaries and duration

Judges of the minor offense division in the Basic Court. Training duration, one (1) day.

6.3 Legal persons as perpetrators of minor offenses

Based on cases reaching the Court of Appeal, has been concluded that in many cases the court of the first instance, as the applicants requesting the initiation of the minor offense procedure – inspectors of certain fields, does not clearly define the business entity as a legal person, or enterprise subjects as individual enterprise, nor identify them as legal persons, whereas the owners of the individual businesses are treated as responsible persons of legal persons. Therefore, there is a need to elaborate these issues and explain thoroughly the difference between the business enterprise as legal person in relation to enterprise subjects as individual businesses, as well as the responsibility of the responsible person of the legal person.

How is the minor offense procedure conducted against business entities as individual business, and the difference with the development of the minor offense procedure against business entities as legal entities? This training aims to address the issues raised through the elaboration of legislation, and to provide appropriate solutions through practical examples.

Training module objectives

Upon completion of this training, participants will be able to:

- Distinguish business entities as individual businesses in relation to legal entities (JSC and LLC) as well as the responsible person of the legal entity;
- Develop properly and lawfully the procedure for minor offenses against legal entities and responsible persons of legal entities;
- Develop properly and lawfully the procedure for minor offenses against business entities as individual businesses

Training module content

- ✓ Legal basis for the manner of conducting minor offense proceedings against business entities as legal entities;
- ✓ When business entities are considered responsible as legal entities, the responsibility of the responsible person of the legal entity, and the cases when the responsible person of the legal entity is not responsible;
- ✓ Who is considered a responsible person in a legal entity?
- ✓ Development of legal proceedings against business entities as individual businesses.

Training module methodology

Elaboration of the applicable legislation in the minor offense procedure regarding the status of legal entities as business entities, through interactive discussions, practical examples, group work in solving concrete task-scenario of cases, and providing alternatives to the ambiguities presented by judges.

Beneficiaries and duration

Judges of minor offenses divisions in the Courts of First Instance. Training duration one (1) day.

Training on Special Chamber of the Supreme Court

7. Special Chamber of the Supreme Court

7.1 Judicial control of Agency decisions created by the Privatization and Liquidation process

Any person who objects to a decision or action of the Agency must do so within the time limits set by the law. The time period for submitting a request to challenge the decisions or actions of the Agency arising from the privatization process has previously been regulated by Article 6 of the preliminary law on the Special Chamber. In the current Law the provision in question does not exist.

Any creditor of the Enterprise who has timely filed a claim with the Agency and who is affected by a decision of the Liquidation Authority may challenge such decision by filing an appeal with the Special Chamber against the Agency within thirty (30) days of receipt of the decision. Any such complaint should be based on the allegation that the liquidation process was not conducted in accordance with the Law on the Privatization Agency of Kosovo. The appeal must be in accordance with the requirements of paragraph 2. of Article 35 of this law no.06 / L-086 and attach a copy of the decision against which the objection has been filed.

Does the Applicant have to exhaust legal remedies before the SKPA, in order to then address the Court? Is this a criterion that must be met in order to go further or not? Should interested persons who have property or credit claims against a SOE await the commencement of liquidation, in order to approach the Liquidation authority, or may they also address the court earlier?

These and other dilemmas raised by the participants will be addressed through discussions during the training, practical cases presented, in order to eliminate such dilemmas.

Training objectives

Upon completion of this training, participants will be able to:

- Recognize the procedure for submitting requests / complaints to the Special Chamber;
- Respect the deadlines for challenging the decisions of the Agency;
- Properly apply legal provisions which are applied depending on the challenged decision;
- Understand correctly and clearly the privatization procedure and liquidations;

Training content

- ✓ Submitting credit and property claims / complaints to the Liquidation Commission and the Special Chamber;
- ✓ Objection to the decisions of the Agency in the Special Chamber and the procedure for reviewing these decisions in two stages;

Training methodology

Interactive discussions with participants, practical cases and their elaboration, PowerPoint presentation.

Beneficiaries and duration

Judges of the Special Chamber, Basic Court Judges-civil division, legal officers and professional associates. Training duration, one (1) day.

7.2 The role of the Agency and the privatization process - liquidation of socially owned enterprises by the KPA

Initially UNMIK Regulation 2002/12 established the Kosovo Trust Agency (KTA), where it was later inherited by the Privatization Agency of Kosovo, and by law all assets and responsibilities of the KTA are now assets and responsibilities of the Agency.

The Kosovo Privatization Agency (hereinafter “the Agency”) as an independent public body exercises its functions and responsibilities in a fully autonomous manner. Article 2 of Law no. 04 / L-034 on the Kosovo Privatization Agency foresees the role, respectively the aim and the purpose of the Agency for what it was created. In accordance with the conditions set forth in this law, the Agency is authorized to administer, including authorizing the sale, transfer and / or liquidation of enterprises and assets defined in this law.

Are there any violations of procedures by the KPA in case of approval or rejection of bids? In what condition were the SOEs in Kosovo after the war? Did the SOEs have left debts? Is there a stalemate in the liquidation process of the SOE? How are the claims filed with the Liquidation Authority handled? What are the difficulties of the judiciary in resolving cases before it? etc.

The training will focus on discussions and issues raised by participants about the role of the Agency in the process of privatization and liquidation of KPA entities.

Training objectives

Upon completion of this training, participants will be able to:

- Understand properly the course of procedures for privatization of entities and liquidation by the KPA;
- Assess cases where the transformation of an SOE has been or has not been discriminatory;
- Recognize the competencies of the Agency regarding the administration of SOEs;
- Identify who are the persons entitled to participate in the privatization and liquidation process;

Training content

- ✓ Authorizations of the Agency in the privatization process;
- ✓ Liquidation as an Administrative process;
- ✓ Handling of credit claims with the liquidation authority of the SOE;
- ✓ Approval and rejection of claims to KPA;

Training methodology

Interactive discussions with participants, practical cases and their elaboration, PowerPoint presentation.

Beneficiaries and duration

Judges from the Special Chamber, judges of the Basic Courts-civil division, legal officers and professional associates. Training duration, one (1) day.

7.3 Defining the legal status of joint stock companies – socially owned enterprises

This training module will address the legal hierarchy of socially-owned enterprises (the package of Ante Markovic Laws on Enterprises), which regulates the process of transformation of Socially-Owned Enterprises. If the enterprise has undergone transformation, will the transformation affect the exclusive rights and competencies of the Kosovo Privatization Agency (KPA). Whereas, further will be examined whether the transformation has been based and carried out in full compliance with the law, and all obligations related to the transformation have been fulfilled, whether they arose during or after the transformation. It will also be addressed if the transformation was not discriminatory and did not violate the principles of the European Convention on Human Rights.

Special attention will be paid to practical cases of the Special Chamber regarding the issue of the status of some socially-owned enterprises.

Training module objectives

Upon completion of this training, participants will be able to:

- Understand what conditions-criteria had to be met for a social enterprise to be transformed into a joint stock company;
- Assess the cases when a socially-owned enterprise has completed the transformation in accordance with the conditions and laws of the time;
- Recognize that such a transformation had no discriminatory purposes and that the principles of the European Convention on Human Rights were not violated;

Training module content

- ✓ Breakdown of the laws of Ante Markovic package;
- ✓ Fulfillment or non-fulfillment of legal conditions for the transformation of enterprises from a socially-owned enterprise into a joint stock company;
- ✓ Identify the existence of discrimination or non-discrimination during the transformation process.

Training module methodology

Interactive discussions with participants in the form of a roundtable, practical court cases and their elaboration with PowerPoint presentation.

Beneficiaries and duration

Judges of the Special Chamber, judges from other courts, professional associates and legal officers.
Training duration, two (2) days.

Training on constitutional justice

8. Training on constitutional justice

8.1 Current practice of the Constitutional Court according to requests-complaints in the criminal field

The main purpose of this training is to present and get acquainted with the current practice of this court according to the requests-complaints in the criminal field. The aim of this training is also to deepen the knowledge regarding the admissibility of claims, the relationship of the Constitutional Court of Kosovo with the regular courts in the context of constitutional provisions and the role of incidental review of constitutionality. The issues that will be raised in this training are related to the admissibility of requests, the relationship of the Constitutional Court of Kosovo with regular courts in the context of constitutional provisions, the current practice of this court according to requests-complaints in the criminal field. This practice will also be analyzed in the context of current legislative developments and case law.

Training module objectives

Upon completion of this training, participants will be able to:

- Explain the procedure of admissibility of requests
- Explain the relationship of the Constitutional Court of Kosovo with regular courts in the context of constitutional provisions.
- Get acquainted with the current practice of the Constitutional Court according to the requests-complaints in the criminal and administrative field.
- Break down and understand the role of incidental control of constitutionality.

Training module content

- ✓ Admissibility of Requests;
- ✓ The relationship of the Constitutional Court of Kosovo with the regular courts in the context of constitutional provisions;
- ✓ Current practice of the Constitutional Court according to requests-complaints in the criminal and administrative field;
- ✓ Incident Incidental review of constitutionality.

Training methodology

In this training, participants will have the opportunity through interactive conversation and explanations of trainers to deepen their knowledge about issues from the current case law of this court according to requests-complaints in the criminal and administrative field and the role of incidental control of constitutionality. The focus will be on the treatment of the current practice of this court according to the requests-complaints in the criminal and administrative field.

Beneficiaries and duration

Judges and prosecutors from all instances of the Republic of Kosovo. Training duration one (1) day.

Training on European Convention on Human Rights

9. Training on ECHR

9.1 Prohibition of torture - Jurisprudence of the European Court of Human Rights

Prohibition of torture is one of the fundamental human rights guaranteed. This right occupies an important place in Article 3 of the ECHR which guarantees that no one may be subjected to torture or to inhuman or degrading treatment or punishment. Article 3 embodies one of the most fundamental values of a democratic society. The prohibition of torture occupies an important place in a number of binding international instruments, as well as in the constitutions of all democratic countries, including the Constitution of the Republic of Kosovo.

Currently, cases of torture are the most serious and acute forms of violation of Article 3. The protection provided by Article 3 is against various types of violence against human dignity and physical integrity.

Article 3 of the ECHR provides protection for complaints against persons administered by the police under allegations that they have been ill-treated or that the conditions of detention have been inhumane, that the expulsion of an individual would expose him to inhuman treatment at the place where he is handed over to third parties and to appeals for which courts have failed to provide protection to victims of abuse by other private individuals.

Training module objectives

Upon completion of this training, participants will be able to:

- Explain the conditions and health care in detention and judicial responsibilities;
- Analyze additional judicial responsibilities, inadmissibility of evidence, extraterritoriality, civil claims;
- Demonstrate the manner of taking investigative actions against violations of Article 3.

Training module content

- ✓ Definition of torture or inhuman, degrading or degrading treatment or punishment;
- ✓ Conditions and health care in detention and judicial responsibilities;
- ✓ Additional judicial responsibilities: inadmissibility of evidence, extraterritoriality, civil claims;
- ✓ Procedural and organizational safeguards;
- ✓ Positive obligations to conduct an effective investigation into an alleged violation of Article 3;
- ✓ Initiation of investigations, procedural obligations and fight impunity

Training methodology

The interactive discussion will be combined with case studies, solved in individual and group tasks within the attendees.

Beneficiaries and duration

Judges of Basic and Appellate Courts, professional associates and legal officers.

9.2 Property right - Jurisprudence of the European Court of Human Rights and Article 1 of the Protocol 1 of the ECHR

The purpose of this training is to advance the knowledge of judges and prosecutors regarding the right to respect the property of the person and the possibility of deprivation of this right for reasons of public interest and in the conditions provided by law and the general principles of international law. Another additional reason for addressing this issue is the explanation of the necessary intervention in a democratic society by the national authorities. The focus will also be on the breakdown of the notions and categories contained in Article 1. of Protocol 1., as well as the way of interpretation made by the European Court of Human Rights (ECHR) in Strasbourg.

Training module objectives

Upon completion of this training, participants will be able to:

- Define properly the property right according to the ECHR and ECtHR jurisprudence;
- Explain the extent of the property right according to ECHR and ECtHR;
- Analyze the special rules (three rules) of property right according to the ECHR and the jurisprudence of the ECtHR;
- Demonstrate cases of restriction of property rights according to the ECHR and the jurisprudence of the ECtHR;
- Recognize the role of the right to respect for the property of the individual;
- Explain the conditions for the intervention of the property right for reasons of public interest;
- Apply correctly the standards and criteria for compensation for deprivation of property in the context of Article 1. Protocol No. 1 to the ECHR and the practice of the ECHR

Training module content

- ✓ Definition of property rights according to the ECHR and the jurisprudence of the ECtHR;
- ✓ Extent of property rights according to the ECHR and the jurisprudence of the ECtHR;
- ✓ Special rules (three rules) of property rights according to the ECHR and the jurisprudence of the ECtHR;
- ✓ Restriction of property rights according to the ECHR and the jurisprudence of the ECtHR;
- ✓ Enforcement of property rights between private parties under the ECHR and the jurisprudence of the ECtHR.
- ✓ Basic notions contained in Article 1. of Protocol No. 1 to the ECHR;
- ✓ The role of the right to respect for the property of the individual;
- ✓ Conditions for property right intervention for reasons of public interest;
- ✓ Standards and criteria for compensation for property deprivation in the context of Article 1. Protocol No. 1 to the ECHR and the case law of the ECHR.

Training methodology

The topic of this training will be taught with interactive lectures, respectively will be combined with case studies, solved in individual and group tasks within the attendees.

Beneficiaries and duration:

Judges from general department and department for commercial and administrative affairs and prosecutors from all levels as well as professional associates. Training duration, one (1) day.

9.3 The right to private life, family life, residence and correspondence, to marry and to found a family and to equality of spouses - Article 8 of the ECHR

The aim of this training is to advance the knowledge of judges and prosecutors regarding the right to private and family life. Another additional reason for addressing this issue is the reluctance of Kosovo judges to implement the ECHR. The focus of the training will be on the breakdown of the notions and categories contained in Article 8 on the right to respect for private and family life as well as the interpretation made by the European Court of Human Rights (ECHR) in Strasbourg.

The training will address dilemmas and questions related to aspects of the provisions contained in Article 8 of the ECHR. Avoiding at the same time the dilemmas about interpretation of the provisions in question through the practical cases of the ECHR. The basic notions contained in Article 8 of the ECHR, the notion and legal nature of private life, family life, and the ECHR criteria regarding privacy, correspondence and residence, interception and data collection will also be addressed. Also in focus will be the proper implementation of the provisions of Article 8 regarding the intervention of public authority in the exercise of this right, to the extent provided by law.

Training module objectives

Upon completion of this training, participants will be able to:

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- Elaborate the legal nature of family life;
- Recognize the ECHR criteria regarding privacy, correspondence and residence as well as data collection;
- Properly apply the provisions of Article 8 regarding the intervention of the public authority in the exercise of this right, to the extent provided by law.

Training module content

- ✓ The meaning and legal nature of family life;
- ✓ Privacy, correspondence and place of residence - wiretapping and data collection;
- ✓ Interference of public authority in the exercise of this right, to the extent provided by law.

Training methodology

Among the main methods that will be used during this training will be: partial theoretical explanations and cases from judicial practice; interactive discussions in groups, which will defend and argue different positions and analysis of court cases by the ECHR, aiming to engage all participants and have their contribution in the training.

Beneficiaries and duration

Judges and prosecutors from all levels of the Republic of Kosovo. Training duration, one (1) day.

9.4 The right to a fair trial

This training aims at advancing the knowledge regarding the fair trial in civil and administrative proceedings. The focus of this training will also be on breaking down the framework of the right to a fair trial, the right to access to court, trial in a timely manner, the principle of legal certainty - harmonization of domestic case law, out-of-court proceedings, examples from judgments of ECHR.

The training will also address issues related to aspects of legal provisions contained in Article 6 of the ECHR. At the same time, the notions and categories contained in Article 6 of the ECHR regarding civil and administrative procedures will be elaborated, including the framework of the right to a fair trial; the notion of “right of access the court” and the guarantee provided, the standards and requirements regarding a trial within a reasonable time in civil proceedings.

Training module objectives

Upon completion of this training, participants will be able to:

- Break down the legal framework for a fair trial;
- Interpret the notion of fair access to court and the provisions it provides;
- Implement correctly the standards and requirements related to the trial in a timely manner in civil proceedings.

Training module content

- ✓ Notions and categories contained in Article 6 of the ECHR regarding civil and administrative proceedings;
- ✓ The framework of the right to a fair trial;
- ✓ The notion of “right of access the court” and the guarantee provided;
- ✓ Standards and requirements regarding timely trial in civil proceedings.

Training methodology

Among the main methods that will be used during this training will be: partial theoretical explanations and cases from judicial practice; interactive discussions in groups, which will defend and argue different positions and analysis of court cases by the ECHR, aiming to engage all participants and have their contribution in the training.

Beneficiaries and duration

Judges and prosecutors from all levels of the Republic of Kosovo. Training duration, one (1) day.

9.5 Training in the field of defamation and protection of the reputation

The training aims to increase the capacity of judges and prosecutors in the area of freedom of expression and its restrictions as provided for in Article 10 of the Convention. Further, during this training will be addressed various important aspects of reputation protection with a focus on the most well-known cases of the European Court of Human Rights as well as domestic cases. Through this training it is intended that the trainees have more in-depth knowledge in the local and international legal framework as well as in the application of relevant legal standards.

Training module objectives

Upon completion of this training, participants will be able to:

- Recognize the concept of defamation
- Properly implement local and international legislation
- Recognize responsibilities and sanctions in journalism

Training module content

- ✓ The concept of defamation;
- ✓ Local and international legal framework;
- ✓ Local legislation regarding temporary security measures;
- ✓ Defamation and public figures;
- ✓ Application of legal standards
- ✓ Responsibilities and sanctions in journalism

Training methodology

Specific training methods for legal professionals will be applied to this training, followed by ice melting exercises, PPT presentations, case studies, group exercises, public opinion polls, debates promoted by trainers specialized in the field of freedom of expression, assessment exams. The training will be based entirely on the training manual developed by the JUFREX project.

Beneficiaries and duration

Judges and prosecutors from different regions. Training duration two (2) days.

9.6 Protection and safety of journalists

The training aims to increase the capacity of judges and prosecutors in the field of journalists safety and protection. Further, the training aims to address various important aspects to the protection and safety of journalists with a focus on the most well-known cases of the European Court of Human Rights as well as domestic cases. Through this training it is intended that the trainees gain more in-depth knowledge about local and international legal and legislative framework as well as the application of relevant legal standards.

Training module objectives

Upon completion of this training, participants will be able to:

- Recognize positive obligations of the state and concrete cases;
- Apply properly legal provisions in cases of violation of journalistic activity and media;

Training module content

- ✓ Positive state obligations and concrete cases;
- ✓ Protection of journalists activity and media;
- ✓ Access to information
- ✓ Parliamentary Resolution of the Council of Europe on attacks against journalists, Recommendation of the Council of Ministers of the Council of Europe on the protection and safety of journalists and media stakeholders, Statement of the Committee of Ministers.

Training methodology

Specific training methods for legal professionals will be applied to this training, followed by ice melting exercises, PPT presentations, case studies, group exercises, public opinion polls, debates promoted by trainers specialized in the field of freedom of expression, assessment exams. The training will be based entirely on the training manual developed by the JUFREX project.

Beneficiaries and duration

Judges and prosecutors from all regions. Training duration, two (2) days.

9.7 Implementation of Article 2 of the European Convention for the Protection of Human Rights and Fundamental Freedoms

The purpose of organizing this training is to advance and deepen the knowledge about the right to life and interpret broadly the protection of the right to life. Also in this session will be addressed the obligations of the state in respect to right to life and the positive obligations of the state to protect individuals under their supervision as well as the interpretations of the European Court of Human Rights (ECHR) regarding the procedural aspects of right to life. The human right to respect his life, the inviolability of life, as an absolute human right.

This training will elaborate on questions related to guaranteeing this right and the international human rights documents, constitutional guarantee and its presupposition guaranteeing the inviolability of bodily integrity, be it with the unconditional protection of life, ie absolute prohibition of the death penalty. "Dilemmas about the fundamental nature of the 'inalienability' of this right will also be addressed." The substantive elements of the right to life, the state and its obligations for the protection of individuals who are kept under state supervision under the ECHR as well as the interpretations of the ECHR regarding the procedural aspects of the right to life. The training will also focus on the general obligation to protect the right to life "by law" and the prohibition of deprivation of life surrounded by a list of exceptions. In training dilemmas and questions will be addressed through partial theoretical explanation, based on cases and using concrete examples. Exercises, discussions and practical examples will be used in cases of inhuman or degrading treatment or punishment in the context of sentencing, ill-treatment or inappropriate practices, discrimination as part of ill-treatment and procedural aspects of the prohibition of ill-treatment.

Training objectives

Upon completion of this training, participants will be able to:

- Recognize the substantive aspects of the right to life,
- Elaborate state obligations for the protection of individuals who are kept under state supervision,
- Recognize and appreciate when life is not considered deprived in contradiction with this Article, in cases where this deprivation comes from the use of force, which was an absolute necessity
- Apply correctly the criteria contained in the provisions of Article 2 of the ECHR and the procedural aspects of the right to life.

Training content

- ✓ Substantial aspects of the right to life,
- ✓ Obligations of the state for protection of individuals who are kept under state supervision,
- ✓ Situations when life is not considered deprived in contradiction with this Article, in cases when this deprivation comes from the use of force, , which was an absolute necessity
- ✓ Article 2 of the ECHR and procedural aspects of the right to life.

Training methodology

The main methods that will be used during this training are: partial theoretical explanation and cases from the judicial practice, interactive discussions in groups defending and arguing different opinions followed by analysis of judicial cases of ECHR. This training also aims to involve participants and contribute in achieving training objectives.

Beneficiaries and duration

Judges and prosecutors from all levels of the Republic of Kosovo. Training duration, one (1) day.

9.8 Conference on the Judiciary - Freedom of Expression and Freedom of the Media

Freedom of expression guaranteed by Article 10 of the European Convention on Human Rights is essential for the proper functioning of democratic societies. Freedom of expression ensures, inter alia, that debates on issues of public interest can take place without undue interference and that media actors can undertake their work in a secure and pluralistic environment.

The purpose of this conference is to discuss the latest developments in the field of freedom of expression at international and local level.

Conference objective

It is the discussion of issues related to the field of freedom of expression with legal professionals (judges, prosecutors and lawyers) and the elaboration of issues at the national level related to freedom of expression and specific topics that fall into this domain.

Conference content

The conference will contain information on updated materials for training in the field of freedom of expression developed within JUFREX, information on the latest online courses in the platform on Human Rights Education for Legal Professionals (HELP) on Freedom of Expression and Safety of Journalists, and last but not least, the latest developments in the case law of the European Court of Human Rights on freedom of expression.

Beneficiaries and duration

Judges, prosecutors, lawyers. Conference duration, one (1) day.

9.9 Material and procedural aspect of the Law on Protection from Discrimination and challenges in its implementation

In procedural terms, the Law on Protection from Discrimination expresses a clear intention of the legislator to provide legal remedies for discrimination issues through all possible legal channels, including administrative bodies, courts, criminal investigations, prosecutors' offices, and mediation mechanisms. The allegation based on the grounds of discrimination as provided by the LPfD and according to the legislation in force, can be submitted by any person or group of persons (conditional) who claim to have been discriminated. The LPfD clearly expresses the special procedural features in cases dealing with discrimination such as: the deadline for filing a claim by the party alleging discrimination, urgency in dealing with cases of discrimination, accountability, evidence and legal methods (including, but not limited to) statistical data) that can prove discriminatory behavior, the burden of proof which falls on the respondent, the types of measures, sanctions, and compensation, even when the LPfD is applied in conjunction with the relevant procedural laws.

LPfD as a basic law against discrimination, applies to all actions or inactions of all state and local institutions, natural and legal persons, public and private sector, which violate or may violate the rights of any person (natural and legal) provided by the legislation in force. Considering the above-mentioned features, it definitely turns out that LPfD is a law with a wide purpose and scope. Therefore, although its proper implementation requires analytical and research skills, as well as a thorough knowledge of local legislation and international instruments and their mechanisms, there is always room for different interpretations that often present dilemmas for professionals.

Training module objectives

Upon completion of this training, participants will be able to:

- Identify the essential elements of each form of discrimination;
- Identify the essential procedural features when handling discrimination cases;
- Implement fairly the procedural provisions in dealing with cases of discrimination;
- Face challenges when enforcing legal provisions in discrimination cases;
- Uniquely apply the LPfD provisions.

Training module methodology

- ✓ Grounds and forms of manifestation of discrimination according to LPfD;
- ✓ Ways of implementing the procedural aspects of the LPfD in combination with the relevant procedural laws;
- ✓ Types of measures, compensation and sanctions that can be imposed on those who discriminate;
- ✓ Challenges of implementing LPfD;
- ✓ Implementation of LPfD in conjunction with other laws.

Training methodology

During this training, a combined methodology will be used, where in addition to PowerPoint presentations, which will include legal provisions followed by examples from court practice that reflect the ways of interaction, will also be applied interactive discussions with participants.

Beneficiaries and duration

Judges from the Civil and Administrative Department, professional associates of the Supreme, Appeal and Basic level, as well as lawyers, including Free Legal Aid lawyers, central and municipal government officials, as well as representatives of the OIK and non-governmental organizations involved in this field. Training duration, two (2) days.

9.10 ECHR in cases of discrimination, including the Law on Protection from Discrimination of the Republic of Kosovo and its relation with other laws with the focus on the Labor Law and the Law on Contested Procedure

The European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) in Article 14, respectively Protocol 12, protects against discrimination any right provided by law and by any public authority, thus offering a wider scope than Article 14, which relates only to the right guaranteed by the ECHR. The Constitution of the Republic of Kosovo has established international human rights instruments, including the ECHR, an integral part of the country's legal order.

Furthermore, non-discrimination, equal treatment and non-discrimination clauses are included in many laws in Kosovo, especially in the Law on Protection from Discrimination. There are cases when other laws refer to the Law on Protection against Discrimination, while there are others that enumerate the protected grounds which often differ from the protected bases included in the Law on Protection against Discrimination. Furthermore, the Law on Protection against Discrimination provides procedural specificity in dealing with discrimination cases that nevertheless affect the procedures provided by other laws, in particular the Law on Contested Procedure and the Labor Law.

Training module objectives

Upon completion of this training, participants will be able to:

- Interpret correctly the legal provisions related to discrimination;
- Recognize practical complexities in situations where laws interact in cases of discrimination;
- Analyze the treatment of cases of discrimination in the contentious procedure, including the treatment of labor disputes with elements of discrimination and
- Approximate positions on the unique application of legal provisions related to discrimination.

Training module content

- ✓ Article 14 and Protocol 12 of the ECHR;
- ✓ ECHR practice on protection against discrimination;
- ✓ Law on Protection from Discrimination in conjunction with the Law on Contested Procedure and the Labor Law;
- ✓ Cases from court practice.

Training methodology

It will be combined, where in addition to a brief presentation on professional and practical insights, interactive methods of discussion with participants will be applied. Participants will also be provided with cases from both domestic and ECHR case law to discuss in groups and will be asked to present their views in resolving problems and dilemmas in certain situations.

Beneficiaries and duration

Judges from the civil, criminal and administrative departments of the supreme, appellate and basic level, prosecutors, professional associates and lawyers. Training duration, two (2) days.

Training on EU Law

10. Training on EU Law

10.1 Judicial practice in civil, administrative and commercial matters according to the European Court of Justice

This training aims to advance the knowledge on European Union law, its effect and its implementation by national states before EU membership. This educational module is designed to cover the educational needs of judges and prosecutors in the field of legal values of the European Union. It also provides professional explanations and analysis of the relationship between the legal systems of the member states and European law, the General European Standards in economic-budgetary matters and the obligations of the member states and those that are candidates, Familiarity with the decisions of the Court of Justice European Union and its powers, and Recognition of the Lisbon Treaty and the Copenhagen Principles relating to candidate countries.

Training module objectives

Upon completion of this training, participants will be able to:

- Analyze the effect of European law at national level (direct and indirect effect);
- Properly implement EU legislation at national level;
- Elaborate practical cases of the application of EU law by the courts of an EU member state.

Training module content

- ✓ The effect and application of European law at the national level;
- ✓ Enforcement of EU law by national courts - experiences, - Harmonization of national law with European law, scope and limits of judicial interpretation in the pre-accession period and difficulties;
- ✓ Practical cases of the EU law application by the courts of an EU member state.

Training methodology

Among the main methods that will be used during this training will be: partial theoretical explanations and cases from judicial practice; interactive discussions in groups, which will defend and argue different positions and analysis of court cases aiming to engage all participants and have their contribution in the training objectives.

Beneficiaries and duration

Judges and prosecutors from all levels of the Republic of Kosovo, Training duration, one (1) day.

Training on interdisciplinary competence

11. Training on interdisciplinary competence

11.1 Stress management

It is almost impossible to think of everyday life in the "modern world" without stress as an integral part of it. Stress is the set of emotional, bodily and behavioral reactions to those demands, challenges and burdens to which the individual is subjected in different work and life circumstances. In general, stress is a consequence and indicator of a "suffocation" of spiritual life at the level of domination of the techno sphere over the socio-sphere. Frequent presence of stress in the daily life of the individual causes de-motivation, reduces productivity, impairs performance, causes mental and physical problems, changes the behavior of the individual, etc.

Good time management and prioritization of needs are among the predispositions of good management and keeping stress under constant control as a prerequisite for maintaining the health and well-being of the individual. Many connoisseurs of this problem prefer setting boundaries as a technique of preventing the negative effect of stress. Setting material and formal boundaries, as well as the content of emotional boundaries are main elements of this technique. Needs identification is also a necessary predisposition in stress management.

Training module objectives

Upon completion of this training, participants will be able to:

- Recognize the characteristics and distinctive features of personalities which will be in relation to them in different qualities;
- Distinguish between positive and negative degenerative elements and factors in society and in the work environment;
- Identify the determining factors in the individual in deviant and illegal behavior;
- Learn the best ways to overcome stressful situations;
- Develop skills on good time and stress management;

Training module content

- ✓ Stress factors;
- ✓ Types of stress;
- ✓ Warning signs and symptoms of stress;
- ✓ Stress at work;
- ✓ Time management

Training methodology

Attendees will have an exercise related to the priorities of the activities, the interference of the anecdote by the professor of philosophy and the two coffee boxes.

Beneficiaries and duration

Judges and prosecutors from all levels. Training duration, one (1) day.

11.2 CEPEJ main instruments, starting from statistical reports and tables for court presidents and judges related to the Case Management Information System (CEPEJ - European Commission for the Efficiency of Justice)

This training curriculum aims to transfer key knowledge regarding the use of the CEPEJ methodology in courts in order to increase the quality and efficiency, according to the recommendations of the EU Enlargement Report 2021. This report recommends the following:

- "Providing reliable statistical data in line with the European Commission methodology for the efficiency of the judiciary" (page 17)
- "Improving strategic planning, which also requires commitment to the introduction of reliable statistical systems for the judiciary based on CEPEJ indicators and the use of findings management and policy-making purposes." (page 21)
- "Strengthening commitments to reduce the accumulation of cases, based on the strategy for digitalization". (page 17)

CEPEJ is mandated to assist countries in the fight against excessive length of litigation. Due to the reason that there are already a large number of cases in the European Court of Human Rights submitted by citizens who complain that their cases have taken too long. According to Article 6 of the European Convention on Human Rights, everyone has the right to a fair trial within a reasonable time. Delayed justice is denied justice. CEPEJ has developed a methodology to assess the efficiency of judicial systems, which is used by 47 Member States. CEPEJ assessments are conducted every two years. This methodology looks at: budgetary resources allocated to courts, prosecutors, and free legal aid; human resources (number of judges, prosecutors, support staff, etc.); as well as in the efficiency of judicial systems using specific performance indicators for the main categories of cases, such as the CEPEJ Rate of Verification, Estimated Settlement Time, and Cases on Hold older than two years. In recent years, CEPEJ has also worked significantly to understand how IT tools can increase efficiency in the courts.

This training will introduce the main instruments developed by the CEPEJ Working Groups (Judicial Systems Evaluation Working Group, SATURN Working Group, Quality Working Group, and the newly established Working Group on Cyber Justice) and explain how these instruments can be used in the judicial system of Kosovo, taking into account the specific needs identified. The training will also explain how to read the statistical reports and tables developed for CMIS, which incorporates some of the key CEPEJ indicators.

Module 7 will introduce European systems for weighing cases for court proceedings and the possibility of adapting this system to the courts of Kosovo.

Training module objectives

Upon completion of this training, participants will be able to:

- Know how to read and use statistics and key performance indicators in statistical reports and tables in CMIS;
- Make decisions based on rigorous data and analysis;
- Identify where improvements in court organization and court services are needed, based on statistics collected through CMIS;
- Monitor their load of cases, as a general rule, first solve the oldest cases and
- Cope with the number of new cases and will be able to address the backlogs;

Training module content

The CEPEJ Glossary will be used to ensure accurate and consistent use of CEPEJ terminology. This dictionary is available in Albanian and Serbian language. For example, some expressions such as “CEPEJ rate for verification”, “CEPEJ rate for calculation of settlement time”, or “Old cases” should be translated carefully.

- ✓ The first module is entirely dedicated to the presentation of the European Commission for the Efficiency of Justice and relevant areas of interest.
- ✓ The second module is related to CEPEJ Performance Indicators, and is divided into several sessions to enable the most analytical, clear and useful approach possible.
- ✓ The third module is more specific to the Kosovo judiciary. It is about the Case Management Information System (CMIS) and the Related Statistical Reports and Tables. This module will answer the following questions: What data is collected and why? Sessions will be organized using real data coming from the courts.
- ✓ The fourth module, aims to supplement the preliminary module, with a deeper treatment of data available from CMIS, to extract as much as possible in the field of the working session to practice the extracted information. This module will answer the question: How to use the collected data?
- ✓ The fifth module deals with CEPEJ time frames, one of the main CEPEJ instruments.
- ✓ Module Six introduces Court Policies that have proven success in further reducing the length of court proceedings in European judicial systems, and explore how these policies can be adapted to Kosovo's experiences.
- ✓ Module seven will introduce the European Case Weighing Systems for court proceedings and the possibility of adapting these systems to the Kosovo courts.
- ✓ Module eight deals with court user surveys as an instrument to inform courts and judges about users' perceptions of "justice served", as well as being open to civil society.
- ✓ The last module is a concluding session, to summarize the concepts and information shared during the training course. The evaluation of the whole course will be administered at this session.

Training methodology

The training sessions are designed to be as concise and interactive as possible. As there are different learning styles, the modules of this training at this stage use as much as possible traditional lectures, but also small working groups, round tables and "field work". Each session has 30 minutes of questions and answers and discussions to try to be as interactive as possible and to stimulate proactive participation in the course.

These short sessions should better address the busy schedule of judges. In addition, they can be conducted online or in person.

Collaborative and well-managed discussions in working groups are recommended methods to expose everyone to new ways of thinking and to develop active participation in training sessions.

Collaborative and well-managed discussions in working groups are recommended methods to expose everyone to new ways of thinking and to develop active participation in training sessions.

Some sessions may seem a bit repetitive at times, but this is due to the need to repeat the concepts and make them fully understandable by the participants **to be placed later in their daily work life**. For this purpose, several sessions have been designed that will take place in small working groups and a "field work" session is planned.

This training curriculum is designed with a “student-centered” approach. The focus is to increase participants' knowledge and skills to be effectively implemented in their work.

Beneficiaries and duration

This training program focuses on court presidents and judges. The KoSEJ team also noted that some judges are heads of departments / divisions. They can be considered as an additional focus group.

Also, according to the KoSEJ team, it would be important to train KJC members (12 of them) as well as court staff in the near future, especially the staff who directly assist judges and administrative staff. Training duration, two (2) days.

11.3 Reasoning of judicial decisions

Legal writing and reasoning training aims to assist judges, professional associates and legal officers in building their professional capacity regarding legal research, judicial review and drafting of court decisions. This training will take place in an interactive discussion environment in order to directly help the development of analytical skills in participants by addressing how to approach a legal issue, how to conduct resource research on the issue under consideration, how to properly to carry out legal analysis and according to which standards legal writing and reasoning should be done. In addition to theoretical guidance on the principles and methods of legal writing and reasoning, part of this training will also be practical cases and guidelines so that participants can apply the knowledge gained in practice.

Through concrete instructions and cases from the civil and criminal field, the participants will have the opportunity, by implementing the requirements of the laws from the criminal and civil procedure, to give their conclusions in deciding the cases they handle. Legal writing and reasoning is a standard for evaluating the work of the courts. In this sense, legal writing and reasoning at work of judges, professional associates and officials represents an inaccessible goal, therefore through this training it is intended to improve the quality of legal writing and reasoning in their work.

Training module objectives

Upon completion of this training, participants will be able to:

- Know the basic rules of writing legal acts and documents;
- Create clear ideas on how to reason legal acts and documents;
- Develop legal reasoning and writing skills;
- Compile legal acts and reason them according to the most modern methods of legal reasoning and writing;
- Use interpretive skills and develop critical thinking as well as demonstrate research skills on legal issues.

Training module content

- ✓ Types of legal reasoning;
- ✓ Principles of good legal writing;
- ✓ Legal requirements for writing and reasoning court decisions;
- ✓ Implementation of the IRAC method on decisions on criminal area.

Training methodology

Theoretical elaboration of the writing elements, the manner of formulating legal acts, interpretation of acts, analysis of facts, drafting of main procedural acts. Theoretical discussion regarding the procedural legal provisions that refer to the legal requirements for the writing of legal acts. Practical demonstration of the way of reasoning and legal writing. Theoretical and practical discussion on the methods of legal analysis in concrete cases. Presentation of civil and criminal cases and discussions on the manner of assuming meritorious decision for concrete cases.

Participants, in addition to their contribution to the discussions, also challenge the trainer's ideas regarding the solving of many alternative or even problematic issues.

Beneficiaries and duration

Judges of Basic Courts, professional associates and legal officers. Training duration, one (1) day.

11.4 Module: Access to and regular use of the Central Criminal Evidence System in Kosovo (CCESK).

The purpose of this training module is to encourage judges and prosecutors to access and regularly receive data from CCESK, as well as to assist in the regular use of CCESK in checking the criminal records of a natural and legal persons. The training module dedicated to judges and prosecutors authorized for access and regular use of CCESK will include the legal and IT part.

Training module objectives

Upon completion of this training, participants will be able to:

- Get familiar with the CCCESK and the type of data that this system contains;
- Independently use CCESK to identify and use data relevant to the purposes of criminal proceedings.
- Refer to the records of the criminal record;
- Manage criminal records as well as technology change.

Training module content

Theoretical training on CCESK system

- ✓ Introduction to the objective, history and organization of Criminal Evidence Registers, with special focus on:
 - the reason why the data were collected, recorded and reported;
 - the importance of the data collected for individuals and institutions;
 - the importance of the data collected being correct, accurate, detailed and complete;
 - responsibilities regarding their authorizations to access, collect and store sensitive data found in criminal records.

Standards-setting documents from the Council of Europe on rehabilitation and criminal records, with a particular focus on:

- authorities or persons entitled to obtain extracts from criminal records;
- principles governing the right of access to information relating to personal criminal records, communication of information and use of personal information;
- principles regarding the use and access to criminal records by judicial authorities;
- instructions regarding criminal records related to juveniles;
- principles governing the disclosure and protection of criminal records during criminal proceedings;
- principles governing rehabilitation.
- ✓ Policy Framework for Rehabilitation / Clearance, Amnesty and Forgiveness, focusing on:
 - legal consequences of the sentence in the Criminal Code of Kosovo
 - legal consequences of the sentence in the Criminal Procedural Code of Kosovo

- the concept and nature of the settlement / rehabilitation / settlement and / or the right to be rehabilitated;
 - the nature of the rehabilitation and its effects on the criminal history of the persons - the status of the individual benefiting from the settlement / rehabilitation;
 - types / categories of rehabilitation, and the difference between legal and judicial rehabilitation;
 - the use of the personal history of an individual who benefits from the settlement.
 - criminal records of juveniles and rehabilitation procedures;
 - rules governing the change of personal names (law on personal names);
 - criminal records related to legal persons;
 - liability of legal persons for criminal offenses;
 - reasons and limitation of liability of legal persons;
 - principles governing liability in the event of a change of status and bankruptcy of a legal person;
 - principles regulating the suspension of punishment
 - criminal records of legal persons.
- ✓ Steering Framework / Policy of the Legislation on Personal Data Protection, focusing on:
- principles governing the right to access and use of data;
 - rights and obligations of institutions / individuals who have access to data;
 - principles governing improper access to and / or unauthorized distribution of personal data from criminal records.
 - Law on Information Security and Classification of Information.
- ✓ What is the Central Criminal Evidence System, with a focus on:
- the objective, history and organization of evidence of criminal files;
 - the purposes of its establishment;
 - type of data / information included;
 - automatic data settlement
 - the concept of mandatory control of criminal files;
- ✓ International legal protection and recognition of foreign decisions, with a focus on:
- The legal framework governing recognition of foreign decisions in Kosovo;
 - European practice in the field of recognition of foreign decisions.
- ✓ CCESK system – KJC Regulation and main principles
- Three levels of Extract
 - Presumption of Innocence and Extracts 3 - Certificate
 - - CCESK system and personal data protection
- ✓ Kosovo CCESK system, its organization and functioning, focusing on:
- The mandate of CCESK and organizational structures

- CCEASK Functions
 - CCEASK System Management
 - CCEASK database
 - Personal data of convicted persons
 - Information about the sentence
 - Obligation to notify CCEASK staff
 - Cleared sentences
 - The effect of the cleared criminal sentence
 - Protection and the CCEASK archive
 - Disclosure of data by CCEASK for statistical information
 - Parties authorized to receive data from CCEASK
 - Certificates of criminal records
 - Extracts of criminal evidence
 - Fees for issuing a certificate of criminal evidence
 - Restrictions on the use of personal data
 - Complaint mechanisms and requests of the parties
 - Data correction and notifications
- ✓ Practical presentation / Demonstration of the use and functioning of CCEASK, with special focus on:
- Introduction of CCEASK system and special system modules;
 - Practical experience with CCEASK (use and obtaining of data by CCEASK).
- ✓ Practical training on CCEASK system
- The main functions of CCEASK
 - Identification process
 - Search for a convicted natural person
 - Search by personal number
 - Search by parent name, surname and first name
 - Search by name, surname and date of birth
 - Details of the convicted natural person
 - Search by number of cases
 - Case details
 - Search for a convicted legal person
 - Search by business number
 - Search by business name

Beneficiaries and duration

This training module is entirely designed for judges and prosecutors authorized to access and obtain data from the CCEASK. Training duration, two (2) days.

11.5 Module: European Criminal Records Information System

The purpose of this training module is to train judges and prosecutors on the European Criminal Record Information System (ECRIS).

Training module objectives

Upon completion of this training, participants will be able:

- Expand their knowledge on the European Criminal Record System ECRIS and
- Get familiar with the ECRIS characteristic and transmission of information

Module content

- ✓ The essence and history of ECRIS
- ✓ Definitions of ECRIS
- ✓ ECRIS: Central Authority in member countries
- ✓ ECERIS languages
- ✓ Key Features and Legal Framework of ECRIS
- ✓ Division of ECRIS responsibilities between the EC and the MS - Article 3 Council Decision 2009/316 / JHA
- ✓ EC Elements of ECRIS
- ✓ Scope of Council Framework Decision 2009/315 / JHA
- ✓ ECRIS elements
- ✓ Scope of Council Framework Decision 2009/315 / JHA
- ✓ ECRIS and fundamental rights
- ✓ ECRIS and data protection
- ✓ Obligation of the sentencing member state
- ✓ Obligations of the Member State of the nationality of the person
- ✓ Response to a request for information on sentences
- ✓ Response deadlines
- ✓ ECRIS Transmission of information
- ✓ ECRIS information transmission- Mandatory
- ✓ ECRIS information transmission- Optional
- ✓ ECRIS broadcast information- Additional
- ✓ ECRIS - Legal Persons

Training methodology

There are four teaching methods that will be combined throughout the training module. Learning methods aim to convey information, create skills and stimulate new knowledge exchange techniques. **Lecture** - This method will be used to transfer knowledge and information gradually, as well as to explain facts related to a particular topic. Through this method, trainers have the opportunity to convey information to participants and ensure that this information is provided in the shortest possible time. Furthermore, the trainer controls a number of participants and coordinate the transfer of knowledge, as well as in the meantime test the effectiveness of the training. **Discussions** - This learning method will be used to simulate / enhance the exchange of knowledge between the trainer and the participants as well as between the participants. In addition, this method will be used to simulate debate, find solutions to challenges / problems, simulate reaching consensus, promote and simulate stakeholder interests, help engage participants actively, and serve as part of the platform experience.

Beneficiaries and duration

This training module is designed for judges and prosecutors, training duration, half day.

Trainings for judicial and prosecutorial administrative staff

12.1 Basic training for professional associates and legal officers

Appreciating the importance of professional associates and legal officers in the preliminary review of cases and the preparation of court hearings, the Academy of Justice has developed a special induction training curriculum for these categories. This training curriculum includes material and procedural aspects in the criminal and civil field, including forms of court decisions on various legal issues.

The training curriculum includes basic training modules in criminal and civil matters. Through training implementation, the Academy of Justice aims to increase professional capacities of professional associates and legal officers of courts and prosecutor's offices in improving the quality of work with a focus on:

- Drafting and proper reasoning of legal documents;
- Proper implementation of applicable criminal legislation on procedures and practices in relation to the cases they are engaged;
- Proper implementation of applicable civil legislation on procedures and practices in relation to the cases they are committed and
- Increasing the efficiency of work in courts and prosecution offices.

The implementation of this training program, especially for these categories, will enable the joint trainings with judges and prosecutors in continuous trainings according to the competencies.

The training program in cooperation with the respective trainers will be further concretized with the number of sessions from the module in criminal and civil field for each topic included and through the agendas and training calendar for 2022.

The Academy of Justice in coordination with court presidents and chief prosecutors as well as relevant administrators will identify the list of professional associates and legal officers in courts and prosecution offices and will invite them to attend training sessions from this program.

12.2 Trainings for other judicial and prosecutorial administrative staff

12.2.1 File and case management in the judicial and prosecutorial system

The main purpose of this training is that through introduction of concepts and principles of case flow management, participants are introduced and prepared with the skills to identify, first case management problems and then to develop and implement a management plan of the workflow.

Training module objectives

Upon completion of this training, participants will be able to:

- Advance knowledge on case management;
- Respect the principles of case management;
- Demonstrate case management techniques;
- Advance knowledge about the principles and methodology of CEPEJ.

Training module content

- ✓ Registers of courts and prosecutor's offices;
- ✓ Organizing the workflow and course development;
- ✓ Statistical data collection and reporting;
- ✓ Efficient case management based on CEPEJ methodology;
- ✓ Digitalization of the work process in courts and prosecution office.

Training methodology

The training will be facilitated by PowerPoint presentations, group work and the use of practical cases.

Beneficiaries and duration

Administrators, assistant administrators, the head of the ZML, clerks, statistical officers, legal officers, legal secretaries, information officers, the Performance Evaluation Unit judges and prosecutors. Training duration, one (1) day.

12.2.2 Communication skills

Some professions require skills development and constant updating to keep up with the time. Such is the function of the information officer, who, in the absence of adequate skills, not only leaves the room to be improved, but harms the institution he/she represents.

In summarizing the topics covered, information officers also have the opportunity to give their assessments to the training and share their experiences.

Training module objectives

Upon completion of this training, participants will be able to:

- Recognize the skills needed for effective communication;
- Write and speak by applying the learned tactics;
- Prepare key messages and develop empathy;
- Assess the importance of non-verbal communication;
- Manage and cope with the crisis within the institution;
- Develop adequate communication.

Training module content

- ✓ Advantages and disadvantages of written and verbal forms of communication;
- ✓ Recognition of communication skills;
- ✓ Special elaboration on confidentiality, empathy and non-verbal language;
- ✓ Discuss the skills and opportunities for their implementation.

Training methodology

This training will use several combined training methods such as PowerPoint presentation which includes theoretical explanations, interactive discussions, and exercises.

Beneficiaries and duration

Beneficiaries of this training will be media information and monitoring officers in courts and prosecution offices. Beneficiaries of the same training may be other officials who interact with the parties in the courts / prosecution. Training duration, one (1) day.

12.2.3 Integrity and ethical behaviors

The highest goal of the judicial and prosecutorial administration in Kosovo, for all staff belonging to the judicial and prosecutorial system, is to increase the quality of professional performance, ensuring proper practical application of ethical principles and standards in accordance with the Code of Ethics as are: professionalism, work discipline, impartiality, independence, confidentiality, avoidance of conflict of interest and indecent behavior, honesty and accountability.

The module is designed in such a way that through partial theoretical explanations and interactive discussions, it addresses the defined rules of ethical and professional conduct, providing legal basis and practical examples for the participants.

Training module objectives

Upon completion of this training, participants will be able to:

- Distinguish ethical behaviors inside and outside the office;
- Implement correctly the Code of Ethics and its principles;
- Identify cases when dealing with ethical violations.

Training module content

- ✓ Principles and norms of ethical behavior;
- ✓ Behavior in and out of the office and
- ✓ Social awareness and responsibility.

Training methodology

During this training will be used the methodology combined with theoretical explanations, through PowerPoint and interactive discussions.

Beneficiaries and duration

Administrative staff of courts and prosecution offices. Training duration, one (1) day.

12.2.4 Time and stress management

This training is conceived as a necessary project for development of time and stress management skills for officials of the administration of Courts and Prosecutions as a predisposition to improve their performance in order to support the work and increase the efficiency of the work in Courts and Prosecutions offices, in the exercise of their duties and functions defined by law.

Stress today is a negative accompanying phenomenon in all activities, developments, actions and behaviors of the individual and the inevitable phenomenon in general in socium. Officials of the administration of Courts and Prosecutions during their daily work face many stressful situations and are exposed to many stressors who negatively interfere in the services of these officials in relation to Judges and Prosecutors but also in relation to the parties and other entities.

Time and stress management is an immediate need to prevent challenging of the officials personality in the administration of cases, whereas different stressors affect their efficiency at work.

Training module objectives

Upon completion of this training, participants will be able to:

- Know how to manage time well;
- Prioritize their daily, weekly and monthly activities;
- Recognize and apply techniques and ways of maintaining health and working condition.

Training module content

- ✓ Stress and theoretical definition;
- ✓ Time management;
- ✓ Prioritization of activities;
- ✓ Techniques for maintaining health and working condition;
- ✓ Protecting the profession from "burning".

Training methodology

During this training, contemporary methods and techniques will be applied, PowerPoint presentation, group work and case study from practice.

Beneficiaries and duration

Administrative staff of courts and prosecution offices. Training duration, one (1) day.

12.2.5 Training on the usage of the Case Information System

The Case Information Management System has reformed the work in the justice system digitalizing as such the work in courts and prosecutors' offices. Electronic case management enables courts and prosecutors' offices to realize their vision of an efficient, transparent, accountable and accessible judicial system for all citizens. Given that this system has been implemented in recent years, challenges in its application are certainly inevitable.

This training module will address challenges in using CMIS and will contribute to building the skills and train administrative staff in courts and prosecutors to use CMIS while performing their duties and tasks in case management during their work.

Training module objectives

Upon completion of this training, participants will be able to:

- Advance knowledge in the use of CMIS;
- Expand knowledge about the CMIS system and its applications.

Training module content

- CMIS systems;
- CMIS applications;
- Registration of cases, scheduling of sessions;
- Minutes;
- Managing the invitations up to archiving.

Training methodology

For the successful realization of the trainings and the achievement of the training objectives, the most appropriate methodology is classic trainings. In this case, the Academy of Justice should provide training rooms equipped with appropriate computer equipment which also have access to CMIS system for training purposes.

Beneficiaries and duration

Administrative staff of courts and prosecution offices. Training duration, two (2) days.

12.2.6 Training on audio / video systems and witness protection systems

The purpose of this training is to enhance the skills of court staff in the use of audio and video systems in court as well as systems that enable the provision of remotely protected testimony of protected witnesses.

Training module objectives

Upon completion of this training, participants will be able to:

- Advance their skills about the use of audio / video equipment and systems;
- Expand knowledge about the use of witness protection systems in face-to-face hearings.

Training module content

- ✓ Audio and video systems in use for courts;
- ✓ Holding sessions using audio and video systems as well as maintaining the records.

Training methodology

In order for this training to be successful and achieve its objectives is training judges to use ICT in their work, whereas the most appropriate methodology for this purpose is organizing training in person. In this case, the Academy of Justice should provide rooms equipped with computer equipment as well as appropriate audio and video systems. These trainings can also be organized in combination such as in the premises of the Academy of Justice and in courtrooms in order to see the functioning of these systems in real conditions.

Beneficiaries and duration

The beneficiaries of the training are judges and administrative staff. Training duration, two (2) days.

12.2.7 Training on protocol

Hospitality is a special element that requires rules of etiquette that must be respected in society but also in the case of ceremonies during official functions. In this sense, a protocol has been developed which defines a series of rules that must be respected by state institutions when visiting foreign delegations in our country or even in our institutions.

The purpose of this training is to increase the skills of court and prosecution staff in organizing the reception of delegations based on the rules set by the State Protocol.

Training module objectives

Upon completion of this training, participants will be able to:

- Understand precisely what is Label and Protocol;
- Recognize some formal attire (dress code), in public and official services;
- Compare protocols in different countries and good practices
- Expand knowledge about diplomatic practices independently.

Training module content

- ✓ Protocol and Ethics
- ✓ Protocol on the occasion of receiving delegations
- ✓ Diplomatic correspondence
- ✓ The nature of the diplomacy changes
- ✓ Diplomatic method
- ✓ Development of diplomatic practices
- ✓ Instruction on communication and international traditions.

Training methodology

This training will be conducted through interactive lecture where participants will have the opportunity through special cases to analyze ceremonial aspects of the protocol procedures and raise questions to their interest.

Beneficiaries and duration

Beneficiaries of this training are judges and the administrative staff. Training duration, two (2) days.

12.2.8 Protection of whistleblowers

The purpose of the training is to address issues related to the protection of whistleblowers, and strengthen knowledge in relation to the rights of whistleblowers and create new knowledge in relation to the latest developments in the field of signaling in Kosovo, the region and Europe. The training seeks to train the administrative staff of the courts as well as the officials responsible for signaling in all regions of the country.

Training module objectives

Upon completion of this training, participants will be able to:

- Recognize international and domestic human rights standards related to the work of the judiciary
- Implement best practices in the field of freedom of expression and protection of whistleblowers;

Training content

- ✓ International and local human rights standards related to the work of the judiciary;
- ✓ Principles, institutions, processes and practices in the field of freedom of expression in general, and in the field of protection of whistleblowers in particular.

Training methodology

Specific training methods for legal professionals will be applied to this training, followed by ice melting exercises, PPT presentations, case studies, group exercises, public opinion polls, debates promoted by specialized trainers in the field of freedom of expression, assessment exams. The training will be based entirely on the training manual developed by the JUFREX project.

Beneficiaries and duration

Administrative official of courts and prosecutors 'offices and whistleblowers in courts and prosecutors' offices. Training duration, two (2) days.

12.2.9 Maintaining court sites on Facebook and informing the public through them

All courts in Kosovo have their official pages on the social network Facebook. The opening of court profiles in this network is done in order to increase transparency, accountability and informing the general public. *Training Maintenance of court pages on Facebook and informing the public through them* ", is designed to bring innovation to these pages by facilitating the information of the public about the judiciary and at the same time increasing the attractiveness of these profiles.

Apart from the posts so far, which for the basic courts have mainly included announcements in the case of detention on remand, court hearings that are described as media and stories with court staff, whereas other alternatives have not been used. In this training, creative ideas will be presented for the presentation of court proceedings, so that citizens, when they have a case in court, know their rights and know the procedures to exercise their right.

Also, ZIP need for the maintenance of court sites on FB, to be updated with the latest innovations of this network, having the opportunity to receive lectures from technology experts.

Training objectives

Upon completion of this training, participants will be able to:

- Use court sites on FB to create creative posts;
- Develop materials in legal language making them understandable to the general public and then post them through various ideas on FB;
- Get acquainted with fb innovations;
- Practice lessons learned from IT experts.

Training content

- ✓ New perspective of court access to FB;
- ✓ Familiarity with new ideas of presenting the work of the court and its functioning, in front of the public;
- ✓ Elaboration of examples of processing content from legal language to simpler language for the public;
- ✓ Elaboration of modules provided by FB.

Training methodology

This training will use combined methods, such as PowerPoint presentations, theoretical explanations, interactive discussions, and exercises.

Beneficiaries and duration

Beneficiaries of this training will be media information and monitoring officers in courts and prosecution offices. Training duration, two (2) days, in the first part will be developed the content on FB while in the second part will be developed the technical part of the operation of court sites on FB.

Training on Promotion of Judges and State Prosecutors

13. Training on Promotion of Judges and State Prosecutors

Judges and state prosecutors who have been promoted from one level to another, or from one department to another, will be provided with adequate training in order to meet their professional, interdisciplinary and personal needs and requirements. The orientation program defined for this category prepares the beneficiaries to perform the work successfully immediately after taking the new position.

13.1 Judges and prosecutors promoted from one department to another within the same level

Promotion of judges and prosecutors from one department to another, raise the need for these changes to be accompanied by some specific training for judges and prosecutors, which will be adapted to their specifics. In this regard, the Academy provides orientation programs which are ready for implementation at any time when these promotions occur within the judicial and prosecutorial system.

Orientation programs for judges and prosecutors moving from one department to another focus on developing the following skills and practices:

- Dealing with new procedures and new jurisdiction;
- The role of the judge or prosecutor according to the competence of the respective department;

13.2 Judges and Prosecutors Promoted from Basic level to the Appellate level

This training program contains modules that focus on the professional competence of promoted judges or prosecutors, which are:

- Competence and jurisdiction in the appellate level;
- Competence and jurisdiction in the relevant department in the appellate level.

13.3 Promoted judges from the Court of Appeals to the Supreme Court

The training program for judges promoted from the Court of Appeals to the Supreme Court, contains modules that focus on professional competence, with the focus on:

- Competence and jurisdiction at the level of the Supreme Court;
- Competence and jurisdiction in the respective field.

13.4 Promoted Prosecutors from the Appellate Prosecution to the Office of the Chief State Prosecutor

The training program for prosecutors promoted from the Appellate Prosecution to the Office of the Chief State Prosecutor, contains modules that focus on professional competence, with the focuses on:

- Competence and jurisdiction at the level of Office of the Chief State Prosecutor;
- Competence and jurisdiction in the respective field.

Trainings for other free professions

14. Trainings for other free professions

Based on the Framework Program 2021-2022 as well as the requests of free professions addressed to the Academy of Justice, the content regarding the training curriculum has been drafted for the officials of the Agency for Free Legal Aid, private bailiffs as well as for the victims' advocates. Also based on the decision of the Managing Board no. No.01 / 485/019 dated. 27.11. 2019 will provide the opportunity to participate in the training of state lawyers in continuous training for judges and prosecutors on the topics they need.

Within the training curriculum for the officials of the Agency for Free Legal Aid, the following topics will be addressed:

- ✓ Case law of the property rights
- ✓ Gender equality in property issues of joint ownership
- ✓ Case law in Labor disputes
- ✓ ECHR and the case law
- ✓ Evidence procedure and extraordinary means in civil procedure

In the training curriculum for victim advocates the following topics will be covered:

- ✓ Domestic Violence – law amendments
- ✓ Victim compensation – law amendments
- ✓ Trafficking in human beings, coercion into prostitution, sexual abuse, rape, etc.
- ✓ Training with practical experience on murder and robbery cases.

The following topics will be covered in the training curriculum for private bailiffs:

- ✓
- ✓ Submission of documents in enforcement proceedings
- ✓ Execution through bank accounts - unification of acts
- ✓ Deposit of bank guarantee

Training of Trainers

15. Training of trainers

Based on the Framework Program 2021-2022 of the Academy of Justice, the Trainings for trainers will have special attention, especially in advancing of the modern training methodology through which the quality and efficient realization of the Training Program will be ensured.

The Academy of Justice in cooperation with OPDAT has initiated the drafting of the Permanent Training of Trainers Program during 2021, however due to the nature of the program and the legal infrastructure including pandemic circumstances there have been no developments in this regard. Since it is the Academy's priority to have a permanent program, this activity is expected to be concretized during 2022. Also for 2022 there are other projects which will support the Academy of Justice initially in recruiting trainers in various fields and then in carrying out the training of trainers program. Details regarding the training activities for trainers can be found as follows:

The Academy of Justice in cooperation with International Narcotics & Law Enforcement Affairs (INL) during 2021 will carry out the process of recruiting potential trainers in the field of Mediation, and during 2022 will begin with Trainings for Trainers in the field of Mediation, this project will be implemented in 4 training sessions of 5-10 days, and will last about 18 months until finalization.

Also, in cooperation with the Council of Europe, the "iPROCEEDS" project during 2021 has started the recruitment process of potential Trainers in the field of Cybercrime, whereas during 2022 is expected to be organized 2 more specialized Training of Trainers in the field of Cybercrime and Electronic Evidence.

During 2022, in cooperation with the Council of Europe, the project "Fighting the violence against women / domestic violence" aims to organize 1 Training of Trainers to further specialize the trainers of the Academy of Justice.

Also with the PECK III project of the Council of Europe it is foreseen to be conducted 2 Trainings of Trainers in the field of Confiscation as well as a Training of Trainers in Money Laundering without a basic offense.

Court/ Prosecution Management Trainings

16. Court / Prosecution Management Trainings

16.1 Court / Prosecution management

Management means organizing and harmonizing resources to achieve certain goals towards success. Management requires planning, organization, guidance and monitoring. Therefore, general knowledge on the managing courts and prosecutors' offices, starting with management, other heads of human resource, finance, central case management office, legal aid office, logistics office and information office, should be further developed through practical training.

How is a court or prosecutor successfully managed? What are the standard principles of good management? What are the current challenges and shortcomings of court and prosecution management?

This training is designed to answer questions related to the management of courts and prosecutors' offices through a combination of presentations that will address advanced strategies related to the successful management of courts and prosecutors' offices. Throughout the entire process, a pragmatic approach will be taken to implement the rules for a successful and effective management.

Objectives

Upon completion of this training, participants will be able to:

- Apply standard principles of good management;
- Identify the criteria for successful planning;
- Apply the principles and methodology of planning.

Content

- General management and management of the court and the prosecution;
- Managerial responsibilities;
- Human resources and finances.

Beneficiaries

Court presidents, chief prosecutors, supervisory judges of branches, heads of departments and divisions.

Duration

One day.

Donor Training

17. Donor Training

The Academy of Justice will continue to have the support of donors in the implementation of training activities for 2022.

In cooperation with the Council of Europe, office in Prishtina / JUFREX project during 2022, will focus on building professional skills of judges and prosecutors and professional associates in the field of freedom of expression / Article 10 of the ECHR. Within this cooperation the following topics are included in the training program:

- ✓ Training in the field of whistleblowers protection
- ✓ Training in the field of defamation and reputation protection
- ✓ Training in the field of protection and security of journalists
- ✓ Conference on the Judiciary - Freedom of Expression and Freedom of the Media

In cooperation with the GIZ project, the Legal and Administrative Reform Project will focus on building professional capacity of judges, prosecutors and free professions, with a special emphasis on private bailiffs and free legal aid officers.

For judges and prosecutors, including civil servants of environmental inspectors within the Ministry of Environment, Spatial Planning and Infrastructure, 4 trainings on the implementation of fines for violations of environmental law.

Private bailiffs are included in the training program on 3 trainings with the following topics:

- ✓ Submission of documents in the enforcement procedure
- ✓ Execution through bank accounts - unification of acts
- ✓ Deposit of bank guarantee

For the officials of Free Legal Aid Agency, 5 trainings are included with the following topics:

- ✓ Law on Property and other real rights
- ✓ Gender equality in property issues of joint ownership
- ✓ Labor Law
- ✓ ECtHR Practices and Decisions
- ✓ Evidence procedure and extraordinary means in civil procedure

For the Office of Victim Protection and Assistance, 4 trainings are included in the training program with the following topics:

- ✓ Domestic violence – law amendments
- ✓ Victim compensation – law amendments
- ✓ Training on trafficking in human beings, coercion into prostitution, sexual abuse, rape, etc.
- ✓ Training with practical experiences on murder and robbery cases.

In cooperation with the Council of Europe iProceeds-2 Project, the focus will be on building professional skills of judges and prosecutors in the field of Cybercrime with three sessions of three (3) days.

In cooperation with the EU funded project "Central National Criminal Evidence System" SQEP will be conducted two trainings on the following topics:

- ✓ Training module dedicated to judges and prosecutors for access to and regular use of the Central Criminal Evidence System in Kosovo (SQEPK).
- ✓ Training module designed for judges and prosecutors for the European Criminal Evidence Information System

In cooperation with the UNDP project "Support to Strengthening the Rule of Law", a special induction training curriculum was developed for professional associates and legal officers. Trainings from this curriculum will be further supported by this project.

In cooperation with the USAID Commercial Justice Project, two training activities are included in the program with the following topics:

- ✓ Roundtable on mediation in the civil field;
- ✓ Recognition and enforcement of domestic and foreign Arbitral Tribunal rulings

In cooperation with the Project "EU Support for the Intellectual Property Rights System in Kosovo, 2 trainings are planned to be conducted:

- ✓ Implementation of Intellectual Property Rights, planned to be held in mid-March 2022;
- ✓ Implementation of Intellectual Property Rights, planned to be held at the beginning of **September 2022**

In cooperation with EULEX, two training sessions on juvenile delinquency will be conducted as a continuation of the first session conducted during 2021

The Training Program of the Academy of Justice is open and flexible, depending on the requirements of local and international stakeholders in line with the objectives of the Framework Program of the Academy of Justice.

In cooperation with IRZ, two training sessions will be held, one on the topic: Money laundering, which is part of specialized training, and one in the economic field on the topic: The Law on Insolvency and business organizations.

In cooperation with EKOJUST, a training will be conducted on the topic: Use of mitigating and aggravating circumstances in criminal proceedings as part of the calculation of a sentence with a focus on cases of domestic violence. This topic is within the STP on domestic violence.

Distance Learning

18. Distance learning

The Academy of Justice also provides training through the distance learning platform. Training courses on this platform provide training modules that address various legal aspects using different techniques as well as audio and video recordings. The distance learning platform will be available to the beneficiaries of the Academy of Justice for a long time, with the aim of increasing the knowledge and professional development of all beneficiary categories of the Academy, as well as increasing the efficiency of training.

Beneficiaries of training in the distance learning platform are: judges, state prosecutors, newly appointed judges and prosecutors as well as the administrative staff of courts and prosecutor's offices.

Within the distance learning platform / e-learning, the developed courses and to be released online as needed can be found as follows:

- Legal English;
- Stress management;
- Information Technology;
- Justice for children;
- Stages of indictment and guilty plea;
- Management and leadership of courts / prosecutors;
- Accounting for judges in bankruptcy cases;
- Mediation in criminal and civil terms;
- Training on the Implementation of Tax Legislation in Kosovo;
- Public Procurement;
- Social communication skills;
- Communication;
- Copyright;
- Professional ethics according to the new concept (Law on Disciplinary Liability);

Meanwhile, courses that have been recently developed and are expected to be integrated in the platform are as follows:

- Detention
- Trade marks, patents, industrial design

In addition to these courses, during 2022, the Academy of Justice plans to develop new training courses as follows:

- Seizure and Confiscation;
- Anti-corruption (according to legislative changes);
- Integration of the course "Prevention of Torture" from the HELP platform of the Council of Europe;

19. Annexes

Calendar of trainings for judges and prosecutors

Application form for continuous training January - July 2022

Application form for specialized training January - July 2022

Training calendar for judicial and prosecutorial administrative staff 2022