



Training Program 2017

Training Program 2017

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Speech by the President of the Managing Board



Honorable professionals of the judicial and prosecutorial system,

The Republic of Kosovo power is based on the principle of separation, control and balance between three pillars of the government. Judicial / prosecutorial system in Kosovo is unique and independent and is exercised by courts / prosecution, in accordance with the Constitution, laws and international treaties applicable in Kosovo.

Judicial and prosecutorial system in Kosovo is constantly facing numerous challenges and difficulties. However, the national and international reports are not very positive for the judicial and prosecutorial system and as such are affecting the trust and confidence of the society in the judiciary. Therefore, increasing judicial performance and strengthening the rule of law is very necessary and contribute to important processes that the country is going through.

We are all aware of the importance and need for continuous professional development in all fields and professions, especially in the judiciary where carriers of this profession with their decisions directly and significantly affect the life of Kosovo citizens.

Kosovo Judicial Institute through training programs constantly supports the application of the law, providing adequate education and better opportunities and ensuring that the work of judges, prosecutors and other professionals, to be done efficiently and with the high level of quality. In this regard, KJI, after a comprehensive training needs process, has developed the Training Program for 2017. The program is designed to address the real needs and challenges for training judges, prosecutors and other professionals within the judicial and prosecutorial system in Kosovo.

By acknowledging your precious contribution for drafting of this program, I kindly ask you to support the successful implementation of the training program in terms of further professional development of its beneficiaries.

Sincerely ,
Ymer Hoxha
President of the Managing Board

General preface

Based on the competences provided by the Law Establishing the Kosovo Judicial Institute (Law No. 02/L-25), KJI is an independent, main institution mandated to train Kosovo judiciary. KJI is competent for developing and implementing training programs for judges and other professionals within the judicial and prosecutorial system, as well as perform other professional activities as professional research institutions for development of Kosovo judiciary in compliance with European standards.

KJI drafts a comprehensive training program on annual basis and focuses on developing professional and inter-disciplinary competences. Drafting of the training program is preceded by a comprehensive training needs assessment process, involving numerous of stakeholders that provides a reflection to the real needs of the judicial training.

Training program for 2017 contains activities that KJI will perform in support of judges, prosecutors and other professionals within the judicial and prosecutorial system, contributing as such to an independent, impartial and efficient judiciary. Therefore for the implementation of this training program various activities will be organized within the international cooperation, marking active participation in conferences and regional-international meetings with the focus on training for judges, prosecutors and other professionals of the judiciary, as well as the continuous cooperation with donors and various training program implementing partners.

Training program for 2017, includes continuous trainings for judges and prosecutors covering all areas of law, including topics and modules of inter-disciplinary character, training of trainers, orientation programs for promoted judges and prosecutors, initial training for newly appointed judges and prosecutors, training for managements of courts and prosecution, supported staff of courts and prosecution offices, training on distance, as well as activities that will be developed in terms of providing better access to legal recourses, research and publication with the purpose of increasing capacities of KJI beneficiaries.

Purpose

The training program has been designed for the purpose of the comprehensive inclusion of topics that reflect the real needs and training requirements, emerged as a result of development of a variety of mechanisms. Also this program aims at involving in trainings all judges, prosecutors and other professionals, determines training implementation time and helps the accurate budget planning. Details and specifications of the training program help the trainers to prepare themselves, as well as KJI staff in providing adequate training organization and increase the quality of training implementation.

Training objectives

Through implementation of this training program is aimed to:

- * Continuously increase the professionalism of judges, prosecutors and other professionals;
- * Implementation of interdisciplinary training for judges and prosecutors;
- * Professional capacity development of trainers;
- * Development of special skills of newly appointed and promoted judges and prosecutors;
- * Development of necessary trainings for courts and prosecutions staff;
- * Implementation of the research and publication field and edition of publications;
- * Expansion of cooperation and coordination with national and international partners;
- * Development of modern methodology during implementation of the training program;
- * Participation in different activities on judicial training with international character.

Training structure for 2017 will be as following:

- * Professional competencies;
- * Interdisciplinary competencies;
- * Competencies related to personality (conduct).

Main components of the Training Program are:

- * Continuous Trainings
- * Initial Trainings
- * Training for Promotion
- * Research and Publication
- * Training of Trainers
- * Training for management of courts and prosecution offices
- * Training for administrative staff of courts and prosecution offices, as well as other professionals of the judiciary, identified by KJI
- * Training on distance.

Being aware that there may be new legislative amendments and developments, the training program can be supplemented, adapting to these developments and training needs of the beneficiaries.

Continuous Training Program

The importance of continuous training toward effective implementation of the law is indisputable all over the world, including our country. Continuous Training Program (CTP) is dedicated to judges and prosecutors and depending on the subject to other professionals whose function is related to the work of judges and prosecutors.

CTP content includes topics of pure professional character on the areas such as: Criminal Law (material, procedural and enforcement of criminal sanctions), Civil Law (material, procedural and all divisions of the field), Justice for Children (civil and criminal aspect), Commercial and Financial Law, Administrative Law, European and International Law, Human Rights, Gender Equality and Non-Discrimination, procedural and substantive aspects of Minor Offence Law and topics of interdisciplinary character.

For drafting of the Training Program 2017 have been developed various mechanisms such as:

- * Evaluation forms after each training;
- * Needs assessment questionnaires filled by judges and prosecutors;
- * Recommendations of KJC, KPC, Supreme Court, State Prosecution, Judges Association and Prosecutor's Association;
- * Meetings with judges, prosecutors, court presidents and chief prosecutors;
- * Recommendations of national and international institutions and organizations;
- * Proposals of KJI trainers (during special meetings);
- * Working reports of judges and prosecutors;
- * Recommendations of the Office for Evaluation of Judges and Prosecutor's performance;
- * Analysis of the instruction's agenda for drafting and amendment of the laws;
- * Research of regional and international training institutions program;
- * Proposals of the staff, Program Council and KJI Managing Board;
- * Strategies and documents adopted by the institutions which contain recommendations pertaining to the judiciary and the rule of law;
- * Monitoring of press and electronic media;
- * National strategy against human trafficking in Kosovo 2015-2019 Prishtina, March 2015;
- * State strategy on the Approval of the Action Plan 2013-2018;
- * National Plan for the implementation of MSA;
- * Progress Report;
- * OSCE – Department of human rights and rule of law.

Criminal area

1. Temporary confiscation of assets, sequestration and asset confiscation

Confiscation and sequestration chapter under the Criminal Procedural Code (CPC) represents a substantial change in national legislation, whereas, global trends are moving in the direction that through seizure and confiscation crimes can be prevented, since by removing the assets from the hands of criminals, multiple effects can be achieved. The Law on extended Competences on Confiscation of Property Acquired by Criminal Offence is the best opportunity for seizure and confiscation.

What is the importance of asset confiscation as evidence, as a mean by which the crime was committed

or as material benefit obtained by a criminal offense? What measures could be proposed to ensure the property and what freezing measures after the indictment? How can be increases the application of the provisions of the Law on extended competence for confiscation of property obtained by crime?

By comparing the national and international legislation, the case law and presentation of global trends in this area, is aimed to increase professional capacities and explain uncertainties of the actual legal framework.

Content

- * Legal framework on tracing, freezing and confiscation of assets acquired by commission of criminal offence;
- * Methods for identification of assets and the process for seizure and confiscation of assets acquired from commission of criminal offence;
- * Freezing of assets - orders for confiscation of the assets acquired by criminal offence
- * Administration of seized property.

Objectives

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

- * Apply properly existing legislation related to tracing, seizure and confiscation of assets of crime;
- * Identify key methods for disclosure of assets acquired by commission of criminal offences;
- * Apply the sequestration and confiscation process of illegal assets.

Duration



One day

Beneficiaries



Judges, prosecutors and other professionals involved in tracing, seizure and asset confiscation.

2. Criminal offences against official duty

Penal Code of the Republic of Kosovo, determines sixteen (16) criminal offenses against official duty dealing mainly with official persons. These acts infringes the rule of law, economic development and the future of the country. In combating this crime, the investigations, judgment on merits, prosecutorial and judicial system along with other investigative bodies have a crucial role. Therefore, successful investigation of these crimes is very complex and depends on the provision of sufficient resources for investigation, as well as close cooperation between the competent state authorities in combating and prosecution of such offenses.

How effective is the legal framework in combating this crime in our country? What is the difference between crime against official duty and taking bribes? What are the difficulties and problems in practice when combating criminal offenses against official duty?

These and other questions will be the focus of this training, whereas participants will have the opportunity to elaborate the legal framework and case studies, as well as discuss the these issues in order to advance their practices in proper implementation of the law.

Content

- * Effective investigation of criminal offences against official duty;
- * Exceed of competences, respectively the authorizations;
- * Omission of official duty;
- * Giving or receiving bribes.

Objectives

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

- * Evaluate the exceed of official authorization limits;
- * Analyze criminal offenses against official duty;
- * Conduct effective investigations.

Duration



One day

Beneficiaries



Judges, prosecutors and police investigators.

3. Measuring of punishment

Measuring of punishment is a very complicated issue that raises the need to balance the requirements which are also divergent. In this sense, the need for consistency in measuring the punishment and minimization of the unjustified differences is of particular importance. Based on the Criminal Code of the Republic of Kosovo, judges have wide discretion in measuring the punishment, therefore, it is imperative that these legal powers are used properly, using the analytical method in treating relevant circumstances when measuring the punishment. All mitigating and aggravating circumstances must be assessed separately and analyze their impact in determining the type and length of sentence.

How much are being considered in practice the rules on measuring the punishment, especially when it comes to judicial mitigation? How properly are being applied the rules of mitigation penalties limits? What are the dilemmas and difficulties for implementation of measuring the punishment when dealing with punishment for joining of criminal offenses?

Through detailed analysis of general rules for measurement of punishment. Mitigation or aggravation of punishment, participants will have the opportunity to apply a unique system of measuring the punishment and individualization of the punishment.

Content

- * General rules for measuring the punishment;
- * Mitigating and aggravating circumstance;
- * Mitigation of punishment and aggravation of punishment due to recidivism;
- * Possibility for waiver of the punishment;
- * Punishment and joining of continuous criminal offences;
- * Calculation of the punishment for the detained persons.

Objectives

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

- * Interpret properly the general rules of measuring the punishment;
- * Evaluate mitigating and aggravating circumstances, especially in cases of recidivism;
- * Take proper decision on the acquittal and in cases of joining of continuous criminal offences;
- * Apply properly the calculation of punishment for the detained persons.

Duration



One day

Beneficiaries



Judges of the basic and appellate level.

4. Application of covert investigation measures

Covert measures of investigation and surveillance are the most sensitive investigative actions. Such measures of investigation undoubtedly affects the privacy of life, as one of human rights and fundamental freedoms. In judicial practice, there is a plenty of room for improvement when deciding to issue such measures, either in respecting principles in cases of issuing the orders for implementation of this measures, but also for supervision of their application in practice.

When can be required and when can be issued the orders for these measures? What are the competences of the State Prosecutor, Kosovo Police and the pretrial judge? What are the legal requirements for issuing covert measures? How likely is the technical supervision of technical and practical implementation of these measures?

The training is designed to treat these measures in detail, including issuing and reasoning process, as well as all dilemmas faced during their implementation in judicial practice.

Content

- * Covert measures of investigation and surveillance;
- * Legal conditions for issuing of these measure;
- * Legal terms for application of these measures;
- * Competence, procedure and reasoning for issuing these measures.

Objectives

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

- * Evaluate conditions when issuing such orders;
- * Apply legal conditions for issuing such measures;
- * Respect deadlines for issuing such measures;
- * Draft orders for application of these measures.

Duration



One day

Beneficiaries



Judges, prosecutors and police investigators.

5. Measures to ensure the presence of the defendant in criminal proceeding

Criminal Procedural Code foresees the measures to ensure the presence of the defendant in criminal proceedings, as an instruments for restricting the freedom of movement, and determines legal requirements for developing successful criminal procedure. Whereas, one of the most severe measure in the context, is the detention, which according to international instruments, but also with our legislation, detention should be applied only when all other measures are exhausted. Measures to ensure the presence of the defendant in criminal proceedings are often not implemented in the manner and conditions provided by law, thus, in practice there are still difficulties in identifying, evaluating and analyzing the circumstances regarding the issuance of each of these measures. However, in judicial practice are also present the difficulties in preparing requests for these

measures, especially for detention, reasoning, difficulties in setting the grounds for these measures, since according to legal provisions, it is required to provide a founded concrete and not abstract reasoning.

What is the basis for determining – continuation of these measures? where are the difficulties in identifying circumstances that justify the request on these measures and their assignment?

Through this training is intended to analyze measures to ensure the presence of defendant in criminal proceedings and to overcome dilemmas that arise in the judicial practice. Also, the raining will focus on respecting of freedoms and human rights when imposing such measures.

Content

- * Legal conditions for imposing measures to ensure the presence of the defendant;
- * Bail and house arrest;
- * Detention and reasoning of the decision on detention;
- * Detention and other measures in relation with human rights.

Objectives

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

- * Evaluate properly the elements of imposing measures to ensure the presence of the defendant;
- * Determine the type of measures;
- * Decide on detention or other measure;
- * Draft and provide founded reasoning for imposition of this measures.

Duration



One day

Beneficiaries



Judges of basic courts and prosecutors of basic prosecution office.

6. Collaboration in commission of a criminal offence and co-perpetration

Criminal Code of the Republic of Kosovo provides criminal liability in situations where two or more people cooperate in commission of a criminal offence, participate, or contribute to the commission in any other way. The legislator has foreseen that depending on the form of collaboration, each perpetrator of the offense should be liable for commission of omission of the offence, so that during criminal proceedings to ensure and clearly identify is the criminal offence was committed by omission or commission.

Whether these forms offences of co-perpetration in committing criminal offences are qualified-identified properly in practice? How should be identified forms of cooperation in concrete cases? How to determine the individual liability of each perpetrator?

All raised questions will be analyzed in detail including forms of cooperation and providing cases from the judicial practice as well as interactive approach with participants. There will be analyzed in details all situations pertaining the co-perpetration in committing of criminal offence.

Content

- * Co-perpetration;
- * Incitement and assistance in commission of a criminal offence;
- * Criminal association;
- * Agreement to commit criminal offense;
- * Limits on criminal liability and punishment for collaboration.

Objectives

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

- * Distinguish forms of co-perpetration;
- * Analyze incitement and assistance in commission of a criminal offence;
- * Apply properly the procedure related to co-perpetration;
- * Evaluate limits on criminal liability and punishment for collaboration.

Duration



One day

Beneficiaries



Criminal judged from all instances and prosecutors.

7. Protection of injured parties and witnesses

Taking into account that CPCK recognizes the injured party, witnesses and other parties in the procedure as a special category, therefore, protection of injured party and witnesses is of a particular importance. However, in practice there are many cases where the injured persons and witnesses do not have the courage to testify due to the risks of their life, health, property and family members. Therefore, in criminal procedure a special attention should be paid to the protection of injured party and witnesses, saving them from any interference from outside or any eventual disturbance.

What we mean by a serious risk? What is anonymity? What is the difference between CPCK provisions regarding measures for the protection of injured party and witness and provisions of the Law on Witness Protection?

The training aims that through discussion and presentation of best practices, as well as through elaboration of dilemmas to contribute in providing effective protection of the injured party and witnesses during the trial.

Content

- * Request for protection measure ore anonymity and issuance of protection order by the judge;
- * The order for anonymity from the defendant and from the public, as well its forms;
- * Procedure for declaring a person as a protected witness;
- * Advantages of the protected witnesses according to the law.

Objectives

After completion of this training, participants will be able:

- * Analyze the anonymity order;
- * Draft the request for protection measure or anonymity and issuance of protection order;
- * Evaluate the procedure for declaring a person as protected witness;
- * Interpret properly the advantages of the protected witness according to the law.

Duration



One day

Beneficiaries



Judges and prosecutors of the basic and appeal instance, special prosecutors and police officers.

8. War crimes

War crimes as serious violation of international humanitarian law, present the greatest challenge of the judicial and prosecutorial system in Kosovo, due to the nature and sensitivity of these crimes, in particular the their consequences. Taking into consideration that until 2016 these crimes were under the competency of international judges and prosecutors, whereas national judges and prosecutors do not have any special preparation for handling of these cases, it is more than necessary to build up their professional capacity in order for them to be able to handle with professionalism these criminal cases.

What is the legal framework that handles domestic and international war crimes? What are the international standards in this field? How can be increased the national capacities in treating successfully these cases? How to identify the individual criminal liability for war crimes?

The training is designed to expand the knowledge of judges and prosecutors on matters relating to the investigation, prosecution and adjudication of war crime cases.

Content

- * War crime offences;
- * Criminal liability in command for war crime cases;
- * Investigation and ensuring of war crime evidences;
- * National and international cooperation relating to war crime cases;
- * Handling of witnesses and injured parties in war crime cases.

Objectives

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

- * Classify war crime offenses;
- * Apply national and international legislation;
- * Recognize and analyze the elements of criminal offenses – war crimes;
- * Implement the procedures of international legal cooperation regarding war crimes;
- * Analyze presenting of the case in court.

Duration



Two days

Beneficiaries



Judges and prosecutors of basic instance, special prosecutors and police investigators.

9. Human trafficking and smuggling of migrants

Human trafficking is a global phenomenon and is a violation of human rights. Kosovo vulnerable groups of human trafficking are women and children for purposes of sexual exploitation. Responsible institutions are fully aware of the diversity of human use that may be exposed to such crime, thus addressing and preventing trafficking in human beings requires a special attention and approach due to its complex nature. Based on this, it is necessary to establish further professional capacity of judges and prosecutors in implementing properly the legislation in force, and strengthening cooperation with other relevant institutions for combating successfully this phenomenon.

What are the elements of the trafficking in human beings offence? How to protect victims of trafficking? How to prevent trafficking in human beings? How to rehabilitate and reintegrate victims of trafficking? What are proper ways of cooperation between the institutions responsible for combating human trafficking? What are the elements of the offense of smuggling of migrants?

Through questions and discussions will be dealt the elements of trafficking in human beings, elements of smuggling of migrants, differences and similarities between trafficking, smuggling and other criminal offenses related to trafficking, as well as the rights of trafficked victims in criminal proceedings.

Content

- * Protection and education of trafficking victims;
- * Preventing human trafficking;
- * Strengthening of cooperation and coordination between key actors;
- * Effective combating of all forms of human trafficking;
- * Differences and similarities between human trafficking and smuggling of migrants.

Objectives

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

- * Implements ways for identification of human trafficking;
- * Advance their knowledge on preventing human trafficking;
- * Evaluate adequate ways of the cooperation with liable institutions for combating and preventing human trafficking.

Duration



Two days

Beneficiaries



Juvenile judges and prosecutors from basic instance, special prosecutors, police investigators and victim advocates.

10. International legal cooperation in criminal matters

International legal cooperation is a necessity, since crime has gone beyond domestic borders and has received international dimension. In this increasingly interdependent world, no country can effectively combated or prevented criminal offences without cooperation among states in this regard. Therefore, due to the circumstances in which human society is today, especially due to the expansion of the possibilities of perpetrators to commit crimes by passing the borders, judges and prosecutors must be familiar with effective practices of international judicial co-operation in criminal matters.

Why international judicial cooperation is necessary? How applicable in practice are the provisions regarding international legal cooperation in criminal matters? What is the nature of legal assistance requests?

The program is designed in such a way to provide guidance for instructions in preparing appropriate form of international legal requirements, so that they are acceptable to the receiving state.

Content

- * Mutual legal assistance;
- * International orders of the requesting state;
- * Other forms of cooperation.

Objectives

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

- * Identify problems caused during the implementation of the Law on International Legal Cooperation;
- * Evaluate international mutual legal requests;
- * Chose the way of giving and receiving international legal assistance;
- * Advance international legal assistance in criminal matters.

Duration



One day

Beneficiaries



Judges and prosecutors from all instances, the staff of the Department for International Legal Cooperation-Ministry of Justice, senior police officials from the Department for International Legal Cooperation.

11. Organized crime

Organized crime is among the worst criminal offences, which is sanctioned by the Criminal Code of the Republic of Kosovo. This form of criminality is the most serious crime committed by a structured group with a purpose of benefiting directly or indirectly and financially. Organized crime seriously threatens the development of democracy, the rule of law and human rights, as well state security and economic development. For this form of criminality can be consulted the international Convention in combating organized crime, which means that this criminal offence tackles the internal and external market, respectively damages the state economic development. Prevention and punishment of organized crime is based on having deep knowledge on the organized crime phenomenon, on clear and decisive political

will, on professional judiciary and on a strategy against organize crime in line with European and International standards.

What is the legal infrastructure for combating organized crime? What format or actions are taken to prevent organized crime? How can relevant mechanism be effectively implemented?

During the training will be implemented ac combined methodology with partial explanations of the case law and interactive discussions about organized crime, legal infrastructure, and action taken after the appearance of this type of crime.

Content

- * Legal definition of organized crime;
- * National and international legal framework;
- * Identifying elements of this criminal offence.

Objectives

After completion of this training participants will be able to:

- * Implement applicable legal provisions;
- * Increase professional capacities for investigation of this criminal offence;
- * Demonstrate high professional standards.

Duration



One day

Beneficiaries



Judges and prosecutors from all instances and Kosovo police officers.

12. Initiation of investigation and criminal proceedings

The investigation is an important action in criminal proceedings. For every illegal action, after collection of sufficient evidence by the competent authorities and the submission of the criminal report, the prosecutor is obliged to initiate criminal prosecution. State prosecutor after receiving the criminal report, initiates the criminal prosecution after the issuance of the decision to initiate investigations in terms of the relevant legal provisions. After the issuance of the decision to initiate investigations, the same is submitted to the pretrial judge, whether the issue if the pre-trial judge is obliged to submit a copy of the defendant and his lawyer, remains a dilemma in the judicial practice.

What are the actions that should be undertaken by the prosecutor, after the issuance of the decision to initiate investigations? Other types of decisions which can be issued at this stage of the proceedings? What kinds of decisions can be issued after completion of the investigation by the prosecutor?

During the training, the trainer should explain to participants what are the actions undertaken by the prosecutor after the initiation of investigation, and which is the legal framework applicable in this proceeding.

Content

- * Decision for initiation of investigations;
- * Legal deadlines for development of investigations;
- * Prosecutor's authorization after initiation of investigations;
- * Extension, suspension and termination of investigations;
- * Filing of the indictment.

Objectives

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

- * Implement properly legal provisions for initiation of investigations;
- * Increase their knowledge for this stage of the proceeding;
- * Advance professional skills for investigating a case;
- * Evaluate properly the circumstances for filing the indictment.

Duration



One day

Beneficiaries



Judges and prosecutors of basic instance.

13. Criminal offences against economy

Crimes against the economy aims at harming the interest of the individual or the state, to restrict the free movement of capital, people, goods, services, labor or funds for personal benefits by harming other people. Otherwise these offenses relate to an action which goes toward the victim, using fraud, abuse, forgery, harmful conclusion of contract, counterfeiting marks of value, violation of the right of patent, counterfeiting of money etc., with the purpose of avoiding obligations to the state. Successfully fighting economic and financial crimes enables the functioning of the commercial market and free competition which are the basis for the development of a country.

What preventive actions should be taken to combat the informal economy? Why the informal economy is a perfect method to enrich and create a monopoly in relation to legal businesses? What preconditions should be established to control the funds? What is the role of the judiciary in combating these crimes?

Beneficiaries of this training have the opportunity to interact and share their experiences and challenges in fighting economic and financial crimes. In addition, will be treated these crimes by their forms, methods and efficient combating of this crime, the role of institutions in their prevention.

Content

- * Criminal offences against economy;
- * Investigation of these offences and the role of the subjects in the proceeding;
- * Harming the state interest and the role of human factor;
- * Informal economy and its reflection toward state economic development.

Objectives

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

- * Apply properly legal provisions regarding economic offences;
- * Advance their knowledge for these types of offences;
- * Apply effective methods for preventing informal economy.

Duration



One day

Beneficiaries



Judged and prosecutors of basic instance and other relevant institutions.

14. Witnesses in criminal proceeding

Taking into consideration that CPCK recognizes the witnesses as a special category in criminal proceedings, the same are considered as important during criminal proceeding. In this regard, CPCK relevant procedure foresees the witnesses proceeding. Witness may be the persons, which is believed that can provide adequate information to the offense committed and the perpetrators. The person summoned as a witness is obliged to respond to the summon, otherwise the court may take measures against him/her as provided by law. the witness heard in court should be warned about the rights and obligations pertaining to the law. CPCK recognizes the following categories of witnesses: eye witnesses (visual), privileged witnesses, witnesses released from the obligation to testify, indirect witnesses, etc.

What is the meaning of direct witnesses? What is anonymity? What is the difference between CPC provisions on measures to protect witnesses with relevant legal provisions? What are their rights in the procedure?

The training aims that through discussion and presentation of best practices, as well as through the elaboration of the abovementioned dilemmas to contribute to more effective protection of witnesses during the trial. Beneficiaries of this training have the opportunity to interact and share the experiences related to challenges that they faced during their work as judge or prosecutor.

Content

- * Witness in different stages of criminal procedure;
- * Witness rights in criminal procedure;
- * Cooperative witnesses;
- * Privileged witnesses;
- * Who can testify in the capacity of the witness.

Objectives

After the completion of this training, beneficiaries will be able to:

- * Implement legal provisions in line with position of the witness in criminal procedure;
- * Increase professional capacities toward application of legal provision during their work;
- * Demonstrate high professional standards during interrogation of witnesses.

Duration



One day

Beneficiaries



Judges and prosecutors of basic instance.

15. Investigation of financial crimes

Financial crimes are included among the most serious crimes, which aimed to attack the economic development of society. As a form of criminality manifests itself in different forms such as: corruption with all its characteristics, money laundering, tax evasion, public procurement, etc. All offenses related to financial crimes are carried without taking into account the rule of law causing immediately a disharmony within the system itself. State authorities provide considerable space combating of these phenomena, since they are destructive and tend to constantly challenge state values.

What preventive actions should be taken to combat the impact of financial crime? What is the form of designing appropriate strategies for combating financial crime, corruption, money laundering, tax evasion, etc.? What is the effect of financial crime and its further expansion and which are preventive measures for combating this crime?

Beneficiaries of this training have the opportunity to interact and share their experiences and challenges in combating financial crime and other forms of its appearance.

Content

- * Money laundering and effect of its elements in the society;
- * Public procurement;
- * Tax evasion.

Objectives

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

- * Implement legal provisions regarding financial crimes;
- * Enhance their knowledge on investigation of financial crimes;
- * Advance professional skills on investigation and handling of financial crimes;
- * Demonstrate professional standards for reaching better success during the investigation of financial crime.

Duration



One day

Beneficiaries



Judges and prosecutors of basic instance, police investigators and FIU officials.

16. House search

House search is an investigative action, legally regulated by the provisions of the Criminal Procedural Code through which material evidence should be provided. With the aim of legal protection of the citizens, it is very important to conduct the house search in full compliance with the provisions of the Criminal Procedural Code. Taking into account the fact that house search means entering in someone's property and the importance of privacy, house search enforcement agents must always respect the rights of the individual against whom the order has been issued. With this investigative action is intended to provide evidence that will serve as a basis for filing the indictment and augmenting it before the Court.

Is the procedure always respected when it comes hose search? How is justified a search warrant request? Is the search order exceeded during execution? Are the rights of the person to whom the orders is directed always respected? How much the restrictions as provided by law are respected?

During the training, participants will discuss practical solutions, so they will pay a special attention to restrictions when implementing research orders.

Content

- * The procedure before commencement of the house search and the defendant rights;
- * Restrictions of the house search;
- * Evidence that are not linked to the search basis;
- * Hose search without having a court order;
- * Admissibility of evidence obtained during house search.

Objectives

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

- * Analyze the procedure for the initiation of the house search;
- * Evaluate the rights of the defendant;
- * Identify restrictions of the house search;
- * Interpret properly legal provisions regarding admissibility of evidence.

Duration



One day

Beneficiaries



Judges and prosecutors of basic instance and police investigators.

17. Indictment

Indictment is a procedural act carried out by the state prosecutor against offenders when there is a grounded suspicion deriving as a result of investigations. The importance of this accusatory act is that set in motion the criminal proceedings against offenders and paves the way for the court to sanction the perpetrators of the criminal offence. Based on the results of published analysis, a large number of indictments are overruled by the court, for the reason that they were not done in line with the conditions stipulated by law. Therefore, handling of subject is of particular importance for prosecutors, since his entire work is finalized with the indictment.

What are the elements of the indictment? What is the procedure for filing of the indictment? What following documents should be attached to the indictment? What are the rights of the accused person after submission of the indictment?

The program is designed in order to provide theoretical and practical guidance for respecting the correct procedures of filing the indictment and adequate preparation of the indictment in line with legal requirements.

Content

- * Indictment;
- * Elements of the indictment;
- * Filing of indictment;
- * Amending, extension and annulment of the indictment.

Objectives

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

- * Write properly the content of the indictment;
- * Evaluate the necessary elements of the indictment;
- * Apply legal provisions on preparation of the indictment;
- * Identify cases when it is possible to make amendments, extension or annulment of the indictment.

Duration



One day

Beneficiaries



Judges, prosecutors of basic instance and special prosecutors.

18. Terrorism

Terrorism poses a serious threat as a global phenomenon which violates the constitutional order and the rule of law. The Republic of Kosovo has drafted necessary legislation in combating and preventing criminal acts of this nature. There is also a strategy for preventing and combating terrorism. Inclusion of Kosovo citizens to various terrorist organizations and participation in foreign wars, requires special attention from the relevant institutions on investigation, prosecution and punishment of such persons. Due to the specific importance of this issue and due to the

fact that Kosovo currently is facing such offences, the elaboration of this topic is of a great importance.

What is the applicable legislation in this field? What are the forms of terrorism offences? How can be strengthen the local capacities in the successful fight against this phenomenon?

This Topic addresses the forms of the terrorism offenses, its characteristics, challenges and best practices of the law enforcement agencies in preventing and combating terrorism.

Content

- * Criminal offences of terrorism;
- * Forms of commission of terrorism offences;
- * Best practices in combating this phenomenon.

Objectives

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

- * Extend their knowledge on terrorism offences;
- * Analyze forms of terrorism offences;
- * Implement suitable instruments for combating terrorism offences.

Duration



One day

Beneficiaries



Judges and prosecutors of the serious crime department and special prosecutors.

19. Criminal offences according to Customs Code

Criminal offenses against customs are another negative phenomenon, threatening and disturbing the society, and as such are defined by the Customs and Excise Code and by the Criminal Code of the Republic of Kosovo. All forms of economic crime exceed national borders, so fighting them within national jurisdiction of this country is very difficult. Considering the gravity of these offenses and their appearance in different forms, is of particular importance for the society and the duty of relevant institutions in combating this phenomenon through measures, actions and appropriate mechanisms with the purpose of its prevention, since these criminal offences present a great risk to the economy of the country.

What actions fall into the category of offenses under the Customs Code? Who could be the perpetrator of these crimes? What is the difference of offenses against the economy envisaged in CPCK?

This topic addresses dilemmas that which acts are considered criminal offenses under the Customs Code, the specifics of these offenses, and what is the subject of criminal defense under the Customs Code.

Content

- * Criminal offense according to the Customs Code and excise in Kosovo;
- * Specifications of criminal offences according to the Customs and Excise of Kosovo;
- * Criminal offences in customs as foreseen according to the Criminal Code of Kosovo.

Objectives

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

- * Extend their knowledge on criminal offences according to the Customs Code;
- * Analyze forms of their appearance of these offences;
- * Criminal offences according to the Customs Code and CPCK;
- * Identify instruments for combating and preventing these offences.

Duration



One day

Beneficiaries



Judges and prosecutors from all instances and Special prosecutors.

20. Defendant rights from the initial detention until the end of the criminal proceeding

Protection of human rights is a basic principle set out in the main international documents, as well as in the Constitution and positive laws of our country. Protection of human dignity, presumption of innocence and the rights of other persons who may be subject to investigation and indictment for criminal offenses, is considered as one of the most important principles. The right of the suspected person, respectively defendant in criminal proceedings, his prompt information about the charged offence, accusation and other evidence is one of his fundamental rights. In order to protect the dignity and fundamental rights of the suspected person, it is the duty of justice institutions to guarantee and protect the rights of defendants at all stages of the proceedings, starting from the arrest of the defendant up to the completion of the procedure. The defendant must be informed promptly and in detail about the nature and cause of the charges against him and be given sufficient time to exercise his rights of defense effectively.

What are the rights enjoyed by the defendant? What is the obligation of courts and prosecutors to inform the suspect of his/her rights? When the suspect must be informed about his rights? When the indictment and evidence should be submitted?

The training that aims through discussion of current dilemmas, provide best practices for prompt and efficient notification of the defendant on his rights during all stages of the proceedings.

Content

- * Rights of the defendant according to the current law;
- * Procedural phases when the defendant should be informed about his/her rights;
- * Procedural phases when the defendant should be provided with the indictment and all evidences.

Objectives

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

- * Implement legal framework on the defendant rights;
- * Recognize and respect the rights of the defendants during criminal proceedings;
- * Evaluate procedural stages when the defendant is informed about his rights.

Duration



One day

Beneficiaries



Judges and prosecutors of basic instance, special prosecutors and police officers.

21. Alternative proceedings

Taking in consideration that alternative proceedings have been subject to many changes compared to previous code and the fact that these procedures provide an opportunity to resolve cases without sending them to court, this particularly is useful for increasing efficiency and creating a criminal justice system that guarantees a fair trial in criminal cases, providing also a speedy and fair procedure to all parties.

How much in practice the alternative proceedings are being implemented? how much is developed the plea

bargaining agreement proceeding? In which situations the procedure can be temporarily suspended?

The training is designed to answer questions and dilemmas raised by participants, with the focus on analyzing the implementation of alternative proceedings in practice. Also, through this training is aimed to address the importance of alternative proceedings as an opportunity to quickly solve criminal cases.

Content

- * Diversion and temporary suspension of the procedure;
- * Mediation;
- * Negotiation of plea bargaining agreement.

Objectives

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

- * Evaluate the need to resolve cases through alternative proceedings;
- * Implement alternative proceedings.

Duration



One day

Beneficiaries



Judges and prosecutors of Serious Crime Department and General Department.

22. Quality and evaluation of evidence in criminal proceeding

The Criminal Procedural Code opens new horizons regarding the provision of evidence by the parties to the proceedings. Based on the proving results by the parties, the judge may be convinced to accept the provided evidence as admissible in court, if they are argumentative or not and if they prove the factual state and the legal liability of the presumed defendants. According to the Criminal Procedural Code, the judge evaluates in general the quality of evidences based on which he should be convicted if that evidence is reliable, what relevance and probative value

it presents in determining properly the factual state in criminal proceedings.

How an evidence is obtained? Who will provide this evidence? What is the quality and what is the value of that evidence?

This training is designed to answer questions and dilemmas raised by analyzing the legal framework and practices in the interpretation of the issues relating to the quality and evaluation of evidence.

Content

- * Ways of ensuring the evidence;
- * Subjects for ensuring the evidence;
- * General rules for evaluation of evidences.

Objectives

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

- * Distinguish admissible and inadmissible evidences;
- * Interpret properly reliability and the importance of an evidence;
- * Elaborate the value of evidences.

Duration



One day

Beneficiaries



Judges and prosecutors of Serious Crime Department and General Department.

23. Initial hearing and second hearing and the main trial

CPC, among others, have undergone major changes also on provisions regulating the procedure after filing the indictment by state prosecutor, taking in to consideration the initial and second hearing. On the other hand, after entering into force of CPC, many difficulties and confusions were faced while implementing legal provisions referring to initial and second hearing. In addition, the provisions regulating judicial hearing have undergone significant changes as well.

In what situations the second hearing should be determined and in what situations can be required only the suspension of the indictment or rejection of evidence? How to act if the defendant pleads guilty during the second reading? What is the role of a single trial judge or the presiding judge during the initial hearing or during the second reading? How the hearing for establishing relevant facts look like?

Through presentation of practical cases and group discussion, will analyzed different situations faced by judges during initial hearing, second hearing or during the main trial.

Content

- * Development and the flow of the procedure during initial and second hearing;
- * Role of the judge and state prosecutor during second hearing;
- * Legal terms for holding initial and second hearing;
- * Judicial hearing.

Objectives

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

- * Plan the procedural development of initial and second hearing;
- * Assess the role of the judge and state prosecutor on second hearing;
- * Apply properly legal terms for holding initial hearing, second hearing and main trial.

Duration



One day

Beneficiaries



Judges and prosecutors of Serious Crime Department and General Department.

24. Criminal offences against life and body

The right to life is an absolute and the most important human right which falls within the group of fundamental freedoms. This right is absolute, regardless of the individual's vital interests and regardless his/her capability to life, his/her age and health condition. Therefore, this right is guaranteed by the most important international acts, and by the Constitution and laws of Kosovo. Criminal Code sanctions murder offences, be it an ordinary murder, qualified murder or privileged murder. Among others, apart from the right to life, a special attention should be paid also to the protection of the human integrity.

How is the murder qualified? What characterizes and what qualified the aggravates murder? What are essential elements of the murder crime? In what circumstances of a murder crime has been committed? What are criminal offences that fall under the category of criminal offences against life and body.

This program has been designed to present cases from judicial practice and discuss in groups the alternatives provided in order to properly qualify criminal offences arising from this chapter.

Content

- * Murder and aggravated murder;
- * Light and severe bodily harm;
- * Other criminal offence of this CPC chapter.

Objectives

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

- * Analyze forms of aggravated murder offence;
- * Extend knowledge relating criminal offences of light and severe bodily harm;
- * Understand properly other criminal offences arising from the abovementioned chapter.

Duration



One day

Beneficiaries



Judges of criminal field from all instances and prosecutors.

25. Statutory limitation

Statutory limitation - as legal institute means the expiring of prosecution-or non -execution of criminal sanctions, meaning that the statutory limitation occurs when the period of the investigation and sentencing expires. However, the period is variable and derives from the type of offense and the level of punishment. Statutory limitation impacts the criminal prosecution authorities in making them more efficient in their work. One of the main factors that also impact the statutory limitation of cases, is the loads of cases of judges and prosecutors, including other factors relating to professional implementation of legal provisions and the consequence of not respect-

ing the legal deadlines, therefore elaboration of this topic is very necessary.

At what point the statutory limitation of a criminal offence begins to flow? In which cases the execution of criminal sanction may be suspended, when reaching the statutory limitation period?

This training is designed to answer questions and dilemmas raised by participants and to analyze the legal framework and practices of proper interpretation of statutory limitation.

Content

- * Initiation and termination of statutory limitation;
- * Statutory limitation of execution of sentence, initiation and termination of statutory limitation;
- * Statutory limitation of the execution of additional sentences and mandatory treatment measure

Objectives

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

- * Analyze the initiation and termination of statutory limitation;
- * Determine the statutory limitation of prosecution and execution of penal sanctions;
- * Evaluate conditions of statutory limitation of supplementary punishments and other mandatory treatment.

Duration



One day

Beneficiaries



Judges and prosecutors.

26. Criminal procedure involving offenders with mental disorders

People with mental disorders are a separate category of offenders, although CPC provides a specific procedure covering the category of these persons. Handling of these cases require special attention because of their mental condition. Also the decisions taken on these cases undoubtedly need to be adapted to their mental state so the imposing measures improve the situation of these persons.

How these persons can be identified? What initial procedural action should be taken against them? What examinations should be performed? What

measures are imposed on them and in what institution should be placed? What is the duration of supervision to the application of these measures by the court?

This program is designed to answer questions by analyzing the procedure against offenders with mental disorders, the expertise which determines whether a person suffers from mental disorder, detention imposed against these persons, criteria's to be considered when imposing mandatory and monitored treatment.

Content

- * Features of the criminal procedure involving offenders with mental disorders;
- * Detention for persons with mental disorder;
- * Application of psychiatric examination;
- * Mandatory psychiatric treatment with the detention in a medical care institution.

Objectives

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

- * Extend knowledge relating Features of the criminal procedure involving offenders with mental disorders;
- * Asses detention for persons with mental disorder;
- * Analyze mandatory psychiatric treatment with the detention in a medical care institution and mandatory psychiatric treatment in freedom.

Duration



One day

Beneficiaries



Judges of criminal field from all instances and prosecutors.

27. Special investigative opportunities

Special investigative opportunity applies in cases when authored persons ask the pretrial judge to take testimony from a witness or require expertise in order to preserve the evidence, when there is a distinct possibility for obtaining a significant evidence, or when there is a risk that the respective evidence could not be taken during the trial. In this case the pre-trial judge appoints two other judges from the panel to consider the special investigative opportunities. The evidence obtained during the special investigative opportunity can be used as a basis to strengthen the pre-trial investigative orders, detention order and indictment. These are fully admissible evidence at the trial, if at least one of the judges of the panel which heard the testimony is a judge on the panel in the main trial.

How is developed the session during the implementation of the special investigative opportunity? Who decides on the request for special investigative opportunities? Who should participate in these sessions? In which cases the special investigative opportunity is applied? Why the application of the special investigative opportunity is necessary? What is expected from application of special investigative opportunity?

Through elaboration of these topics, participants will have the opportunity to explain and elaborate further the special investigative opportunities, as well as to overcome difficulties faced in daily practice when it comes to questioning witnesses and analyze cases, when the evidence obtained during special investigation are admissible for the court and on which the judgment can rely on.

Content

- * Cases – criminal offences to which can be applied the special investigative opportunity;
- * Initiation and implementation of the special investigative opportunity;
- * Admissibility of evidence ensured through special investigative opportunity.

Objectives

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

- * Distinguish special investigative opportunity and regular investigation;
- * Implement properly legal provisions relating special investigative opportunity;
- * Evaluate evidences ensured through special investigative opportunity.

Duration



One day

Beneficiaries



Judges and prosecutors of basic instance.

28. Ordinary legal remedies and ground of the appeal

The appeal as a legal, suspensive and regular remedy can be filed against a judgment on all grounds stipulated by the Criminal Procedural Code. As ordinary legal remedy is also considered the appeal against a decision. During the judicial practice difficulties were faced in cases of implementation of ordinary legal remedies, as to their structure and proceedings.

What are the substantive elements of the complaint? Which are the basis for implementation of these remedies? What is the procedure to be followed when submitting the legal remedies?

This training is designed to respond to all questions and dilemmas that arise in judicial practice in terms of the ordinary legal remedies. Through the delivery of cases from court practice, as well as interactive discussion of participants, will be analyzed in detail all issues related to ordinary legal remedies.

Content

- * General rules regarding ordinary legal remedies;
- * Appeal against the judgment or decision;
- * Basis of the appeal against a judgment.

Objectives

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

- * Apply correctly general rules relating ordinary legal remedies;
- * Evaluate the basis of the appeal against a judgment.

Duration



One day

Beneficiaries



Judges of criminal field from all instances and prosecutors.

29. Criminal liability of legal persons

Legal person is a collective body that the law has recognized as a special entity entitled to have rights and legal obligations. However, it means that the legal capacity to act of a legal person is within the limits defined by natural persons as established by act and the statute, and differs from the eligibility of the latest. Therefore, in judicial practice were found problems in determining criminal liability of the offenders as legal persons.

What is the criminal liability of a legal person? What is the limit of this liability? What are criminal sanctions?

This training is designed to answer questions and dilemmas that exist in practice with the focus on elaboration of national legislation. Participants will have the opportunity to discuss and analyze hypothetical cases and work in groups to enhance their knowledge in this area.

Content

- * Basis and limits of a legal person;
- * Security measures;
- * Other criminal punishments and sanctions.

Objectives

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

- * Implement properly the criminal liability institution of legal persons according to the law;
- * Make a distinction of criminal offences committed by a legal person;
- * Interpret properly legal norms of this institution.

Duration



One day

Beneficiaries



Judges of basic and appeal court from the general department dealing with criminal cases and prosecutors of basic prosecution – general department.

Civil

30. Judgments and its types according to the LCP

Law on contested procedure foresees different forms of proper decision making rendered by the court on specific circumstances and under compliance of special procedural conditions. Evaluation of specific conditions for each type of judgment, has created dilemmas and has affected the proper evaluation of these conditions by the court, whereas as a result, very often drawing of conclusions or while rendering a judgment, judges may make mistakes on evaluation and infringe the Law on Contested Procedure.

What are the types of judgments under the provisions of the Law on Contested Procedure? What conditions should be met when issuing a judgment? What should be the content of the reasoning of each type of judgment?

This topic is designed to provide answers to all questions related to the judgment as a form of proper decision making in a contentious legal matter and types of judgments issued by the court on a contentious legal matter. Participants will have the opportunity through materials provided by the trainer to discussions, analyze case studies and apply provisions of contested procedure regarding judgments and types of judgments.

Content

- * Judgment;
- * Types of judgments and their conditions;
- * Content of a judgment and reasoning of each type of judgment.

Objectives

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

- * Analyze judgment as a form of proper decision making;
- * Evaluate conditions for issuing different type of judgments;
- * Draft proper reasoning for each type of judgment.

Duration



One day

Beneficiaries



Judges of basic court.

31. Responsibility of the contractor and construction contracts

Currently in our country numerous constructions are happening and as a result the disputes between local businesses are always present, including foreign businesses deriving directly from investments in the construction field. Such disputes very often have high monetary values, which involve lots of parties and obligations. Therefore, for the solution of such disputes it is required adequate preparation of judges in theoretical and practical aspect.

What conditions should be fulfilled in order for a construction contract to be valid? How to act in cases

of the need for necessary work? What is the impact of increasing or decreasing of market prices for the construction material?

The training is structured in a way of answering questions and ambiguities raised above, through analysis of all legal provisions that referring to conditions for conclusion of a construction contract and the contractors liability in such cases. This training will also provide useful experience from judicial practice.

Content

- * Characteristics and legal nature of construction contracts;
- * Avoidance from the project and unforeseen urgent work;
- * The effect of changing the price of the construction contract and the right of the customer to require deduction of the price based on the constructed contract;
- * Construction contract with a special provision;
- * Responsibility for the shortcomings.

Objectives

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

- * Elaborate and evaluate necessary conditions for conclusion of the contract;
- * Understand the nature of contracting parties liability;
- * Apply properly legal provision of the Law on Obligation Relationship.

Duration



One day

Beneficiaries



Judges of basic court.

32. Parties in the proceeding and their representation

In judicial practice frequently are being raised problems and dilemmas as who could be a party in the proceedings and who can represent them in defending their interests before the competent court. Another uncertainty relates to the legitimacy of the parties in the proceedings, respectively the caution of the court that the plaintiff and the respondent to be legitimized as a party in a judicial process.

Who can be a party in a civil proceeding? What do we mean by the capability to be a party and the procedural capability and when they are acquired? What

is the representation in a process and how many kinds of representation do we have? What are the rights and duties of the litigants in the process? What does the legitimacy of the parties mean? What is the role of the court on the legitimacy of the parties? What do we mean by active and passive legitimacy?

This training will focus on the analysis of judicial practice regarding the procedure, the role and rights and duties of the parties in a civil judicial process and their representation.

Content

- * The parties, procedural capability and capacity to be a party in the proceeding;
- * Representatives of the party (legal representative, the representative of a legal entity authorized representative/proxy representative);
- * Temporary representative;
- * The legitimacy of the parties in the proceedings (active and passive legitimacy).

Objectives

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

- * Identify who could have the capacity of the party in the proceeding;
- * Evaluate who might be representative of the party and legal conditions that must be met in relation to this matter;
- * Apply properly the provisions of the Law on contested procedure (LCP) regarding parties in the proceedings and their representatives.

Duration



One day

Beneficiaries



Judges of basic court.

33. Renting, types and its determination

In our judicial practice disputes arise very often due to the damage compensation, whereas renting falls under the category of material damage. Renting as a form of restitution is often a challenge for the court in terms of assessing the need for determining the rent and its capacitance. In addition, challenges have appeared in evidencing and its definition. In terms of the difficulties that arise in practice, its elaboration of this topic will help judges to decide on such cases taking into account the specificities of this form compensation.

What conditions need to be fulfilled in determining the rent? Who may benefit from the rent? How to prove the right to renting? What can the rent be conducted?

This training is structured to answer all questions and uncertainties raised above, through analysis of all legal material provisions referring to material damage and judicial case law.

Content

- * The meaning of the rent and conditions that need to be fulfilled for this category;
- * Rent beneficiaries;
- * Evaluation form, setting the amount and forms of its establishment.

Objectives

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

- * Evaluate necessary conditions for defining the form of this compensation;
- * Understand and identify proofing manner and decision making on this category;
- * Implement properly legal provisions of the Law on Obligation Relationship.

Duration



One day

Beneficiaries



Judges of basic court.

34. Preparatory session, main trial and obtaining of evidence

Preparatory session is the final stage of preparations before the main trial, during which is conducted a clarification of the disputed issues and are eliminated procedural obstacles dealing with further course of the proceedings. In judicial practice often have been noticed omission by the courts at this stage of the proceedings and as a result unnecessary extension of the procedure accrue, this also creates unnecessary procedural costs and other similar problems. However, main trial is the most important stage of the contentious procedure. This stage is the central institution of the entire contested procedure, followed by collection of evidences with the purpose of taking a proper and just decision in a specific cases.

Is preparatory session needed? What issues need to be clarified in the preparatory session? What actions should be taken for determination of the main trial? What actions need to be taken by the court in the main trial?

This training content is structured in the way to provide answers to the above questions through analysis of all legal provisions of the contested procedure regarding preparatory session, main trial and obtaining of evidence.

Content

- * Setting and maintaining of the preparatory session;
- * Actions and court authorizations;
- * Convocation to the main trial;
- * Development of the main trial and presentation of the factual state.

Objectives

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

- * Analyze skills for maintaining a preparatory session;
- * Undertake proper actions for convocation to the main trial;
- * Develop the main trial without any obstacle and lead successfully the proceeding and administration of evidence.

Duration



One day

Beneficiaries



Judges of basic courts.

35. Preliminary review of the lawsuit and preparation of the main trial

Preliminary review of the lawsuit is a compulsory stage of preparation for the main trial on a legal matter. Preliminary review of the lawsuit deals with the verifications of the procedural presumption for development of the contested procedure. At this stage of the proceedings the court determines whether the claim is understandable, incomplete, or if there are procedural gaps, in order to ensure that the dispute will take place in the normal and legitimate way. In judicial practice very often the court does not pay attention to preliminary review, due to workload, negligence or other factors, which have negative impact on the contentious procedure and in some cases may lead to wrong conclusion given by the court.

What procedural assumptions are related to the court, parties and the subject matter of the dispute? What procedural assumptions are related to the regularity of the lawsuit? What actions should be taken by the court, depending on findings of the preliminary review of the lawsuit? What is the impact of the preliminary review of the lawsuit on judicial proceeding?

The training is designed to answer questions and uncertainties raised above by analyzing all procedural presumptions dealing with preliminary review of the lawsuit.

Content

- * Lawsuit and its content;
- * Provisions of the Law on Contentious Procedure on preliminary review of the lawsuit;
- * Court actions in cases of preliminary review of the lawsuit;
- * Types of decisions relating to these proceedings.

Objectives

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

- * Extend their knowledge on lawsuit and its content;
- * Interpret properly legal provisions of the Law on Contested Procedure, relating to preliminary review of the lawsuit;
- * Determine actions for court decisions;
- * Know the types of decisions on preliminary review.

Duration



One day

Beneficiaries



Judges of Basic Court.

36. Enforcement and decision on rejection

Law on Obligation Relationship regulates the procedure by which courts and private bailiffs define and implement the enforcement based on documents and the enforcement and reliable documents, unless otherwise provided by the special law. The Law on Obligation Relationship provides objection as a legal remedy that can be used by the parties to object the decision of enforcement body, which allowed its enforcement. Implementation of the enforcement proceedings by private bailiffs, has the advantage of waiving the responsibility to manage the enforcement process by judges and court private bailiffs, who often take a significant part of their time.

What is the decision of private bailiff regarding enforcement proceeding? Who decides upon the rejection of the enforcement? What is the territorial competence of the private bailiffs and the courts? In what cases the court allows and apply the enforcement proceeding?

The training aims, through the analysis of legal provisions and interactive discussions to provide alternatives and best practices for the dilemmas faced by judges on enforcement issues.

Content

- * Legal basis on enforcement;
- * Conditions for allowance of enforcement;
- * The competence to decide on rejection and its causes.

Objectives

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

- * Differentiate enforcement documents and reliable documents;
- * Categorize and evaluate cases when the enforcement is conducted by a private bailiff or the court;
- * Evaluate legal remedies of the enforcement proceeding.

Duration



One day

Beneficiaries



Judges of basic and appeal court and professional associates.

37. Judicial protection of the property right

The right to ownership is one of the fundamental rights guaranteed by the Constitution and other international acts. Any violation of this right, gives the owner the right to seek judicial protection of the right to ownership. Addressing this topic had been considered as a necessity for the judiciary, due to changes of national legislation and standards set by the Protocol 1 of the ECHR.

What are the types of claims that for protection of property in comparative and domestic legislation? What protection of property rights is granted under the Constitution? What are the powers and limitations of the right to ownership?

This training also aims to clarify dilemmas that arise in the case law regarding claims for property protection.

Content

- * Protection of property right in general;
- * Complaints for protection of property rights;
- * “Actio negatoria”, “actio publiciana”, “actio negatoria”;
- * Protocol 1 of the ECHR.

Objectives

After completion of this training, participants will be able:

- * Understand property rights, authorizations, limitations, protection;
- * Interpret and compare types of the lawsuit on property protection;
- * Implement standards and requests deriving from ECHR case law regarding protection of property cases.

Duration



One day

Beneficiaries



Judges of basic and appeal court and professional associates.

38. Joint property of spouses and its portioning

Judicial case law often face cases regarding the definition of the contribution on portion of the spouses in property acquired during the marital relationship. Court decision in this regard, should be based on the spouses contribution, through evaluation of all circumstances and not taking into account only personal income and other revenues of each spouse, but also the assistance provided to each other, such as childcare, handling of housework, care and maintenance of property, as well as any other form of work and cooperation related to administration, maintenance and increase of joint property. These disputes have a special importance due to their sensitivity, therefore the nature of decision making in a professional manner, is of a great importance for both parties and for the society.

How is determined the contribution of spouses in acquisition of joint ownership? What are the criteria for determining the contribution of the spouses? When it may be required division of joint property, who can ask and in what time frame? How is done the administration of this property before its portioning?

This training is structured in the way to respond to dilemmas that arise during the practice of courts related to differences between joint ownership and joint property of spouses. Special attention will be paid to portioning and division and forms of ownership when many entities have the right to ownership, as well as the administration of these forms of ownership.

Content

- * Joint ownership of spouses;
- * Verification of spouses contribution;
- * Administration of joint property and joint ownership;
- * Portioning of the spouses' joint property.

Objectives

Upon the completion of the training the participants will be able to:

- * Distinguish these forms of ownership;
- * Define the rights of joint owners, especially the right and manner of dividing of joint property;
- * Decide in case of contest of these forms of ownership.

Duration



One day

Beneficiaries



Judges of basic and appeal court and professional associates.

39. Compulsory share of the inheritance and its infringement

Heritage Law has foreseen the compulsory share of the heirs of inheritance and court procedure which has to do with the review of the hereditary property of the decedent. The compulsory share of the heritage belongs to a compulsory inheritors by law. In judicial practice there are difficulties and challenges in determining the necessary amount of the compulsory share of the persons who enjoy this right. In this context it is also important to unify the judicial practice, especially in the heritage part, in determining properly that who has the right to decide on the procedure for examining the development of the inherited property.

What is considered as a compulsory share of inheritance? Which is the circle of heirs that enjoy the right to compulsory share? How is calculated the compulsory share? Which what legal remedy the compulsory share can be infringed?

Through elaboration of the theoretical elements of inheritance, its basis and applicable procedures for the review of the inherited property. Therefore through working groups and hypothetical cases is aimed to eliminate dilemmas encountered in this area.

Content

- * Compulsory share and heirs;
- * Compulsory heirs and portioning of the compulsory share;
- * Infringement of the compulsory share;
- * Circle of the heirs that are entitled to compulsory share.

Objectives

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

- * Define compulsory share of the inheritance;
- * Identify compulsory heirs and estimate their portioning;
- * Identify and categorize the infringement of the compulsory share;
- * Implement properly legal provisions of the Law on Inheritance.

Duration



One day

Beneficiaries



Judges of basic and appeal court and professional associates.

40. Expropriation and compensation of expropriation

Economic development dictates the need for frequent expropriations. Development of regular court procedure according to the legal provisions, guarantees the right to ownership through a real compensation for expropriation. However, very often happens not to reach extrajudicial agreement, due to the high amount of compensation, therefore these cases end up in courts.

When and under what conditions an immovable property may be expropriated? Which entity conducts the expropriation procedure? What must pre-

cede expropriation? Who determines the compensation for expropriated of the immovable property? How is determined and what are the criteria for fixing the compensation for expropriated immovable property?

This training is designed aiming to analyze the expropriation procedure, identify the preconditions for expropriation and cases when the municipality is the authority which conducts the expropriation and cases when the government is the authority which conducts the expropriation.

Content

- * Competent authority for expropriation;
- * The procedure that precedes expropriation;
- * Evaluation of the property subject to the expropriation and determining of the compensation.

Objectives

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

- * Identify the competent authority for expropriation;
- * Elaborate and evaluate the expropriation procedure;
- * Analyze and implement the procedure for evaluation of the property and compensation.

Duration



One day

Beneficiaries



Judges of basic and appeal court, professional associates, as well as officials from the Ministry of Finance.

41. Insurance of the claim

Chapter XXI of the Law on Contested Procedure stipulates the institute of the claim insurance, which provides legal protection for the disputable parties, when there is a risk that the implementation of the civil legal sanction does not provide proper results. Such protection is provided by assigning legal insurance measures as prescribed by the LCP provisions, which insures the plaintiff's request to the completion of the procedure with a final decision. Temporary measures to insure the claim are court actions through which the party is ensured that his claim will be in the procedure, whilst, he provides justification in his request claiming that his request will be accomplished in the future by taking appropriate measures.

Who can submit a proposal for the insurance of the claim? At what stage of the procedure the proposal may be submitted? Which court is competent to decide upon the insurance measures depending on the phase when the proposal is submitted? What is the difference between the amount of insurance claim and insurance temporary measure?

This training content is structured in order to address different situations faced by judges when handling these cases. Also through group discussions and practical cases will be provided solutions and better alternatives for cases of this nature.

Content

- * Types of insurance claim measures;
- * The competence to decide on insurance measures;
- * Temporary measures and their duration;
- * Difference between temporary measures and insurance measures;
- * Guarantees in cases of determination of the insurance of the claim.

Objectives

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

- * Recognize and distinguish types of measures for insurance of the claim;
- * Determine the court competence deciding on this measures;
- * Identify temporary measures and their duration;
- * Distinguish temporary measures for insuring claims.

Duration



One day

Beneficiaries



Judges of basic and appeal court and professional associates.

42. Judicial protection in domestic violence cases

Domestic violence is one of the harmful actions through which human rights are violated and are threatened the high value of the individual and society. Human rights are fundamental rights that belong to every human being. Domestic violence means any violation of the right of women, men and children from the family members. Domestic violence cases become even more difficult and challenging for responsible institutions in combating this phenomenon, due to the impact on the family lifestyle and how their perception of domestic violence issues.

What is domestic violence? What factors lead to violence in the family? What are the consequences of domestic violence? Who is protected by the law? Who can require a protection order? What information should be included in the claim? Who is notified about the protection order?

The training is structured in a way to respond to the dilemmas that judges constantly face when dealing with claims of the domestic violence. This training also intend to provide participants the opportunity that through the elaboration of case studies, discussions and group work advance their knowledge in the implementation of the provisions of the Law on Protection from Domestic Violence.

Content

- * Domestic violence and protection orders;
- * The proceedings for deciding on the requests for a protection order;
- * Types of protective measures and their duration;
- * The execution and the consequences of non-execution of a protection order.

Objectives

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

- * Define forms of domestic violence and explain the protection order;
- * Implement properly standard procedures regarding domestic violence protection;
- * Efficiently apply legal provisions relating to deadlines in deciding according to the protection order;
- * Compare the specifics of domestic violence in the civil and criminal procedure.

Duration



One day

Beneficiaries



Judges of appeal court – civil division, judges of basic court – civil division and professional associates.

43. Judicial protection in cases of defamation and insult

Defamation means publication of the untrue facts or statements with the consent of the publisher, who knows or should know that the fact or the statement is untrue, the meaning of which harms the reputation of another person. Whilst, insult means a humiliating statement, behavior, or publication of a statement directed to another person. A person has the right to demand through court proceedings the prohibition of the defamation, while being promised that the defamation or insult will not be repeated in the future, that the defamatory, or insulting information against his/her personality will be withdrawn and that he/she will be compensated for moral and material damage caused by defamation and insult, unless one of the liability exemptions is concluded in accordance with law. With the implementation of the civil law against defamation and insult, judges are facing new chal-

lenges in adjudication of the claims for compensation of damages caused by defamation or insult.

What are measures for protection from defamation and insult? Who can be liable for defamation and insult? Cases which are excluded liability for compensation for damage to defamation and insult? What are the ways of compensation in cases of defamation and insult? What are the deadlines for requiring court protection in cases of defamation and insult? Who's legally competent to adjudicate cases mentioned above?

Training content is structured in a way to respond dilemmas that judges constantly face in dealing with the parties' claims for defamation and insult.

Content

- * Measures for protection against defamation and insult;
- * Liability and exclusion from liability in cases of defamation and insult;
- * Compensation for defamation and insult;
- * Deadlines, protection of sources and the competent court.

Objectives

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

- * Interpret properly provisions of the Civil Law Against Defamation and Insult;
- * Analyze and interpret the provisions concerning the procedure and deadlines for deciding on claims for damage compensation in cases of defamation and insult;
- * Implement standards and requirements arising from the case law of the European Court, when deciding on defamation and insult claims.

Duration



One day

Beneficiaries



Judges of appeal court – civil division, judges of basic court – civil division and professional associates.

44. Court proceedings in resolution of the marriage

Since court faces numerous of cases, through which the parties (spouses) require resolution of their marriage, often judges encounter difficulties in the implementation of this procedure, because in addition to its resolution, the same should also establish rights of the children born in the marriage, as their entrustment to care, custodianship and education, assignment of alimony and the establishment of personal contact with the other parent. Due to the fact that the procedure for resolution of the marriage falls under the category of a special procedure, development of which, except the provisions of the Law on Contested Procedure (LCP) as a procedural law, shall also be applied the provisions of the Law on family, as material law, which in its content has also special

rules governing the competencies of the court (also the functional one) when deciding on these disputes and not only.

In which cases can be required the annulment of the marriage and who may initiate the annulment procedure? Does Law on Family provides any deadline until what time the lawsuit can be filed for marriage annulment? What are the legal grounds, due to which, the marriage can be resolved by divorce?

This program is designed to answer all questions and dilemmas, by analyzing in depth the applicable legislation referred to judicial protection for resolution of the marital disputes.

Content

- * The procedure for resolving the marriage by annulment;
- * The procedure for resolving the marriage by divorce;
- * Main principles of the divorce procedure and court jurisdiction;
- * Decision making and legal remedies in divorce.

Objectives

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

- * Apply properly the provisions relating to the procedure for resolving of marriage with annulment and divorce;
- * Interpret properly the main principles of divorce proceeding and jurisdiction of the court;
- * Expand their knowledge regarding the manner of settlement and legal remedies in divorce.

Duration



One day

Beneficiaries



Judges of the appeal court- civil division, judges of the basic courts – civil division and professional associates.

45. Annulment of the contracts

The contract is one of the most important sources of obligation and the central institution of legal communication between the contracting parties. In order for the contract to be valid, the parties must fulfill some of the conditions specified by law, whereas, in cases when contract is contrary to the public order, mandatory provisions, or the society morals, then the contract comes to its nullity. In cases when the contract has been concluded by the party with disabilities to act, or there were flaws in respect of the parties will, the contract must be breached. In practice, there are many cases when the contracting parties do not respect the conditions set for the validity of the contract, therefore handling of this topic will help in analyzing and elaborating the grounds on for the annulment and the breach of the contract.

Which contracts can be considered as annulled and which contract can be considered breached? What is the manner of deciding on these cases? In what cases the conversion can be done? who may require the nullity and the annulment of the contract?

This topic is constructed to answer all questions relating to conditions to that must be fulfilled in order to reach the annulment of the contract and its breaching, decision making and evaluation of the legal terms in such cases.

Content

- * Nulled contract;
- * Breached contract;
- * Consequences of nullity and annulment of the contract;
- * Conversion.

Objectives

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

- * Distinguish legal conditions to be met in order to consider a contract nulled or breached;
- * Recognize and identity the consequences of nullity and annulment of the contract;
- * Implement properly LOR provisions regarding invalidity of the contracts.

Duration



One day

Beneficiaries



Judges of basic and appeal court.

46. Litigants and interferers in the proceeding

During contentious procedure in a legal case, litigation may happen to the parties presented objectively or their obligation stem from a same base and if their obligations rely on the same factual and legal base. When more subjects are submitted to one party in the procedure, then they appear in the capacity of ligation. A part from litigation in the contentious procedure, third party may be involved with the purpose of helping it as main interferes aiming to object the requests of both parties. The issue of litigants and third parties in the procedure, in the case law presents a complex procedural phenomenon which create dilemmas for judges who deal with contentious proceedings.

What types of litigation exist? How to act in terms of procedural aspect and how to decide properly on litigation cases? In what form the third person can interfere in the procedure and what types of interferences exist in the contested procedure? What procedural actions can be taken by the third persons independently from litigants?

This topic is designed to provide answers to all questions related to litigants, types of litigants, effects creating each type of litigants in contentious procedure, decision making on the merits to each form of litigation, participation of third parties in procedure, types of interference and actions that may be taken depending on the type of interference.

Content

- * Litigation;
- * Types of litigation;
- * Effective procedural actions on litigation;
- * Participation of the third persons in a civil dispute and interferes;
- * The effect of a judgment on litigants and interferes.

Objectives

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

- * Analyze litigants and types;
- * Evaluate effects of procedural actions on litigation;
- * Identify third persons in a civil dispute and interferers;
- * Know the effects of a judgment on litigants and interferers.

Duration



One day

Beneficiaries



Judged of basic court – civil division.

47. Compensation of immaterial damage

In addition to compensation of material damage, as a violation of material goods, there is also the immaterial damage, for the violations of immaterial goods. The damage itself is one of the special material source as foreseen by the Law on Obligation Relationship and raises from the fact that someone was damaged and needs to be compensated. Whereas, based on the compensation for immaterial damage, there is no need to restore the existed situation before causing the damage, but as such alleviates the pain suffered because of the violation of immaterial goods. Due to the fact that the number of court cases and dilemmas in practice, referring to compensation

claims (immaterial) is very high, the elaboration of this topic is of a great importance.

What do we understand with immaterial damage? What criteria should be taken into account when determining the damage? What are the basis of the liability?

This topic has been designed and structured to provide answers to all questions and dilemmas by analyzing the case law relating to compensation of the immaterial damage.

Content

- * Basis of the immaterial damage liability;
- * Criteria to determine the immaterial damage;
- * Reward (compensation) of immaterial damage.

Objectives

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

- * Interpret properly provisions regarding liability and forms of immaterial damage;
- * Evaluate the criteria for determining immaterial damage;
- * Implement provisions of the amount of compensation of immaterial damage.

Duration



One day

Beneficiaries



Judged of basic court – civil division.

48. Liability for damages caused by an object and dangerous activities

Law on Obligation Relationship, among others regulates also the liability for the damage caused by an object, or by dangerous activities, liability for unlawful removal of the dangerous object by the holder, delivery of the object to third party, liability for the faulty objects and special cases of liability. Taking into account the number of cases and dilemmas faced in judicial practice referring to compensation of damage on these basis, makes this topic very important to be elaborated in the training.

What do we mean by the damage caused by an object and dangerous activities? What conditions must be fulfilled to considered it as liability? In what cases comes in place the release from the liability?

This topic is designed to provide answers and dilemmas by analyzing cases from judicial practice regarding damage compensation caused by an object or dangerous activities, known otherwise as objective liability and cases or the release from the liability.

Content

- * Liability for damages caused by an object and dangerous activities and its types;
- * Conditions for damage compensation;
- * Conditions for the release from liability for compensation caused by an object and dangerous activities.

Objectives

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

- * Interpret provisions relating to liability for damages caused by an object and dangerous activities;
- * Analyze and elaborate situations when there is no civil liability on this basis;
- * Evaluate the compensation amount on the basis of objective liability.

Duration



One day

Beneficiaries



Judged of basic court.

49. Decision taking procedure according to ordinary and extraordinary legal remedies

Law on Contentious Procedure provided the ordinary and extraordinary legal remedies. The appeal is an ordinary legal remedy by which the parties are entitled to appeal the judicial decisions that have not become final. Whereas, with extraordinary legal remedies, such as the revision against the judgment and the ruling, the request for retrial and a request for protection of legality, the final decision can be challenged. In judicial practice often appear these remedies.

What is the content of ordinary and extraordinary legal remedies? What are the most common causes

for their appearance and effects? What is the procedure of receiving and reviewing these remedies? What decisions can be taken the court regarding ordinary and extraordinary legal remedies?

This training is designed to provide answers and explanations regarding the rights and possibilities of exercising ordinary and extraordinary legal remedies, as well as evaluation and respecting of legal deadlines.

Content

- * Appeal as an ordinary remedy and its causes;
- * Examination limits and decision of the court of first and second instance regarding the appeal;
- * Revision and the request for protection of the legality;
- * Repetition of the procedure;
- * Decision according to extraordinary legal remedies.

Objectives

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

- * Analyze the appeal as a legal remedy and evaluate its causes;
- * Evaluate examination limits of the court of first and second instance regarding the appeal;
- * Elaborate extraordinary legal remedies;
- * Evaluate revision, the request for protection of the legality and the proposal for repetition of the procedure.

Duration



One day

Beneficiaries



Judges of basic court – civil division.

Justice for children – Criminal field

50. Diversion measures

Juveniles as perpetrators of criminal offenses, have a great participation in general, this has been also evidenced by the state statistics, thus, it is required a greater mobilization of all state structures to pay more attention to this category. Taking into account the best interests of the child, the Code of Juvenile Justice has provided diversion measures that can be imposed on juvenile perpetrators, aiming to prevent the initiation of preparatory proceedings for juveniles, exclusively where juvenile offenders have committed the criminal offense which is punishable by a fine or imprisonment up to three years, or for a criminal offense committed by negligence as punishable up to five (5) years imprisonment, except those that result with death.

What are the types of diversion measures? What are the conditions for imposing diversion measures? How is developed the procedure for imposing of diversion measures? How does these measures reflect on re-integration of the juvenile?

This topic is designed to provide knowledge on the adequate skills in application of legal provisions when imposing division measures for juveniles in the spirit of Conventions and international standards for protection of juvenile's rights.

Content

- * Diversion measures as foreseen by the Juvenile Justice Code;
- * Conditions to be met when imposing one of the diversion measures;
- * Types of diversion measures.

Objectives

After completion of this training participants will be able to:

- * Implement properly provisions of the Juvenile Justice Code when imposing diversion measures;
- * Evaluate legal conditions for imposing diversion measures.

Duration



One day

Beneficiaries



Judges of basic court and prosecutors of basic prosecution office – Juvenile Department.

51. Sanctions imposed to juveniles

Juvenile Justice Code defines the conditions when sanctions can be imposed against a juvenile. The Code provides fines, orders for community service work and juvenile prison, as sanctions that may be imposed on juveniles as perpetrators of a criminal offense. The Code also guarantees the best interests of the child as carefully defined by the justice system, in accordance with the international standards deriving from the UN Convention on the Rights of the Child.

sition of sanctions against juveniles? How does the reflect the deprivation of liberty in rehabilitation of juveniles? Can the execution of juvenile prison be statutory limited?

This topic is designed to provide adequate knowledge and skills in the implementation of legal provisions in case of sentencing of juveniles in the spirit of international conventions and standards for protection of children rights.

What are the types of sanctions that may be imposed against juveniles? What are conditions for the im-

Content

- * Types of punishments imposed to juveniles;
- * Conditions to be met in order to impose one of the sanctions;
- * Setting of duration of the order for community service work;
- * Setting of duration juvenile imprisonment.

Objectives

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

- * Implement types of juvenile sanctions;
- * Identify legal conditions for imposing of these sanctions;
- * Impose properly the duration of the order on community service work;
- * Distinguish conditions for determining duration in cases detention.

Duration



One day

Beneficiaries



Judges of basic court and prosecutors of basic prosecution office – Juvenile Department.

52. Execution of measures and sanctions against juveniles

Execution of measures and sanctions against juveniles differs from the execution of sentences against the adults. The court plays a great role in the execution of the measures and sanctions against juveniles. the Juvenile Justice Code provides clear provisions regarding the execution of diversion measures, educational measures and sanctions against juveniles. In judicial practice are noted difficulties in the execution of measures and sanctions for juveniles, so the treatment of this topic is of special importance to the unification of the case law on execution of measures and sanctions imposed against juveniles.

How to act in cases when the juvenile does not fulfill the determined conditions? How is developed the procedure for execution of sanctions and measures against the juvenile? What is the role of the probation officer in the execution of the measured and sanctions against juvenile?

Through presentation of the case law and discussion groups will be analyzed various situations faced by judges in their daily work.

Content

- * The execution of diversion measures and educational measures;
- * Execution of the fine and order on community service work;
- * Examination procedure, substitution and termination of educational measures;
- * Execution of juvenile imprisonment.

Objectives

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

- * Understand the role of the juvenile judge in the execution proceeding of measures and sanctions against juvenile;
- * Implement properly provisions for reviewing and substitution of measured and sanctions against juveniles;
- * Identify cases when the execution of measured and sanctions against juveniles should be terminated.

Duration



One day

Beneficiaries



Judges and prosecutors of basic instance – Juvenile Department.

53. Juvenile and adult trial in a judicial process

In practice there are plenty of cases where juveniles commit crimes together with the adults. However, proceedings against juveniles differs from the adult procedure. Among others, juvenile procedure is urgent and consists of persons and institutions that do not participate in the adult proceeding. Moreover, procedural deadlines are shorter.

What is the applicable procedure when a juvenile commits a criminal offense with an adult? Whether should be conducted a separate procedure, could the proceedings be joined, if so, in which cases? What provisions shall be applied in the joint procedure? Which provisions apply to the joint procedure?

The training is organized to answer questions by analyzing and explaining legal provisions that regulate this issue. During this training will be also analyzed practical problems through discussions and hypothetical case studies.

Content

- * Criminal proceeding in cases when the juvenile commits the offence together with an adult;
- * Joining of the juvenile procedure with the adult procedure and applicable provisions;
- * Advantages and disadvantages of joint proceeding.

Objectives

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

- * Extend their knowledge regarding criminal proceeding when a juvenile commits a crime together with an adult;
- * Interpret properly provisions relating to joining of the proceedings when a juvenile commits a crime together with an adult;
- * Identify advantages and disadvantages of the joint procedure.

Duration



One day

Beneficiaries



Judges and prosecutors of basic instance.

54. Educational measures imposed on juveniles

Juvenile justice in Kosovo is traversed by a large number of principles, some of which are universal. Among the specific and particular principles is that to the juvenile perpetrators, as needed, are imposed diversion and educational measures instead of punishments. Measures that may be imposed on perpetrators of criminal offences are not restricted from the legal point of view, thus may be imposed on any juvenile aged 14-21 years. Although, according to the Juvenile Justice Code (JJC) principles, the imposition of these measures should be considered as the first alternative, which in practice it is not always applicable. Whereas, one of the factors for not implementation of these principles, often is considered, the incomplete or unprofessional social survey, and non-evaluation of the benefits of these measures.

What are the types of educational measures which may be imposed on juveniles? How is conducted the selection of these measures? What is considered a complete social survey? What are the benefits of these measures? How to evaluate the achievement of the purposes of educational measures?

The training is organized to provide answers to all the raised questions by analyzing and clarifying dilemmas in the implementation of these measures. The training will focus on the elaboration of best practices regarding the imposition and implementation of educational measures.

Content

- * Types of educational measures which may be imposed on juveniles;
- * Conditions that must be met to impose the educational measure on juvenile;
- * Determining the duration of educational measures.

Objectives

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

- * Apply educational measures envisaged by Juvenile Justice Code (JJC);
- * Determine conditions for imposing these measures;
- * Determine the duration of educational measures.

Duration



One day

Beneficiaries



Judges and prosecutors from the juvenile department, officials from Probation Service.

55. Measures to ensure the presence of the juvenile in the proceeding

In order ensure the presence of the juvenile and the efficiency of criminal proceedings, against a juvenile may be imposed measures provided by the provisions of the Criminal Procedural Code. So, under certain conditions, detention can also be imposed against a detention. JJC has paid special attention to the best interests of the juvenile. Therefore, according to this code, against a juvenile can be issued orders for temporary custody, police detention and detention only as a last measure on the shortest time possible. In the proceedings against juveniles detention as last measure, often is not determined in the manner and conditions provided by JJC.

Why the detention measure is imposed against juvenile, when by the law other measures may be imposed? What are the conditions to be met in cases of imposition of the detention or other alternative measures?

Through this training is aimed to provide beneficiaries the opportunity to analyze the measures for ensuring the presence of the juvenile and overcome dilemmas and difficulties faced in judicial practice.

Content

- * Measures to ensure the presence of the juvenile in criminal proceeding;
- * Conditions to be met in cases of imposition of detention, or other alternative measures;
- * Imposition of the detention as the last measure.

Objectives

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

- * Interpret properly the rules when selecting measures for ensuring the presence of the juvenile in the proceeding;
- * Determine properly the measure of deprivation from liberty;
- * Evaluate properly the duration of the measures for deprivation from liberty.

Duration



One day

Beneficiaries



Judges and prosecutors of basic instance – Juvenile Department.

56. Judicial hearing in juvenile proceedings

Juvenile hearings should be applied in line with the CPCK provisions, with some of the features applicable to proceedings against juveniles. In judicial practice often are faced difficulties and confusions when applying the provisions referring juvenile hearings, therefore this training is considered important in terms of avoiding the uncertainties encountered in current judicial practice.

What is the flow of the judicial hearing in juvenile proceedings? what is the role of the judge and the prosecutor in this stage? What is the flow of the session for establishing relevant facts regarding the imposition of a criminal sanction against juveniles?

through presentation of practical cases and group discussion, will be analyzed different situations that may be faced in juvenile hearings.

Content

- * Judicial hearings against juveniles;
- * The role of the judge and prosecutor in juvenile proceeding;
- * Establishing relevant facts for imposition of a sanction.

Objectives

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

- * Develop properly juvenile hearings;
- * Develop properly the role of the juvenile judge/prosecutor during the proceeding;
- * Develop properly legal terms when holding a judicial hearing.

Duration



One day

Beneficiaries



Judges and prosecutors of basic instance – Juvenile Department.

57. Criminal offences against children's sexual integrity

Children are the most vulnerable categories of the society to which the state through its mechanisms is obliged to provide them care and protection. Criminal Code of the Republic of Kosovo, under the Chapter: criminal offenses against sexual integrity, inter alia, has foreseen several offences that affect sexual integrity of children. Therefore, implementation of legal provisions of this chapter very often presents challenges for judges and public prosecutors in this field.

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

Through presentation of practical cases and discussion groups, will be provided various alternatives on issues dealing with offenses against sexual integrity. Addressing these issues will be made, inter alia, with participation and interactive discussion with participants, with the purpose of answering the questions and problems that may arise in judicial practice.

Content

- * Criminal offences against sexual integrity according to Criminal Code;
- * Elements and characteristics of criminal offences against sexual integrity of children;
- * Sexual assaults of children.

Objectives

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

- * Extend their knowledge relating to criminal procedure when the victim is a child;
- * Analyze forms of appearance of rape and other similar offences relating to sexual integrity of children;
- * Implement properly provisions regarding these offences.

Duration



One day

Beneficiaries



Judges and prosecutors from Juvenile Department.

Justice for children – Civil filed

58. Protecting the rights of the children without parental care

Kosovo is one of the states sufficiently engaged in protection of the rights of the child, initially by proving sanctions based on the Constitution and in line with agreements and other international instruments, as well as by direct implementation of the Convention on Rights of the Child, which is taken as a priority by the state. In this program among other issues, will be treated issues relating the rights of the children without parental care, forms of special protection of these children (adoption, custody, etc.) as foreseen by the Family Law (KFL), taking as a reference the Convention on Rights of the Child (CRCH). Furthermore, will be elaborated ways and methods of court communication with the children in judicial proceeding and the principle of the best interest of the child, the role of the court and guardianship authority in proceedings dealing with protection of children without parental care, as well as national and international applicable legislation.

Who is considered children without parental care according to the applicable law? What are the specific forms of protection of children without parental care? What are the conditions and criteria that must be met to allow the adoption of a child? What is the legal procedure to be followed by an adoptive parent to adopt a child? Which court has competence on subject matter to establish adoption? Whether the children that are citizens of Kosovo can be adopted from foreign nationals? Which are international acts that apply in the procedure of the establishment of the adoption?

This program is designed to answer in all questions and dilemmas, by analyzing in depth the applicable legislation that refers to judicial procedure for granting legal protection for the rights of children without parental care.

Content

- * Protecting the rights of children without parental care;
- * Adoption;
- * Placing the child in another family;
- * Custodianship;
- * Exercising, suspension, limiting, removal and extension of parental rights;
- * The principle of the best interests of the child;
- * Ways and methods of communication of the court with children in judicial proceedings.

Objectives

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

- * Evaluate cases concerning the protection of the rights of children without parental care;
- * Analyze legal provisions on adoption;
- * Define the criteria for placement of the child in another family;
- * Interpret properly legal provisions on the custodian rights, parental rights in the spirit of the principle for best interest of the child.

Duration



One day

Beneficiaries



Judges of appeal court – civil division, judges of basic court – civil division, professional associates, Guardianship Authorities.

59. Protection of the rights of the children in family disputes – family

The number of marital-family disputes is constantly growing in our courts. Therefore, handling of these cases is of a great importance since family relations, respectively marital disputes are very complex due to their nature, whereas the role of the court in this case it's not on to review but also to investigate. Alongside the analyzation of the role of the court in family-marital disputes, the elaboration of child abduction cases is also important, even though abduction cases were always present in our society, however our legislation has regulated this issue in 2010, which is considered as a novelty to our judicial system.

What are the principles for protection of the rights of the child according to our law in force? Which international legislation should be applied in these cases? Based on what criteria the court decides in this cases?

This program is drafted to provide answers to all raised questions and dilemmas by analyzing national and international legislation for protection of children's right in marital – family disputes. Whilst, through study cases is aimed to overcome uncertainties faced by the participants in this field

Content

- * Principles for protection of children's rights according to national and international legislation;
- * Criteria taking into account by the court in cases of entrustment of the child;
- * Principles for setting the alimony;
- * Active role of the court in these cases /disputes;
- * International child abduction in civil matters – proceedings.

Objectives

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

- * Provide efficient and effective protection of children rights during the divorce procedure;
- * Implement properly the law in cases of trust, custody and child care;
- * Decide on alimony by respecting their rights.

Duration



Two days

Beneficiaries



Judges of appeal court – civil division, judges of basic court – civil division, professional associates, Guardianship authorities.

60. Protection of children's rights in cases of changing their status

Children are the most sensitive category of the society to which the state through its mechanisms is obliged to create conditions for their growth and welfare, regardless of the status. These obligations derive from international acts adopted by various international organizations dealing with the protection of human rights in general and children's rights in particular, but also by the legal infrastructure adopted by countries themselves separately.

Who is entitled to file a lawsuit in court for verification of paternity and maternity, or a lawsuit for rejection of the maternity and paternity? Is the statutory limitation of the abovementioned issues linked with

a deadline? What are the effects of recognition or rejection of the maternity/paternity in relation with the child? What is the applicable legislation in cases mentioned above? What is the court role and the role of guardianship authority in judicial proceeding dealing with cases of changing child status?

This program is drafted to provide answers to all questions and dilemmas, by analyzing in depth the applicable legislation referring to judicial proceedings in providing legal protection for children's rights in cases of changing their status

Content

- * Maternity and paternity;
- * Protection of children's rights in maternity/paternity rejection or recognition proceeding;
- * Protection of children's rights in domestic violence cases;
- * The principle of the best interest of the child;
- * Ways and methods of the communication of the court with the child in a judicial proceeding.

Objectives

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

- * Analyze legal provisos regarding maternity and paternity;
- * Implement the principle of the best interests of the child;
- * Implement ways and methods of communication of the court with the child in a judicial proceeding.

Duration



Two days

Beneficiaries



Judges of the appeal court-civil division, judges of the basic court – civil division, professional associates and guardianship authorities.

Commercial Law

61. Intellectual property rights – copyright

Copyright increasingly is being an important factor in the development of market economy and economic development, therefore the respect and enforcement of copyright is of a particular importance. Besides economic development, enforcement of copyright also affects and stimulate the cultural creativity. Although in Kosovo exists the legal infrastructure for the protection of copyright, both in civil as well as criminal area, still there were not established functional mechanisms on preventing violations of this right, so therefore the only possibility to effectively protect this right is to go through court proceedings. As a result, the court presented a certain number of cases, whereas in the near future, this number is expected to grow.

What is copyright? What is the applicable legislation in this field? Is our case law in harmony with the European international standards? What are the experiences and best practices in the region? How to apply international instruments that regulates this issue?

This topic has been selected with the purpose of addressing dilemmas and difficulties faced in the current case law, whereas this will be done through interactive discussions and presentation of practical cases.

Content

- * The meaning of copyright and authorization of the holder of copyright;
- * Legal protection in civil and criminal aspect;
- * Alternative protection of the copyright – professional associations;
- * Judicial proceeding for protection of copyright;
- * The contract for transferring the copyright.

Objectives

After completion of this training participants will be able to:

- * Understand what is covered by copyright;
- * Evaluate claims for violation of the copyright;
- * Implement legal procedures for protection of this right;
- * Recognize ways and legal work for transferring of the copyright to another holder.

Duration



Two days

Beneficiaries



Judges of the Department for Commercial Affairs, judges and prosecutors of criminal field.

62. Commercial contracts

In economic market, developed businesses that deal with commercial activity, use specific contracts to their business, these contracts are different in their structure as well as in the rights and obligations of the parties. Construction contracts and engineering contracts have actually found a great use in the construction field considering the reconstruction phase of our country. While, commercial companies when developing business in the international arena often apply the contracts to which the Convention on International Sale of Goods applies. In judicial practice the number of disputes arising from these contracts is considerable, so the treatment of this topic is of particular importance on increasing knowledge of judges when handling these type of cases.

What are legal procedures for protection of the rights of business party, in disputes deriving from non-fulfilment of the commercial contract? what are the manners and criteria of the evaluation of specific elements in cases claims for not fulfillment or contestation of the validity of these contracts?

This program is designed in such a way to address the dilemmas and difficulties encountered in the current judicial practice through interactive discussions among participants and presentation of the practical cases.

Content

- * The meaning of the construction contract and engendering contract and their specifics;
- * The meaning of the public contract and its specific;
- * The meaning of the contract on international sale of goods and their specifics;
- * International contract on sale of goods, its characteristics and implementation in Kosovo

Objectives

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

- * Understand construction contract and its specifics, special clauses and other characteristics;
- * Recognize engineering contract, public contracts and their characteristics;
- * Elaborate the International Convention on Sale of Goods, characteristics and its implementation in business relation with foreign elements.

Duration



Three days

Beneficiaries



Judges from the Department for Commercial Affairs and judges Department for Administrative Affairs.

63. Social enterprises

Companies are carriers of economic development in countries with market economy. Kosovo in its efforts for economic development has taken various measures to ensure the necessary infrastructure for the establishment of preconditions for business development. In this regard, Kosovo has adopted the Law on Business Organizations, which constitutes a good basis for the establishment of a market economy and facilitates foreign investment in Kosovo. This law defines the types of organizations, conditions for registration, establishment and termination of business organizations, rights and obligations of owners, officials of social enterprises, their representatives. In judicial practice the number of disputes arising from the social enterprises is increasing,

therefore handling of this topic is of particular importance for enhancing the knowledge of judges in this area.

What are the types of social enterprises? What are the difficulties in application of the Law on Business Organizations in Kosovo? What are best practices of the regional countries? How to implement international instruments regulating this area?

This program is drafted to address dilemmas and difficulties encountered in the judicial practice, through interactive discussions and presentation of practical cases.

Content

- * Types of social enterprises;
- * The capacity and legal structure of social enterprises;
- * Condition for registration, establishment and termination of social enterprises;
- * Rights and obligation of the owners, social enterprises officials, their representatives and third parties.

Objectives

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

- * Recognize the manners for establishment and termination of social enterprises, their types and legal consequences;
- * Advance their knowledge regarding the organization, structuring of the capital, rights and obligations of the owners, owners, social enterprises officials, their representatives and third parties.
- * Implement properly the provisions and legal proceedings for protection of the rights of social enterprises.

Duration



One day

Beneficiaries



Judges from the Department for Commercial Affairs and judges Department for Administrative Affairs.

64. Novelties of the Law on bankruptcy

The new bankruptcy law appeared as a necessity for regulating the procedure of liquidation and reorganization of companies, since the previous law was incomplete. The new bankruptcy law constitutes a comprehensive law on bankruptcy and insolvency, which is a reflection of international best practices, containing many institutes and other specifications that were almost unknown in our legal system. This law regulates the procedures of liquidation and reorganization of all companies, including individual businesses, partnerships and limited partnerships, which the essential difference from the old law. After the entry into force of this law, it is expected a significant increase of cases appearing in the court,

therefore handling of this topic is of particular importance for increasing knowledge judges dealing with these cases.

What are the novelties of the new bankruptcy law in relation to the previous law? What are the experiences and best practices of countries in the region? How to apply international instruments governing this area?

The program is designed in such a way to address the dilemmas and difficulties encountered in the current judicial practice, focusing on the changes of the new law on bankruptcy and its effects.

Content

- * Accelerated procedure (SME and pre-packages);
- * Initiation, opening of the case and consequences;
- * Creditor request;
- * Reorganization and liquidation;
- * Individual release and closing of the case;
- * Cross-border provisions.

Objectives

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

- * Identify novelties and amendments of the new law on bankruptcy;
- * Implement properly legal provisions on bankruptcy.

Duration



Three duration

Beneficiaries



Judges of the Department on Commercial Affairs – basic court and judges of the appeal court.

65. Trademarks

Trademarks are an important category of the intellectual property rights playing an important role in the market economy, whereas, social enterprises while developing their business use trademarks in order to distinguish their products and services from other products and services and for protection of their products. Trademark protection is guaranteed by the Law on Trademarks, Criminal Code and other administrative measures including custom ones, however in legal practice have been encountered difficulties in the implementation of legal provisions in providing effective protection. In judicial practice the number of disputes arising from trademarks is significant, with a tendency of growth, so the treatment of this topic is of particular importance for increasing knowledge of judges in handling cases.

How protected are the trademarks in our country? What is the role of the court in the protection of trademarks? How consistent is the case law with international and European standards? What are the international instruments that regulate this field?

this training will address dilemmas and difficulties encountered in the current judicial practice through interactive discussion and presentation of the practical cases.

Content

- * Meaning of trademarks – types: imaginary, suggested, prescribed, genera;
- * Conditions for registration of the trademarks and their legal protection;
- * Judicial protection and the procedure for protection of the trademarks;
- * Evaluation criteria for violations of the trademarks.

Objectives

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

- * Understand trademarks, its types and the necessity for legal protection;
- * Recognize the ways for registration and loss of the right on trademark;
- * Implement provisions for legal protection of the rights deriving from trademarks;
- * Identify criteria's in cases when the holder claims the violation of the trademark.

Duration



One day

Beneficiaries



Judges from the Department for Commercial Affairs and judges Department for Administrative Affairs.

66. Alternative resolution of the disputes

Application of alternative forms of dispute resolution (arbitration and mediation) is of particular importance because that increases the legal certainty and enables the attraction of foreign investments considered as very necessary for the economic development. Since in the modern world, business organizations have the tendency to solve their disputes through alternative proceedings, in this regard Kosovo has established a modern legal system which enables alternative dispute resolution. Despite the advantages of alternative systems, alongside judicial proceedings, the legal practice of these two systems interfere with, or complement each other, thus appear situations which require answers from the legal doctrine and the case law. Also, in the legal practice often appear disputes with international elements, which express the need of analyzing the compatibility of domestic legislation with international regulations, to ensure that the implementation of the provisions and their interpretation is consistent with international practices.

How applicable are the alternative procedures in practice? what are the court competences in reviewing the validity of the agreement on arbitration and mediation? What are the experiences and best practices of the regional countries in application of alternative procedures? How harmonized is the national legislation with the international legislation?

This program is drafted that through interactive discussions and practical cases to address dilemmas and difficulties encountered in judicial practice,

Content

- * Arbitration - types and characteristic;
- * Mediation – conclusion of the agreement and fulfilment – its enforcement;
- * Court competences for reviewing the validity of the agreement on arbitration and court competences regarding mediation.

Objectives

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

- * Implement alternative dispute resolution (ADR);
- * Distinguish court competences relating arbitration and mediation;
- * Implement properly the legislation regulating this field.

Duration



Two days

Beneficiaries



Judges of the Department on Commercial Affairs – basic court and judges of the appeal court.

Administrative Law

67. Civil registration, subsequent registration and re-registration according to the Law on Civil Registration

This training will be focused on the treatment of civil registers - correcting and supplementing the central register of civil status, birth registration documents based on birth certificate, subsequent registration and re-registration. The provisions of the Law on Civil Registration will be analyzed and explained in detail considering the fact that this law regulates the data of the civil status of Kosovo citizens, foreign citizens and stateless persons residing temporarily or permanently in the Republic of Kosovo, establishes the rules for creating, storing and changing of data's and the organization and functioning of the civil service in Kosovo.

During this training will be addressed questions and dilemmas related to the registration of the name, sur-

name or their amendment in the civil records under the Law on Civil Registry. Also there will be treated issues pertaining to civil registries - correcting and supplementing the central register of civil status, controversial issues regarding birth registration based on birth certificate and issues and situations relating to subsequent registration and re-registration.

During this training will be used the lecturing methods, interactive discussions, and examples from the court practice as well as in the OSHPP. Also will be used combined methods accompanied by practical examples.

Content

- * Civil registration – correction and supplementing of central civil registration;
- * Birth registration based on birth certificate;
- * Subsequent registration and re-registration.

Objectives

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

- * Advance their knowledge regarding the Law on Civil State;
- * Implement properly legal provisions relating birth registration based on birth certificate;
- * Distinguish the registration procedure, subsequent registration and re-registration.

Duration



One day

Beneficiaries



Judges of the Administrative Department – Basic Court in Prishtina, judges of Administrative Department – Appeal Court and officials from the Civil Registration Department in the Ministry of Internal Affairs.

68. Procedure of the Independent Oversight Board and the judicial protection of labor disputes in civil service of the Republic of Kosovo

During this training will be elaborated the procedures developed by the Independent Oversight Board (IOB) and judicial protection in labor disputes with a focus on Civil Servants in the Republic of Kosovo. In the procedures developed in cases of violation of the rights of civil servants, as the IOB and the Basic Court in Pristina have doubts and uncertainties regarding competences for deciding on these disputes. Also difficulties were found in dealing with the non-implementation of some decisions of the Council, the execution of court decisions, application of constitu-

tional standards on the right to work and implementation of the ECHR requirements.

How to develop the procedures of the Independent Oversight Board? What is the procedure for initiation of the administrative conflict of the competent court against IOB?

These dilemmas will be elaborated through discussions and practical cases and by engaging participants in solution of cases randomly faced by the court.

Content

- * Legal provisions for civil servants;
- * Legal procedure of the IOB and legal remedies against its decision;
- * Statutory limitation of the IOB decisions;
- * Cases from the judicial practice regarding the procedure and issues related to civil servants.

Objectives

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

- * Analyze legal provisions for civil servants;
- * Review legal remedies against IOB decisions;
- * Implement properly LSSHC provisions in civil servants disputes;
- * Elaborate procedures regarding civil servants.

Duration



One day

Beneficiaries



Judges of the Administrative Department-Basic Court, judges of the Administrative Department – Appeal Court and IOB officials.

69. Procedure of the Independent Oversight Board and the judicial protection of labor disputes in civil service of the Republic of Kosovo

During this training will be elaborated the status and residence of the foreigners, legal procedures of the residence and removal from the Republic of Kosovo according to the provisions of the Law on Foreigners. Whereas, taking in to consideration that this law regulates the entry in the territory of Kosovo, their removal and residence of the foreigners in the Republic of Kosovo, it is essential to elaborate general procedures developed on these cases, from the perspective of jurisprudence, as well as provisions for integration of foreigners into society.

How controlled is the movement of emigrants from relevant institutions after their identification and registration? What are the difficulties in proper implementation of the Law on Foreigners?

The dilemmas and questions raised during this training will be addressed through partial theoretical lecturing, interactive discussions, different argumentations and analyzation of the legal provisions, including practical cases.

Content

- * Entering, residence and expulsion from the territory of Kosovo;
- * Legal provisions of residence and removal of foreigners from the Republic of Kosovo according to the Law on Foreigners, no.04/4-217;
- * Illegal residence, return and removal of foreigners;

Objectives

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

- * Interpret legal provisions of entering, residence and exit of the foreigners from the Republic of Kosovo;
- * Evaluate properly the implementation of legal proceedings for detention and removal of the foreigners from the Republic of Kosovo conform the Law on Foreigners;
- * Recognize procedures relating to illegal residence, return and removal of the foreigners;

Duration



One day

Beneficiaries



Judges if the Administrative Department of Basic Court in Prishtina, judges of the Administrative Department of the Appeal Court, Police officers from Cross-border Department; DSHAM-MPB (Division for return and representatives from the office for protection of foreigners), MFA, UNHCR officials; IOM and civil society (KRTC and CRPK).

70. Roundtable discussion “Elaboration of current dilemmas of the Law on Administrative Conflicts

In this roundtable will be discussed proposals for amendments of the Law on Administrative Conflicts. After the roundtables conducted last year in KJI, on administrative law, emerged the dilemmas that must be addressed in terms of supplementing and amendment of the Law on Administrative Conflict. However, during this roundtable will be discussed questions and dilemmas related to the supplementation of the provisions of Article 9, 32, 34 (parg.4), Article 46 (parg.4 and 5), Article 51, 54 and Article 63 of LAC etc., with the aim of their re-formulation, including possible proposals for new solutions within the new law on administrative conflict that is being drafted. The focus also will be on issues of harmonization material laws such as: (Law on Civil Service, the Law on Tax Administration, etc.) To the law on Administrative Conflicts.

In this roundtable participants will have the opportunity through personal contribution to articulate their concrete proposals toward solutions to the dilemmas expressed by the judges of the Administrative Department of the Basic Court and those to the Court of Appeal, including the case law, using this period while the new law on administrative conflicts is being is being drafted.

Content

- * Elaboration of dilemmas raised in judicial practice while implementing legal provisions of the Law on Administrative Conflict;
- * Current issues raising from the case law and the need to harmonize the material law and the law on administrative conflict;
- * Final proposals for amendments of the current law on administrative conflict;

Objectives

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

- * Specify dilemmas relating the implementation of the provisions of the Law on Administrative Conflicts;
- * Identify current issues raising from judicial practice and the need for harmonization of the material law with the Law on Administrative Conflicts;
- * Formulize final proposals for supplementing of the current law on administrative conflicts.

Duration



Two days

Beneficiaries



Judges of the Administrative Department of the Basic Court in Prishtina, judges of the Administrative Department, Court of Appeal, judges of the Supreme Court and other professionals from administrative field.

Minor offence field

71. Administration of evidence – leading principles

Not always those who request the initiation of minor offence procedure, propose or provide necessary evidence, by which a the specific minor offense can be identified. For the court, the evidences are very necessary in order to ascertain the existence of a minor offense. Therefore, increasing the basic knowledge for identification and administration of evidence in the minor offence proceeding, with special emphasis on the their proper evaluation, are considered a precondition for obtaining a fair decision and based on the law.

What is the meaning of evidence and the fact? What is the difference between the admissible and not admissible evidence? What are the types of evidence that can be administered in specific cases? The training is designed to address the administration of evidence in minor offences, by providing answers to the issues raised above.

Content

- * Administration of evidence in minor offence proceeding;
- * Leading principles for administration of evidence in minor offence proceeding;

Objectives

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

- * Distinguish admissible evidence and inadmissible evidence in a minor offence proceeding;
- * Evaluate properly the evidences;
- * Implement properly the principles regarding the manner and handling of evidences in the proceeding.

Duration



One day

Beneficiaries



Judges of the basic court – minor offence division.

72. Decision making and legal reasoning

The decisions taken by the courts often are not in line with the defined structure, whereas most of the gaps identified so far, are related to the reasoning of the decision. In this context it is important to enhance the capacity building on proper decision writing in minor offence proceeding, with the special emphasis on legal writing and reasoning of the decisions. Proper legal writing and reasoning is required and is a court obligation to write a proper, just and clear decision, whether the sentencing or acquittal of the defendant, parties in the proceeding, including third parties as well.

What are the types of the decisions in the minor offence procedure? What is the proper writing of the decision? What are the ways of the regular submission of the decision?

The training is designed in such a way that by demonstrating the preparation of the decision, to contribute to the establishment of a uniform judicial practice for legal writing and reasoning of the decisions.

Content

- * Decision and legal reasoning;
- * Ways of writing a decision, with the special emphasis on writing of the provision and legal reasoning;
- * Time and ways of proper submission of the decision to the parties in the proceeding.

Objectives

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

- * Write properly the decision and legal reasoning;
- * Identify types of decisions and its reasoning;
- * Implement properly legal provision on submission of the requests.

Duration



One day

Beneficiaries



Judges of the basic court – minor offence division.

73. Legal persons and minor offence proceeding

Responsible legal persons, can be hold responsible by the court and against him can be imposed a sanction in cases when he is responsible for commission of a cornet minor offence, these offences are often a subject of business organizations. In judicial practice deficiencies have been observed in several cases, when the first instance court did not correctly develop the minor offence procedure against legal persons when appearing as parties in the proceedings.

What is the difference between the business organizations as a legal person and individual business organization? In what cases the person may not be hold responsible for commission of a minor offence, as a legal person? How is developed a minor offence procedure against individual business organizations?

The program aims that through elaboration of the applicable legislation that deals with the legal status of business organizations in judicial proceedings and provision of practical examples concerning the prosecution and trial of minor offense committed by a legal person and individual businesses organizations, as well as through interactive discussions to contribute to the unification of jurisprudence in this field.

Content

- * Development manner of the minor offence proceeding against a business organization as a legal person and against the responsible person in the legal person;
- * Responsibility of the legal person as a responsible person;
- * Business organizations as individual business and development of the legal proceeding against them;
- * Responsibility of the legal person;

Objectives

After completion of this training participants will be able to:

- * Determine clearly and properly the business organizations as legal persons and responsible person as a legal person;
- * Implement legal provisions for determining of the legal responsible persons, for the responsible person as a legal person and natural persons;
- * Develop properly the legal proceeding against legal persons and responsible persons as legal person;

Duration



One day

Beneficiaries



Judges of the basic court – minor offence division.

74. Minor offences on the public peace and order field (Article 4, 5 and 16 of the Law on Public Peace and Order)

The applicable Law on Public Peace and Order as such is very poor and does not include the majority of offenses in this area, even though they manifest everyday life. Based on the case law, and in the court decisions, it was noted that often there was no distinction made between offenses of "arrogant behavior (Article 4)" and "verbal assault (Article 5)". Also, the minor offense "Violation of the authorized officials order, Article 16 of LPPO", often confused with violation of the Law on Road Traffic Safety "Failure to comply with the order of the traffic officer". Take into account these dilemmas in practice this topic needs to be elaborated.

What is the difference between a minor offence and a criminal offence? Where are the differences between Article 4 and Article 5 of the Law on Public Peace and Order? What defines a public place? What does the order of an official person mean?

This training will focus on the elaboration of the detailed provisions of the Law on Public Peace and Order and through practical examples and interactive discussions will be provided alternatives for solution of the difficulties faced in judicial practice.

Content

- * Minor offences against public peace and order;
- * Arrogant behaviors and verbal assault;
- * Disrespecting the order of the authorized official person according to the LPPO;
- * Disrespecting the order of the authorized traffic officer;
- * Sentences imposed against minor offence perpetrators of public peace and order.

Objectives

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

- * Identify incriminated actions in the field of public peace and order;
- * Define clearly the arrogant Përkufizojnë qartë sjelljen arrogante dhe sulmin verbal;
- * implement properly legal provisions in the field of public peace and order.

Duration



One day

Beneficiaries



Judges of the basic court – minor offence division.

75. Minor offences and minor offence sanctions according to the new law on minor offence

The Law on Minor Offence (Law no. 05 / L-087), which will enter into force in 2017, will regulate the conditions for the definition of the minor offenses and sanctions for minor offences, including responsibilities for these offenses, special juvenile proceedings and the enforcement of sanctions for the offenses. Relying on these facts it is necessary and important to treat this subject in terms of proper development of the minor offence procedure against responsible persons for commission of the minor offence.

When we have to deal with minor offence responsibilities? What are the types, ways of defining and imposing minor offence sanctions? What is the procedure of minor offence and how it is developed according to the law on minor offence?

The training will focus on the elaboration in detail of the provisions of the Law on Minor Offences (Law no. 05 / L-087), where through practical examples and interactive discussions will be provided alternatives to the uncertainties and difficulties of implementation in practice.

Content

- * Minor offence responsibility;
- * Minor offence sanctions;
- * Special measures of minor offence;
- * Statutory limitation of the development of the minor offence proceeding;

Objectives

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

- * Understand cases of minor offence responsibility;
- * Characterize minor offence sanctions;
- * Implement properly special measures of minor offence;
- * Identify cases of statutory limitation of the development of minor offence proceeding

Duration



One day

Beneficiaries



Judges of the basic instance – minor offence division.

Constitutional Law

76. Pretrial reference (incidental) and the procedure according to the Article 113 par. 8 of the Kosovo Constitution

The Constitution has stipulated that any court, regardless the hierarchy in the Kosovo justice system, is entitled to address the Constitutional Court about the compatibility of a certain law with the Constitution, if the resolution of the case depends on the compatibility of Law referred to the Constitution. This mechanism of constitutional control, in the theory of constitutional review, is known as case referral or incidental reference. According to the model of the Constitutional Justice in Kosovo, judges cannot decide on the constitutionality of a law, which is necessary for the decision making. Therefore, the Court can only interrupt the proceedings and refer the case to the Constitutional Court, which then decides whether the challenged law is in line with the constitution.

What is "preliminary question or request," which is referred to the Constitutional Court by the regular courts? What are the criteria that must be met to refer a preliminary issue before the Constitutional Court? What are the timelines? Should other courts also suspend other similar cases after a preliminary reference to the Constitutional Court?

This training will focus on theoretical and normative analysis, with special emphasis on the provisions of the Constitution of the Republic of Kosovo, the Law on the Constitutional Court of Kosovo, Regulation for the work of the Constitutional Court, as well as the case law of the Constitutional Court and other Constitutional Courts in the region and beyond.

Content

- * Definition of the "pretrial reference (incidental)" according to the Constitutional doctrine;
- * Authorized subjects to refer a pretrial case;
- * Timelines and referring criteria;
- * Effects of the Constitutional Court decisions;
- * The case law of the Kosovo Constitutional Court;

Objectives

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

- * Understand properly the incidental reference and Constitutional control mechanisms;
- * Recognize determined criteria for referring a case to the Constitutional Court;
- * Implement provisions for incidental reference of cases to Constitutional Court;
- * Respect the case law of the Constitutional Court in similar cases;

Duration



One day

Beneficiaries



Judges of the basic court and court of the appeal, as well as judges from the Supreme Court of Kosovo.

Training for the Special Chamber of the Supreme Court

77. Competences of the Special Chamber of the Supreme Court of Kosovo

Exclusive jurisdiction of the Special Chamber is regulated by Article 4 of the Law on SCSC, which provides that the SC has the authority to decide on all cases and proceedings concerning objections to a decision or action of KTA, now KPA or requests of the parties that claim any right, title or interest with which is administered by Kosovo Privatization Agency. The issue of competence is important to be discussed, since recently there have been several cases where the Basic Courts have returned the cases to the Special Chamber, although the SC had issued its decision on the lack of jurisdiction. In this regard, it is important to elaborate the issue of whether we are dealing with a conflict of competence, or is it the SCSC the last that determines its jurisdiction.

What is the competence in general? What are the types of competence? Which is the exclusive jurisdiction under Article 4 of the Law on the SCSC? What is functional competence in general? Who is entitled to file a request, or to be the opposing party before the Special Chamber?

This training will focus on discussions and issues raised by participants about the dilemmas associated with the competences of the SCSC, respectively requests that can raise dilemmas for judges whether a case fall under the exclusive jurisdiction of the Special Chamber.

Content

- * Types of competences;
- * Functional competences with the focus on Special Chamber;
- * Applicants and opposing parties of the Special Chamber.

Objectives

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

- * Distinguish competences;
- * Understand the rules by which is conducted the division of procedural actions or different phases of the development of this process;
- * Identify competent persons who can make the application and opposing parties in the Special Chamber proceedings.

Duration



One day

Beneficiaries



Judges of the Special Chamber, judges of the basic court – civil division and KPA officials.

78. Judicial proceeding of the Special Chamber of the Supreme Court

Proceedings before the Special Chamber shall consist of written and verbal proceedings. The request or complaint is submitted in writing to the Special Chamber, which should include: the name and address of the applicant (s), name and address of the attorney, if any, acting on behalf of the applicant, name (s) and address (addresses) of the opposing party, or any person who is identified as opposing parties, the subject matter and all material facts relating to the application or complaint, the basis for the primary jurisdiction of the Special Chamber on the request or complaint, legal arguments on which the request or complaint is based and a list of evidence that the applicant intends to present. If financial compensation is required, a list of claims that determines the nature of the loss or damages must be submitted, the amount of money claimed for any loss or damage, as well as evidence supporting the loss or damage.

Should the first request submitted to court be signed by the applicant or his representative? In the context of Article 24 of the Annex of SC Law, do natural persons always allowed to represent themselves? Should the plaintiff and the respondent be treated equally before the court in terms of representation and is this right guaranteed by the Constitution?

This training will focus on discussions and issues raised by participants about the dilemmas associated with the application of the provision of Article 24 of the Annex of the law, which regulates the issue of representation of plaintiff and the respondent before the Special Chamber.

Content

- * Judicial procedure and parties obligation in the proceeding;
- * Protection of the parties in the proceeding before the Special Chamber;
- * Written oral procedure before Special Chamber.

Objectives

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

- * Understand obligation of the parties before the Special Chamber;
- * Identify the persons who can represent before the Supreme Court;
- * Respect deadlines in cases of the defense by the opposing party, respond to the claim.

Duration



One day

Beneficiaries



Judges of the Special Chamber, judges of the basic court – civil division and KPA officials.

79. Admissibility of the request/complaint at the Special Chamber

The Law Appendix of the SCSC regulates the issue of the admissibility of the request / appeal. Upon the admission and registration of a complaint or request and after its submission to the respective specialized college, it is the college who decides if the application / complaint is admissible or not. According to legal provisions, a request / complaint is admissible if the Special Chamber has jurisdiction to handle it, whereas the applicant has the right to initiate proceedings, the application / complaint is filed against a party who may be in disputed party in the proceedings before the Special Chamber and if the request / complaint is filed within the prescribed period. Based on the criteria outlined in the law, the specializes colleges are those that assess whether the conditions for admission are fulfilled in order to proceed further with the judicial process.

Should the admissibility criteria be fulfilled entirely, for the case to be proceeded or not? What admissible criteria the court has strongly respected? Should the court, upon admissibility of the request to consider only certain criteria of SC Annex law, or must also take into account other criteria set by the LCP? Is it permissible to accept a request to the Court even though it is not signed by an authorized person?

this training will focus on discussions and issues raised by participants about the dilemmas associated with meeting the eligible criteria outlined in the appendix to the law of SC and that is only these criteria should be applied vigorously to the admissibility issue, other criteria can also apply as foreseen by LCP.

Content

Submission of application / complaint in SC;
Statutory limitation deadlines for applications / complaints at SC.

Objectives

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

- * Assess the admissibility criteria of the Annex of SC Law;
- * Understand where the court should require the applicant / complainant to fulfill his request;
- * Implement criteria provided by SC, or other criteria set forth by the LCP.

Duration



One day

Beneficiaries



The judges of the Special Chamber, judges of Basic court - civil division and KPA officials.

80. Review of the creditor claims and property claims in the liquidation process

Kosovo Privatization Agency, within ten (10) working days after the date of liquidation decision, publishes or requires from the Liquidation Authority to publish the notice of liquidation. Publication of the liquidation notice is made in accordance with the relevant provisions. Each person who submits a claim or claims such as an interest which is not compatible with establishing authority of liquidation affecting the claim or interest claimed, has the right to challenge those determinations to the Special Chamber. Liquidation Authority rejects, in whole or in part, the validity of the alleged claims or capital interest or ownership, if such refusal is required, or permitted by law KPA or other elements of the laws in force in Kosovo.

Should the applicant exhaust legal remedies before the KPA, in order to address the court? Is this a criterion which should be fulfilled in order to proceed further or not? Should the interested persons who have creditor or ownership claims against the SE, wait for the commencement of liquidation, in order to address the liquidation committee, or may turn to the courts for the implementation of such requests? Is it the responsibility of the complainant that in case of the rejection of the KPA decision, to submit in court a copy of the impugned decision or not?

These dilemmas as raised by participants, will be treated through discussions during the training, with the purpose of finding a proper solution.

Content

- * Submission of the creditor and property request/claims to the Liquidation Committee and Special Chamber;
- * The procedure for handling property and creditor claims by the Liquidation Committee and the Special Chamber.

Objectives

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

- * Recognize the procedure for submission of a request to the Liquidation Committee for the implementation of the property and creditor requests;
- * Understand the proceeding to be followed by the Liquidation Committee in the Court;
- * Respect legal terms for submission of the request/claims before the Liquidation Committee and the Court.

Duration



Two days

Beneficiaries



Judges of the Special Chamber, judges of the basic court – civil division and KPA officials.

81. Privatization proceeding of KPA subjects

Given that the reconstruction and economic development of Kosovo and the welfare of its citizens was vital, it raised the need for adequate privatization and liquidation of socially owned enterprises. Considering that the persistent legal uncertainties regarding ownership of these enterprises and assets was causing a great harm to the investment and operation of these enterprises and assets, also realizing that this legal uncertainty was affecting seriously and negatively the economic and social situation in Kosovo, was seen as a necessity to promulgate laws, legal acts and by-laws which would regulate the issue of privatization process.

It there any violation of procedures by AKP, on the approval or rejection of bids? In what conditions were SOEs in Kosovo after the war, what was the amount of their debts? What are the difficulties of the judiciary in resolving cases of this nature?

These and some other issues raised by the participants will be addressed through discussions, in order to achieve appropriate results when handling such cases.

Content

- * The role of the Agency in the privatization process;
- * Verification and award temporary;
- * Approval and rejection of the offer;
- * Prohibited Bidder.

Objectives

Pas përfundimit të këtij trajnimit, pjesëmarrësit do të jenë në gjendje që të:

- * Recognize the role of the Agency in the privatization process in Kosovo;
- * Understand the right course of procedures for the privatization of entities;
- * Identify persons as prohibited bidders.

Duration



One day

Beneficiaries



Judges of the Special Chamber, judges of basic court - civil division and KPA officials.

ECHR

82. Implementation of the European Convention on Human Rights in the constitutional system of Kosovo

European Convention on Human Rights has been incorporated as an internal part of the national law of the Republic of Kosovo, according to Article 22 and 53 of the Constitution of Kosovo. Since the number of cases referring to the provisions of the European Convention is still small, this training aims to further advance the skills of judges regarding judicial application of the ECHR in the decision making. Moreover, this training aims to analyze the manners and court proceeding of the Republic of Kosovo based on the experience of the European Court for Human Rights in the sense of Article 53 of the Constitution of Kosovo.

Initially, during this training will be analyzed the effect of the ECHR on the Constitution of the Republic of Kosovo and its constitutional system. What is the structure of the European Convention? How to interpret the European Convention? What are the obliga-

tions deriving from the European Convention for the member states? At what extend the European Convention on Human Rights is applied in the legal system of the Republic of Kosovo and what are the problems in implementing the Convention in the Republic of Kosovo? What is the relationship between the European Court of Human Rights and courts of the Member States? What is the content of the European Convention and how it can be implemented directly by the courts and prosecution in Kosovo? What are the effects of the ECHR judgments?

Raised questions during this training will be addressed through theoretical explanation but based on court cases and the use of concrete examples from the jurisprudence of the European Court of Human Rights.

Content

- * ECHR its protocols and practical application;
- * Determined standards of the ECHR regarding the implementation of the ECHR jurisprudence by the national courts;
- * How the national court should act with the ECHR case law and the effect of ECHR jurisprudence to the national one;
- * Introduction of the HUDOC portal (Human Rights documents) as the remedy for implementation of the European Convention and its case law.

Objectives

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

- * Analyze the effect of the ECHR to the Constitutional system of Kosovo;
- * Get familiar with the structure of the European Convention;
- * Interpret properly the European Convention.

Duration



One day

Beneficiaries



Judges of the basic and appeal court.

83. Article 6 of the Convention for the Protection of Human Rights and Fundamental Freedoms and its implementation

According to Article 6 of the ECHR, In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law. Furthermore, this article sets forth that everyone charged with a criminal offence shall be presumed innocent until proved guilty according to law and is guaranteed the minimum rights.

How to make sufficient reasoning of judicial decisions as the basis of fair judicial process? To what extent is the requirement of ECtHR for presumption of innocence applied? How are the guarantees of the Article 6 applied in the Kosovo judicial system: chal-

lenges and problems? What is the role of the Supreme Court in application of the Article 6 standards by regular courts in Kosovo? What is role of the Kosovo Constitutional Court in application of Article 6 standards by the regular courts in Kosovo?

All the dilemmas and queries will be elaborated during the training through theoretical explanation, based in case studies and using concrete examples. It will engage exercises, discussions and practical examples to reach the right meaning of provisions of the ECHR Article 6, related to detention – paragraph 1 point c of Article 5 and analysis of procedural gradations that the ECHR Article 6 contains.

Content

- * Analysis of the provisions of Article 6 of the ECHR. Procedural protections under Article 6 of the ECHR; The right to a fair and public hearing;
- * The right to a fair and public hearing;
- * The right to be tried without undue delay;
- * The right of the accused to examine or require examined witnesses against him and to obtain attendance and examination of witnesses under his own name;
- * The right of the accused to receive the free assistance of an interpreter if he cannot understand or speak the language used in court;
- * Independence and impartiality of the courts in the context of Article 6 of the ECHR and the ECtHR practice;
- * Cases from the ECtHR case law concerning Article 6 of the ECHR.

Objectives

After completion of this training participants will be able to:

- Analyze provisions of the ECHR Article 6;
- Apply the ECtHR case law related to the ECHR Article 6.

Duration



One day

Beneficiaries



Judges of Basic Courts and the Appeals court, prosecutors and legal associates.

84. Article 10 of the European Convention on Human Rights

The right to freedom of expression, as one of the main grounds of the society, is protected under Article 10 of the ECHR, and it ensures that everyone has the right to freedom of expression, which involves the right to hold opinions and to receive and impart information and ideas, without interference of public authorities no matter the boundaries. As we know, ECHR is incorporated in Kosovo as part of its internal legislation. Kosovo is in a specific situation, where ECHR finds direct application without being signatory party to it. Judges and prosecutors need in great deal to refer to provisions of the Convention and the ECtHR practice, therefore elaboration of this topic is important so that judges and prosecutors enhance their knowledge related to the way of adopting

ECHR, specifically provisions of Article 10 of the ECHR into national system.

How is Article 10 of the ECHR interpreted? How to apply judicially Article 10 in Kosovo and how to use the ECtHR case law related to this article? What are challenges/ difficulties as there is unsatisfactory level of application of this Article?

These questions will be addressed at the training through theoretical explanations and based on concrete cases. Queries on how to apply the ECHR Article 10 in national system will be addressed, through cases from the ECtHR case law.

Content

- * Understanding and legal nature of the freedom of expression;
- * Analysis of the ECHR Article 10;
- * Effects deriving from Article 10 in national system;
- * Balancing the freedom of expression against the right to liberty and private life according to ECtHR.

Objectives

After completion of this training participants will be able to:

- * Understand legal nature of the freedom of expression;
- * Analyze correctly provisions on the right to freedom of expression;
- * Know effects that ECHR Article 10 has in national system;
- * Assess balancing of the freedom of expression towards the right to liberty and private life according to ECtHR.

Duration



One day

Beneficiaries



Judges of Basic Courts and the Appeals court, prosecutors and legal associates.

85. Protection and Promotion of Diversity, Tolerance and Equality in the Context of Legislation on Non-discrimination

Reports of international mechanisms, institutions and different local organizations that deal with protection and promotion of the rights of the LGBTI community, among others, have raised the need for addressing the issue on non-application of the legislation on equal treatment.

To what extent is the anti-discrimination legislation being applied in Kosovo? How much is diversity accepted in the society? Are there prejudices?

This training aims to clarify and elaborate the complexity of legislation for non-discrimination and harassment, as well as access and equal treatment by the judiciary.

Content

- * Elaboration of main articles of the law that regulate the issue of sexual orientation, gender identity, direct and indirect discrimination, harassment;
- * Activities, exercises for raising awareness on diversity, prejudice, non-discrimination and equality.

Objectives

After completion of this training participants will be able to:

- * Create a clear and wider picture for diversity, tolerance and equality;
- * Elaborate in details the complexity of legislation against discrimination and harassment;
- * Gain knowledge for access and interaction with members of the LGBT community for realizing their rights.

Duration



One day

Beneficiaries



Judges and prosecutors of basic and appellate instances.

The International and the EU Legislation

86. Application of the European Law by the Courts of the Republic of Kosovo

Purpose of this training is extending knowledge of judges and prosecutors with the structure of the European Union legal system and role of national courts in the European Union judicial system. Another goal is analysis and elaboration of the sources of the European Union Law and its general principles.

Focus will be also on dilemmas and questions that are related to the EU law principles, sources of the European law and their types, effect of the EU law and its implementation in national level, principles of the EU law and its effect in national level.

Methods that will be used during this training are: theoretical training, using exercises, discussion of practical examples and elaboration of the structure of the EU legislation system, and role of the national courts in the European Union judicial system.

Content

- | | |
|---|--|
| <ul style="list-style-type: none"> * The Stability Association Agreement and the EU Law (effects and implications in the legislation of the Republic of Kosovo, effect of the agreement's entry into force); * The European Union Judicial System and role of national courts; * Overview of the EU legal instruments; | <ul style="list-style-type: none"> * Impact of the European union law in the judiciary of the Republic of Kosovo; * Interpretation of the national law in compliance with the Directives; * Application of the European Union principles by local judges, supremacy, direct and indirect effects. |
|---|--|

Objectives

After completion of this training participants will be able to:

- | | |
|---|--|
| <ul style="list-style-type: none"> * Interpret correctly the Stability-Association Agreement and the EU Legislation; * Elaborate the EU judicial system and role of national courts, as well as the EU legal instruments; | <ul style="list-style-type: none"> * Acknowledge effect and impact of the European Union Law to the judiciary of the Republic of Kosovo; * Apply principles of the European Union and interpret their supremacy and direct and indirect effects. |
|---|--|

Duration



Two days

Beneficiaries



Judges of Basic courts and of the Appeals Court, the Supreme Court, prosecutors and legal associates.

87. Judicial Implementation of the Aarhus Convention (the right to information, public participation in decision-making and access to justice in environmental matters)

The UNECE Convention related to the right to information, public participation in decision-making and access to justice in environmental issues sets forth a series of rights for the public and obligations for the state authorities to empower the environmental democracy. The convention consists of three main pillars: 1. Right of the public to get hold of and request environmental information; 2. Right of the public to participate in public decision-making for environmental matters; 3. Right of the public to appeal in court of environmental matters. Even though Kosovo is not party to the Convention of Aarhus, from the collected data it results that judicial implementation of this Convention in handling administrative disputes and civil disputes is still deficient. As a result, judges but also prosecutors, have a considerable need to extend their knowledge about application of this Convention.

What are problems in application of the Aarhus Convention in Kosovo? How to protect the rights of individuals for access to environmental information and public participation in decision-making process? How can the Convention be applied directly? Criminal liability for environmental pollution?

Dilemmas and questions will be elaborated in the training during the theoretical and normative analysis part on the Convention but also referring to concrete cases in our country and in the region. Furthermore, this training will provide exercises, discussions and practical examples relying on Aarhus Convention, the Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and the Law on Environmental Protection.

Content

- * Access to environmental information;
- * Public participation in decision-making;
- * Access to justice in environmental issues;
- * Criminal liability in environmental area.

Objectives

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

- * Assess the rights for access to environmental information;
- * Recognize the right to address the court;
- * Analyze the criminal liability for environment pollution.

Duration



One day

Beneficiaries



Judges of Basic courts and of the Appeals Court.

Interdisciplinary competence

88. Amendments and Novelties to the Code of Professional Ethics and Regulation for Unprofessional Conduct of Judges

The Code of Professional ethics for judges aims to set rules of conduct for judges in the Republic of Kosovo, as well as inform the public about the conduct that the judge shall have. Rules of conduct for judges are built upon basic principles of professional ethics like: independence, equality, integrity, professionalism and responsibility at work, confidentiality and public and media relations. Regulation for setting the unprofessional conduct for judges sets forth indecent behavior of judges, their categorization, as well as foreseeing in principle disciplinary sanctions for violations for which the judge is disciplinary liable.

What are changes and novelties to the Code of Professional ethics for judges, in relation with the previous code? How are indecent behavior categorizes and what are the respective sanctions that the Regulation foresees for indecent behavior of judges?

Training is prepared in the form that in theoretical explanation and through interactive discussion, it treats in details the changes and novelties to the Code of Professional Ethics for Judges and to the Regulation for setting unprofessional conduct.

Content

- * Code for Professional Ethics for judges;
- * Regulation for setting unprofessional conduct.

Objectives

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

- * Identify changes and novelties to the new Code of Professional Ethics for judges;
- * Learn about the Regulation for setting unprofessional conduct.

Duration



One day

Beneficiaries



Judges of all instances.

89. Drafting and Reasoning of Court Decisions in Criminal Law Area

Legal writing and reasoning has the purpose of helping judges and prosecutors to increase their professional capacities for drafting and reasoning of court decisions. Writing court decisions besides writing and reasoning skills it also requires use of certain methods used for drafting these decisions. Based on court monitoring outcomes, it shows that it is necessary to increase skills of judges and prosecutors for drafting court decisions based on IRAC method, which is one of the most modern methodologies which is applied in legal practice of many countries with advanced justice system with regard to legal writing and reasoning.

How can IRAC method be applied in writing court decisions? What is the decision structure set by this method? What are difficulties in application of IRAC method in court decisions of criminal law area?

This training is prepared to elaborate on theoretical and practical instructions for writing court decisions according to IRAC method, with the purpose that a decision is as professional as possible and with a detailed and well-argued reasoning.

Content

- * Legal writing and reasoning;
- * Application of IRAC method in criminal area decisions.

Objectives

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

- * Draft court decisions to the highest standards;
- * Apply IRAC method while writing court decisions of criminal law area.

Duration



One day

Beneficiaries



Judges and prosecutors.

90. Reasoning of Court Decisions in Civil Law Area

The court, when deciding related to a civil case, takes its decision in form of judgment and decision. One of the main parts of court decision is reasoning, which has to be drafted in clear way, to contain requests of the parties, administered evidence, each fact separately and proof for their certification, as well as material provisions and the court findings. In judicial practice it is noticed that largest deficiencies in drafting court decisions are in their reasoning part, which often does not present reasons for crucial facts, or the presented reasons are contradictory and against the administered evidence. The reasoning part of the court decision is very important, therefore it is adequate to apply techniques for drafting judicial reasoning. One of the most important methods in drafting court decisions is IRAC method, where application of this method and drafting of basic decisions has proved that court decisions are more professional and with a detailed reasoning.

What is IRAC method? How can IRAC method be applied while drafting court decisions? What are difficulties in applying IRAC method? etc.

This topic will be elaborated with the purpose of advancing the judges knowledge and gaining skills in writing and reasoning of court decisions, in a way that they are drafted professionally and with convincing and well-argued reasoning.

Content

- * IRAC method and its content;
- * Application of IRAC method while drafting court decisions;
- * Reasoning of court decisions;
- * Drafting techniques and reasoning of court decisions.

Objectives

Pas përfundimit të këtij trajnimit, pjesëmarrësit do të jenë në gjendje që të:

- * Effectively apply IRAC method;
- * Apply correctly main techniques for drafting and reasoning court decisions;
- * Learn the essence of legal and non-legal problems related to reasoning of court decisions;
- * Create a unified and standardized form of court decisions through the courts of Kosovo.

Duration



One day

Beneficiaries



Judges of basic courts – civil division.

91. Case Management

Use of efficient systems of case management by judges and prosecutors in comparison with the management of flux of cases that courts and prosecutorial offices deal, present challenges that are pretty problematic in the daily work. Changes to organizational structure have impacted to this problem, and these changes will have positive effect in improving case management.

What is nature and importance of case management in practical work of courts and prosecutorial offices?

What are difficulties that are related to case management?

This training is drafted to answer questions that are directly related to case management and administration in courts and prosecutorial offices. Focus is on addressing problems and new strategies, with the purpose of continuous improvement of work efficiency and avoiding practical problems.

Content

- * Case management;
- * Basic principles of case management;
- * Main techniques of case management.

Objectives

After completion of this training participants will be able to:

- * Advance knowledge on case management;
- * Respect principles of case management;
- * Demonstrate case management techniques.

Duration



One day

Beneficiaries



Judges and prosecutors.

92. Stress Management

Stress management is particularly important. Stress may be managed only if we are in optimal levels of spiritual and physical energy, otherwise we'll not be able to manage nervousness and daily stress. When we are nervous we cannot be creative for solving our situation. Therefore, it is easily understood that in this state of "time management" there is an additional stressful factor and we have no power against it. Stress will not be addressed and managed if we continuously try to blame others. Stressful situations continue until we don't know ourselves and manage ourselves in relation to others.

But, how to manage stress? How to identify bad elements which impact in increase of stress? How to apply various rules which impact stress avoiding and strengthening personality and increase of positive energy? What is the most valuable thing that requires use of time when you are under time pressure?

Training is focused on elaborating best practices that relate to successful stress management which directly impact the work results.

Content

- * Understanding and importance of time management;
- * Identification of stressful elements;
- * Stress management techniques;
- * Ways for determining the stress rate;
- * Stress treatment.

Objectives

After completion of this training participants will be able to:

- * Assess importance of time management;
- * Identify stress elements;
- * Manage stress.

Duration



Two days

Beneficiaries



Judges and prosecutors.

Specialized Programs

93. Specialized Training Program for Capacity Development in Combating Corruption

This specialized training program aims at detailed and comprehensive way to address professional development needs of judges and prosecutors involved in combating corruption offenses.

The program will address the challenges around implementing effective national legislation to combat corruption by focusing on specific aspects that appear to be problematic in practice. Alongside them will be treated as international legislation in this field with a focus on the EU, including the standards and practices of successful countries that have succeeded in combating this phenomenon.

The case law of the European Court of Freedoms and Human Rights will be part of this program. Also in focus will be to advance the drafting capacities of the laws. Forms of inter-institutional cooperation and coordination of the institutions mandated to fight against corruption are among the topics included in this program which will be treated, which will anyway treat efficient management aspects of corruption cases. A very important part of the program is also discussion about aspects of codes of ethics for judges and prosecutors.

Content

After completion of this training program, beneficiaries will be able to:

- * Demonstrate correct use of concepts and principles more effective in combating corruption offenses;
- * Implement laws and theories to practical situations;
- * Assess the relevance of data and resources in approaching this phenomenon.

Structure

Structure of this program is realized in three sessions with two-days duration each.

Beneficiaries



Judges of basic courts and of the Appeals Court, prosecutors of basic prosecutorial offices, the appeals instance and of the Special Prosecutor's office of Kosovo, police officers from anti-corruption departments, customs officers.

Content

Session I

Duration

Two days

1. Identification and assessment of potential official corruption;

- * Local and international legal structure and practices;
- * Recognizing and assessment of potential corruptive issues.

2. Analyzing available public data

- * Investigation plans and first steps;
- * Access to documents and non-public information;
- * Developing an investigation plan;
- * Obtaining and requesting electronic evidence.

Session II

Duration

Two days

1. Forensic analysis

- * Use of relevant institutions in combating corruption in access to financial data.

2. Analysis of high risk assessment

- * Use of relevant institutions tools for combating corruption from access to financial records;
- * Analyzing high risk transactions.

3. Interviews and preparation for trial

- * Interviewing techniques and challenges;
- * Alignment of evidence;
- * Interviewing potential witness;
- * Possible arguments of the defense and challenges in trial.
- * Interviewing potential targets;

Session III

Duration

Two days

- * Solving cases of official corruption;
- * Prevention measures end exposure to official corruption.
- * Going to trial – presenting the case;
- * Possible alternative solutions;

94. Specialized Training on Public Procurement of Kosovo

Based on reports of institutions and organizations that monitor judiciary in Kosovo, it is assessed that public procurement is one of the areas where there is corruption and that it needs development of judges and prosecutors knowledge on this area. Also, it is a continuous request of judges and prosecutors to discuss with all relevant stakeholders in country related to public procurement procedures and problems of their implementation in practice.

This program addresses the aforementioned requests focusing on practical elaboration of all stages of public procurement. In this sense, practical cases will be elaborated, related to the way of needs assessment and determination of requests, the tender file and process of evaluation of a file. Focus of this program will be the implementation phase of the contract, as well as investigation and trial of criminal offences of this nature.

Objectives

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

- * Analyze the process of procurement planning;
- * Understand and elaborate on tender file;
- * Assess technical specifications and indicative notification;
- * Understand elements for selection of contractor and issuing the price;
- * Identify corruption indicators related to public procurement;
- * Draft a plan for investigation of corruption crimes in public procurement.

Structure

Structure of this program is realized in two sessions with two-days duration each.

Beneficiaries



Judges of basic courts and of the Appeals Court, prosecutors of basic prosecutorial offices, the appeals instance and of the Special Prosecutor's office of Kosovo, police investigators, customs officers, and KTA and FIU officials.

Content

Session I

Duration

Two days

Needs assessment/ Determining requests

- * Procurement planning;
- * Indicative notification;
- * Technical specification.

Preparation/ Design process and preparation of the bidding documentation

- * Tender file;
- * Submission of the tender file (explanations);
- * Public opening.

Selection of the contractor and the stage of issuing the price

- * Assessment committees;
- * Assessment criteria;
- * Recommendation of the winning operator.

Sesion II

Duration

Two days

Contract implementation phase

Indicative risks of corruption in procurement stages

- * Needs assessment/ determining requests;
- * Preparation/ process of design and preparation of bidding documentation;
- * Selection of the contractor and the stage of issuing the price;
- * Contract implementation stage.

Corruptive schemes and problems related to deception

- * Paying the bribe;
- * Conflict of Interest;
- * The bid-fixing schemes;
- * Bidding conspiracy;
- * Fraudulent schemes.

Investigation plan and prosecution

- * The content of the investigation plan;
- * Identify sources of information;
- * Planning of control and surveillance of the house;
- * Planning the use of informants;
- * Planning Asset Tracking System.

95. Specialized Training Program for Strengthening Professional Capacities in Combating Cyber Crime

Use of new information technology, particularly of internet has taken a special importance in the lives. This phenomenon effects not only state or private organizations, but it is also involved in the business area or non-profit activities, and it can also effect simple persons in their daily activities, in both, private and professional areas. As every new technology made available for a large number of users, internet presents not only goods and benefits but, at the same time it presents a series of problems. Cyber-crime is a complex phenomenon and the only way to face it would be global treatment of this problem. This requires cooperation of all relevant institutions and experts of different fields, in order to avoid segmented solutions. Therefore it is important to conceptualize a global architecture of information secu-

rity that would consider the technical and operational dimension, the legal and regulatory dimension, as well as the organizational and economic segments not letting aside the human dimension.

What is cybercrime? Where it comes from? What is helping to be so widespread? How to combat and prevent cybercrime? To what extent are we endangered by this crime? Who are potential victims of cybercrime? What is local and international legislation that sanctions the cybercrime?

This training program is prepared in a way to provide knowledge for judges and prosecutors related to actual tendencies of cybercrime and main techniques for successful combating offences of this nature.

Objectives

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

- * Assess the potential risk of cybercrime and develop combating techniques;
- * Manage cyber-crime investigation;
- * Identify and prevent better the criminal offences of this nature;
- * Know the trends of cybercrime.

Structure

Structure of this program is conducted in three two-day sessions.

Beneficiaries



Judges of the basic and appeals instances, prosecutors of basic and appeals instances and of the Special Prosecutor's Office of the Republic of Kosovo, police officers of respective departments for combating cybercrime.

Content

Session I

Duration

Two days.

- * Technology and crime;
- * Internet and crime;
- * Treats, tendencies and challenges of cybercrime;
- * Cybercrime as criminal offence and challenges in combating it.

Session II

Duration

Two days.

- * Risk assessment and management;
- * Combating risks of virtual safety, email, viruses and hackers;
- * Discovering and preventing cyber crime;
- * Role of forensic in discovering cyber crime;
- * Obtaining electronic evidence;
- * Electronic evidence - procedure and practice.

Session III

Duration

Two days.

- * Cross-border and international cooperation in combating cybercrime;
- * Possibility of successful prosecution of the international e-crime and of the cybercrime.

96. Specialized Training Program for Strengthening Professional Capacities in Combating Money Laundering

Money laundering is a criminal offence that belongs under the crimes against economy and presents permanent risk for economy in all countries. Money laundering operations are designed to make income from unlawful activities, like profit from fraud, hiding existence, source or application of these funds, so that the income seems as it is coming from a lawful source. In less words, “the dirty money” turned clean. After the unlawful income has been cleaned, the perpetrator is able to spend or invest the proceeds of crime to legal assets. Kosovo, as a post conflict country with its specifics, has difficulty in combating informal economy where largest part of transactions is made in cash, disregarding and not going through financial institutions. This is particularly difficult for the work of institutions that are obliged to report transactions. Also, the poor international cooperation contributes to this, along with non-harmonization of local legislation with the EU Directive.

What are factor for identification of informal economy? What is role of the FIU? Where does the local legislation stand in comparison with the EU?

Training will focus on addressing these dilemmas and questions raised, by analyzing in details the national and EU laws, including the best practices.

Objectives

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

- * Classify criminal offences of money laundering;
- * Compare local legislation with the EU legislation;
- * Acquaint and analyze work of financial institutions and obligation these have in combating this phenomenon;
- * Use the fraud examination techniques in money laundering;
- * Learn forms of international cooperation;
- * Analyze presentation of the case in court.

Structure

Structure of this program takes place in three two-day sessions.

Beneficiaries



Judges of Basic Courts and of the Appellate Court, prosecutors of basic Prosecutorial Offices and the Appellate instance, Special Prosecutorial Office of the Republic of Kosovo, Police Officers of anti-corruption departments, Judges and Prosecutors of basic instance, Special Prosecution and Kosovo Police Officers.

Content

Session I

Duration

Two days

- * Criminal offences of money laundering, terrorism funding and sanctioning;
- * Weaknesses of financial institutions in money laundering and terrorism funding;
- * Combating money laundering and terrorism funding in practice;
- * Combating money laundering and terrorism funding – legal structure;
- * Financial Investigation Unit and reporting entities.

Session II

Duration

Two days

- * Fraud examination techniques in cases of money laundering;
- * Collection of information;
- * Preparing personal profiles;
- * Tracking funds from the receiver's side;
- * Tracking funds from the payer's side
- * Retrieving hidden assets.

Session III

Duration

Two days

- * Cross border and international cooperation in combating money laundering;
- * Going to trial – presenting the case;
- * Alternative solutions available;
- * Prevention measures for money laundering.

Orientation Program for Newly Appointed Judges and State Prosecutors

For newly appointed judges and state prosecutors in these functions, adequate trainings will be provided with the purpose of meeting their needs and requests of professional, inter-disciplinary and personal nature. Orientation program determined for this category prepares its beneficiaries for performing their work successfully immediately after taking over the positions. This program aims to inform its beneficiaries related to practical skills of being a judge, respectively state prosecutor focusing on the following:

- * Dealing with impartiality, positioning and values;
- * Suitable behavior inside and outside the court/prosecutorial office;
- * Professional ethics;
- * Learning effective communication;
- * Trial advocacy skills and bringing decisions/verdicts;
- * Implementation of best practices.

During implementation of the program when determining the training modules, particular attention shall be paid to the fact if newly appointed judges or prosecutors have undertaken the Initial Training Program or not. For this category, focus of the training program will be on criminal law area – the material/ procedural part; civil law area - material/ procedural; administrative, justice for children, commercial law, legal writing and reasoning, case management, trial advocacy skills, professional ethics, the international law (Acquis Communitaire) and the Human Rights.

97. Orientation Program for Newly Appointed Judges/ Prosecutors, sitting for the first time in these positions (after having completed the ITP)

First stage contains modules that focus on professional competence, like:

- * Competence and jurisdiction of the respective department, and
- * Trial simulation – concrete case study method (depending from the department)

Second stage contains modules that focus on inter-disciplinary and personal competence, like:

- * Trial advocacy skills
- * Case management
- * Communication

98. Orientation Program for Newly Appointed Judges/ Prosecutors, sitting for the first time in these positions (who have not attended the ITP trainings)

First stage contains modules that focus on professional competence, like:

- * Competence and jurisdiction of the respective department
- * Trial simulation
- * Concrete case study method (depending from the department)

Second stage contains modules that focus on inter-disciplinary and personal competence, like:

- | | |
|-------------------------------|-----------------------|
| * Legal writing and reasoning | * Communication |
| * Trial advocacy skills | * Professional ethics |
| * Case management | |

99. Judges/ Prosecutors Promoted from one Instance to Another, and/or Reassigned from one Department to Another, and Those who Change Profiles

Promotion of judges and prosecutors from one instance of court or prosecutorial office to another, raises the need for these changes to be accompanied with attendance of some specific trainings by judges and prosecutors, which will be tailored made. In this light, KJI offers orientation programs for each of these categories, which are ready for implementation at any time these promotions within the judicial and prosecutorial system take place, or also when there is change of profiles.

Orientation program for judges and prosecutors who are promoted from one instance to another focus on developing the following skills and practices:

- | | |
|--|--|
| * Facing new procedures and new jurisdiction | * Issuing and reasoning of fair judgments |
| * Role of the judge or prosecutor as per the competence in the assigned instance | * Representation of criminal indictment before the Appeals Court |

Change of the profile from a judge to prosecutor or vice versa, also imposes the need for attending specific trainings which are adjusted to specifics of respective functions. Orientation program for these beneficiaries informs them about the specifics of being a judge/ prosecutor, nature and responsibilities of one or the other profession focusing on:

- | | |
|--|---|
| * Facing the new position and responsibilities deriving from this function | * Obtaining evidence and representation of indictment |
| * Procedural actions taken by the judge or prosecutor | * Analyzing and administering evidence |

100. Orientation Program for Judges/ Prosecutors Moving from Basic to Appellate Instance

It contains modules that focus on professional competence, like:

- * Competence and jurisdiction in the appellate instance
- * Competence and jurisdiction in the respective instance.

101. Orientation Program for the Category that Moves from the Position of Judge to Prosecutor, and vice versa

It contains modules that focus on professional competence, like:

- * Competence and jurisdiction in the basic/ appellate instance
- * Competence and jurisdiction in the respective department
- * Characteristics of the role as a judge
- * Characteristics of the role as prosecutor

102. Orientation Program for Judges/Prosecutors Moving from one Department to Another Within the Same Instance

Contains modules that focus on professional competence, like:

- * Competence and jurisdiction in respective department

Initial Training Program

Pursuant to its legal mandate, Kosovo Judicial Institute develops activities in the Initial Training Program (ITP), which is focused on development of professional capacities and practical skills of professionals that enter the judicial and prosecutorial system, in the quality of judge or state prosecutor.

Changes to the laws of judiciary impact the ITP, as per which the judges and state prosecutors attend this program after being decreed. The Initial Training Program Period will last twelve (12) months including theoretical and practical training. The time frame set by law provides an intensive training, as judges and prosecutors are not assigned cases during this period of initial training. At completion of initial training, judges and state prosecutors are subject to an assessment.

Relying on these developments, KJI has changed and complemented its bylaws that regulate the content, duration of theoretical and practical training, and the assessment in ITP.

This year, decree of prosecutors and judges did not take place at the same period and thus, it imposed that the programs are prepared separately. The ITP for newly appointed prosecutors was drafted and approved and will be applied with the current generation, while the program for judges is in the process of preparation and will be ready for implementation at the moment they are decreed.

KJI has set its main objective within ITP to be development of professional, personal and inter-disciplinary competencies, as well as development of practical skills of newly appointed judges and state prosecutors. Initial Training Program will take place according to a combined model of theory and practice, through application of modern training methodology, which involves adult learning techniques, and providing trainings through distance learning platform.

This training program includes trainings from all areas of law and domestic positive laws, Acquis Communautaire, European Convention on Human Rights and other international acts, visit to non-judicial institutions related to the work of judges and prosecutor, as well as the practical training which takes place in courts or prosecutorial offices where they have been appointed and where they conduct the practical work supporting the mentor who is a judge or state prosecutor.

The Initial Training Program of 2016/2017 for newly appointed prosecutors is approved by the KJI's Managing Board, while the Initial Training Program for newly appointed judges is in the process.

Research and Publications Program

Kosovo Judicial Institute in carrying out its mandate for capacity development of the judicial and prosecutorial system, besides training it is mandated to conduct professional research activities which are accomplished through the Research and Publications Program.

Pursuant to its mandate, the Research and Publications Program during 2017 will focus in three aspects: research, publications and provision of access to legal sources through the KJI library.

Purpose of the RPP is as below:

- * Conduct research for developing KJI training programs
- * Ensure and provide the necessary legal sources for its beneficiaries
- * Use legal sources for the needs of judiciary
- * Improve quality of publications and the scientific publications
- * Encourage and involve legal community, particularly judges and prosecutors in scientific publications.

103. Research

The Research during 2017 will be dedicated to development and improvement of training program as well as to needs of judges and prosecutors.

In order to develop and improve the training programs the following will be carried out:

- * Training program analysis, in the aspect of methodology and the content, through assessment programs, questionnaires and meetings with judges, prosecutors and other legal professionals in courts and prosecutorial offices;
- * Assessment of programs and regional and international training institutions;
- * Research related to training impact in the work of courts and prosecutorial offices;
- * Research related to difficulties in implementing legislation in the work of courts and prosecutorial offices;
- * Identification of practical problems that result with creation and development of legal remedies and other research as per needs of judges.

All these analysis and research will be of assistance and contributing to development and enhancement of the training program for 2018, and for the KJI's performance increase in provisions of training program, as well as to the benefit of the performance improvement in courts and prosecutorial offices.

104. Publications

Professional growth of judges, prosecutors and other professionals is reached also through publications in the legal area, particularly in the area of judiciary. This component enriches the legal culture with practical and theoretical knowledge.

KJI publications aim to be source of information, particularly with novelties in legislation and in general the justice area, as well as inform about training activities of KJI.

KJI plans to complete the following publications for 2017:

Magazine “Opinio Juris”, already consolidated as a magazine of all legal professional, which will continue motivating legal community in publishing research findings, in particular of judges and prosecutors, but also of other professionals, to the support of judges and prosecutors. This magazine will be an additional guiding literature particularly for judges and prosecutors.

Justicia Magazine, will compile papers of newly appointed judges and prosecutors who attend trainings at the Initial Training Program.

Training Modules, are a summary of training courses that take place within the training programs. As per the needs of beneficiaries it is possible to republish actual modules.

Annual report that reflects the KJI activities within the year.

Working Program for 2018 which contains KJI activities that will take place during 2018.

Training Program for 2018 that reflects the needs of judiciary for developing professional capacities and practical skills of judges, prosecutors and other legal professionals.

Newsletter, will continue to be published in monthly basis and to present the KJI activities within one month.

105. Library

In achievement of its mandate to provide legal sources for judges and prosecutors and other legal professional, KJI is also in 2017 continuing to enrich and manage the library in both, hard copy and electronic library.

Library activities will continue as below:

- * Identification of new titles in legal area and ensuring them for the KJI library;
- * Regular notification of beneficiaries about new legal materials that the KJI library possesses;
- * It will be continued with cataloguing and classification of new legal materials;
- * Provide access to various legal data bases until July 2018;
- * Creation and ensuring tools that detect plagiarism with the purpose of having qualitative KJI publications, in particular the scientific papers.

Training for Management of Courts and Prosecutorial Offices

Court and prosecutorial office management, that includes: Court Presidents, Chief Prosecutors, Supervisory Judges of court branches, heads of departments and of divisions, all play a crucial role in management and leadership of the institution they lead. For an adequate and efficient leadership it is important to continuously increase performance of this category of beneficiaries. Therefore, KJI is organizing specific courses for the management of courts and prosecutorial offices.

Purpose of these trainings is to increase practical skills and performance of the court and prosecutorial office management, in alignment with applicable policies and standards, and with legal requirements.

106. Court and Prosecutorial Office Management

Management means organization and harmonization of resources in reaching success and to achieve a goal. Management requires planning, organization, instructions and monitoring. Therefore, general knowledge on court management and prosecutorial office management, starting from the management, other heads that deal with human resources management, finance, central office of case management, legal support office, logistics and the information office, shall be further developed through practical trainings.

How to successfully manage a court or prosecutorial office? What are principal standards of good management? What are actual challenges and deficiencies in court and prosecutorial office management?

This training is drafted to answer to queries that are related to management of courts and prosecutorial offices through combination of presentations, which will elaborate advanced strategies pertaining to successful management of courts and prosecutorial offices. During the process of training a pragmatic approach will be made in implementing rules for successful and effective management.

Content

- * Management in general, and court and prosecutorial office management;
- * Managerial responsibilities;
- * Human resources and finance.

Objectives

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

- * Acquaint with standards of good management;
- * Identify criteria for successful planning;
- * Apply principles and techniques of planning.

Duration



One day

Beneficiaries



Court Presidents, Chief Prosecutors, Supervisory judges of court branches, heads of departments and divisions.

107. Communication in Courts and Prosecutorial Offices

Communication is transmission of information among members of one institution and it includes a wide scope of internal strategies like: vertical communication, horizontal communication, formal and informal communication. There are two elements in internal communication strategy. Initially, the institution shall draft the strategy and the action plan for its implementation. Secondly, and more important, internal communication needs a strategy of its own. It shall be positioned in a more than a simple plan to touch the tactical interventions in support to organizational activities.

What is internal and external communication? What are communication styles? How important is communication in supporting activities of the court and prosecutorial office?

By the end of this training, the court and prosecutorial management will improve their personal communication skills and will be able to choose the right way of communication within the court or prosecutorial office for which they are in charge.

Content

- * Introduction to internal communication strategy;
- * Media relations/ communication of the management;
- * Distribution of the message;
- * Choosing channels and control;
- * Project communication, communication of changes, communication of crisis.

Objectives

After completion of this training beneficiaries will be able to:

- * Enhance their personal communication skills;
- * Distinguish external and internal communication;
- * Know styles of communication.

Duration



One day

Beneficiaries



Court Presidents, Chief Prosecutors, Supervisory judges of court branches, heads of departments and divisions.

Training for Lay Judges

Lay judges are an important category in judicial processes categorized according to law, who come from professors, teachers, educators, social workers, psychologists and other professions that have experience in education of juveniles. They serve besides professional judges of panels in family matters and judicial processes that are held for juveniles. Since the areas

that they come from vary, there is a need for familiarizing them with practices and processes that take place in court.

Purpose of trainings for lay judges consists to the need for increase of knowledge pertaining practice of competencies and responsibilities granted by law.

108. Role and Duties of Lay Judges in Judicial Proceeding

Code of Justice for Children and the Family Law foresee legal terms when lay judges are consisting part of the panel of judges. Lay judges have an important role in judicial proceedings, where they take part giving their contribution from various profiles to which they belong.

What is role and duties of lay judges? To what extent are lay judges familiar with practices and processes taking place in court?

This training aims to improve practical skills of lay judges in application of law and professional ethics.

Content

- * Role and duties of lay judges in juvenile proceedings;
- * Role and position of lay judge in family case proceedings;
- * Ethics for lay judges.

Objectives

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

- * Assess importance and weight of decision making from them;
- * Distinguish the panel of judges for adults and panel for juveniles;
- * Know the good and unprofessional behavior based on principles and rules of ethics for lay judges.

Duration



One day

Beneficiaries



Lay judges.

Trainings for Administration Management, and Administrative Staff of Courts and Prosecutorial Offices

Well functioning of judicial and prosecutorial administration is one of the main conditions for an improved judicial and prosecutorial system. Use of efficient system in judicial and prosecutorial administration in work management, contributes to strengthening of entire judicial and prosecutorial system and it increases quality and the public trust to justice institutions. Administrators and Assistant-Administrators have an important role in administration management and shall have possibility and necessary knowledge to lead processes within the system, in order to develop plans and undertake concrete actions.

Another important component is also other administrative staff of courts and prosecutorial offices. They have responsibilities in developing court and prosecutorial office' activities.

Trainings that are dedicated to these categories aim to provide equal access and favorable conditions for increase of professional qualification in the sense of strengthening judicial and prosecutorial administration, according to standards and professional principles of transparency, efficiency and effectiveness.

109. Administration Management of Courts and Prosecutorial Offices

Administration of courts and prosecutorial offices is lead by administrators and assistant administrators. A functional management of courts and prosecutorial offices is one of the preconditions for a fair judicial and prosecutorial system. Trainings for the management of courts and prosecutorial offices will ensure conditions for increase of professional qualification of each category of administrative staff, and it will build a professional administration of courts and prosecutorial offices.

What are standard principles of good management? What are current challenges and deficiencies in the system of the court' and prosecutorial' administration management? How to manage time and stressful situations? What benefits come from the team work?

This training aims to increase knowledge and practical skills of the court and prosecutorial office administration management with the managing functions for improving internal organization and functioning of courts, prosecutorial offices and various administration units.

Content

- * Introduction to court and prosecutorial office administration management, principles and standards of good management;
- * Human resources management;
- * Evaluation of managerial styles and presentation on specifics of various types of management;
- * Role of administrators of courts and prosecutorial offices for implementation of plans and strategic policies;
- * Leadership, planning and team building;
- * Time management.

Objectives

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

- * Learn standard principles of good management;
- * Evaluate criteria for successful planning;
- * Organize well time management;
- * Manage stressful situations and conflicts.

Duration



One day

Beneficiaries



Administrators, assistant administrators of courts and prosecutorial offices, and human resources officers.

110. External and Internal Communication

Communication means transmission of information among members of one institution and it includes a wide scope of internal strategies like: vertical communication, horizontal communication, formal and informal communication. Cooperative communication characterizes interaction with others, builds infrastructure and creates possibility for others of the staff to cooperate with a lot of effectiveness among each other.

What is internal and external communication? What are styles of communication? How important is communication in support of court and prosecutorial offices' activities?

This training aims to improve communication among administration, it also leads participants towards communication skills in provision of efficient, effective and transparent judicial services.

Content

- * External communication and applicable policies and standards;
- * Internal communication: information flow, hierarchy, team work and exchange for information, data and information confidentiality, and professional ethics and conduct;
- * Task delegation, monitoring and supervision;
- * Planning, setting priorities and task assignment;
- * Reporting.

Objectives

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

- * Distinguish external and internal communication;
- * Acquaint with styles of communication;
- * Understand correctly the planning and prioritizing.

Duration



One day

Beneficiaries



Administrators, assistant administrators and information officers of courts and prosecutorial offices.

111. Case Flow Management

Use of efficient systems in judicial administration and in case flow management contributes to strengthening of judicial system and in increase of public trust to justice. Importance of correct case management in justice institutions is very large for the fact that good management initially makes the work easier in these institutions, eliminates unwanted situations, increases work efficiency, eliminates waste of time, creates a better collegial environment, increases the level of accountability at work, impacts directly in completion of cases within legal timelines

and reasonable timeframes, and it impacts in increase of public trust in justice institutions.

What are the rules and applicable legal practices? How to manage efficiently the number of case load? What are challenges and difficulties in case management?

Training will provide necessary instructions for preparation of case management and use of efficient systems in better case management.

Content

- * Rules, regulations, and applicable legal practices;
- * Specifics in case flow management in courts and prosecutorial offices;
- * Procedural and practical aspects of case flow management and role of each of the staff category;
- * Data processing and reporting, respecting timelines, monitoring and ensuring uniformity in administrative practices;
- * Number of cases and reduction of case load (approved rules, practical approaches, and planning of changes and re-organization).

Objectives

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

- * Understand concept and importance of case management;
- * Learn the flow of case file management;
- * Apply a good management in their working practice.

Duration



One day

Beneficiaries



Administrators, assistant administrators, and chiefs of registration offices of courts and prosecutorial offices.

112. Legal Writing and Reasoning

The right legal writing and reasoning is important for qualitative work of staff responsible for drafting various acts in courts and prosecutorial offices, ensuring access and uniform standards for drafting of all types of acts and documents issued by courts and prosecutorial offices, an increase of knowledge and practical skills for application of correct grammar and writing styles in drafting documents and other acts in courts and prosecutorial offices.

How to apply IRAC method while drafting court decisions? What are challenges in application of this method? How does application of this method impact on unification of drafting methodology of court decisions?

Training will provide theoretical and practical instructions in drafting court decisions according to IRAC method.

Content

- * Types of acts, documents, and notifications of courts/ prosecutorial offices;
- * Introduction to legal capacities that regulate to form and content of courts and procedures for their elaboration;
- * Standards, forms and applicable procedures – deficiency analysis;
- * Tasks and main responsibilities of administration members (secretaries, registrars, etc.) that deal with civil and criminal case files;
- * Working with case files, keeping evidence, communication flow and reporting;
- * Use of accurate language and standard of official correspondence.

Objectives

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

- * Analyze basic rules for writing legal acts and documents;
- * Enhance skills for reasoning of legal acts and documents;
- * Draft accurately legal acts and reason according to modern methods of legal writing and reasoning;
- * Develop critical thinking;
- * Demonstrate research skills for legal matters.

Duration



One day

Beneficiaries



Professional associates, legal officers and enforcement officers of courts and prosecutorial offices.

113. Induction Course

The newly appointed administrative staff in courts and prosecutorial offices needs to have knowledge on organization of the judicial and prosecutorial system, hence, know the role and their responsibilities in the system that they work.

What is the functional structure of the judicial and prosecutorial system in Kosovo? What is the legal framework that regulates this system? What are competencies of the KJC and KPC?

Purpose of the induction course is to provide general information about the structure and administration of the judicial system, main principles and tasks in performing administrative activities within the system. It also aims to increase service quality offered by members of the administration for the citizens of our country.

Objectives

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

- * Familiarize with the judicial and prosecutorial system of Kosovo;
- * Acquaint with general information about the structure and administration of the judicial; and prosecutorial system;
- * Identify latest legislative developments related to functioning of the judicial and prosecutorial system;
- * Elaborate on the actual structure of courts and prosecutorial offices and their competencies in the Republic of Kosovo;
- * Learn better about the role and competencies of KJC and KPC.

Content

Module I

Duration

Five days

- * Introduction to judicial system of Kosovo, principles and constitutional regulations (Chapter 7), legislation and relevant institutions (KJC, KPC, courts, prosecutorial offices, Ministry of Justice, KJI, professional associations);
- * Brief review of the judicial reform in historical aspect, and latest legislative changes that impact the structure and functioning of the judicial and prosecutorial system;
- * Introduction to judicial administration, respective legislation, functions and responsibilities;
- * Code of Ethics and professional conduct;
- * Access to information, data confidentiality and classified information, as well as data protection;
- * Concept of “Quality oriented services” as to the service of citizens;
- * Introduction to planning, management, and time and stress management.

Module II

- * Introduction to the work of courts and prosecutorial offices, structure, organizational charts, administrative staff categories, their rights and obligations;
- * Internal and external communication, and team work;
- * Main rules for case-flow management;
- * Work specifics in civil cases, criminal cases and administrative cases – types of cases, judicial acts and court hearings;
- * Judicial procedures and respective tasks of administrative personnel, delivery of summons, timelines,
- * Presentation of types of registers and documents maintained by administrative staff – rules and sample.

Duration



Three days

Beneficiaries



Newly appointed administrative staff of courts/ prosecutorial offices (staff with less than six months of experience).

114. Ethics and Professional Conduct

Major goal of the judicial administration in Kosovo, for all the staff belonging to the judicial and prosecutorial system, is to increase professional performance quality, ensuring the right practical application of ethical principles like the professionalism, discipline, impartiality, confidentiality and accountability.

What are standards set forth in the Code of Ethics? How does the administrative staff' behavior impact the public trust in judicial institutions? To what extent are ethical rules applied in daily work of the administrative staff of courts and prosecutorial offices?

Training is prepared in the form that through partially theoretical explanations and through interactive discussions, treat the set rules of ethics and professional conduct.

Content

- * Introduction to Code of Ethics;
- * Main principles in performing the tasks within the judicial and prosecutorial system (professionalism, work discipline, impartiality, confidentiality, accountability);
- * Aspects of conflict of interest and inadequate personal behavior.

Objectives

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

- * Understand the code of Ethics and its principles;
- * Identify cases when we have to deal with ethical violation;
- * Know types of ethics violations which are sanctioned.

Duration



One day

Beneficiaries



Administrative staff of courts and prosecutorial offices.

115. Stress and Time Management

The time and stress management is of particular importance. We can only manage stress if we are spiritually and physically in optimal levels of energy, otherwise we are in nervous state from the daily stress. Increase of professional skills of the administration members for good time management, is a prerequisite for more efficient and effective functioning of the judicial and prosecutorial system.

How to manage well the stress and the time? What are elements that impact the stress increase? What

are the techniques that help in time and stress management?

This interactive program offers to the court and prosecutorial office administrative staff the possibility to identify the stress rate in their lives, use of methods for stress reduction and control which is related to their work while performing their tasks.

Content

- * Applicable rules in relation to the working time and attendance;
- * Improve time management and task performance for each category of administrative staff;
- * Task delegation, monitoring and respecting time-lines, as well as setting priorities;
- * Measuring your reaction towards stress;
- * Tiredness from work;
- * Having a wellbeing life;
- * Office exercise, meditation techniques and relaxing;
- * Time management.

Objectives

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

- * Learn the practices and tools that help better organization of the working schedule;
- * Manage specific situations that they face during working hours and in in private life;
- * Identify different signs of stress;
- * Apply techniques that impact the stress reduction.

Duration



One day

Beneficiaries



Administrative staff of courts and prosecutorial offices.

Training of Trainers Program

Judicial trainer shall have the necessary didactic skills and his role during a training is to improve the capacities and increase professional knowledge of the participants. Depending on circumstances, a good judicial trainer shall have wide knowledge and experience in implementing a variety of modern training needs. The Training of Trainers Program sets clear objectives and role of the training in increase of performance efficiency of judicial employees. KJI will further enhance the training of trainers program, aiming to improve training methodology and accom-

plishment of attractive, practical and effective trainings.

Purpose of the ToT Program is to provide theoretical basis for the work that trainers do, and to enable them to present to participants that way how theory may inspire their practice and vice versa. Also, the program aims to develop the general continuous professional education and enhance the modern training methodologies.

116. Adequate Training Structure

Adequate training structure means detailed drafting of training materials, determination of exact training objectives, as well as preparing a training implementation plan which includes the dynamics for conducting a training. Also, practical cases and case studies are important elements used during the training, in order to elaborate on actual judicial practice dilemmas.

What is the adequate structure for drafting a training material? What are criteria for determining training objectives? How to manage groups and participant discussions during a training?

Training will provide advanced training techniques, focusing on interactive approach as well as forms of adequate training structure.

Content

- * Drafting training material and use of sources;
- * Determining training objectives;
- * Training implementation plan (dynamics of presentations);
- * Practical cases.

Objectives

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

- * Develop training techniques for provision of effective and qualitative trainings;
- * Draft the training material and determine the training objectives;

Duration



Two days

Beneficiaries



KJI trainers.

117. Advancing Training Methodology

The advanced and modern training techniques are important in order to increase the professional skills and abilities of trainers for provision of qualitative and attractive trainings for participants. The interactive approach allows participants to show interest from their perspective for certain topics which appear as actual challenges and in form of training needs. KJI is constantly paying attention to enhance the training methodology, as one of the main elements for provision of adequate trainings.

What are the advanced training methodologies? How important are adequate methodologies for reaching training objectives? How to apply correctly the advanced training techniques?

Training aims to enhance the training methodology into an up to date methodology that meets international standards applicable also in regional and international training institutions.

Content

- * Body language;
- * The art of teaching (speaking and tone of the trainer, use of humor);
- * Using visual tools;
- * Effective communication;
- * Active listening;
- * Leading debates and discussions.

Objectives

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

- * Acquaint with advanced training methodologies;
- * Apply modern training methodologies.

Duration



Two days

Beneficiaries



KJI trainers.

Distance learning (E – learning)

Distance learning (e-learning) is a process of learning from distance using electronic technology, outside a traditional training room, which are provided to beneficiaries through the following forms: training courses and modules, and audio or video recordings. Advantages of using this form of learning are manifold, saving in a great deal the time and travel costs, as well as suitable schedule as beneficiaries at any time can attend the certain training. This training methodology, which is applicable to a great extent in training institutions, will include training modules of various areas that are available for the beneficiaries. Duration of a training course is two months for a group, while beneficiaries are judges, prosecutors

and administrative staff of courts and prosecutorial offices.

Purpose of this platform consists on providing a possibility for judges, prosecutors and other professionals of the judicial and prosecutorial system, to attend training courses of interest in suitable time and consecutively. Also, training courses in this platform, aim further professional development for all beneficiary categories of KJI.

KJI has a functional distance learning platform which is in great deal meeting the needs and requests for training.

Content

The distance learning/ e-learning platform during 2017 will organize the following training courses:

- * Legal English;
- * Justice for Children;
- * Stages of indictment and pleading guilty;
- * Anti-corruption;
- * Court management and leadership;
- * Stress management;
- * Information technology;
- * Accounting for judges in cases of bankruptcy.

During this period the following training courses will also be provided:

- * Communication;
- * Cybercrime;
- * The copy right.

CONTINUOUS TRAINING PROGRAM	January	February	March	April	May	June	July
Initial hearing, second hearing and the main trial	18						
Preparatory session, main trial and obtaining of evidence	20						
Special investigation opportunities	25						
Minor offences and minor offence sanctions according to the new law on minor offence	27						
Organized crime		1					
Protection and Promotion of Diversity, Tolerance and Equality in the Context of Legislation on Non-discrimination		2					
Judicial protection of the property right		3					
Novelties of the Law on bankruptcy		8					
Specialized Training on Public Procurement of Kosovo – Session I		10,11					
Alternative Proceedings (criminal)		15					
Judicial protection in domestic violence cases		16					
Investigation of financial crimes		22					
Protecting the rights of the children without parental care		24,25					
Competences of the Special Chamber of the Supreme Court of Kosovo			1				
Criminal offences against children's sexual integrity			3				
Litigants and interferers in the proceeding			8				
Application of the European Law by the Courts of the Republic of Kosovo			10				
Statutory limitation (criminal)			15				
Procedure of the Independent Oversight Board and the judicial protection of labor disputes in civil service of the Republic of Kosovo			17				
Judicial protection in cases of defamation and insult			22				
Quality and evaluation of evidence in criminal proceeding			24				
Social enterprises			29				
Implementation of the European Convention on Human Rights in the constitutional system of Kosovo			31				
Specialized Training Program for Capacity Development in Combating Corruption -Session I			31	1			
Liability for damages caused by an object and dangerous activities				5			

CONTINUOUS TRAINING PROGRAM	January	February	March	April	May	June	July
Protection of injured parties and witnesses				7			
Defendant rights from the initial detention until the end of the criminal proceeding				12			
Amendments and Novelties of the Code of Professional Ethics and Regulation for Unprofessional Conduct of Judges				14			
International Legal Cooperation in Criminal Matters				19			
Compulsory share of the inheritance and its infringement				21			
Judicial hearing in juvenile proceedings				26			
Civil registration, subsequent registration and re-registration according to the Law on Civil Registration				28			
War crimes					3		
Renting, types and its determination					5		
Diversion measures					11		
Specialized Training Program for Strengthening Professional Capacities in Combating Cybercrime- Session I					12,13		
stress management					17,18		
Terrorism					19		
Administration of evidence – leading principles (minor offence)					24		
Indictment					26		
Pretrial reference (incidental) and the procedure according to the Article 113 par. 8 if the Kosovo Constitution					31		
Responsibility of the contractor and construction contracts						2	
Criminal offences according to Customs Code						7	
Admissibility of the request/complaint at the Special Chamber						9	
"Judgments and its types according to the LCP"						14	
Specialized Training Program for Strengthening Professional Capacities in Combating Money Laundering - Session I						16,17	
Temporary confiscation of assets, sequestration and asset confiscation						21	
79. Privatization proceeding of KPA subjects						23	
Reasoning of Court Decisions in Civil Law Area						28	
Juvenile and adult trial in a judicial process						29	
Parties in the proceeding and their representation							5
Human trafficking and smuggling of migrants							6,7



Instituti Gjyqësor i Kosovës
Kosovski Institut za Pravosudje
Kosovo Judicial Institute

Training Application Form in CTP

January - July 2017

Name and Last name: _____

Court/ Prosecutorial Office: _____

Department: _____

Division: _____

Tel: _____

e-mail: _____

<input type="checkbox"/>	Initial hearing, second hearing and the main trial Date: 18/01/2017
<input type="checkbox"/>	Preparatory session, main trial and obtaining of evidence Date: 20/01/2017
<input type="checkbox"/>	Special investigative opportunities Date: 25/01/2017
<input type="checkbox"/>	Minor offences and minor offence sanctions according to the new law on minor offence Date: 27/01/2017
<input type="checkbox"/>	Organized Crime Date: 01/02/2017
<input type="checkbox"/>	Protection and Promotion of Diversity, Tolerance and Equality in the Context of Legislation on Non-discrimination Date: 02/02/2017
<input type="checkbox"/>	Judicial Protection of the Property Right Date: 03/02/2017
<input type="checkbox"/>	Novelties of the Law on Bankruptcy Date: 07-09/02/2017
<input type="checkbox"/>	Alternative proceedings (criminal area) Date: 15/02/2017
<input type="checkbox"/>	Judicial protection in domestic violence cases Date: 16/02/2017

<input type="checkbox"/>	Financial Crimes Investigation Date: 22/02/2017
<input type="checkbox"/>	Protecting the rights of the children without parental care Date: 24-25/02/2017
<input type="checkbox"/>	Competences of the Special Chamber of the Supreme Court of Kosovo Date: 01/03/2017
<input type="checkbox"/>	Criminal offences against children's sexual integrity Date: 03/03/2017
<input type="checkbox"/>	Litigants and interferers in the proceeding Date: 08/03/2017
<input type="checkbox"/>	Application of the European Law by the Courts of the Republic of Kosovo Date: 10/03/2017
<input type="checkbox"/>	Statute of Limitation (criminal area) Date: 15/03/2017
<input type="checkbox"/>	Procedure of the Independent Oversight Board and the judicial protection of labor disputes in civil service of the Republic of Kosovo Date: 17/03/2017
<input type="checkbox"/>	Judicial protection in cases of defamation and insult Date: 22/03/2017
<input type="checkbox"/>	Quality and evaluation of evidence in criminal proceeding Date: 24/03/2017

<input type="checkbox"/>	Business organizations Date: 29/03/2017	<input type="checkbox"/>	Terrorism Date: 19/05/2017
<input type="checkbox"/>	Implementation of the European Convention on Human Rights in the constitutional system of Kosovo Date: 31/03/2017	<input type="checkbox"/>	Administration of evidence – leading principles (minor offences) Date: 24/05/2017
<input type="checkbox"/>	Liability for damages caused by an object and dangerous activities Date: 05/04/2017	<input type="checkbox"/>	Indictment Date: 26/05/2017
<input type="checkbox"/>	Protection of injured parties and witnesses Date: 07/04/2017	<input type="checkbox"/>	Pretrial (incidental) reference and the procedure according to the Article 113 par. 8 of the Kosovo Constitution Date: 31/05/2017
<input type="checkbox"/>	Defendant rights from the initial detention until the end of the criminal proceeding Date: 12/04/2017	<input type="checkbox"/>	Construction contracts and the contractor's responsibilities Date: 02/06/2017
<input type="checkbox"/>	Changes and Novelties to the Code of Professional Ethics and in Regulation for Unprofessional Conduct of Judges Date: 14/04/2017	<input type="checkbox"/>	Criminal offences according to Customs Code Date: 07/06/2017
<input type="checkbox"/>	International legal cooperation in criminal matters Date: 19/04/2017	<input type="checkbox"/>	Admissibility of the request/complaint at the Special Chamber Date: 09/06/2017
<input type="checkbox"/>	Compulsory share of the inheritance and its infringement Date: 21/04/2017	<input type="checkbox"/>	Indictment and its types according to CLK Date: 14/06/2017
<input type="checkbox"/>	Judicial hearing in juvenile proceedings Date: 26/04/2017	<input type="checkbox"/>	Temporary confiscation of assets, sequestration and asset confiscation Date: 21/06/2017
<input type="checkbox"/>	Civil registration, subsequent registration and re-registration according to the Law on Civil Registration Date: 28/04/2017	<input type="checkbox"/>	Privatization proceeding of KPA subjects Date: 23/06/2017
<input type="checkbox"/>	War Crimes Date: 03/05/2017	<input type="checkbox"/>	Reasoning of Court Decisions in Civil Law Area Date: 28/06/2017
<input type="checkbox"/>	Renting, types and its determination Date: 05/05/2017	<input type="checkbox"/>	Juvenile and adult trial in a judicial process Date: 30/06/2017
<input type="checkbox"/>	Diversity measures Date: 11/05/2017	<input type="checkbox"/>	Parties in the proceeding and their representation Date: 05/07/2017
<input type="checkbox"/>	Stress management Date: 17-18/05/2017	<input type="checkbox"/>	Human trafficking and smuggling of migrants Date: 06-07/07/2017

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Application Form for Specialized Programs

- ☐ Specialized Training Program for Public Procurement in Kosovo

Session I - *Date: 10-11/02/2017*

- ☐ Specialized Training Program for capacity development in combating corruption

Session I - *Date: 31/03 – 01/04/2017*

- ☐ Specialized Training Program for capacity development in combating cybercrime

Session I - *Date: 12-13/05/2017*

- ☐ Specialized Training Program for capacity development in combating money laundering

Session I - *Date: 16-17/06/2017*

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