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

CONTINUOUS TRAINING PROGRAM 2025

Prishtina, November 2024

The Continuous Training Program for 2025 was approved by the Governing Council of the Academy of Justice on 18/11/2024

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Speech of the Chairman of the Governing Council

Esteemed readers,

The importance of judicial training is recognized and emphasized in various international instruments. Based on these instruments, it is essential that judges and prosecutors in service receive continuous training aimed at their professional and personal development and ensuring the guarantee of the independence and impartiality of the judicial and prosecutorial system.

The drafting and implementation of the 2025 Training Program was preceded by the implementation of mechanisms for the assessment of training needs. The training needs assessment is the fundamental process wherefrom derives the development, implementation and smooth running of the training defined in the training program. This process aims to identify the needs of judicial service providers for continuous training and will serve the AoJ as a basis for developing training programs for the next year for the target groups for continuous training.

The AoJ continuously conducts training needs assessment processes in order to enable a clearer connection between real needs, their translation into the Training Program and the implementation of training as a supporting contribution on the way to the development and professional advancement of AoJ beneficiaries.

The results of the Training Needs Assessment are reflected in the Training Program. In this process, a significant number of training topics were identified and prioritized which are included in the Continuous Training Program for 2025. This program summarizes and addresses the needs of judges, prosecutors, judicial and prosecutorial administrative staff as well as other legal professionals, including legislative changes, measures and training activities as derived from the Strategy on rule of law, the Strategy on protection from domestic violence, the National Program for protection of human rights, as well as other strategies required as a result of integration processes and recommendations issued by other mechanisms such as NPISAA and the EU report on Kosovo, which are mandatory for the institutions of the justice system.

With full confidence that the implementation of this training program contributes directly to the professional development of the judicial and prosecutorial system in the country, I thank the AoJ staff, the Program Council, the KJC and the KPC, the presidents of the courts and the chief prosecutors of the prosecutor's offices, judges and prosecutors, international partners as well as various stakeholders who, through proposals and recommendations, contributed to the design of the Continuous Training Program for 2025.

Sincerely,

Fejzullah Rexhepi
Chairman of the Governing Council
Academy of Justice

Training Needs Assessment for 2025

In order to design training programs in accordance with the training needs of judges and prosecutors as well as other beneficiaries according to the Law on AoJ, the assessment of training needs for the year 2025 has been carried out.

This assessment is a mandate that originates from the Law on AoJ, namely Article 6, point, 1.2, as well as from European standards that focus on assessment during the planning, design and implementation phases of the program. According to the legal requirement, the Academy of Justice has identified and developed the relevant mechanisms for assessing training needs, taking into consideration the tools and resources within the Academy of Justice and those outside it, which are as follows:

- Evaluation forms after each training session;
- Questionnaires for judges and prosecutors once a year;
- Letters addressed to KJC and KPC, namely the perspective of the responsible units within these councils;
- Meetings with judges and prosecutors, presidents of courts and chief prosecutors of prosecutor's offices;
- Meetings and discussions with AoJ trainers and especially recommendations for AOJ after training but also general conclusions;
- Strategies and documents approved by institutions that contain recommendations for the judiciary and the rule of law;
- EC Report on Kosovo, Reports of the US Department on Kosovo, OSCE, IAP, Report on Monitoring Judicial Processes in the Western Balkans and Report of Civil Society Organizations that monitor the rule of law;
- Legislative agenda, namely legal innovations in force for 2025;
- Workshop for the assessment of training needs for 2025.

Methodology for the assessment of training needs

This year, the Academy of Justice has continued its commitment to assessing the training needs for judges and prosecutors as well as judicial and prosecutorial administrative staff as the main target by implementing the aforementioned mechanisms and resources through concrete steps as follows:

The first essential step in this process was the collection and analysis of the measures defined in the strategic documents that are aimed at the rule of law and are still in force for the year 2025. In this context, the Action Plan 2025-2026 of the Strategy on Rule of Law, the Strategy for protection from domestic violence and violence against women 2022-2026, the National Program for Human Rights 2021-2025, the National strategy against human trafficking in Kosovo 2022-2026, the State strategy against terrorism, the Strategy against corruption, the State strategy against organized crime and other strategic documents were examined. The measures planned in these strategies obligate the Academy of Justice to orient the training program for its beneficiaries according to the law to legal issues related to the fight against corruption, money laundering, confiscation and sequestration, trial of cases in the commercial field, juvenile justice, domestic violence, other aspects of human rights as well as legal

innovations to achieve progress and quality improvement both in case investigations and in judgment and meritorious decision of the relevant cases.

The second and very important step, especially for the integration process of Kosovo in the EU, was the review and findings from the European Commission's report on Kosovo¹, US DoS reports² with emphasis on the Report on human trafficking in Kosovo and the Report on human rights in Kosovo, the Report on the Monitoring of Judicial Processes in the Western Balkans, the OSCE Report on the monitoring of trials in cases of domestic violence³ including the reports of the Ombudsperson institution⁴ and NGOs that monitor the rule of law in Kosovo. Findings from all these mechanisms confirm the need for effective investigations and prosecutions to combat organized crime and corruption, money laundering, confiscation, human trafficking, improving the quality of investigations and trials and especially effective punishments for perpetrators of domestic violence and gender-based violence in accordance with the laws, the 2022-2026 strategy against domestic violence and violence against women and the new State Protocol for handling cases of sexual violence, issues related to human rights, etc.

The third and equally important step despite the challenges in the operation of the new electronic platform (SMAT)⁵ of AoJ training management was the collection of data from evaluation surveys such as evaluation forms after each training session held during 2024 and from questionnaires for judges and prosecutors which were processed at all courts and prosecutor's offices of Kosovo during June 2024. Findings from evaluation surveys confirm the need for training in almost all work competencies of judges and prosecutors with greater concentration to criminal justice in matters related to corruption, money laundering, cybercrime, trial in absentia, domestic violence, and fraud in public procurement. In civil legal matters the focus should be on contentious and non-contentious procedures with an emphasis on ownership, inheritance, compensation for damage, securing lawsuits, etc. In juvenile justice, training is needed diversity measures and criminal offenses against sexual integrity, in terms of the criminal aspect, while from a civil perspective training is needed on judicial protection of children without parental care with an emphasis on alimony and children's trust. In commercial law, training should target court cases related to arbitration, bankruptcy, etc. without excluding the interdisciplinary aspect with an emphasis on drafting and reasoning of court decisions, case management, court/prosecutor's office, etc., the aspect of human rights according to the articles of the ECHR and less on misdemeanors that were mainly needed in the field of inspection.

The fourth and very important step was the collection of proposals from the daily meetings with the trainers during the implementation of the training programs. Particularly essential were the findings from the reports with the recommendations of the trainers for the AoJ, which were mainly that the training program should address legal issues for the unification of judicial practice in matters related to compensation of damage, commercial relations and obligations with a foreign element, legal issues from contentious and non-contentious procedures regarding the judicial protection of children's rights, the inheritance procedure and judicial disputes from the basis of inheritance, innovations of the Criminal Procedure Code, especially for protected witnesses, plea agreements and cooperating witnesses, criminal proceedings against minors and the measures and punishments imposed on minors, for

¹https://integrimievropian.rks-gov.net/wp-content/uploads/2023/12/Kosovo-2023-Report_SQ.pdf

²<https://xk.usembassy.gov/sq/our-relationship-sq/official-reports-sq/>

³<https://www.osce.org/files/f/documents/8/8/572080.pdf>

⁴https://oik-rks.org/wp-content/uploads/2024/03/Avokati-i-Popullit_Raporti-vjetor_2023.pdf

⁵<https://smatad.rks-gov.net/>

criminal offenses of domestic violence and gender-based violence, confiscation and asset confiscation, communication skills and the human rights aspect.

The fifth and essential step for determining the content of the annual program was the training needs assessment workshop held on 25 July 2024. The workshop was attended by presidents of courts and chief prosecutors of the prosecutor's offices from all instances of the courts and prosecutor's offices, including from the KJC and KPC as well as the collaborators and international partners of AoJ, namely OPDAT, EC, OSCE, USAID, GIZ, EULEX, etc. The focus of this workshop was the discussion of the findings from all the senior sources highlighted for the 2025 training program, which were evaluated as relevant for the program, offering their perspective through group work, as well as from development partners and further cooperation with the Academy of Justice in implementation of trainings.

After carrying out the training needs assessment process as elaborated above, the results obtained were summarized and reviewed by the AoJ Program Council as a professional body mandated for the design and development of the Training Program. Also, experts from international partners, as well as more experienced judges and prosecutors as designated in advance by the Governing Council of the AoJ, participated in support of the Program Council during the drafting and development of the training program.

Executive summary

The Program Council, with the support of experts from international partners and the group of training judges and prosecutors in the AoJ as designated by the Governing Council, based on the final findings of the training needs assessment process, has prepared the Continuous Training Program for 2025, and the conceptual presentation of the training areas and topics, training objectives, including the target participants, and the duration of the training follows hereunder. The draft summarized and drawn up by the Program Council, in accordance with the Law on AoJ, has been sent to the Governing Council for approval.

The Training Program contains a total of 83 training activities divided by area, as follows 23 training activities - criminal, 9 - civil, 5 - juvenile justice, 12 - commercial, 7 - administrative, 1 - constitutional, 5 - ECHR, 2 - EU, 1 - misdemeanor, 6 - mediation, 4 - domestic violence, 1 -counter-discrimination, 5 – interdisciplinary, 1 – court management, and 1 – prosecutor's office management.

These trainings will address the judicial practice which has been identified as a challenging and non-unified practice in implementing the legislation in force to have better justice in the future in the work of courts and prosecutor's offices. The program is diverse and will benefit judges, prosecutors, paralegals and other legal professionals. A multitude of training activities are designed for common beneficiaries i.e. judges and prosecutors as well as legal professionals, while some of them are designed for special categories. The priority of this program remains the legal innovations, the tables for the unification of judicial practice, the fight against corruption, money laundering, domestic violence, judicial protection in terms of human rights, legal issues from the administrative field, especially after the entry into force of Law on Administrative Conflict, other legal aspects in commercial matters, etc. Capacity building of professional associates, followed by legal officers and other administrative staff, is also foreseen. The program offers the possibility of providing training from basic modules and training modules in accordance with their work competencies and functions as well as for other beneficiaries from free professions. In addition to training with physical participation, for some special modules related to non-discrimination, online training is also possible through the distance learning platform.

LIST OF TRAINING ACTIVITIES BY AREA, 2025

| No. | Criminal | Duration | Beneficiaries | Methodology | In Cooperation |
|------------|--|-------------------------------|--|--------------------|----------------------------|
| 1. | Table for the harmonization of judicial practice in criminal cases | one (1) day | Judges of all levels | Table | OPDAT |
| 2. | Table for the harmonization of judicial practice in criminal cases in the Court of Appeals | one (1) day | Appellate Judges | Table | OPDAT |
| 3. | Training in combating digital piracy and counterfeiting | one (1) day | Judges, prosecutors, police investigators | Training | Academy of Justice |
| 4. | Seizure and confiscation | two (2) days | Judges, Prosecutors, Professional Associates and Police Investigators | Table | OPDAT |
| 5. | Financial investigations, money laundering and other organized crime | two trainings of two (2) days | Judges of the Special Department, Prosecutors from the SPRK, Prosecutors from the DSC, judges from the DSC, professional associates, Police Investigators | Training | (OPDAT first training) |
| 6. | Criminal offenses against official duty | two (2) days | Judges of the Special Department, Prosecutors from the SPRK, Prosecutors from the DSC, judges from the DSC and professional associates, Police Investigators | Training | OPDAT |
| 7. | Fraud in public procurement | two (2) days | Judges of the Special Department, Prosecutors from the SPRK, Prosecutors from the DSC, judges from the DSC, professional associates, Police Investigators | Training | OPDAT |
| 8. | Violent extremism, forms of extremism, radicalism and terrorism | three (3) days | Judges of the Special Department, Prosecutors from SPRK, Prosecutors from DSC, judges from DSC, professional associate, legal officer | Training | BIRN |
| 9. | Cybercrime | two (2) days | Judges, Prosecutors, professional associate, legal officers | training | CE/CYBERCOPE |
| 10. | Protected witnesses and cooperating witnesses | two (2) days | Judges, Prosecutors, professional associate, legal officers | Training | Academy of Justice |
| 11. | Implementation of the Criminal Policy Guidelines | one (1) day | Judges and Prosecutors and professional associates of all levels | Training | OPDAT |
| 12. | Special investigative measures | two (2) days | Judges, Prosecutors, professional associate, legal officer, Police Investigators | Training | Academy of Justice & OPDAT |
| 13. | Criminal offenses against sexual integrity | two (2) days | Judges, Prosecutors, professional associates, legal officers, victims' advocates, police officers | Training | OPDAT |
| 14. | Criminal procedure of perpetrators with | one (1) day | Judges, Prosecutors, | Training | OSCE |

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| | mental disorders | | Professional Associates, Victims' advocates | | |
| 15. | Judgment in absentia | one (1) day | Judges and Prosecutors | Training | OPDAT |
| 16. | Articulation and support of indictments/judicial decisions - legal writing | two (2) days | Judges, prosecutors, professional associates | Training | OSCE |
| 17. | War crimes | Two trainings of two days | Judges, State Prosecutors, Lawyers, Professional Associates, Legal Officers, Investigating Police | Training | by UNDP |
| 18. | International legal cooperation in criminal matters | one (1) day | Judges and Prosecutors | Training | OPDAT |
| 19. | Trafficking in human beings | two (2) days | Judges, Prosecutors, professional associates, police officers, victims' advocates, Police Investigators | Training | OPDAT |
| 20. | Criminal offenses against the environment | one (1) day | Judges, prosecutors, police investigators and professional associates | Training | Academy of Justice |
| 21. | Complaint of the victim in cases of dismissal of the criminal complaint or termination of the investigation | one (1) day | Prosecutors, professional associate, legal officer, victims' advocates | Training | OPDAT |
| 22. | Investigation and prosecution of economic crimes | one (1) day | Judges, prosecutors, police investigators and professional associates | Training | OPDAT |
| 23. | Measures to ensure the presence of defendants in criminal proceedings | one (1) day | Judges of basic and appellate courts, prosecutors of basic, appellate and special prosecutions | Training | Academy of Justice |
| Total: 23 training topics | | 40 days | | | |
| Civil | | Duration | Beneficiaries | Methodology | In Cooperation |
| 24. | Unification of judicial practice from obligational relations | two (2) days | Judges of the Supreme Court, Court of Appeals and Basic Courts | Table | Academy of Justice |
| 25. | Unification of judicial practice in the Court of Appeals | two (2) days | Judges of the Court of Appeals | Table | Academy of Justice |
| 26. | Cancellation of court decisions - findings of the Supreme Court and the Court of Appeals in the case of returning cases for retrial | two (2) days | Judges of the Supreme Court, Court of Appeals and basic courts | Table | Academy of Justice |
| 27. | Unification of judicial practice in property matters | two (2) days | Judges of the Supreme Court, Court of Appeals and Basic Courts | Table | Academy of Justice |
| 28. | International Legal Cooperation in Civil Matters | one (1) day | Judges of basic courts | Training | Academy of Justice |
| 29. | Judicial proceedings of expropriation | one (1) day | Judges of basic courts | Training | Academy of Justice |
| 30. | Judicial protection in labor disputes, according to the Labor Law | one (1) day | Judges of the Court of Appeals and Basic Courts | Training | Academy of Justice |
| 31. | Obligational and material relations with foreign elements and international legal cooperation in civil matters | two (2) days | Judges of all basic courts, in the civil division, judges of the Court of Appeals in the civil division | Training | Balkan Law Enforcement Project (BESP) |
| 32. | Family relations with a foreign element | two (2) days | Judges of all basic courts, in | Training | Balkan Law |

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| | and international legal cooperation in civil matters | | the civil division, judges of the Court of Appeals in the civil division | | Enforcement Project (BESP) |
| Total: 9 training topics | | 15 days | | | |
| Juvenile justice | | Duration | Beneficiaries | Methodology | In Cooperation |
| Civil | | | | | |
| 33. | Protection of children's rights in cases of divorce | one (1) day | Judges of the Court of Appeals and Basic Courts, Guardianship Body (CSW), Victims' Advocates, Free Legal Aid Officers | Training | Academy of Justice |
| 34. | Protection of children's rights in cases of change of their status | one (1) day | Judges of the Court of Appeals and Basic Courts, Guardianship Body (CSW), victims advocates, Free Legal Aid Officers | Training | Academy of Justice |
| 35. | Judicial protection of the rights of children without parental care | one (1) day | Judges of the Court of Appeals and Basic Courts, Guardianship Body (CSW), victims advocates, Free Legal Aid Officers | Training | Academy of Justice |
| Total: 3 training topics | | 3 days | | | |
| Criminal | | | | | |
| 36. | Criminal offenses against sexual integrity | two (2) days | Judges and prosecutors, officials from the office for protection and assistance to victims, professional associates, police officers and officials from the Center for Social Work and psychologists | Training | COMF |
| 37. | Criminal proceedings for children and minors | one (1) day | Juvenile judges and prosecutors, professional associates, officers from the probation service, police officers and officials from the Center for Social Work and psychologists | Training | COMF |
| Total: 2 training topics | | 3 days | | | |
| Commercial | | Duration | Beneficiaries | Methodology | In Cooperation |
| 38. | Changes with the Entry into Force of the New Customs and Excise Code of Kosovo | one (1) day | Judges and professional associates of the Commercial Court | Training | USAID Commercial Law |
| 39. | Enforcement of Intellectual Property Rights, trademarks and patents | two (2) days | Judges and professional associates of the Commercial Court | Training | USAID Commercial Law |
| 40. | Recognition and Enforcement of Domestic and Foreign Arbitration Awards | one (1) day | Judges and professional associates of the Commercial Court | Training | USAID Commercial Law |
| 41. | Practical Implications of the Law on Commercial Companies | two (2) days | Judges and professional associates of the Commercial Court | Training | USAID Commercial Law |
| 42. | Contracts in Economics | one (1) day | Judges and professional associates of the Commercial | Training | USAID Commercial Law |

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| | | | Court | | |
| 43. | Bankruptcy Procedure | three (3) days | Judges and professional associates of the Commercial Court | Training | USAID Commercial Law |
| 44. | Termination of Contract and Effects of Termination | one (1) day | Judges and professional associates of the Commercial Court | Training | USAID Commercial Law |
| 45. | Insurance Contract and Damage Compensation | one (1) day | Judges and professional associates of the Commercial Court | Training | USAID Commercial Law |
| 46. | Commercial Relations with Foreign Elements and International Legal Cooperation in Commercial Matters | two (2) days | Judges and professional associates of the Commercial Court | Training | USAID Commercial Law |
| 47. | Construction Contracts | one (1) day | Judges and professional associates of the Commercial Court | Training | USAID Commercial Law |
| 48. | Credit Agreements | one (1) day | Judges and professional associates of the Commercial Court | Training | USAID Commercial Law |
| 49. | Financial Knowledge | one (1) day | Judges and professional associates of the Commercial Court | Training | USAID Commercial Law |
| Total: 12 training topics | | 17 days | | | |
| Administrative | | Duration | Beneficiaries | Methodology | In Cooperation |
| 50. | The new Law on Administrative Conflicts | two (2) days | Judges of the administrative department of the Basic Court in Prishtina and of the Court of Appeals and professional associates | Training | Academy of Justice |
| 51. | Round table for the Harmonization of Judicial Practice in Administrative Conflict | one (1) day | Judges of the administrative department of the Basic Court in Prishtina and of the Court of Appeals and professional associates | Table | Academy of Justice |
| 52. | Conflict Features of Full Jurisdiction and Expertise in Administrative Conflict | one (1) day | Judges of the administrative department of the Basic Court in Prishtina and of the Court of Appeals and professional associates | Training | Academy of Justice |
| 53. | Labor disputes - Law on Civil Servants | one (1) day | Judges of the administrative department of the Basic Court in Prishtina, and of the Court of Appeals and professional associates and officials of the KPMK | Training | Academy of Justice |
| 54. | Judicial practices in the country and Europe in the field of International Refugee Protection | one (1) day | Judges of the Department for Administrative Matters of the Basic Court of Prishtina and the Court of Appeals and officials of the National Commission for Refugees and the Department | Training | UNHCR/CRPK |

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|---------------------------------|--|-----------------|--|--------------------|--|
| | | | for Citizenship, Asylum and Migration - MIA and other institutions | | |
| 55. | Judicial practices in the country and Europe in the field of citizenship and the risk of statelessness | one (1) day | Judges of the Department for Administrative Matters of the Basic Court of Prishtina and the Court of | Training | UNHCR/CRPK |
| 56. | Round table on the challenges in the meritorious placement of applicants for international protection and citizenship | one (1) day | Judges of the Department for Administrative Matters of the Basic Court of Prishtina and the Court of Appeals, professional associates/legal officers, officials of the National Commission for Refugees, officials of the Department for Citizenship, Asylum and Migration-MIB, officials of the Free Legal Aid Agency, officials of the Bar Association | Table | UNHCR/CRPK |
| Total: 7 training topics | | 8 days | | | |
| Constitutional | | Duration | Beneficiaries | Methodology | In Cooperation |
| 57. | Current issues in the practice of the Constitutional Court of the Republic of Kosovo in connection with the practice of the ECHR according to the requirements in the criminal field | one (1) day | Judges of all levels in the Republic of Kosovo | Training | EC/ Support of the Constitutional Court in the implementation and distribution of the standards of the European Court for Human Rights |
| Total: 1 training topic | | 1 day | | | |
| ECHR | | Duration | Beneficiaries | Methodology | In Cooperation |
| 58. | Freedom of Expression | one (1) day | Judges, prosecutors and professional associates | Training | CE/PROFEX |
| 59. | Judicial process within a reasonable time limit according to Article 6 of the ECHR: Unreasonable prolongation of civil and criminal proceedings in the jurisprudence of the EctHR | two (2) days | Judges, prosecutors and professional associates | Training | EC/ Support of the Constitutional Court in the implementation and distribution of the standards of the European Court for Human Rights |
| 60. | Effective Legal Remedies according to Article 13 of the ECHR: Court practice of the ECHR in civil and criminal cases | one (1) day | Judges, prosecutors and professional associates | Training | EC/ Support of the Constitutional Court in the implementation and distribution of the standards of the European |

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| | | | | | Court for Human Rights |
| 61. | Use and reference of the ECtHR's jurisdiction when writing court decisions | two (2) days | Judges, prosecutors and professional associates | Training | EC/ Support of the Constitutional Court in the implementation and distribution of the standards of the European Court for Human Rights |
| 62. | Article 5 of the ECHR | one (1) day | Judges, State Prosecutors, Lawyers, Professional Associates, Legal Officers, Investigating Police | Training | EC/ Support of the Constitutional Court in the implementation and distribution of the standards of the European Court for Human Rights |
| Total: 5 training topics | | 7 days | | | |
| European Law | | Duration | Beneficiaries | Methodology | In Cooperation |
| 63. | Judicial cooperation in civil and commercial matters | one (1) day | Judges of Basic Courts, judges of the Court of Appeals and professional associates | Training | Academy of Justice |
| 64. | Judicial and law enforcement cooperation in criminal matters | one (1) day | Judges of Basic Courts, judges of the Court of Appeals and professional associates | Training | Academy of Justice |
| Total: 2 training topics | | 2 days | | | |
| Minor offences | | Duration | Beneficiaries | Methodology | In Cooperation |
| 65. | Withdrawal of the applicant after submitting the request to the inspectorate | one (1) day | Judges of the basic courts - misdemeanor division, inspectors within the directorates of the inspectorate | Training | Academy of Justice |
| Total: 1 training topic | | 1 day | | | |
| Mediation | | Duration | Beneficiaries | Methodology | In Cooperation |
| 66. | Mediation for judges and prosecutors (in criminal cases) – Prishtina | one (1) day | Prosecutors of Basic Prosecutor's Offices and Judges of Basic Courts (Criminal Departments) | Training | Federal Mediation and Conciliation Service/FMCS and INL |
| 67. | Mediation for judges and prosecutors (in criminal cases) - Gjilan and Ferizaj | one (1) day | Prosecutors of Basic Prosecutor's Offices and Judges of Basic Courts (Criminal Departments) | Training | Federal Mediation and Conciliation Service/FMCS and INL |
| 68. | Mediation for judges and prosecutors (in criminal cases) - Gjakova and Prizren | one (1) day | Prosecutors of Basic Prosecutor's Offices and Judges of Basic Courts | Training | Federal Mediation and Conciliation |

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|------------------------------------|---|-----------------|--|--------------------|--|
| | | | (Criminal Departments) | | Service/FMCS and INL |
| 69. | Mediation for judges and prosecutors (in criminal cases) - Peja and Mitrovica | one (1) day | Prosecutors of Basic Prosecutor's Offices and Judges of Basic Courts (Criminal Departments) | Training | Federal Mediation and Conciliation Service/FMCS and INL |
| 70. | Referral of cases to the mediation procedure, its implementation in mandatory mediation especially in family cases and approval or cancellation of mediation agreements (in civil cases) Prishtina, Ferizaj, Gjilan and Mitrovica | one (1) day | Judges of basic and branch courts, mediators of the regions of those courts | training | USAID Commercial Law |
| 71. | Referral of cases to the mediation procedure, its implementation in mandatory mediation especially in family cases and approval or cancellation of mediation agreements (in civil cases) Prizren, Peja and Gjakova | one (1) day | Judges of basic and branch courts, mediators of the regions of those courts | Training | USAID Commercial Law |
| Total: 6 training topics | | 6 days | | | |
| Interdisciplinary trainings | | Duration | Beneficiaries | Methodology | In Cooperation |
| 72. | Drafting and reasoning of court decisions | one (1) day | Judges of Basic Courts, professional associates and legal officers | Training | OSCE |
| 73. | Professional Ethics | one (1) day | Judges and prosecutors of all levels | Training | OSCE |
| 74. | Management of court hearings | one (1) day | Judges, professional associates and legal officers | Training | EC/CEPEJ |
| 75. | Handling of classified information in court proceedings | two (2) days | Judges, Prosecutors, professional associates, legal officers, officials of the Agency for the protection of classified information | Training | AD |
| 76. | Case and office management | one (1) day | Prosecutors of all levels | Training | OPDAT |
| Total: 5 training topics | | 6 days | | | |
| Domestic Violence | | Duration | Beneficiaries | Methodology | In Cooperation |
| 77. | Violence against Women, Domestic Violence and Gender Based Violence | one (1) day | Judges, prosecutors and other professionals | Training | EC-Project Alignment of laws and policies with the Istanbul Convention |
| 78. | Offenses of domestic violence: The effective criminal justice response | two (2) days | Judges, prosecutors, professional associates, victim advocates and other professionals | Training | EC-Project Alignment of laws and policies with the Istanbul Convention & OPDAT |

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|---|---|--|--|--------------------|--|
| 79. | Understanding Domestic Violence in Civil Law: Protective Orders and Family Law Considerations | two (2) days | Judges of civil courts | Training | EC-Project Alignment of laws and policies with the Istanbul Convention |
| 80. | Offenses Involving Violence Against Women: Prosecution and Trauma Informed Trials | two (2) days | Prosecutors, judges, victim advocates and other professionals (e.g. forensic examiners) | Training | EC-Project Alignment of laws and policies with the Istanbul Convention & OPDAT |
| Total: 4 training topics | | 7 days | | | |
| Against Discrimination | | Duration | Beneficiaries | Methodology | In Cooperation |
| 81. | Judicial protection in cases arising from the Anti-Discrimination Law | one (1) day | Judges of the Court of Appeals and Basic Courts, prosecutors | Training | Academy of Justice |
| Total: 1 training topic | | 1 day | | | |
| Management trainings | | Duration | Beneficiaries | Methodology | In Cooperation |
| 82. | Court Management | one (1) day | Chairmen, supervising judges of branches, heads of departments and divisions | Training | Academy of Justice |
| 83. | Prosecutor's Office Management | one (1) day | Chief prosecutors, heads of departments and divisions, regional leaders of the office for victim protection and assistance | Training | OPDAT |
| Total: 2 training topics | | 2 days | | | |
| Trainings for Professional Associates and Legal Officers | | | | | |
| Basic training modules for professional associate | | Duration | Beneficiaries | Methodology | In Cooperation |
| CRIMINAL – Material | | | | | |
| Application of the most favorable Law, Causes of Exclusion of Illegality, Special part of Criminal Law as well as Criminal Offenses against Sexual Integrity | | 1 day of training for a group 30-35 people | Professional associates and legal officers | Training | Academy of Justice |
| Quality of the perpetrators - the meaning of the official person and the Punitive Policy for the criminal offenses of corruption, Cooperation in the commission of the criminal offense as well as the criminal offenses from Chapter XXVI, XXIII, XXIX and XXX of the KPK. | | 1 day of training for a group 30-35 people | Professional associates and legal officers | Training | Academy of Justice |
| Total: 2 training topics | | 2 days | | | |
| CRIMINAL – Procedural | | | | | |
| Phases of the criminal procedure, Indictment, judicial review and reasoning | | 1 day of training for a group of 30-35 people | Professional associates and legal officers | Training | Academy of Justice |
| Legal Remedies and Special Procedures | | 1 day of training for a group of 30-35 people | Professional associates and legal officers | Training | Academy of Justice |

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| Total: 2 training topics | 2 days | | | |
| JUVENILE JUSTICE | | | | |
| Principles of procedure against minors, as well as measures and punishments against minors | 1 day of training for a group 30-35 people | Professional associates and legal officers | Training | Academy of Justice |
| Total: 1 training topic | 1 day | | | |
| CIVIL – Material | | | | |
| Inheritance Law and Property Law | 1 day of training for a group 30-35 people | Professional associates and legal officers | Training | Academy of Justice |
| Labor Law and Obligations Law | 1 day of training for a group 30-35 people | Professional associates and legal officers | Training | Academy of Justice |
| Total: 2 training topics | 2 days | | | |
| CIVIL – Procedural | | | | |
| Contentious proceedings | 1 day of training for a group 30-35 people | Professional associates and legal officers | Training | Academy of Justice |
| Enforcement proceedings and Mediation | 1 day of training for a group 30-35 people | Professional associates and legal officers | Training | Academy of Justice |
| Family Law and Domestic Violence | 1 day of training for a group 30-35 people | Professional associates and legal officers | Training | Academy of Justice |
| Total: 3 training topics | 3 days | | | |
| Trainings for judicial and prosecutorial administrative staff | Duration | Beneficiaries | Methodology | In Cooperation |
| File and case management in the judicial and prosecutorial system | one (1) day | Administrators, assistant administrators, head of CMOs, referees, statistics officers, legal officers, legal secretaries, information officers, unit for evaluating the performance of prosecutors and judges | Training | Academy of Justice |
| Internal and external communication | one (1) day | Administrators of courts and prosecutor's offices and their deputies, public relations officers, reception office staff and all other categories of administrative staff that interact with citizens, parties and various institutions | Training | Academy of Justice |
| Integrity and ethical behavior in judicial and prosecutorial administration | one (1) day | Judicial and prosecutorial administrative staff | Training | Academy of Justice |
| Time and stress management | one (1) day | Judicial and prosecutorial administrative staff | Training | Academy of Justice |

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|--|--|--|--------------------|---|
| Improving the efficiency of the courts based on the CEPEJ Instruments and indicators for performance using SMIL statistical reports and tables | one (1) day | Court staff, especially staff directly assisting judges and administrative staff | Training | EC/CEPEJ |
| Protocol and Etiquette Training | one (1) day | The beneficiaries of the training are judges and administrative staff | Training | Academy of Justice |
| Whistleblower Protection | one (1) day | Administrative officers of the courts and prosecutor's offices and officials for whistle blowing in the courts and the prosecutor's office | Training | Academy of Justice |
| Mediation - training for Court Clerks | two (2) days | Clerks for mediation in Basic Courts and Basic Prosecutor's Offices (Criminal Departments) | Training | Federal Mediation and Conciliation Service/FMCS and INL |
| Legal and judicial skills | one (1) day | Professional associates, legal officers and legal assistants-secretaries | Training | OPDAT |
| Total: 9 training topics | 10 days | | | |
| Introductory training for newly appointed judicial and prosecutorial administrative staff | Duration | Beneficiaries | Methodology | In Cooperation |
| MODULE I | | | | |
| Code of Ethics and professional conduct and Access to information, confidentiality of data and classified information, as well as data protection (relevant legal acts, practical aspects) | one (1) day of training for the same group | Newly appointed judicial and prosecutorial administrative staff | Training | Academy of Justice |
| Introduction to planning, management, time and stress management, Internal and External Communication, teamwork, Concept of "Quality Oriented Services" and serving citizens. | one (1) day of training for the same group | Newly appointed judicial and prosecutorial administrative staff | Training | Academy of Justice |
| Introduction to the judicial/prosecutorial system of Kosovo, Constitutional principles and regulations (Chapter 7), relevant legislation and institutions and Introduction to the judicial/prosecutorial administration, relevant legislation, functions and responsibilities | one (1) day of training for the same group | Newly appointed judicial and prosecutorial administrative staff | Training | Academy of Justice |
| MODULE II | | | | |
| Introduction to the work of courts and prosecutor's offices; structure, organograms; categories of administrative staff and their rights and obligations, specifics of work in civil cases, criminal cases and administrative cases; types of cases, court acts and court hearings | one (1) day of training for the same group | Newly appointed judicial and prosecutorial administrative staff | Training | Academy of Justice |
| Main rules and regulations for managing the flow of cases (cases) | one (1) day of training for the same group | Newly appointed judicial and prosecutorial administrative staff | Training | Academy of Justice |

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|---|--|---|----------|--------------------|
| Judicial proceedings and related duties of administrative staff, sending summons, deadlines and presentation of types of records and documents maintained by administrative staff; rules and samples. | one (1) day of training for the same group | Newly appointed judicial and prosecutorial administrative staff | Training | Academy of Justice |
| Total: 6 training topics | 6 days | | | |

TRAINING ACTIVITIES ON CRIMINAL LAW

Topic identified by:

- Training needs assessment workshop, 25 July 2024



1. Table for the harmonization of judicial practice in criminal cases

Taking into account that decisions with different interpretations of the legal provisions, whether material or procedural are noted in the judicial practice, and this violates the legal certainty respectively the equality of the parties before the law, the purpose of this table is the harmonization of the judicial practice at all levels of the courts.


Objectives

 Unification of judicial practice in the material and procedural aspect in criminal cases.


Content

-  Interpretation of the provisions of the criminal and procedural code and other relevant laws in the criminal field;
-  The specific topics for the table will be determined in advance based on the issues arising from judicial practice and in particular the innovations of the new codes.


Methodology

 Dilemmas will be addressed through discussion and exchange of experiences in the implementation of legal provisions during the work of judges, while at the end of these roundtables, conclusions will be drawn to ensure the unified implementation of legal provisions.

Beneficiaries

 Judges of all levels.

Duration

 The table will last one (1) day.


Topic identified by:

- Training needs assessment workshop, 25 July 2024



2. Table for the harmonization of judicial practice in criminal cases in the Court of Appeals

Bearing in mind that decisions with different or non-identical interpretations of legal provisions, whether substantive or procedural, come out of the judicial practice, and this violates legal certainty, respectively the equality of the parties before the law, the purpose of this table is to harmonize the judicial practice at the level of the Court of Appeals from the perspective of the Court of Appeals and the Supreme Court of Kosovo.


Objectives

-  The main objective of this table is the role of the Court of Appeals in the unification of judicial practice in terms of material and procedural law in criminal cases within the Court of Appeals, considering the fact that the Court of Appeals as an instance of the second degree has the role also of harmonization and unification of judicial practice.

Content

-  Interpretation of the provisions of the criminal and procedural code and other relevant laws in the criminal field;
-  The specific topics for the table are determined in advance based on the issues arising from judicial practice and in particular the innovations of the new codes, penal policies and other topics of interest in terms of equal treatment.

Methodology

-  Dilemmas will be addressed through the analysis of cases from judicial practice on specific topics and the extraction of positions for the harmonization of judicial practices.

Beneficiaries

-  Court of Appeals judges.

Duration

-  The table will last one (1) day.




Topic identified by:

- Training needs assessment workshop, 25 July 2024
- Industrial Property Agency – MIET








3. Training on combating digital piracy and counterfeiting

The investigation of digital piracy is a complex process that involves advanced information technology techniques and interagency cooperation to identify and stop the perpetrators of the criminal offense. The training aims to build the capacities of prosecutors and judges in the investigation, prosecution and trial of digital piracy cases. The investigation and prosecution of digital piracy crimes refers to the copying, distribution or use of copyrighted material (such as movies, music, games, software) without the authorization of the rightful owner. This includes illegal downloading of contents from the Internet, their sharing through Peer to Peer platforms as well as the use of cracked software. The consequences of digital piracy include economic damage to creative industries, copyright infringement, and piracy can also endanger users by exposing them to viruses or other forms of cyber-malware.


Objectives

-  Understand more about digital piracy;
-  They manage to provide information;
-  Identification of information collection methods.

Content

-  Collection of digital evidence;
-  Use of advanced technological tools;
-  Monitoring online platforms and the black market;
-  Tracking of virtual financial payments
-  International cooperation;
-  Identification and detection of pirates;
-  Criminal Prosecution and Seizure.


Methodology

-  Interpretation of legal provisions, interactive discussion, handling of cases from local and international judicial practice.

Beneficiaries

-  Judges, prosecutors, police investigators.

Duration

 The training will last one (1) day.

Topic identified by:






- Training needs assessment workshop, 25 July 2024
- Industrial Property Agency – MIET
- Rule of Law Strategy Action Plan 2025-2026
- EU Report on Kosovo
- NPISAA 2022-2026
- Questionnaire for judges/prosecutors on training needs
- Trainers' recommendations after training sessions
- Report on the monitoring of judicial processes in the Western Balkans

4. Seizure and confiscation

The training aims to build the capacities of prosecutors and judges in the investigation, prosecution and trial of cases of seizure and confiscation of illegal assets. The Criminal Procedure Code, which entered into force in 2023, has foreseen new procedures regarding seizure and confiscation in order to avoid the challenges and problems encountered in practice. Likewise, the applicable Criminal Code in Article 92 has provided for changes regarding the confiscation of property, respectively of property benefits. Likewise, the application of the LEPC has had difficulties in its implementation in practice, and the need for more pronounced implementation has been identified in all cases where the legal conditions are met.

Items subject to automatic confiscation must be subject to final restraining orders by the courts. When confiscation is not possible, the court orders the perpetrator to pay an equivalent amount or to confiscate any property of the defendant of equivalent value. The difference between sequestration, confiscation and restraining orders, In which cases the LEPC can be applied, Requests for the sale of assets seized during criminal proceedings, Temporary measures for securing specified property, Treatment of items that can serve as evidence in criminal procedure and as specified property.

Objectives

-  Identification of legal innovations of the New Criminal Procedure Code for seizure and confiscation;
-  Identification of non-unified practices in courts at all levels;
-  Identification of cases of continuation of the sequestration and confiscation procedure even after the filing of the indictment;
-  Identification of problems related to temporary measures for property insurance;
-  Addressing problems through unified judicial practice as a conclusion;

- ⌚ Addressing challenges around the implementation of the LEC, for confiscation and sequestration.

Content

- 📄 Grounds for confiscation with particular emphasis on Article 92 of the CCRK;
- 📄 Control, temporary seizure and confiscation;
- 📄 Temporary and final restraining order;
- 📄 Replacement of property value;
- 📄 Confiscation of additional assets;
- 📄 Confiscation investigation;
- 📄 Requests and orders for restriction and requests for verification of assets under the LEPC.

Methodology

- 📄 Discussion table.

Beneficiaries

- 👥 Judges, Prosecutors, Professional Associates and Police Investigators.

Duration

- ⌚ The table will last two (2) days.

Topic identified by:

- Action Plan of the European Reform Agenda (ERA II AP)
- NPISAA 2022-2026
- National Plan for European Integration 2023-2027
- Post-completion training evaluation form
- Questionnaire for assessing the needs for continuous training (judges/prosecutors)
- Monitoring report of judicial processes in the Western Balkans
- Training needs assessment workshop, 25 July 2024

5. Financial investigations, money laundering and other organized crimes

Money laundering and financial investigation are complex criminal offences. The investigation of these cases requires institutional coordination of many actors of the rule of law. The complexity of the investigation and trial of the criminal offense of money laundering is also evident in judicial practice. Money laundering as a process used to conceal the source of money or assets derived from criminal activity and generally involves converting the proceeds of crime into a "legal" form that is directly contributing to significant financial damages and in the economic development of the country, represents a general social challenge but also a challenge for the legal system in Kosovo, and the dilemma in terms of identifying the elements of criminal offenses that are related to money laundering and the correct legal qualification of this criminal offense. Initially, it was requested that there be a basic criminal offense for the investigation of money laundering, which really complicated the procedure investigation.

Another challenge relates to the internal and international cooperation, including other institutions that must give a proactive contribution to the detection, prosecution and punishment of the perpetrators, among which are included the IFI, Customs and Tax Administration and other law enforcement institutions., as well as financial institutions such as banks, non-bank financial entities and foreign exchange offices, through money transfer, payment or credit channels. Attention should also be directed to the practices of international cooperation between the prosecution bodies of the Republic of Kosovo and the prosecution bodies of the countries of the European Union and also countries that have not yet recognized Kosovo.

The necessity for the implementation of the provisions of the Criminal Code and the Criminal Procedure Code by linking them with the provisions of the special law that treats money laundering as a criminal offense, as well as the law on extended powers for the confiscation of property, but also those of international standards and in particular those of the European Union, requires that they distinguish tax and customs crimes and those related to money laundering, identify information that can receive through the channels of FIU, Egmont, the procedures for certifying financial income from criminal offenses and legal income. The training focuses in particular on the elements of the criminal offense of money laundering, as well as the difference between related money laundering and money laundering alone, including investigation and trial, as well as judicial practice, especially in the practice of European countries. It is important that in these criminal offences the criminal action, respectively the criminal activity, be investigated and that investigations focus in this regard.


Objectives

- 🎯 Apply the legal provisions regarding the legal qualification for money laundering and other organized crimes;
- 🎯 Distinguish between money laundering related to another criminal offense and money laundering as a separate criminal offense;
- 🎯 Conduct pro-active criminal and financial investigations and provide admissible evidence supporting the indictments filed;
- 🎯 Identify communication channels at the local and international level to direct the investigation in the right direction;
- 🎯 Develop non-formal and formal international cooperation with relevant agencies and institutions in financial investigation, money laundering and other organized crime;
- 🎯 Identify the challenges that can be encountered in the provision of information at the international level and be able to find the possible solution;
- 🎯 Pronounce adequate criminal sanctions against the perpetrators of these criminal acts.


Content

- 📄 Local and international legal basis for combating money laundering, financial investigations and other organized crimes;
- 📄 Elements of the criminal offense of money laundering;
- 📄 Stages of money laundering;
- 📄 Investigating and securing evidence in cases of financial investigations, money laundering and other organized crime;
- 📄 Case study from the judicial practice of Kosovo (NIKUMA Case);
- 📄 Case study from ECtHR judicial practice (Zuchen vs Nederland case).


Methodology

 Training, interactive discussion, presentation of cases from the judicial practice of Kosovo, case studies from the judicial practice of the ECtHR.

Beneficiaries

 Judges of the Special Department, Prosecutors from SPRK, prosecutors from DSC, judges from DSC, professional collaborators (different beneficiaries in the two planned tables), Police Investigators.

Duration

 Two trainings of two (2) days each (one January-July and one September-December 2025)

Topic identified by:




- EU Report on Kosovo
- National Plan for European Integration 2023-2027
- NPISAA 2022-2026
- Report of the US Department of State
- Questionnaire for assessing the needs for continuous training (judges/prosecutors)
- Strategic Plan for improving Access to Justice 2022-2025
- Post-completion training evaluation form
- Training needs assessment workshop, 25 July 2024

6. Criminal offenses against official duty







Corruption in general presents a special challenge for law enforcers from the perspective of each body that develops the criminal procedure for these criminal offenses. The purpose of this training is to develop the knowledge of the participants regarding criminal offenses of corruption, with a focus on some specific criminal offenses that are most often presented in judicial practice, in order to develop the special knowledge to deal with the elements of these criminal acts. The intention and the purpose of realizing benefit for oneself or the other person, causing damage or violating the rights of other persons will be addressed. The objective and subjective elements of these criminal offenses will also be analyzed.

As an important issue in this topic, the determination of the objective and subjective elements of this chapter of criminal offenses and especially the determination of the intent and purpose of benefit or causing damage will be addressed, as important aspects of this category of criminal offenses.


Objectives

-  Apply in a fair manner the legal provisions of Chapter XXXIII of criminal offenses of official corruption and criminal offenses against official duty;
-  Identify the objective and subjective elements of criminal offenses within this Chapter;
-  Expand knowledge about the consequences and dangerousness of these criminal acts.


Content

-  Objective and subjective elements of these criminal acts;
-  Intent as a subjective element of the criminal offense, the purpose of benefit or causing damage;
-  Issue of realization or non-realization of damage or benefit;
-  Evaluation of persuasive (direct) and circumstantial evidence;
-  Abuse of official position or authority;
-  Conflict of interest, taking bribes and giving bribes;


Methodology

-  During the training, combined methods of presentation by the trainer and interactive methods will be used in order to encourage discussions through practical cases.

Beneficiaries

-  Judges of the Special Department, prosecutors from SPRK, prosecutors from DSC, judges from DSC and professional collaborator, police investigators.

Duration

-  The training will last two (2) days.

Topic identified by:

- EU Report on Kosovo
- National Plan for European integration 2023-2027
- NPISAA 2022-2026
- Report of the US Department of State
- Training needs assessment workshop, 25 July 2024
- Questionnaire for assessing the needs for continuous training (judges/prosecutors)
- Strategic Plan for improving Access to Justice 2022-2025
- Post-completion training evaluation form
- Permanent trainer








7. Fraud in public procurement

The nature of procurement fraud distinguishes between three main stages of the procurement cycle; pre-tendering, tendering and after awarding the contract. Fraud at the pre-tender and tender stages is complex, often enabled by a lack of policy compliance, but also includes activities such as illegal deals and corruption, which can be difficult to detect. Post-contract fraud is significantly different. Once contracts have already been signed, most cases of fraud







tend to involve overpayments to contractors, through false or double billing, as well as payments for substandard work or work not completed according to the terms of the contract.

The Criminal Code of the Republic of Kosovo stipulates in Article 415 concerning the criminal offense of Misuse and fraud in public procurement: "Anyone who knowingly violates the rules of public procurement during an offer for the award of a public procurement contract, by presenting false documentation, agreements of illegal secret or undertakes any other illegal action with the purpose of fraud in public procurement procedures and with the purpose of influencing the decision of a contracting authority in the public procurement procedure." In the context of detecting corruption and fraud, it would be useful for state prosecutors and judges to be made aware of the specific stages of fraud and corruption in the public procurement cycle, as regulated by the LPP, as each cycle may be exposed to specific risks during the public procurement process, which can be a different type of fraudulent and corrupt schemes. A combination of certain indicators should alert state prosecutors that a fraud or corruption scheme may have affected the procurement contract. Thus, to understand corruption in public procurement, it is important to understand the procurement process. As mentioned above, there are generally three stages of the public procurement process: the pre-tender stage, the tender stage and the post-tender stage. Risks of fraud and corruption exist throughout the procurement cycle.


Objectives

-  Understand the definition of the criminal offense of misuse and fraud in procurement;
-  Identify fraudulent and corruption schemes in procurement phases;
-  Identify red flags in public procurement;
-  Difference between administrative violations and criminal liability;
-  Methods of fraud and misuse in public procurement;
-  Understand the definition of contract management;
-  Contract management process.


Content

-  Criminal offense and fraud in procurement;
-  Difficulties of investigating the criminal offense of misuse and fraud in public procurement;
-  Stages of public procurement;
-  Investigation methods and techniques;
-  Indicators of fraud in public procurement stages;
-  Integrity in public procurement.


Methodology

-  Training, interactive discussion, presentation of cases from the judicial practice of Kosovo, case studies from the judicial practice of the ECtHR.

Beneficiaries

 Judges of the Special Department, prosecutors from SPRK, prosecutors from DSC, judges from DSC, professional associate, police investigators.

Duration

 The training will last two (2) days.






Topic identified by:

- NPISAA 2022-2026
- National Plan for European Integration 2023-2027
- BIRN
- Post-completion training evaluation form
- EU Report on Kosovo
- Questionnaire for assessing the needs for continuous training (judges/prosecutors)
- Trainers' recommendations after training sessions
- Permanent trainer
- Training needs assessment workshop, 25 July 2024







8. Violent extremism, forms of extremism, radicalism and terrorism

Terrorism continues to remain one of the main security threats, both at the national and international level, threatening not only the life and property of the individual, but also democratic values and the very way society functions. The state has the obligation and bears the main responsibility for the prevention and fight against terrorism, as well as for the respect for and protection of basic human rights and freedoms. The prevention and fight against terrorism continues to remain one of the main strategic priorities of the Republic of Kosovo. The anti-terrorism strategy, as well as other legislative and political measures in this field, are related to the strategic priority for "Good Governance and Rule of Law." Due to the presence of elements of extremism and radicalism that lead to terrorism, a number of important legal instruments have been drawn up, where the focus has been the efficient fight against these illegal phenomena, always from the perspective of the instruments of the justice system, namely prosecution and trial. Taking into consideration the need to increase the professional capacities of judges and prosecutors, but also of other officials of law-enforcement agencies, it is seen as necessary for this community of law-enforcers to benefit from these training cycles with the aim of increasing knowledge, skills and competences, in the function of effective, independent and professional prevention, investigation and judgment.


Objectives

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


Content

-  National and international legal framework against violent extremism, radicalism and terrorism;
-  Countering violent extremism and radicalism that favor terrorism;
-  National strategy against violent extremism, radicalism and terrorism in Kosovo;
-  Prevention of violent extremism, radicalism and terrorism, as a strategic focus of anti-terrorist efforts;
-  Relationship between violent extremism, radicalization and terrorism and other criminal offences.
-  Forms and financing of terrorism.


Methodology

-  Training, interactive discussion, presentation of cases from the judicial practice of Kosovo, case studies from the judicial practice of the ECtHR.

Beneficiaries

 Judges of the Special Department, prosecutors from SPRK, prosecutors from DSC, judges from DSC, professional associates, legal officers.

Duration

 The training will last three (3) days.

Topic identified by:

- Post-completion training evaluation form
- Permanent trainer
- Training needs assessment workshop, 25 July 2024

9. Cybercrime

With the increase in the use of the Internet and sophisticated techniques, it can be freely said that we are in a technological revolution, which is why cybercrime is a challenge for today's

society. The use of new information technologies and especially the Internet has taken on a special importance in everyday life. This phenomenon affects not only the activities of an organization, be it state or private, involved in the sphere of business or a non-profit activity, but it can also affect the common man in his daily activity, in his private or professional sphere. Like any new technology made available to a large number of users, the Internet presents not only good things and benefits but at the same time a number of problems.




The fight against cybercrime is very challenging, since especially after the pandemic, we have a noticeable increase in these crimes. Due to the dynamic nature of technology, the modus operandi of individuals involved in these activities changes frequently, making them more difficult to stop. Cyberspace today is one of the biggest legal challenges which has encouraged another form of crime, creating an environment for new methods of crime, now almost all crimes can be committed with the use of computers. Cybercrime is a phenomenon that affects a number of competences, such as those in the fields of informatics, energy, criminology, economics, medicine, justice and many other fields.




Being a "liberalized" technology for some time, there is no question that the benefits brought by the use of this technology are great. According to the cyber security strategy of the European Union, cybercrime generally refers to a wide spectrum of different criminal activities, where computers and information systems are engaged either as a primary tool or as a primary target. Cybercrime includes traditional offenses (e.g. fraud, forgery and identity theft), content-related offenses (e.g. online distribution of child pornography or incitement to racial hatred), as well as offenses that are unique for computer and information systems (e.g. attacks on information systems, denial of service and goods). Based on the great development that information technology has, judges and prosecutors must be prepared to judge cybercrime and examine electronic evidence. Although in many countries, law enforcement authorities have strengthened their capacities to investigate cybercrime and secure electronic evidence, this is not the case with judges and prosecutors.

Experience suggests that in most cases, judges and prosecutors find it difficult to cope with the new realities of the cyber world. For this reason, special efforts are required to train judges and prosecutors to legally prosecute and judge cybercrime and to use electronic evidence through training, networking and specialization. Crypto currencies have become a very prominent and controversial topic even among private and public sector professionals involved in preventing and combating money laundering. The most well-known crypto currency, Bitcoin, has generated a lot of interest especially as the media continues to deal with a number of high-profile investigations and prosecutions around the world.









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

Objectives


-  Expand knowledge about cybercrime as a criminal offense in domestic legislation;
-  Identify the field of cybercrime - trends and instruments;
-  Advance knowledge about the technology involved in cybercrime;

-  Apply the legislation, procedures and practices related to electronic evidence correctly;
-  Procedural law/investigative measures in domestic legislation;
-  Recognize international legislation and international cooperation.

Content

-  Knowledge related to cybercrime;
-  Protection of classified information for the protection of state security;
-  Criminal offenses related to cybercrime;
-  Electronic evidence in criminal proceedings;
-  Provision and storage of electronic evidence;
-  International cooperation;
-  Providing evidence from social networks;
-  Seizure.

Methodology

-  Training, interactive discussion, presentation of cases from the judicial practice of Kosovo, case studies from the judicial practice of the ECtHR.

Beneficiaries

Judges, prosecutors, professional associate, legal officers.

Duration

The training will last two (2) days.

Topic identified by:

- Trainers' recommendations after training sessions
- Questionnaire for assessing the needs for continuous training (judges/prosecutors)
- Training needs assessment workshop, 25 July 2024

10. Protected witnesses and cooperating witnesses

The Criminal Procedure Code of Kosovo recognizes as a special category witnesses and injured persons, who may need protection due to the serious danger that threatens them or their family members. In practice, there are many cases where victims and witnesses do not testify due to the feeling of danger to their health, life and property and their family members. Therefore, in the criminal procedure, the protection of the victim and the witnesses should be given due and special care, so that they are not afraid to testify and cooperate with the law enforcers, on one side and on the other side as much as possible to ensure their health, life and wealth.





Since in judicial practice there are still dilemmas on how to handle the cases of witnesses and protected victims, during this training the following questions will be asked: What do we mean by serious risk? What is anonymity? What is the difference between protected witnesses from the public and anonymous witnesses? What is the difference between the provisions of the KPCK, for the necessary measures for the protection of the injured and witnesses, in relation to the provisions of the Law on Protection of Witnesses? What procedures should be followed to protect the injured party and the witness?, etc. Giving accurate and clear answers to such questions will lead to a better and fairer application of the legal provisions for the protection of witnesses and victims.

Participants will be given access to practical cases prepared specifically for this training, where successes and failures can be seen in the case of the protection of witnesses and the injured. In most cases, the main consideration is the expected outcome of any investigation or indictment. However, there are alternatives that the court supports, such as the plea agreement. The first reason why the state prosecutor looks for alternatives is the advancement of investigations, since plea agreements can result in the defendant becoming a cooperating witness. In this way, the defendant can provide additional evidence against other persons who have committed criminal offenses and in this way advance the investigations. This is an important tool for complex investigations, especially for organized crime and corruption.











How is the initiative taken to negotiate the agreement? What are the legal conditions for reaching an agreement? At what stages can a plea agreement be reached? What are the benefits of the state and of the defendants? What penalties can be recommended in the agreement? What is the role of the court in reaching a plea agreement? This program is designed to explain the possibility of reaching a plea agreement, the steps that must be taken by the parties in the procedure regarding the beginning of negotiations to reach an agreement, the description of the actions of all parties in the framework of negotiations to reach a plea agreement, the fulfillment of the legal conditions for the agreement to be accepted by the court, as well as the role of each state body in reaching the plea agreement.

Objectives


- 🎯 Understand the role and status of protected witnesses;
- 🎯 Legal conditions for the assignment of protective measures and anonymity are different;
- 🎯 Analyze the plea agreement;

-  Assess the legal conditions and stages of the procedure when the agreement can be reached;
-  Decide on the penalties that may be recommended in the agreement;
-  Evaluate the witness protection program;
-  Understand the role and status of the cooperating witness in criminal proceedings.


content

-  Protection of the injured and witnesses in criminal proceedings;
-  Requirements for protective measures or anonymity;
-  Protective and Anonymity Orders;
-  Terms of plea agreement negotiation;
-  Rights of the victim and the injured party in cases of plea agreement;
-  Review of the plea agreement.
-  Terms of agreement with cooperating witnesses;
-  Status and role of the cooperating witness in criminal proceedings;
-  Declaration of cooperating witness in criminal procedure;
-  Reduction of the sentence of cooperating witnesses after the verdict.


Methodology

-  Training, interactive discussion, presentation of cases from the judicial practice of Kosovo, case studies from the judicial practice of the ECtHR.

Beneficiaries

-  Judges, prosecutors, professional associate, legal officer.

Duration

-  The training will last two (2) days.

Topic identified by:

- Permanent trainer
- EULEX report
- Questionnaire for assessing the needs for continuous training (judges/prosecutors)
- Training needs assessment workshop, 25 July 2024
- Training policy document and training needs plan for state prosecutors and administrative staff for 2025 - KPC





11. Implementation of the Criminal Policy Guidelines

The purpose of this training is to develop the knowledge of the participants regarding the implementation of the Punitive Policy Guidelines, with a focus on the general guidelines, as well as the specific guidelines which are important for the unification of the sentences imposed. Also, the purpose of the training is the literal application of the methods of measuring punishment by all judges, but at the same time so that prosecutors and defenders of victims can contribute to the illumination of the circumstances before the court that would affect the correct measurement of punishment, in accordance with punitive policy guidelines.










The punitive policy has presented a constant challenge to the judges in determining mitigating and aggravating circumstances in deciding on the type and amount of punishment. In general, significant problems and unequal treatment of perpetrators of criminal offenses and inconsistency in sentencing have been identified, and this has had a direct impact on reducing transparency and public trust. In order to address these shortcomings, the Supreme Court of Kosovo has issued the Punitive Policy Guidelines and the table for determining the punishment for the perpetrator of the criminal offense and the committed criminal offense. At the same time, the Consultative Commission for Punitive Policy has been formed, which continuously monitors the phenomena and challenges that judges face in the case of the implementation of Punitive Policy Guidelines, and during its work continuously issues specific instructions regarding the harmonization of the punitive policy, which will be presented and discussed during these tables that are planned to be organized. The aspect of the punitive policy is not only a problem of the judiciary, but also of the Prosecutor's Office, and for this reason, Guidelines for the role of the state prosecutor have been issued with the aim of clarifying and explaining the role of the prosecutor during all phases of the criminal procedure in the preparation and gathering information and successfully presenting it to the court during the sentencing hearing.

Another important issue under this topic is the application of the general and specific guidelines, the determination of mitigating and aggravating circumstances and specifically the wrong application of these circumstances with a focus on evaluating the elements of criminal offenses as aggravating circumstances emerge.


Objectives

-  Analyze the implementation of the general and specific guidelines and the activity of the Consultative Commission for Punitive Policy;
-  Understand the guidelines for the role of the prosecutor in punitive policy;
-  Apply the relevant circumstances when determining the punishment;
-  Analyze the importance of fair and accurate determination of mitigating and aggravating circumstances.

Content

-  Activity of the Consultative Commission for Punitive Policy;
-  Implementation of Punitive Policy Guidelines with a focus on the general guidelines;
-  Methodology of the implementation of the guidelines for the measurement of punishment;
-  Mitigating and aggravating circumstances when determining the punishment;
-  Methodology of the assessment of the circumstances of the category of responsibility and damage;
-  Division of categories for the measurement of punishment for criminal acts of corruption;
-  Unification of practice for measuring the impact of training;
-  Sessions for sentencing;
-  Preparation, persuasive argumentation for determining the appropriate punishment before the court.

Methodology

-  During the training, combined methods will be used starting from the presentation by the trainers and up to interactive methods in order to encourage discussions through the analysis of practical cases.

Beneficiaries

-  Judges, prosecutors and professional associates of all levels.

Duration

-  The training will last one (1) day.

Topic identified by:

- Post-completion training evaluation form
- Training needs assessment workshop, 25 July 2024
- Questionnaire for assessing the needs for continuous training (judges/prosecutors)







12. Special investigation measures

The purpose of this training is to provide the participants with theoretical and practical knowledge in the case of applying the relevant provisions for obtaining information in the investigation phase, namely the implementation of covert and technical measures of observation and investigation. So, the objective of the treatment in these lectures are the legal provisions, which regulate the issue of investigation, suspension, termination and resumption of the investigation, as well as the institution of special investigation measures during the criminal procedure in the investigation phase. The criminal investigation is one of the main stages of the criminal procedure. During the criminal investigation, the prosecutor is able to ensure that the collection of evidence is carried out in accordance with the law and that it is stored and analyzed properly, so that it can be used in court. To summarize, the role of the prosecutor in the investigation is quite important and includes the following elements: ensure that the investigative work focuses on the elements of the crime; ensure that the work during the investigation is structured and coordinated; ensure that evidence is collected in accordance with the law; ensure that evidence is properly preserved; ensure that evidence is properly analyzed; and ensure that the evidence is usable at trial. One of the most important areas or topics, however, is the special investigation measures and their implementation, which are taken from cases of serious infringement or interference and restriction of fundamental human rights and freedoms towards the accused and other persons. For this reason, arbitrariness in the implementation of these measures by the authorized bodies should be prevented due to the risk of violation or limitation of the rights that preserve the integrity and secrecy of the personal communications of the person involved in these measures.








The purpose of the implementation of these measures has been and is the prevention of the commission of criminal offenses, the more efficient detection of criminal offenses, as well as the pursuit of the perpetrators of criminal offenses in cases where they cannot be detected by other investigative actions. According to the Criminal Procedure Code, 12 special investigation measures are foreseen, so that some of them, which are less intrusive on the citizen's rights, are authorized by the state prosecutor, while others are authorized by the judge of the preliminary procedure, at the request of the state prosecutor. These measures undoubtedly affect the privacy of a person's life and his rights to freedom, and hence the permission to issue these measures is also conditional by law, but for the sake of preventing the perpetrators of criminal offenses, these measures will be applied when information or

discovery of the perpetrator of the criminal offense cannot be obtained with other measures, and human rights will be affected as little as possible. The Constitution of the Republic of Kosovo provides in Article 36, "Right to Privacy", that "Everyone enjoys the right to have her/his private and family life respected, the inviolability of residence, and the confidentiality of correspondence, telecommunication and other communication." As we know, the (positive) protection of private and family life within the framework of the European Convention on Human Rights is provided for in two articles, Article 8 and 12, which define that "everyone has the right to respect for his private and family life, his home and his correspondence." (first paragraph).


Objectives

-  Identify the cases when the use of covert measures is allowed and for which criminal offenses the measures are allowed;
-  Understand the nature and limits of the use of a certain covert tool, proportionality and necessity;
-  Identify the conditions and criteria of use, the subjects against whom they can be used, their duration, the method, etc.;
-  Assess the handling and destruction of material and personal data obtained as a result of the use of these covert measures;
-  Identify the responsibility of police officers in their use and accountability regarding the authorization and use of measures;
-  Evaluate the admissibility of evidence and information gathered as a result of their use.

Content

-  Development of the investigation plan;
-  Providing evidence during the investigation phase;
-  Initiation, suspension, termination and resumption of investigations;
-  Purpose and types of special investigation measures;
-  Legal conditions and orders for special investigation measures;
-  Implementation and duration of special investigation measures;
-  Admissibility of evidence provided by special investigation measures.


Methodology

-  Training, interactive discussion, presentation of cases from the judicial practice of Kosovo, case studies from the judicial practice of the ECtHR.

Beneficiaries

-  Judges, prosecutors, professional associates, legal officers, police investigators.

Duration

 The training will last two (2) days.





Topic identified by:

- Post-completion training evaluation form
- Ombudsperson Institution - IAP
- Training needs assessment workshop, 25 July 2024










13. Criminal offenses against sexual integrity

The sensitivity of criminal offenses against sexual integrity requires a more detailed treatment to remove dilemmas from the fact that legal provisions leave room for interpretation and confusion. Also, within the chapter of criminal offenses against sexual integrity, among other things, some offenses affecting the sexual integrity of children are provided. The fair application of the legal provisions from this chapter is often presented as a challenge for judges and prosecutors, including caution when receiving the victim's statement, especially the child victim, application of the legal provisions of the Criminal Code regarding receiving the victim's statement no more than twice during the implementation of the criminal procedure, the clarification-interpretation of the legal provisions on (not) giving the consent of the child regarding the actions of the defendant towards the child, the presence of the persons who must be present during the receipt of the statement, the improvement of institutional cooperation and coordination for maximum security for the victim during the entire legal process, the development of knowledge in the implementation of the state protocol for handling cases of sexual violence by all participating professionals, what does sexual integrity mean, what is the difference between sexual assault and sexual harassment, and what is the difference between victim and harmed.


Objectives

-  Expanding knowledge related to the criminal procedure when the child is a victim;
-  Analysis and presentation forms of rape and other acts related to sexual integrity;
-  Implementation of the legal restriction regarding the taking of the statement of the child victim and the presence of the necessary institutional representatives;
-  Psychological aspects during the treatment of children-victims of sexual violence.


Content

-  Criminal offenses from Chapter XX of the Criminal Code of the Republic of Kosovo,
-  Abuse or sexual exploitation of persons with mental disorders or mental or emotional disabilities;
-  Provision of material and personal evidence;
-  Medical and forensic examinations of the victim and the perpetrators;
-  Taking the victim's statement - child victim;
-  Care in approach due to the sensitivity of child victims;
-  Respecting the confidentiality of the procedure and the child's privacy;
-  Knowledge of the state protocol and its implementation;
-  Inter-institutional cooperation in carrying out the necessary actions in handling the case and insurance.


Methodology

-  Training, interactive discussion, presentation of cases from the judicial practice of Kosovo, case studies from the judicial practice of the ECtHR.

Beneficiaries

-  Judges, prosecutors, professional associates, legal officers, victims' advocates, police officers.

Duration

-  The training will last two (2) days.

Topic identified by:




- Post-completion training evaluation form
- Questionnaire for assessing the needs for continuous training (judges/prosecutors)
- Strategy for protection from domestic violence 2021-2026
- National Program for Human Rights

14. Criminal procedure of perpetrators with mental disorders







The Criminal Procedure Code defines persons with mental disorders as a special category of perpetrators of criminal offenses, so the CPCK also provides for a specific procedure in cases where these persons are included as perpetrators of criminal offenses. The special mental state in which this category of perpetrators of criminal offenses is found justifies the determination of special legal measures, namely measures of compulsory psychiatric treatment, as a reaction to them for the criminal offenses they commit. Also, the conditions for the imposition of these measures and the manner of their execution are conditioned by the mental state of the perpetrator of the criminal offense. The decisive determination of the types of measures of compulsory psychiatric treatment and the legal conditions for the imposition of such measures has a two-fold importance as it protects society from the criminal behavior of irresponsible persons and with reduced essential responsibility, while also protecting the dignity of irresponsible persons and with reduced essential responsibility who are perpetrators of criminal offenses. Analyzing the conditions for the imposition of these measures and the goal to be achieved through their execution, we see that the irresponsibility of the perpetrator of the criminal offense and the risk of repeating criminal behavior are key factors for the imposition of such measures. This training will focus on the analysis of the procedure which is conducted against perpetrators with mental disorders, the

expertise, imposition of the detention measure against these persons, legal determination of the types of measures of compulsory psychiatric treatment, conditions and the judicial procedure of the imposition, as well as the manner of their execution in a clear way where they define the subjects to whom they are dedicated and the goal that is intended to be achieved through them.


Objectives

-  Advancement of knowledge about the criminal procedure involving perpetrators with mental disorders;
-  Evaluate the conditions and legal criteria related to the imposition of detention for perpetrators with mental disorders;
-  Analysis of mandatory treatment measures.


Content

-  Features of the criminal procedure involving perpetrators with mental disorders;
-  Detention of persons with mental disorders;
-  Psychiatric examination;
-  Determination of compulsory psychiatric treatment measures;
-  Challenges in implementing procedures with perpetrators with mental disorders;
-  Analysis of the OSCE report.


Methodology

-  Application of interactive methodology, discussion and application of practical group cases.

Beneficiaries

-  Judges, prosecutors, professional associates, victims' advocates.

Duration

-  The training will last one (1) day.

Topic identified by:




- Trainers' recommendations after training sessions
- Training needs assessment workshop, 25 July 2024

15. Trial in absentia







According to the provision of the CPCK, in cases where the presence of the defendant cannot be ensured after reasonable efforts, the trial can be held even without the presence of the defendant. This change in procedure was made based on Directive (EU) 2016/343 of the European Parliament and Council of 9 March 2016. The institute of trial in absentia was incorporated because in many cases there were difficulties in ensuring the presence of the defendant in procedure, in which case the statute of limitations for criminal prosecution was reached, but in some cases the defendants also evaded justice, especially in the criminal offenses of genocide, war crimes, crimes against humanity or other criminal offenses which according to international law are not prescribed, as well as the criminal offense of

aggravated murder. Trial in absentia shall apply to all criminal offenses when the legal conditions are met. The conditions that must be fulfilled in order to hold the trial in absentia are the presence of the defendant in the trial at least once (either in the initial trial or in the judicial trial) and the notification of the obligation to be present at the trial as well as the information that otherwise the trial may continue if the defendant is voluntarily absent. However, the criterion of the presence of the defendant has an exception, when it comes to the criminal offenses which are not prescribed in Article 104 of the CCRK. Unlike the cases according to the first criterion, in cases of trial in absentia for the criminal offenses defined in Article 104 of the Criminal Code, according to paragraph 7 of Article 303 of the Criminal Code, the convicted person has the right to an unconditional, automatic and complete on demand retrial.


Objectives

-  Understand the fulfillment of the legal conditions to hold a trial in absentia;
-  Understand the appearance of the accused in the initial hearing to hold the trial in absentia and in the judicial review;
-  Evaluate aspects of local and international legislation related to trial in absentia.

Content

-  Legal conditions for holding a trial in absentia;
-  Presence of the accused in the initial and judicial examination;
-  Hearing to determine the absence of the accused and holding the trial in absentia;
-  Reasonable efforts to locate the accused;
-  Notification of the defendant regarding the verdict;
-  Retrial in cases of trial in absentia.


Methodology

-  Application of combined training methods, interactive discussions, study of practical cases, group work, ECtHR decisions, etc.

Beneficiaries

-  Judges and prosecutors.

Duration

-  The training will last one (1) day.




Topic identified by:

- Monitoring report of judicial processes in the Western Balkans
- Training needs assessment workshop, 25 July 2024
- Training policy document and training needs plan for state prosecutors and administrative staff for 2025 - KPC










16. Articulation and support of indictments/judicial decisions - legal writing

During this session, participants will be informed about the importance of legal writing, the features that make it sustainable, such as clarity, precision, conciseness and analytical component. Indictments and court decisions should aim to describe and analyze legal issues, provide clear arguments and articulations, and support legally based conclusions. They must be clear and simple, have a clear structure, have simple and clear language, avoid complex and long sentences, have accuracy and presentation of complete and correct facts, and have a logical structure with a clear presentation of arguments, chronological order of facts and legal analysis. Arguments must be based on the facts and fair interpretation of the law without including emotions and prejudices and have as few mistakes as possible in spelling or grammar which could damage the credibility of the document. Legal writing represents one of the main factors for the quality of judicial processes. Legal writing should contain clear and objective analysis that helps in litigation. Methods used for legal writing, forms of cybercrime prevention. Elements of the criminal offense of cybercrimes, combating cybercrimes domestically and internationally


Objectives

-  Recognize the importance of legal writing;
-  Advance knowledge about the basic rules of writing legal acts and documents;
-  Know the methodology and standards of legal writing.


Content

-  Importance, standards and principles of legal writing;
-  Methodology of using the IRAK formula;
-  Legal reasoning;
-  Compilation of court decisions;
-  Language used, structure, spelling, conclusion and conclusions;
-  Conclusions and arguments are properly reasoned and supported;
-  Submission of legal remedies referring to the appropriate legal basis;
-  Preparation of content materials (reports, letters, documents) in full;
-  Proper presentation of cases in court.


Methodology

-  Treatment and presentation of cases from judicial practice and group work.

Beneficiaries

-  Judges, prosecutors, professional associates.

Duration

-  The training will last two (2) days.

Topic identified by:

- Post-completion training evaluation form
- Rule of Law Strategy Action Plan 2025-2026
- Questionnaire for assessing the needs for continuous training (judges/prosecutors)
- Trainers' recommendations after AoJ training sessions
- Training needs assessment workshop, 25 July 2024
- UNDP

17. War crimes

The investigation and trial of war crimes in Kosovo represents a new challenge for the justice system in Kosovo. In the legal system of Kosovo, three (3) legal frameworks are applied when dealing with cases of war crimes: (1) the rules of international law, (2) the rules of the law of the former Yugoslavia, and (3) the rules of the law of the Republic of Kosovo. Kosovo's judicial and prosecutorial system has gone through difficult times, and efforts to prosecute and punish those who have committed war crimes are still ongoing. We must remember that war crimes are not just a legal issue; they are a serious violation of morality and human rights, deeply affecting the spirit of the affected communities and leaving scars that will be felt for many years. During these 25 years, great efforts have been made to bring to justice those who committed crimes during the war. These efforts have included establishing fair and independent structures, supporting victims and ensuring accurate and complete documentation of crimes. International aid and the commitment of local institutions have been essential in this process and we are committed to continue supporting these efforts with all our resources. It is important to emphasize that the war crimes in Kosovo, during these 25 years, have passed through three different time periods. The first period includes the time when war crimes were dealt with by the United Nations Mission in Kosovo, known as UNMIK.

At that time, Kosovar prosecutors and judges had little, if any, access to these cases, because it was the exclusive competence of UNMIK prosecutors and judges. The second period included the time when war crimes were dealt with by the European Union Rule of Law Mission in Kosovo, known as EULEX. Even during this period, war crimes cases were the exclusive competence of EULEX prosecutors and judges, while Kosovar prosecutors and judges had very little access. The third period began around June 2018, with the process known as the "Period of transferring powers and files from EULEX prosecutors to local prosecutors". This process continued throughout 2018 and ended around the end of that year. As a result, we have received about 1000 files from EULEX. Facing this new challenge, the Kosovo Prosecutorial Council approved the Strategy for War Crimes defining our institutional approach to this situation.

The treatment of war victims, especially victims of sexual violence during the investigation and trial of war crimes presents a specific challenge. The existing legal framework provides legal guarantees for the rights of victims and victims of sexual violence in a case of war crimes. There are two important laws that provide guarantees that victims, including victims of sexual violence, will receive appropriate support. The Criminal Procedure Code foresees a multitude of procedural rights for a victim of a war crime, rights that the victim can use throughout the judicial process. Also, the Law on Crime Victim Compensation is a specific law, which defines the rights of victims in the implementation of legal property claims, in cases where a victim is a victim of a crime.

The new legal framework, in application since 2023, has established a new procedural standard: trial in absentia for cases of crimes under international law. With this legal framework, it is decisively determined what criteria must be met for the proceedings of a case of war crimes in absentia, what are the procedural legal conditions that must be met during the investigation and trial in order to handle a case of war crimes. This training aims for the participants to raise their professional capacities in local and international practical cases for war crimes, on the basis of the practical flaws identified, even in the cases that were given an epilogue.

Objectives

- 🎯 Advancement of knowledge for the investigation and trial of war crimes cases;
- 🎯 Advancement of knowledge related to the forms of criminal responsibility for war crimes;
- 🎯 Advancement of knowledge related to command responsibility as a form of criminal responsibility;
- 🎯 Advancement of knowledge related to the legal framework for investigation and trial in absentia for cases of war crimes.
- 🎯 Advancement of knowledge about the rights of victims of war crimes, with special emphasis on victims of sexual violence during the war;
- 🎯 Advancement of knowledge related to the local and international protocol for handling cases of sexual violence during the war;
- 🎯 Advancement of knowledge related to the applicable legal framework;
- 🎯 Presentation of practical cases related to the protection of victims' rights;
- 🎯 Advancement of inter-institutional cooperation and with NGOs related to the treatment of victims of war crimes.

Content

- 📄 Trial of war crimes cases in absentia;
- 📄 Circumstantial evidence in proving responsibility for war crimes cases;
- 📄 Genocide and differences with war crimes, crimes against humanity;
- 📄 Applicable forms of criminal responsibility for war crimes;
- 📄 Judicial practice: decisions of the Supreme Court and the Court of Appeals of Kosovo;
- 📄 Joint criminal enterprise;
- 📄 Command responsibility;
- 📄 Individual responsibility;
- 📄 Genocide;
- 📄 Crimes against humanity;
- 📄 Crimes against the civilian population;
- 📄 International legal cooperation for war crimes cases (Residual Mechanisms for International Tribunals based in The Hague);
- 📄 Victims' rights according to Article 63 of the Criminal Procedure Code;
- 📄 Victims' rights under the Law on Crime Victim Compensation;
- 📄 Government's Strategy for Transitional Justice, with special emphasis on victims of war crimes;
- 📄 Procedural aspects of receiving a war crime victim's statement;
- 📄 Judicial practice related to victims of war crimes.

Methodology



Training will be implemented through theoretical, practical and combined lecture methods. The participants will be given practical exercises from the cases handled in the prosecutor's office and will be asked to analyze and present the evidenced issues. The sessions will be organized in individual and group workshops. Through this method, it is intended that the participant will be actively involved in every issue and in this way will strengthen the knowledge he possesses and will also gain new knowledge in certain fields.

Beneficiaries



Judges, state prosecutors, lawyers, professional associates, legal officers, investigating police.

Duration



Two two-day trainings (January-June and September-December)

Topic identified by:




- Post-completion training evaluation form
- Questionnaire for assessing the needs for continuous training (judges/prosecutors)
- Training needs assessment workshop, 25 July 2024

18. International legal cooperation in criminal matters






The purpose of this training is to develop the knowledge of the participants regarding the field of legal cooperation in criminal matters and knowledge of domestic legislation, agreements with other countries, as well as international instruments in the field of international legal cooperation in criminal matters. Given the fact that often criminal offenses are committed in several countries and we also have situations when foreign perpetrators of criminal offenses commit criminal offenses in our country or citizens of Kosovo commit criminal offenses in other countries, legal assistance in criminal cases in order to ensure the successful fulfillment of criminal procedure needs. The basis for the implementation of international legal aid is the local legislation, namely Law No. 04/L-213 on International Legal Cooperation in Criminal Matters. Also, with the aim of implementing international legal cooperation, the agreements signed with individual states are important for the efficient implementation of international legal cooperation in criminal matters. It is also important to gain knowledge about the relevant international legislation.

An important issue under this topic is the determination of the basic criteria of international legal cooperation according to local and international legislation, as well as based on the agreements between our country and other countries with the aim of implementing international legal cooperation in criminal matters.


Objectives

-  Advancement of knowledge about aspects of international legal cooperation in the criminal aspect;
-  Advancement of knowledge with local and international legislation in matters of judicial cooperation in criminal matters;
-  Fair application of the legal provisions of local and international legislation in the field of international legal cooperation


Content

-  Discussions related to local and international legislation regarding international legal cooperation;
-  Implementation of relevant provisions from local and international legislation;
-  Extradition;
-  Conditions of extradition;
-  Prohibitions on extradition, intent to benefit or cause harm.


Methodology

 During the training, combined methods will be used starting from the presentation by the trainer and up to interactive methods used in order to encourage discussions through practical cases.

Beneficiaries

 Judges and prosecutors.

Duration

 The training will last one (1) day.

Topic identified by:

- Training needs assessment workshop, 25 July 2024
- Post-completion training evaluation form
- Report of the US Department of State
- Questionnaire for assessing the needs for continuous training (judges/prosecutors)

19. Trafficking in human beings

Trafficking in human beings constitutes a violation of human rights and fundamental values of democratic societies and a major threat to security and public order. Despite the efforts of states at the national, regional and international levels, human trafficking remains a dynamic criminal activity in constant adaptation and sophistication. Every year, thousands of people, mostly women and children, are trafficked for the purpose of sexual exploitation or other forms of exploitation, both inside and outside their country of origin. Almost all countries in the region are countries of origin, transit or destination, or a combination of the above. The fight against human trafficking¹ by engaging the states in joint response and efficient cooperation of the national mechanisms set up by them remains in the priority of many international organizations. Almost two decades after the entry into force of the United Nations Convention against Transnational Organized Crime, through which a common position at the international level was formally reached for the first time regarding the definition of trafficking in human beings, this definition continues to stimulate discussions, although it has been supported by other international instruments that deal with human trafficking.² Article 3 (a) of the Palermo protocol has defined the offense of "trafficking", a definition which has an extraordinary worldwide importance, especially in terms of harmonizing domestic legislation in this field and consequently increasing international cooperation based on the same or similar concepts of trafficking. However, only during the last decade it has been evident that this definition itself has some ambiguities which are reflected in its application.





Despite numerous studies by researchers and international organizations to elaborate the complexity of the offense of trafficking, there is still a great need for the study of judicial practice in relation to the relevant legal provisions. The detailed formulation, but at the same time the wide field covered by the criminal offense of human trafficking, give special importance to the practice developed by the Albanian judicial institutions, which have value in terms of the breakdown and sustainable understanding of human trafficking human in the field of law. According to the standards of international law, human trafficking should be recognized and treated not simply in terms of public safety, but also as a violation of human rights and a form of gender-based discrimination and violence against women and girls.

Thus, General Recommendation No. 19 of the Committee for the Elimination of All Forms of Discrimination Against Women (CEDAW) identifies trafficking as a form of gender-based violence against the equal enjoyment of women's rights and dignity.








The European Court of Human Rights has also clearly established in its jurisprudence that trafficking in human beings, as defined in the United Nations Trafficking Protocol and the Council of Europe Convention on Action against Trafficking, is prohibited by Article 4 of the Convention on Protection of Fundamental Human Rights and Freedoms (ECHR) without being necessary to qualify in any of the forms expressly provided by Article 4, such as slavery, or forced labor: "Trafficking in human beings, for the nature and purpose of its exploitation, is based on the exercise of the powers that belong to the right of ownership. It treats human beings as commodities to be bought and sold and put into forced labor, often for little or no pay, usually in the sex industry, but elsewhere as well. This means close surveillance of the activities of the victims, whose movements are often restricted. It includes the use of violence and threats against the victims, who live and work in poor conditions."

What does human trafficking mean, what are the elements of the criminal offense of human trafficking, what is the difference between human trafficking, migrant trafficking and prostitution. Elements of the crime of human trafficking, the concept of human trafficking under domestic and international law, investigation and prosecution, compensation for victims of trafficking and victim support during trial.


Objectives

-  Understand the definition of the criminal offense of human trafficking;
-  Understand the rights of victims of human trafficking;
-  Know the simultaneous methods of criminal investigation and prosecution;
-  Advance knowledge about the treatment of trafficking victims in criminal proceedings.


Content

-  Concept of human trafficking;
-  Elements of the criminal offense;
-  Trafficking of children;
-  Identification of victims;
-  Criminal investigation and prosecution;
-  Seizure and confiscation of property;
-  Victim compensation and support.


Methodology

-  Interactive discussion, presentation of cases from the judicial practice of Kosovo, case studies from the judicial practice of the ECHR.

Beneficiaries

 Judges, prosecutors, professional associates, police officers, victim advocates, police investigators.

Duration

 The training will last two (2) days.

Topic identified by:

- Questionnaire for judges/prosecutors on training needs
- Training needs assessment workshop, 25 July 2024
- Permanent trainer




20. Criminal offenses against the environment

Environmental crime, crime against nature and crime against forests in the Republic of Kosovo have for years already been sufficiently regulated both in terms of the legal provisions for the prevention and punishment of crimes in these areas, as well as the type of criminal offenses that have appeared and are appearing every day with the evolution of society in general and technology in particular. In our country, more and more environmental pollution and degradation, then illegal cutting of forests, burning of forests or arson are being observed. This changes the flora and fauna of the affected area irreversibly, thus damaging the environment, forests and nature.








The Criminal Code of the Republic of Kosovo in Chapter 27 regulates criminal offenses against the environment, such as "Pollution, degradation or destruction of the environment"; "Deforestation"; "Illegal possession of hazardous substances and waste"; "Illegal permission to build or run factories and installations that pollute the environment"; and many other criminal offenses.

In an era where environmental pollution has become a global challenge, environmental protection has gained tremendous importance in the contemporary world. Studies and research of this challenge show that efforts to preserve and promote the environment are necessary to guarantee our future and that of future generations. In an effort to achieve this important goal, many contemporary states have penalized a multitude of actions related to environmental pollution, defining them as illegal acts, either in the form of criminal offenses, misdemeanors, administrative violations and other violations. These measures are intended to take care of the citizens' right to a clean and healthy environment. In this way, the handling of these environmental issues at different tables and fora among judges and other professionals is considered to be of particular importance.


Objectives

-  Identify criminal offenses against environmental pollution and degradation;
-  Apply in a fair manner the legal provisions that refer to criminal offenses against the environment;
-  Understand as clearly as possible the elements of criminal offenses against the environment, taking into account international agreements in the field of environmental protection in general;

Content

-  Understand criminal offenses in the field of environment, forest and nature;
-  Local legislation on protection of the forest and nature environment;
-  Calculation of the sentence imposed for a misdemeanor in the sentence imposed for a criminal offense;
-  International conventions for environmental protection;
-  International organizations that act in the fight against environmental crimes;
-  Council of Europe Conventions on the Environment;
-  Jurisprudence of the European Court of Human Rights on environmental issues.


Methodology

-  Combined methods of explaining and discussing concrete issues related to criminal offenses against the environment. In this direction, there will be interactive discussions and elaboration of cases from judicial practice, group work.

Beneficiaries

-  Judges, prosecutors, police investigators and professional associates.

Duration

-  The training will last one (1) day.

Topic identified by:


- Post-completion training evaluation form



21. Complaint of the injured party in the case of dismissal of the criminal complaint or termination of the investigation

With the new provisions of the Criminal Procedure Code, respectively Articles 84 and 156, the injured party as a party to the procedure has the right to file an appeal against the decision of the state prosecutor of the first instance for dismissal of the criminal report and termination of the investigation, as well as in the cases when the state prosecutor from the first instance does not handle the case within 6 months from the date of filing the criminal report.





The injured party's right to file a complaint in concrete cases is an important safeguard to ensure that victims of a criminal offense have a means to challenge the decisions of the first-instance prosecutors when these decisions do not match their expectations for justice. This right supports the victim in maintaining the balance between the authority of the prosecution and the demand for justice on the part of the injured party. The following aspects will be addressed: who has the right to file an appeal against the decision to dismiss the criminal complaint and suspend the investigation; who decides on the complaint of the injured party; the deadline for filing the appeal and the deadline for deciding on the appeal; content of the complain; decisions of the Appellate Prosecutor's Office regarding the complaint; and the legal aspect for the protection of the victims' rights

Objectives


-  Understand correctly the rights of victims in criminal proceedings;

-  The legal basis for the right to appeal against the decision to dismiss the criminal report and the termination of the investigation;
-  Complaint procedure at the Prosecutor's Office.


Content

-  The injured party's right to appeal,
-  Complaint grounds;
-  Decisions of the state prosecutor in relation to the complaint;
-  Implementation of the instructions of the Appellate Prosecution by the prosecutors of the first instance prosecutions.


Methodology

-  Training, interactive discussion, presentation of cases from the judicial practice of Kosovo.

Beneficiaries

-  Prosecutors, professional associate, legal officer, victims' advocates.

Duration

-  The training will last one (1) day.

Topic identified by:

- Training policy document and training needs plan for state prosecutors and administrative staff for 2025 - KPC





22. Investigation and prosecution of economic crimes

Criminal offenses against the economy undoubtedly cause numerous consequences in the economic and financial system. These criminal offenses have increased in recent years and violate the economic order, free trade and free competition. These acts harm economic stability, reduce income and hinder the development of a fair market. States usually take strict measures to prevent and punish these actions in order to protect the economy and consumers. The state should strengthen legal mechanisms and should have a practical approach to increase the effective prosecution, punishments and confiscations for the offenses crimes that generate wealth, which aim to contribute to strengthening the fight against economic crimes, fraud, and money laundering, in accordance with European and international standards.





The Criminal Code No. 06/L-074 of the Republic of Kosovo has stipulated in Chapter XXV “Criminal Offenses against the Economy” criminal offenses such as: violation of equality in the exercise of economic activity, unconscionable economic activity, causing bankruptcy, causing false bankruptcy, misuse of economic authorizations, consumer fraud, organization of pyramid schemes and illegal gambling, counterfeiting of money, prohibited trade, money laundering, tax evasion, giving and receiving bribes in the private sector, smuggling goods, avoiding the payment of mandatory customs duties or excise duties and many other criminal

offenses. Therefore, the addressing of these issues at different tables and fora among judges and other professionals is considered to be of particular importance.


Objectives

-  Advancement of knowledge about criminal offenses against the economy (with special emphasis on fraud, money laundering, tax evasion, counterfeiting of money, infringement of copyright and patent rights, smuggling of goods, avoiding the payment of mandatory customs duties or excise duties);
-  Identify the indicators of these criminal offenses;
-  Apply in a fair manner the legal provisions that refer to criminal offenses against the economy;
-  Understand the manner of investigation and prevention of these criminal offences.

Content

-  The meaning of criminal offenses against the economy with particular emphasis on fraud, money laundering, tax evasion, counterfeiting of money, infringement of copyright and patent rights, smuggling of goods, avoiding the payment of mandatory customs duties or excise duties;
-  Discovery of indicators of criminal offenses against the economy;
-  Use of modern methods of investigation and combating these criminal offenses;
-  Exchange of information with other law enforcement bodies.


Methodology

-  Application of combined methods of explanation and discussion of concrete issues related to these criminal acts. In this regard, there will be interactive discussions and elaboration of cases from judicial practice, group work, various simulations, etc.

Beneficiaries

-  Judges, prosecutors, police investigators and professional associates.

Duration

-  The training will last one (1) day.





Topic identified by:

- Training policy document and training needs plan for state prosecutors and administrative staff for 2025 - KPC





23. Measures to ensure the presence of the defendant in criminal proceedings

The CPOK has foreseen the measures to ensure the presence of the defendant in the procedure as instruments with which the freedom of movement is restricted, and the legal conditions are determined in order to successfully conduct the criminal procedure. Detention is the most severe measure under these measures. International instruments and local legislation suggest that detention be applied only when all other possibilities to achieve the goal are exhausted. The measures to ensure the presence of the defendant in the procedure are often not implemented according to the manner and conditions provided by law, therefore in judicial practice there are still difficulties in identifying, evaluating and analyzing the circumstances related to the decision for each basis for these measures. In judicial practice, there are also difficulties in the preparation of requests for these measures, especially for detention, there are difficulties in justifying the bases for the assignment of these measures because the legal provisions require concrete and not abstract reasoning for each legal basis.


Objectives

-  Advance knowledge about the request based on the appointment of security of the defendant in criminal proceedings;
-  Evaluate correctly the elements for determining the measures to ensure the presence of the defendant in the procedure;
-  Apply the basic principles related to these measures;
-  Draft and sufficiently justify the decisions for the imposition of these measures.


Content

-  The request based on the appointment of the security of the defendant in criminal proceedings;
-  Legal conditions - the basis for setting measures for the security of the presence of the defendant in the procedure;
-  Detention and justification of the decision on the appointment for detention;
-  Detention and other measures in relation to human rights and freedoms (appearance at the police station, bail, house arrest, diversion).


Methodology

-  In the training, combined methods will be applied, including theoretical and practical explanations, instructive discussion and treatment of cases from practice.

beneficiaries

-  Judges of basic courts and courts of appeals, prosecutors of basic, appellate and special prosecutor's offices.

Duration:

-  The training will last one (1) day.

TRAINING ACTIVITIES ON CIVIL LAW

Topic identified by:

- Training needs assessment workshop, 25 July 2024

1. Unification of judicial practice concerning obligational relations

The large number of court disputes for the compensation of damage, especially non-material damage, the non-harmonized judicial practice regarding the setting and criteria for determining the amount of non-material damage, are indicators that show that this topic is very important to be addressed. Civil legal protection of goods and the existence of civil legal responsibility (if someone violates these goods) is an important segment within the framework of ensuring a higher level of protection of legally protected human goods. The exact determination of the responsibility of the cause of the damage and the implementation




of the right of the injured party to the compensation of the damage in the non-contractual civil legal relationship is one of the challenges of the judges of the civil field.

Although the judicial practice is relatively developed regarding this topic, the large number of cases in the courts of Kosovo and the dynamics of the increase in the number of cases presented for compensation of damages has resulted in differences in the judicial practice, especially regarding criteria for determining the amount of material and non-material damage, but also the way of proving the factual situation in these cases often has flaws. The following issues will be addressed: The basis of responsibility for the compensation of material and non-material damage? What are the criteria for determining the amount of material and non-material damage? How is the factual situation proven in the procedure for the compensation of material and non-material damage? How to implement in practice the material provisions in concrete cases of disputes for the compensation of material and non-material damage? What is the practice for determining the amount of material and non-material bull reward? The training topic is structured in such a way as to answer the questions and uncertainties raised above through the analysis of all material legal provisions that refer to the compensation of material and non-material damage.




In judicial practice, we have different dilemmas and decision-making regarding the institution of prescription in relation to special obligations in cases of compensation for damage, recourse and municipal services. Dilemmas and different decision-making mainly refers to the calculation of the limitation period (when does the limitation period start, when is it interrupted or stopped?) Also in the judicial practice, dilemmas and different decision-making have been identified in the presented cases that refer to requests for compensation of damage - namely lost profit, proving and the means of proof as well as the evaluation of the conditions in the case of changing the decisions that refer to this category of damage.

The table aims to eliminate divergences in decision-making based on identified problems. The issues for discussion at this table can be as follows: Non-material damage, monetary compensation, specification of requirements for compensatory categories according to the LOR, legal basis, setting the amount of the claim, as well as the criteria for setting the amount for the monetary reward; Prescription in relation of obligations, calculation of the term of prescription, interruption of prescription; Lost profit, rent earned and future rent, evidence and evidence; and Reversal of decisions referring to lost profit.


Objectives

-  Unification of judicial practice;
-  Unified application of laws;
-  Improving the quality of decision-making.


Content

-  Compensation for non-material damage and judicial practice;
-  Prescription;
-  Lost profit.


Methodology

 At this table, combined methods of explanation are used, accompanied by practical examples and joint discussions, so that each of the participants is active throughout the training, so that the objectives of this training are fully achieved.

Beneficiaries

 Judges of the supreme, appellate and basic courts.

Duration

 The table will last two (2) days.




Topic identified by:

- Training needs assessment workshop, 25 July 2024




2. Unification of judicial practice in the Court of Appeals

The purpose of the table is to address the divergences in decision-making by the judges of the Court of Appeals, which cause confusion among the judges of the basic courts and this then reflects on the violation of legal security. As a special focus of the treatment at the table will be the decisions in the enforcement procedure, measures to secure the claim, family matters (with a focus on children's trust, alimony and contact with children). In front of the judges, a brief description of the problem in each field will be given, inciting a debate that will finally be crowned with an approximation and unification of decision-making. In relation to security measures, the focus will be on the part of the appellate judges to ensure that decisions in relation to security measures have a unified approach, avoiding the cancellation of these decisions more than once and not using a double standard by returning the case to retrial. In family disputes with a focus on evidence and data, the unified application of laws, the active role of the court and in the case of decision, international standards should be taken as a basis in relation to the protection and best assessment of the interests of children. The table aims to eliminate divergences in decision-making based on the identified problems. The dilemmas will be about the decision-making differences by the judges of the Court of Appeals for essentially the same issues such as who is the enforcement body, the evaluation of the legal conditions for the permission and implementation of the enforcement, subject competence according to the means of attack in the enforcement procedure and other issues, security measures, conditions for setting and replacing security measures and means of attack. In family matters, we are presented as a dilemma with evidence and data, the active role of the court in these disputes, as well as the obligation to implement international standards for the protection of the best interests of children in these disputes.


Objectives

-  Unification of judicial practice;
-  Unified application of laws;
-  Improving the quality of decision-making.

Content

-  Enforcement procedure;
-  Claim insurance measures;
-  Focused family disputes (child custody, alimony and contact with children) and change of decisions.

Methodology

-  Combined methods of explanation, practical examples and joint discussions, so that each of the participants is active throughout the training.

Beneficiaries

-  Judges of the Court of Appeals

Duration

-  The table will last two (2) days.




Topic identified by:

- Training needs assessment workshop, 25 July 2024
- Report of the Monitoring of Judicial Processes in the Western Balkans



3. Annulment of court decisions - findings of the Supreme Court and the Court of Appeals in the case of returning cases for retrial

The purpose of the table is to address the problems that have been identified by the Supreme Court and the Court of Appeals when returning cases for retrial, and which problems have dictated the non-implementation of the instructions and recommendations given by the higher instance court to lower instance courts when cases are returned for retrial. Another challenge that has been identified is non-implementation of the Legal Opinions, Legal Guidelines and Principled Positions of the Supreme Court by the courts of lower instances, which has resulted in divergence of judicial practice, and as a result has caused the violation of legal certainty and the unequal treatment of the parties in the procedure in essentially the same cases. In some cases, the instructions and recommendations of the higher courts when returning cases for retrial are not clear, they are generalized and confusing for lower instance courts and as such present dilemmas on how the courts should act in the case of examination of cases in retrial. One of the identified findings is that in some cases the higher instance courts, when examining cases according to the means of attack, exceed the limits of the examination of these means by not taking care to respect the "reformatio in pejus" principle. The issues for discussion at this table may be as follows: the limits of the examination of regular and extraordinary means by the courts of higher instances; evidence and evidentiary means in the case of returning cases for retrial; the "reformatio in pejus" principle; the application of instructions and recommendations from the courts of lower instances; and the application of legal opinions, guidelines and principled positions of the Supreme Court.


Objectives

-  Unification of judicial practice;
-  Unified application of procedural and material laws;
-  Increasing efficiency and quality in decision-making.


Content

-  Dispute procedure according to the means of attack;
-  Findings of the Supreme Court and the Court of Appeals in the case of returning cases for retrial.

Methodology

-  Combined methods of explanation, accompanied by practical examples and joint discussions, so that each of the participants is active throughout the training and the objectives of this training are fully achieved.

Beneficiaries

-  Judges of the supreme, appellate and basic courts.

Duration

-  The table will last two (2) days.

Topic identified by:

- Training needs assessment workshop, 25 July 2024
- Questionnaire for assessing the needs for continuous training (judges/prosecutors)
- Post-completion training evaluation form
- Trainers' recommendations after training sessions

4. Unification of judicial practice in property matters




The round table for property issues focuses on handling and addressing the challenges of judicial practice related to the implementation of material provisions in the field of property law. At the table for property issues, the most essential issues in the framework of property rights will be addressed. Property issues in our country attract a wide range of problems, starting from legal ones to the judicial practice of non-unified application of material law. Based on the importance of legal property relations not only for citizens but also for the country itself, as well as due to the complexity and challenges of this field, this table should be given due importance in the ongoing legal education program. The legal changes that have occurred in recent years regarding the way property relations are regulated, the change in the social system related to the concept of property and types of property, informal transactions of transfer of ownership, non-examination of inheritance, etc., have resulted in a high number of cases in our court. Judicial practice faced major challenges that have not been addressed in a unified way in the judicial system, which has directly affected legal certainty. The Supreme Court of Kosovo, within its jurisdiction as a court of assessment of the legality of decision-making at other judicial levels, aims to directly support the increase of judicial performance through the increase of efficiency, quality and unified implementation through this round table organized by the Academy of Justice of legal provisions so that the work of the courts is objective, legal and reliable. The topics covered in this round table are a careful selection of the most important and current issues, which are summarized as follows: acquisition of ownership by virtue of the winning prescription, right of construction and inheritance. The rationale for focusing on these basic principles is due to immediate needs as a result of non-unique practices, aiming at the unification of judicial practices that would ensure the principle of legal certainty.

The work of the roundtable will take place according to a framework agenda (predetermined) for issues that are included in the field of property relations. The handling of the issues will be done by presenting the challenges identified in the practice of the third instance court, which will be presented through concrete cases. The work of the table should be based on the legal concepts of the regulation of property relations, for which the moderators should be prepared to give their comments based on the judicial practice and legal provisions for all issues of the field being addressed. The roundtable is designed to take place in an interactive environment of discussions and practical exercises. The presentation of the topics will be done through the presentation of one or several practical cases directly related to the issue that must be addressed according to the agenda. The panelists must be prepared and open to discuss the case/cases related to the topic of the respective session, encouraging the interactive and analytical discussion of the relevant issue, but at the same time offering the theoretical/doctrinal views, the legal perspective and that of judicial practice as support for possible conclusions arising from the case under discussion. Addressing each issue/theme summarized in this table should also be done through a very brief (theoretical) presentation of the notions and other meanings of each raised issue and at the same time should be followed




by examples for each topic/issue. Cases must be carefully selected and must be supported by consolidated case law. At the end of the work at the table, the moderators must draw up a summary report for the table. The report will serve to distribute the results of the round table, but also to identify any issues that should be included in the academy's training programs or eventually addressed by the general session of the Supreme Court of Kosovo. The table aims to eliminate divergences in decision-making based on the identified problems.

Acquisition of ownership on the basis of winning prescription (legal conditions for acquiring ownership on the basis of winning prescription, applicable legislation), construction (legal conditions for acquiring ownership on the basis of the right to build according to the LLPR, construction across the border according to LPORR) and inheritance (legal conditions for acquiring ownership on the basis of inheritance, legal orders according to LIK and cancellation of works legal due to violation of the necessary part).


Objectives

-  Unification of judicial practice;
-  Unified application of laws;
-  Improving the quality of decision-making.


Content

-  Acquisition of ownership based on winning prescription;
-  Acquisition of ownership based on the right of construction; and
-  Acquisition of ownership based on inheritance.

Methodology

-  Combined methods of explanation, accompanied by practical examples and joint discussions, so that each of the participants is active throughout.

Beneficiaries

-  Judges of the supreme, appellate and basic courts.

Duration

-  The table will last two (2) days.

Topic identified by:

- Training needs assessment workshop, 25 July 2024
- Questionnaire for assessing the needs for continuous training (judges/prosecutors)

5. International Legal Cooperation in Civil Matters





International legal cooperation in civil matters is one of the most complex areas characterized by difficulties in defining, exploring and applying foreign law, including a number of procedural issues, such as issues of cross-border document services, international legal assistance, recognition and execution of foreign court decisions, etc. Each judge is faced with both domestic and cross-border cases alike, and as a result, each civil law judge needs training in dealing with cases with an international element. The program is designed so as to address the dilemmas and difficulties encountered in current judicial practice through interactive discussions and examination of practical cases. Also, through case studies, the judicial practice of the Court of Justice of the European Union will be treated. The table aims to eliminate divergences in decision-making based on the identified problems.

The issues for discussion in this training may be as follows: Current practice and challenges identified in cases of international legal cooperation.


Objectives

-  Advance knowledge about international legal cooperation for civil matters;
-  Implement local and international legislation and cross-border cooperation in civil matters.


Content

-  Sending letters;
-  Recognition and enforcement of foreign decisions;
-  Jurisdiction;
-  Insurance of costs of the procedure.


Methodology

-  During the training, combined methods will be used, including theoretical explanations followed by examples from judicial practice.

Beneficiaries

 Judges of basic courts.

Duration

 The training will last one (1) day.

Topic identified by:

- Training needs assessment workshop, 25 July 2024
- Post-completion training evaluation form
- Questionnaire for assessing the needs for continuous training (judges/prosecutors)
- Trainers' recommendations after training sessions





6. Judicial procedures of expropriation

The legal institution of expropriation was until 2009 legally regulated by the Law on Expropriation (Official Gazette of Kosovo No. 21/1978) with all its amendments and supplementations, while after the declaration of independence, the Republic of Kosovo issued another law whereby it has legally regulated this legal institution, the Law on Expropriation of Immovable Property, promulgated in the Official Gazette of the Republic of Kosovo No. 52, dated 8 May 2009, when this law entered into force. This law defines the responsible authorities and the division of responsibilities at the central and municipal level, lays down the conditions and rules and procedures for expropriation, defines the conditions, rules and procedures for limiting the temporary use of immovable property, as well as puts forth the conditions, rules and criteria of procedures for determining compensation. Both the European Convention on Human Rights and Fundamental Freedoms and Article 1 of Protocol 1 of the Convention have determined that interference with property rights must be based on law and that this must be the last intervention measure to achieve the intended goal. Elements required according to the ECHR and Protocol 1 of the Convention as well as the practice of the European Court of Human Rights are: to serve the general interest; the law determining the expropriation must be accessible and precise; and the reward - compensation must be adequate from the of the state to persons whose property rights have been affected.





The Constitution of the Republic of Kosovo in Chapter II Article 46 paragraph 3 allows the expropriation of private property only if it is in the public interest. According to this constitutional provision, expropriation can only be done if it is determined by law and if it is suitable for achieving the public goal or supporting the public interest and is followed by the provision of immediate and adequate compensation to the person or persons whose property is expropriated. The legal framework that regulates expropriation in Kosovo is Law No. 03/L-139 on Expropriation of Immovable Property (Official Gazette of the Republic of Kosovo, with its amendments and supplementations). Before the entry into force of this law in Kosovo, the Law on Expropriation (Official Gazette 21/78 of the Republic of Kosovo) was applicable. The Law on expropriation of immovable property specifically foresees the

following phases which must be implemented by the state authority: assignment of general interest, preparatory work, expropriation procedure, and compensation decision. The dilemmas that have appeared are related to the competence when the preliminary decision is appealed, then the divergence in the case of judging the price difference from the assessment of the expropriating body, interest and its calculation as well as the loss of value and the method of proof.


Objectives

-  Analyze expropriation procedures;
-  Advance knowledge about the compensation assignment procedure;
-  Assess what the compensation includes;
-  Understand how compensation is determined.


Content

-  Procedure for determining the amount of expropriation compensation;
-  Restrictions of the right to property under the ECHR and the Constitution of the Republic of Kosovo;
-  Determination of compensation and payment of compensation;
-  Evaluation methods.


Methodology

-  During this training, interactive methods of discussion and elaboration of cases, group work and practical cases will be analyzed.

Beneficiaries

-  Judges of basic courts.

Duration

-  The training will last one (1) day.

Topic identified by:





- 2025 Judge/Prosecutor Training Needs Questionnaire

7. Judicial protection in labor disputes according to the Labor Law






Training for judicial protection in disputes arising from the labor relationship, according to the Labor Law, focuses on handling and addressing the challenges of judicial practice related to the implementation of material and procedural provisions from the field of labor law. In this training, among other things, issues related to the procedure initiated by employees in cases of violations of work duties by employers will be addressed, including the identification of the preliminary conditions that must be met by the applicant before going to court with lawsuits to ensure judicial protection in such disputes, the court procedure and the types of decision-making of the latter related to these disputes. The issues for discussion in this training may be as follows: What are the types of employment contracts according to the Labor Law? What are the causes of termination of employment relations according to the Labor Law? What is the procedure before termination of the employment relationship by the employer? What are the employer's means of obtaining judicial protection? What are the legal deadlines for ensuring judicial protection in labor disputes? What are the judicial decisions of the court in labor disputes? etc. The training will serve as a good basis for providing knowledge to the participating judges regarding the current judicial practice.

The handling of the issues will be done by presenting the challenges identified in the practice of the second and third instance courts, which will be presented through concrete cases. The presented cases must be carefully selected in order to consume all the challenges related to the relevant field, in this case the field of issues related to judicial protection in labor disputes. Regarding the selected cases, the trainers must do the appropriate research from the judicial practice in the courts where they work and must make sure that those cases objectively present the problems of the cases dealt with, but also the way to act in the future.

Objectives


-  Expand knowledge related to disputes arising from the labor relationship;
-  Identify applicable local and international legislation in disputes arising from the employment relationship;
-  Distinguish disputes for civil service employees and disputes from the labor relationship according to the labor law;
-  Apply correctly the provisions of the relevant law, assessing the deadlines for seeking judicial protection.

Content

-  Employment contracts and their types;
-  Disputes from the labor relationship according to the labor law;
-  Judicial procedure for the protection of labor rights;
-  Respecting the deadlines for seeking judicial protection;
-  Implementation of the General Collective and Sector Agreement.

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Methodology

-  During this training, combined methods of explanation will be used, interactive discussion, presentation of issues through cases, discussion of cases and summary of conclusions on the discussed issue will be developed, in order to fully achieve the objectives of this training.

Beneficiaries

-  Judges of the Court of Appeals and basic courts.

Duration

-  The training will last one (1) day.

Topic identified by:




- "Balkan Enforcement Strengthening Project (BESP)" - funded by the Ministry of Foreign Affairs of the Netherlands and implemented by the Center for International Legal Cooperation (CILC).

8. Obligational and material relations with foreign elements and international legal cooperation in civil matters








This training is designed to provide general knowledge on innovations in the field of private law in Kosovo with a focus on obligational and property relations. As such, this training will address general private international law and the specialized part of obligational and property relations, as well as international legal cooperation in civil matters. The purpose of the training is to update the knowledge of the judges of the respective courts in the general part of private international law and on the innovations of the law in general, the institutes and the main pillars of the private international law and will be informed about the main innovations in its three main pillars: determination of the competent law, the competence of the courts, and the recognition and execution of foreign judicial decisions, focusing on the specifics of obligational relations with a foreign element and the international legal cooperation from this field.

Objectives


- 🎯 Update of knowledge: The training aims to provide general and specialized knowledge on innovations in the field of private law in Kosovo, with a special emphasis on obligatory relations. The main goal is to update the knowledge of judges about the innovations of the law and practices in this field.

-  International practices: The training will provide explanations on the practice of the Court of Justice of the European Union
-  Review of judicial decisions: The training aims to acquaint judges with the procedures and challenges of recognition and execution of foreign judicial decisions in the field of compulsory relations.
-  International cooperation: The training aims to promote international legal cooperation, offering practical examples of cooperation in the field of private international.


Content

-  Determination of the competent law in contractual relations with foreign elements in general and in contractual relations with consumers;
-  Determination of the competent law in individual employment contracts with a foreign element;
-  Determination of the competent law in foreign contractual relations and especially in causing damage with a foreign element;
-  Determination of the competent law in material relations with a foreign element;
-  Jurisdiction of the courts of Kosovo in the aforementioned relations;
-  Recognition and execution of court decisions in these relations in Kosovo and vice versa.
-  International legal cooperation in this field: practical explanations on the cooperation of courts in taking evidence and serving documents.


Methodology

-  In the training, a combined methodology will be applied including the theoretical explanations of changes brought by the law and the practical part consisting of exercises. Explanations on the innovations of the law and the institutes of this field of law are made by elaborating the main cases in practice decided by the Court of Justice of the European Union. The judicial practice of this Court, apart from being very rich, is very instructive for Kosovar judges as it interprets the same provisions which have been transposed in the LPIL in Kosovo. Meanwhile, in the exercise part, judges are presented with hypothetical problems of certain fields, which combine dilemmas of determining the competent law, their competence as a court in Kosovo and/or dilemmas on the recognition or refusal to recognize a foreign decision .

Beneficiaries

-  Judges of all basic courts, in the civil division, judges of the Court of Appeals in the civil division.

Duration

-  The training will last two (2) days.

Topic identified by:





- "Balkan Enforcement Strengthening Project (BESP)" - funded by the Ministry of Foreign Affairs of the Netherlands and implemented by the Center for International Legal Cooperation (CILC).

9. Family relations with a foreign element and international legal cooperation in civil matters










This training is designed to provide general knowledge on innovations in the field of private law in Kosovo with a focus on family relations. As such, this training will address general private international law and the specialized part of family relations and international legal cooperation in civil matters. The purpose of the training is to update the knowledge of the judges of the respective courts on the general part of private international law and on the

innovations of the law in general, the institutes and the main pillars of the private international law and will be informed about the main innovations in its three main pillars: determination of the competent law, competence of the courts, and recognition and execution of foreign judicial decisions, focusing on the specifics of obligational relations with a foreign element and the international legal cooperation from this field.


Objectives

-  Update of knowledge: The training aims to provide general and specialized knowledge on innovations in the field of private law in Kosovo, with special emphasis on family relations. The main goal is to update the knowledge of judges about the innovations of the law and practices in this field.
-  International practices: The training will provide explanations on the practice of the Court of Justice of the European Union.
-  Review of judicial decisions: The training aims to acquaint judges with the procedures and challenges of recognition and execution of foreign judicial decisions in the field of compulsory relations.
-  International cooperation: The training aims to promote international legal cooperation, offering practical examples of cooperation in the field of private international.


Content

-  General introduction to Private International Law (PIL) in Kosovo;
-  The main changes of LPIL with the new law;
-  Competence and competent right;
-  General introduction to the International Judicial Cooperation in Civil Matters (IJCCM);
-  Bilateral agreements and their application;
-  Specific family topics with a foreign element;
-  Divorces, alimony and matrimonial property regime;
-  Parental responsibility;
-  Inheritance.


Methodology

-  The training will be guided by a methodology that focuses on interactive lectures and trainers' presentations. To encourage interaction with the audience, case studies and practical exercises highlighting key practical dilemmas when implementing the legal framework will be developed for the training. Explanations on the innovations of the law and the institutes of this field of law are made by elaborating the main cases in practice decided by the Court of Justice of the European Union. The judicial practice of this Court, apart from being very rich, is very instructive for Kosovar judges as it interprets the same provisions which have been transposed in the LPIL in Kosovo. Meanwhile, in the exercise part, judges are presented with hypothetical problems of certain fields, which combine dilemmas of determining the competent law, their competence as a court in Kosovo and/or dilemmas on the recognition or refusal to recognize a foreign decision .

Beneficiaries

 Judges of all basic courts, in the civil division, judges of the Court of Appeals in the civil division.

Duration

 The training will last one (1) day.

TRAINING ACTIVITIES ON JUVENILE JUSTICE

Civil Aspect

Topic identified by:

- Training needs assessment workshop, 25 July 2024
- Post-completion training evaluation form
- Questionnaire for assessing the needs for continuous training (judges/prosecutors)
- Trainers' recommendations after training sessions

- Ombudsperson Institution
- Rule of Law Strategy Action Plan 2025-2026
- Trainers' recommendations after training sessions
- Coalition of NGOs for the Protection of Children - KOMF

1. Protection of children's rights in cases of divorce





Training on protection of children's rights in cases of divorce and domestic violence focuses on handling and addressing the challenges of court practice related to the implementation of material and procedural provisions from the field of family law. In this training, among other things, issues related to the protection of children's rights in cases of divorce and domestic violence, which are regulated by the Law on Family (LFK), will be addressed, having as a reference the Convention on the Rights of the Child (CRC). It will also be discussed about the way and methods of court communication with children in court proceedings, the principle of the best interest of the child, the role of the court and the guardianship body in the procedures related to the protection of children's rights in these cases, as well as applicable local and international legislation, including the innovations of the Law on Child Protection.

The issues for discussion in this training may be as follows: What are the principles and procedures for the protection of children's rights according to the legislation in force, in the cases of the trust of the child to one parent, the payment of alimony and the appointment of personal contacts? What is the applicable international legislation in these cases? On what criteria does the court decide in these cases? What are the consequences for children as a result of domestic violence? Who can request a protection order? What information should the claim include? Who is notified of the protection order? The training will serve as a good basis for providing knowledge to the participating judges regarding the current judicial practice. The training will be conducted according to a framework agenda (predetermined) for issues that are included in the field of family relations, with special emphasis on the protection of children's rights in court proceedings. The handling of the issues will be done by presenting the challenges identified in the practice of the second and third instance courts, which will be presented through concrete cases. The presented cases must be carefully selected in order to consume all the challenges related to the relevant field, in this case the field of issues related to the protection of children's rights during the divorce procedure, child trust, alimony and assigning personal contacts, as well as in cases of domestic violence, etc. Regarding the selected cases, the trainers must do the appropriate research from the judicial practice in the courts where they work and must make sure that those cases objectively present the problems of the cases dealt with, but also the way to act in the future.


Objectives

- 🕒 Identification of challenges for the implementation of the provisions of the Kosovo Family Law, which are related to the protection of children's rights in cases of divorce and domestic violence;
- 🕒 Unification of practices in courts of lower instances;
- 🕒 Identification and addressing of challenges through the presentation of unified judicial practice, as a conclusion.


Content

-  Principles for the protection of children's rights according to local and international legislation;
-  The criteria that the court takes as a basis in cases of children's trust and the principles for determination of alimony; appointment of personal contacts, as well as temporary measures according to the LFK;
-  Domestic violence, protection order and court proceedings for placement according to requests for protection order, in cases where children are participants;
-  Types of protective measures and their duration, execution and consequences of non-execution of the order for protection, in relation to the protection of the child's rights.


Methodology

-  During this training, combined methods of explanation will be used, such as interactive discussion, presentation of issues through cases, discussion of cases and summary of conclusions on the discussed issue will be developed, in order to fully achieve the objectives of this training.

Beneficiaries

-  Judges of the Court of Appeals and basic courts, guardianship body (CSW), victims' advocates, free legal aid officers.

Duration

-  The training will last one (1) day.

Topic identified by:

- Training needs assessment workshop, 25 July 2024
- Coalition of NGOs for the Protection of Children - KOMF

2. Protection of children's rights in cases of change of their status




The training on the protection of children's rights in cases of change of their status focuses on handling and addressing the challenges of judicial practice related to the implementation of material and procedural provisions from the field of family law. In this training, among other things, issues related to the protection of children's rights in cases of change in their status will be addressed, as well as the forms of special protection of these children which are regulated by the Law on Family of Kosovo (LFK), referring to the Convention on the Rights of the Child (CRC). It will also be discussed about the way and methods of court communication with children in court proceedings, the principle of the best interest of the child, the role of the court and the guardianship body in the procedures related to the protection of children's rights in cases of changing their status, as well as applicable local and international legislation, including the innovations of the Law on Child Protection. The issues for discussion in this training can be as follows: What are the conditions that must be met in order to recognize and prove the right of motherhood and fatherhood? What are the conditions that must be met and the judicial procedure that must be developed in cases of paternity or motherhood dispute? What are the local and international acts that apply in the procedure of proving/disputing motherhood/paternity? What are the effects of recognizing or opposing paternity/maternity in relation to the child? etc.

The training will serve as a good basis for providing knowledge to the participating judges regarding the current judicial practice in the procedure for the protection of children in the event of a change in their status. The training will be developed according to a framework agenda (predetermined) for issues that are included in the field of family relations, with a special emphasis on the protection of children's rights in the case of changing their status in court proceedings. The handling of the issues will be done by presenting the challenges identified in the practice of the second and third instance courts, which will be presented through concrete cases. The presented cases must be carefully selected in order to consume all the challenges related to the relevant field, in this case the field of issues related to the protection of children's rights in cases of change of their status. Regarding the selected cases, the trainers must do the appropriate research from the judicial practice in the courts where they work and must make sure that those cases objectively present the problems of the cases dealt with, but also the way to act in the future.


Objectives

- 🕒 Identification of challenges for the implementation of the provisions of the Law on the Family of Kosovo, which are related to the protection of the rights of children without parental care and in cases of change of their status;
- 🕒 Identification of non-unified practices in the courts of lower instances;
- 🕒 Addressing challenges through the presentation of a unified judicial practice, as a conclusion.


Content

-  Motherhood and fatherhood;
-  Protection of children's rights in the procedure of contesting and proving paternity or motherhood and the principle of the best interest of the child;
-  Innovations and implementation in practice of the provisions of the Law on Child Protection.


Methodology

-  During this training, combined methods of explanation will be used, interactive discussion, presentation of issues through cases, discussion of cases and summary of conclusions on the discussed issue will be developed, in order to fully achieve the objectives of this training.

Beneficiaries

-  Judges of the Court of Appeals and of the basic courts, the Guardianship Body (CSW); victims' advocates, free legal aid officers.

Duration

-  The training will last one (1) day.

Topic identified by:

- Training needs assessment workshop, 25 July 2024
- Coalition of NGOs for the Protection of Children - KOMF




3. Judicial protection of the rights of children without parental care

The training for the protection of the rights of children without parental care focuses on handling and addressing the challenges of judicial practice related to the implementation of material and procedural provisions from the field of family law. In this training, among other things, issues regarding the protection of the rights of children without parental care will be addressed, as well as the forms of special protection of these children which are regulated by the Law on Family of Kosovo (LFK), having as a reference the Convention on the Rights of the Child (CRC). It will also be discussed about the way and methods of court communication with children in court proceedings, the principle of the best interest of the child, the role of the court and the guardianship body in the procedures related to the protection of the rights of children without parental care, as well as applicable local and international legislation, including the innovations of the Law on Child Protection.





The issues for discussion in this training can be as follows: What are the conditions 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? Can children of Kosovo citizens be adopted by foreign citizens? What are the international acts that apply in the adoption establishment procedure? What are the other forms of parental care provided by LFK? How is the best interest of the child evaluated in this procedure? What are the methods of communication with children in the adoption procedure?, etc.

The training will serve as a good basis for providing knowledge to the participating judges regarding the current judicial practice in the adoption establishment procedure and not only. The training will be developed according to a framework agenda (predetermined) for issues that are included in the field of family relations, with special emphasis on the protection of the rights of children without parental care in court proceedings. The handling of the cases will be done by presenting the challenges identified in the practice of the second and third instance courts, which will be presented through concrete cases. The presented cases must be carefully selected in order to consume all the challenges related to the relevant field, in this case the field of issues related to the protection of the rights of children without parental care. Regarding the selected cases, the trainers must do the appropriate research from the judicial practice in the courts where they work and must make sure that those cases objectively present the problems of the cases dealt with, but also the way to act in the future.


objectives

-  Identification of challenges for the implementation of the provisions of the Law on the Family of Kosovo and the Law on Child Protection, which are related to the protection of the rights of children without parental care;
-  Identification of non-unified practices in the lower instance courts;
-  Addressing challenges through the presentation of a unified judicial practice, as a conclusion.


Content

-  Protection of the rights of children without parental care;
-  Adoption;
-  Ways and methods of court communication with children in court proceedings;
-  The principle of the best interest of the child.


Methodology

-  During this training, combined methods of explanation will be used, interactive discussion, presentation of issues through cases, discussion of cases and summary of conclusions on the discussed issue will be developed, in order to fully achieve the objectives of this training.

Beneficiaries

-  Judges of the Court of Appeals and basic courts, Guardianship Body (CSW), victims' advocates, free legal aid officers.

Duration

-  The training will last one (1) day.

Criminal aspect

Topic identified by:

- Questionnaire for assessing the needs for continuous training (judges/prosecutors)
- Ombudsperson Institution
- Coalition of NGOs for the Protection of Children - KOMF





1. Criminal offenses against sexual integrity

The need for training on this topic has come as a result of the increase in the number of criminal offenses of this nature where, unfortunately, the victims of sexual violence are children, then the sensitivity during the treatment of such cases in practice, starting from the presentation of the case to the police, the methods and the ways of handling the case by the police, the prosecution and the court, including all other actors necessary for the handling of such cases.




In addition, with the aim of analyzing and discussing how to achieve the best practices in the application of methods for handling cases where children are presented as victims of sexual violence, so as to reach the clearest conclusions in the interpretation of the legal provisions of the CCK, CPMK and CRC in terms of handling such cases based on the sensitivity of criminal offenses against sexual integrity, especially when children are the victims, a more detailed treatment of such cases will be provided, leaving no dilemmas in the interpretation of the relevant legal provisions. The participants are expected to discuss interactively with the trainers and among themselves regarding the dilemmas and difficulties during their practical work, so that at the end of the training the objectives of this training are as clear as possible and the increase of professionalism in the application of more practical legal provisions in dealing with cases of sexual violence is ensured, especially when the victims are children.

One of the most serious challenges in our society is the presence of child victims as a result of criminal offenses against sexual integrity as part of general criminality, so the development of the skills of judges and prosecutors for handling such cases requires serious approach and raising professional skills.


Objectives

-  Expansion of material and procedural knowledge for cases where the child is a victim of sexual violence;
-  Analysis and presentation of forms of rape and other acts related to sexual integrity;
-  Fair application of legal provisions related to criminal offenses against sexual integrity;
-  Implementation of the legal restriction for taking the statement of the child - victim of sexual violence;


Content

-  Sexual violence, sexual assault;
-  Sensitivity of psychological aspects during the treatment of children - victims of sexual violence;
-  Exploitation and sexual abuse of children on the Internet.


Methodology

-  During the training, interactive methods will be used with participants in the training, questions and discussions from the participants, the application of the best practice in dealing with cases where we are dealing with children - victims of sexual violence.

Beneficiaries

-  Judges and prosecutors, officials from the office for protection and assistance to victims, professional associates, police officers and officials from the Center for Social Work, including a psychologist.

Duration

-  The training will last two (2) days.

Topic identified by:

- Post-completion training evaluation form
- Trainers' recommendations after training sessions
- Permanent trainer
- Coalition of NGOs for the Protection of Children - KOMF
- Questionnaire for assessing the needs for continuous training (judges/prosecutors)

2. Criminal procedure for children and minors




The participation of minors in criminal activities and their antisocial behavior which is considered a criminal offense obligates the justice bodies to undertake actions in accordance with the law. One of the most serious challenges is the presence of juvenile delinquency as part of general criminality, so the development of the skills of judges and prosecutors for juveniles in relation to the imposition of measures and punishments provided by the Criminal Code is an ongoing necessity. In this aspect, Kosovo has shown tendencies to carry out an adequate fight against criminal behavior, with the aim of preventing and more efficiently fighting such behavior of minors as well as imposing adequate measures or punishments when it is proven that a minor has committed a criminal offense.

The participants are expected to discuss interactively with the trainers and among themselves regarding the dilemmas and difficulties during their practical work, so that at the end of the training the objectives of this training are as clear as possible and the increase of professionalism in the application of the most practical legal provisions in dealing with cases where the perpetrators of criminal offenses are minors, to whom the prosecutor or the judge for minors pronounces the measures or punishments foreseen by the Criminal Code.





One of the challenges of the justice system also has to do with the delinquency of minors, who are involved in the commission of criminal offenses, then the fact of the increase in the

number of cases where minors are presented as perpetrators of criminal offenses, their recidivism and the application of adequate measures or punishments with the aim of achieving prevention in the commission of criminal offences.


Objectives

-  Identify the cases when the criminal procedure is applied to minors who have violated the law;
-  Determine the cases for which measures or punishments can be imposed on a minor;
-  Apply correctly the legal provisions of the Juvenile Justice Code and international acts.


Content

-  Measures and punishments imposed on minors;
-  Post-criminal assistance in juvenile proceedings;
-  Types of diversity measures – police warning;
-  Special obligations related to increased surveillance measures – psychological counseling, abstinence from drug and alcohol use.


Methodology

-  During this training, interactive methodology will be used in the form of discussion combined with practical cases - group work.

Beneficiaries

-  Juvenile judges and prosecutors, professional associate, officer from the probation service, police officer and officer from the Center for Social Work, including a psychologist.

Duration

-  The training will last one (1) day.

TRAINING ACTIVITIES ON COMMERCIAL LAW



Topic identified by:



- Questionnaire for assessing the needs for continuous training (judges/prosecutors)
- Rule of Law Strategy Action Plan 2025-2026
- USAID/Commercial Justice Training Needs Assessment Report

1. Changes with the Entry into Force of the New Customs and Excise Code of Kosovo




Through this training, the judges will achieve advanced knowledge for dealing with import goods assessment methods and transport cost assessment methods by analyzing the relevant Administrative Instruction and determining the tariff codes. In this training, the legal provisions contained in the new Customs and Excise Code of Kosovo and the accompanying administrative instructions for its implementation that are in force will be analyzed. The establishment of tariff codes will also be dealt with, relying on the accompanying documentation that must be attached to the Customs Declaration for placing the goods in free circulation. The handling of the issue of temporary imports will also be of interest.

Objectives


-  Apply correctly the rules of application of the Customs and Excise Code of Kosovo;
-  Correctly assess tariff codes and mandatory customs documents;

-  Apply correctly the provisions contained in the Customs and Excise Code of Kosovo and the accompanying administrative instructions in court disputes;
-  Apply correctly the provisions and criteria on temporary imports.

Content

-  Application of the Customs and Excise Code of Kosovo;
-  Tariff codes (TARIK) and mandatory customs documents for the correct assessment of the tariff code;
-  Handling of temporary imports.


Methodology

-  Addressing the dilemmas and issues in the training will be done through partial theoretical explanation, based on cases and concrete examples, through exercises, discussions and practical examples on the main principles and rules of the Customs and Excise Code in Kosovo, working in groups and practical cases.

Beneficiaries

-  Judges and professional associates of the Commercial Court.

Duration

-  The training will last one (1) day.

Topic identified by:







- Rule of Law Strategy Action Plan 2025-2026
- Post-completion training evaluation form
- Agency for Industrial Property/MIET
- Questionnaire for assessing the needs for continuous training (judges/prosecutors)
- USAID/Commercial Justice Training Needs Assessment Report

2. Enforcement of intellectual property rights, trademarks and patents

Intellectual property law in general and that of trademarks and patents in particular (jointly referred to as intellectual property or IP) is a relatively new area of law in Kosovo. The institutions or concepts of this field that the judicial system is faced with are very specific and not at all similar to those that the judicial system has traditionally faced. Therefore, court decisions may not be of an appropriate level both in terms of procedural and substantive aspects, which reduces the confidence of the business community in the judiciary. The training will focus on updating knowledge in this area which is extremely important for an

effective judiciary. The training will also focus on detailed explanations about technology and its impact on the justice system, especially in the field of electronic commercial law such as legal responsibility, service intermediaries, digital contracts, etc. and in this view the best practices in solving these issues will be offered.


Objectives

-  Know the main institutes of IP rights, trademarks and geographical indications, patents and industrial designs, as well as recognize the differences between these institutes;
-  Apply IP law principles and good practices in resolving disputes related to copyright and related rights;
-  Apply the principles of IP law and good practices in the resolution of disputes over trademarks and geographical indications as well as in the resolution of disputes over patents and industrial designs;
-  Interpret regional and global legislation, policies and good practices from different countries or organizations and be able to use this knowledge as best as possible to solve cases in Kosovo;
-  Identify responsible actors and global institutions that can assist in the investigation and identification of responsible actors;
-  Recognize the specific problems in ICT such as: legal responsibility; ownership; licensing, privacy, etc.

Content

-  IP rights - protection and enforcement of copyright and related rights;
-  Protection and enforcement of rights from trademarks and geographical indications;
-  Protection and enforcement of patent and industrial design rights;
-  Legal means for the implementation of intellectual property rights;
-  IT basis and electronic commercial law;
-  Information and communication technology;
-  Legal and ethical challenges presented by ICT;
-  Regulation of ICT;
-  Electronic commerce;
-  Online copyright, legal challenges, online regulation, domains and intellectual property licensing.


Methodology

-  In this training, the interactive learning methodology will be applied through lectures, exercises and discussions, as well as through concrete cases from judicial practice for the merits decision for concrete cases.

Beneficiaries

-  Judges and professional associates of the Commercial Court.

Duration

 The training will last two (2) days.

Topic identified by:




- Questionnaire for assessing the needs for continuous training (judges/prosecutors)
- Rule of Law Strategy Action Plan 2025-2026
- Post-completion training evaluation form
- Agency for Industrial Property/MIET
- USAID/Commercial Justice Training Needs Assessment Report

3. Recognition and enforcement of domestic and foreign arbitration decisions


The training on the topic of recognition and enforcement of local and foreign arbitration tribunal decisions aims to precisely clarify the importance and procedure of recognition and

enforcement of both domestic and foreign arbitration decisions, helping judges to unify the practices of recognition and enforcement of these decisions. The training aims to increase the capacity of judges in terms of fair and accurate interpretation of the provisions that may have ambiguity regarding the recognition and enforcement of arbitration decisions. Other issues of interest are: What are the challenges faced by judges during the procedure of recognition and enforcement of local and foreign arbitration awards? What are the potential drawbacks that judges see in terms of the procedure for recognition and enforcement of arbitration awards? Are there any potential challenges related to the implementation or content of the Law on Arbitration? The best way to understand all the concepts and solve the dilemmas is to talk interactively with the judges and ask questions and draw conclusions on the issues raised by revealing the best practices and clarifying the issues on practical examples or concepts.


Objectives

-  Understand correctly the role of judges in the process of recognition of arbitration decisions;
-  Apply the legal basis of arbitration correctly;
-  Unify the practice of recognition and enforcement.

Content

-  Recognition and enforcement of arbitration decisions issued by arbitration tribunals inside and outside Kosovo.


Methodology

-  The training will be conducted interactively by the participants and elaborations of practical cases.

Beneficiaries

-  Commercial Court judges and professional associates.

Duration

-  The training will last one (1) day.







Topic identified by:

- Rule of Law Strategy Action Plan 2025-2026
- Post-completion training evaluation form
- USAID/Commercial Justice Training Needs Assessment Report







4. Practical implications of the Law for Business Organizations

The training will focus on explaining all the business organizations that can be established in Kosovo based on the Law on Business Organizations, the organizational structures and the economic activities they can exercise. Also in the responsibilities and powers of the KBRA in aspects such as: capital stock, preferred shares, ordinary shares, foundation documents, their preservation, distribution of dividends, etc. as well as the rights, obligations and responsibilities arising from the Law on Business Organizations. Additionally, this training will cover corporate governance, capital and shareholder structures, as well as mergers, divisions, and corporate turnover.


Objectives

-  Advance knowledge about different business organizations;
-  Describe the form of organization of business organizations and their property structures;
-  Distinguish the rights and obligations of shareholders, authorized representatives, owners, directors, managers, and third parties in relation to business organizations;
-  Describe and discuss disputes (problems) that arise up to court cases.
-  Have knowledge of corporate governance, capital and shareholder structures
-  To understand in general how the merger, division and turnover of the corporation is done.

Content

-  Types of business organizations - functions and powers of KBRA;
-  Nature of organization of business organizations and ownership structure;
-  Rights, obligations and responsibilities;
-  Corporate governance;
-  Capital and shareholder structures;
-  Mergers, divisions, and corporate turnover.


Methodology

-  In this training, interactive learning methodology will be applied through lectures, exercises and discussions, as well as through concrete cases from judicial practice for the merits decision for concrete cases.

Beneficiaries

-  Judges and professional associates of the Commercial Court.

Duration

-  The training will last two (2) days.

Topic identified by:





- Rule of Law Strategy Action Plan 2025-2026
- USAID/Commercial Justice Training Needs Assessment Report

5. Contracts in economy







In the market economy, developed businesses that deal with specific activities use contracts that are specific to their business, and which differ both in terms of structure and the rights and obligations they create for the parties.

The training will serve to: increase the professional expertise of judges in this field, create judicial practice in accordance with international and European standards and the best practices of countries in the region, as well as advance knowledge on the application of international instruments that regulate this sphere. The program is designed in such a way as to address the dilemmas and difficulties encountered in the current judicial practice, through partial theoretical discussions, interactive discussions between the participants and the presentation of practical cases.


Objectives

-  Know the franchise contract, assignment, leasing, know-how, license;
-  Know the public contract and their specifics;
-  Know the contract for international sale of goods and their specifications;
-  Apply correctly the Convention on Contracts for the International Sale of Goods, its characteristics and implementation in Kosovo;

Content

-  Franchise, assignment, leasing contract and its characteristics;
-  Contract for know-how and license and its characteristics;
-  Public contracts, their types, specifications and other characteristics;
-  Convention on Contracts for the International Sale of Goods, its characteristics and application in business relations with a foreign element;
-  Legal procedures in the protection of the rights of the business parties, in disputes arising from the non-fulfillment of these contracts;
-  Methods and criteria for evaluating specific elements in cases of claims for non-fulfillment or contesting the validity of these contracts.


Methodology

-  The training is designed in such a way that it consists of theoretical treatment and the presentation of hypothetical cases and concrete cases from judicial practice, as well as discussions on how to decide the merits of concrete cases.

Beneficiaries

-  Judges and professional associates of the Commercial Court.

Duration

-  The training will last one (1) day.







Topic identified by:

- Rule of Law Strategy Action Plan 2025-2026
- Post-completion training evaluation form
- USAID/Commercial Justice Training Needs Assessment Report









6. Bankruptcy Procedure

The bankruptcy law constitutes a comprehensive law on bankruptcy and insolvency, which reflects the best international practices, but contains many other institutions and specificities which were almost unknown in our legal system. Therefore, the training is aimed at raising the professional capacities of commercial judges in the specific field of bankruptcy in order to create an advanced judicial practice in accordance with the best international practices. Moreover, the Assembly of Kosovo has approved the new Law on Bankruptcy (Law No. 08/L-256), which entered into force on 06.08.2024, and this law includes innovations in the Bankruptcy procedure, therefore judges must take detailed knowledge about legal institutes and changes in the new law.


Objectives

-  Advance knowledge about the main institutes of the Law on Bankruptcy;
-  Explain the consequences of opening a bankruptcy case;
-  Develop the bankruptcy procedure and apply its specifics;
-  Assess the demands of creditors, regularity of presentation, terms and priority of demands;
-  Assess the legal conditions and supervise the procedure of re-organization or liquidation of business organizations;
-  Apply cross-border provisions.

Content

-  Meaning of bankruptcy, the general provisions of the Law on Bankruptcy;
-  Accelerated procedures (SMEs and pre-packages);
-  Initiation and opening of cases, consequences of opening cases;
-  Claims of creditors;
-  Reorganization;
-  Liquidation;
-  Individual release and case closure;
-  Cross-border provisions.

Methodology

-  In this training, interactive learning methodology will be applied through lectures, exercises and discussions, as well as through concrete cases from judicial practice for the merits decision for concrete cases.

Beneficiaries

-  Judges and professional associates of the Commercial Court.

Duration

-  The training will last three (3) days.

Topic identified by:

- President of the Commercial Court
- USAID/Commercial Justice Training Needs Assessment Report

7. Termination of Contract and Effects of Termination

Even though the parties enter into contracts based on their will in order to fulfill and achieve the purpose for which they enter into them, in practice, during the implementation of the contracts, various situations emerge which impose the termination of the contracts and prevent their fulfillment. In some contracts, there are also null provisions which do not create legal effects for the contracting parties. Non-fulfillment of the contract, its termination and cancellation of the contractual provisions creates legal consequences for the contracting parties, which often become the object of review in court proceedings. These consequences are highlighted in the economic sector because companies during their operation due to the termination of the contract may suffer damages of a specific nature, such as lost profit, damage to third parties, compensation of penalties to other contractors, etc. Therefore, the treatment of these cases requires specific knowledge, not only of material laws but also of the specifics of operation in the economic field. In judicial practice, the number of disputes of this nature, especially in the sphere of circulation of goods and services, is considerable with a growing tendency, therefore the treatment of this topic is of particular importance.


Objectives

- 🎯 Increase the professional expertise of judges in the area of contracts;
- 🎯 Legal consequences for the contracting parties in cases of non-fulfillment of the contract, termination of the contract and cancellation of contractual provisions;
- 🎯 Termination specifications, special clauses and other characteristics;
- 🎯 Creation of judicial practice in accordance with international and European standards;
- 🎯 Application in practice of experiences and best practices of countries in the region;
- 🎯 Application of international instruments that regulate this sphere.

Content

- 📄 Characteristics of contracts in the economy and contractual obligations;
- 📄 Non-fulfillment and partial non-fulfillment of the contract;
- 📄 Specific contracted conditions in case of non-fulfillment of the contract;
- 📄 Rights of the parties in case of non-fulfillment of the contract;
- 📄 Legal consequences in case of termination of the contract;
- 📄 Legal consequences in case of nullity of contractual provisions;
- 📄 Types of compensation due to non-fulfillment of contracts in the economy;
- 📄 Method of calculating the amount of compensation;
- 📄 Legal procedures in the protection of the rights of the business parties, in disputes arising from the non-fulfillment of these contracts;
- 📄 Methods and criteria for evaluating specific elements in cases of claims for non-fulfillment or contesting the validity of these contracts.


Methodology

 Application of interactive methodology, exercises and discussions, theoretical treatment of specific contracts, presentation of hypothetical cases and concrete cases from judicial practice and discussions on the merits decision for concrete cases, discussion-conversation, giving ideas, in order to achieve that all participants to be active all the time giving their contribution by asking questions, offering solutions and opinions.

Beneficiaries

 Judges and professional associates of the Commercial Court.

Duration

 The training will last one (1) day.

Topic identified by:

- President of the Commercial Court
- USAID/Commercial Justice Training Needs Assessment Report

8. Insurance Contract and Damage Compensation

For the proper handling of insurance cases, sufficient knowledge is required not only in terms of the treatment of damages arising from the insured cases, but also knowledge related to the nature of insurance, the specifics of insurance contracts, the manner of their establishment and interpretation, the procedure of handling the damage as well as the ways of assessing the damage in terms of responsibility and adequate compensation. Since in court practice the largest number of disputes are presented from the area of damages caused in traffic, the focus of the training will be the mandatory insurance from motor liability including: ways of handling damage, compensation of damage, bases of liability and regression in cases of "Casco" insurances. How to increase the professional expertise of judges in this field? How to create court practice in accordance with international and European standards? What are the experiences and best practices of countries in the region? The program is designed in such a way as to address the dilemmas and difficulties encountered in the current judicial practice, through partial theoretical discussions, interactive discussions between the participants and the presentation of practical cases.


Objectives

- 🎯 Know the specifics of the insurance contract - general and special conditions;
- 🎯 There are different procedures for compensating damage outside of court proceedings;
- 🎯 Apply correctly the judicial procedure for the compensation of the damage;
- 🎯 Know the basics of responsibility in cases of causing damage;
- 🎯 Identify the types of adequate compensation in cases of presented damages.

Content

- 📄 Subjects of insurance law; motor liability insurance; TPL insurance policy and limits of coverage;
- 📄 Request for compensation of damage;
- 📄 Compensation for material and non-material damage from the insurance policy;
- 📄 Right to annuity;
- 📄 Damage regression.


Methodology

 During the training, an interactive learning methodology will be applied, which consists of exercises and discussions, presentation of concrete cases from judicial practice and discussions on the merits decision for concrete cases.

Beneficiaries

 Judges and professional associates of the Commercial Court.

Duration

 The training will last one (1) day.






Topic identified by:

- Rule of Law Strategy Action Plan 2025-2026;
- Trainers' recommendations after training sessions
- USAID/Commercial Justice Training Needs Assessment Report








9. Commercial Relations with Foreign Elements and International Legal Cooperation in Commercial Matters

The purpose of the training is to update the knowledge of the judges of the respective courts on the general part of private international law and on the innovations of the law in general, the institutes and the main pillars of the private international law, as well as inform them of the main innovations in its three main pillars: determining the competent law, competence of the courts and recognition and execution of foreign judicial decisions, as well as specifics of commercial/trade relations with a foreign element.


Objectives

-  The training aims to update the knowledge of Kosovo court judges in the field of private international law, with special emphasis on commercial and trade relations. This goal includes knowledge of legal innovations and institutions related to relations with foreign elements.
-  Understand the autonomy of the will: The training aims to help judges in understanding the autonomy of the will of the parties in determining the competent law in commercial relations with a foreign element.
-  International practices: The training will provide explanations on the practice of the Court of Justice of the European Union
-  Review of court decisions: The training aims to acquaint judges with the procedures and challenges of recognition and execution of foreign court decisions in the field of commercial and labor relations.
-  International cooperation: The training aims to promote international legal cooperation, offering practical examples of cooperation in the field of private international.

Content

-  Determination of the competent law in commercial relations with a foreign element, the autonomy of the will of the parties in this determination;
-  Jurisdiction of Kosovo courts in commercial relations with foreign elements and in labor law disputes;
-  Jurisdiction of the Commercial Court in Kosovo in these relations;
-  Autonomy of the will of the parties in determining the competent court (Kosovo or foreign);
-  Recognition and execution of foreign court decisions in the field of commercial relations and labor law;
-  Recognition of Kosovo court decisions in other countries;
-  International legal cooperation in this field: practical explanations on the cooperation of courts in taking evidence and serving documents.

Methodology

-  The application of the combined methodology between the theoretical explanations of the changes brought by the law and the practical part consisting of exercises. Explanations on the innovations of the law and the institutes of this field of law are made by elaborating the main cases in practice decided by the Court of Justice of the European Union. The judicial practice of this Court, apart from being very rich, is very instructive for Kosovar judges as it interprets the same provisions which have been transposed in the LPIL in Kosovo.

Beneficiaries

-  Judges and professional associates of the Commercial Court.

Duration

-  Training will last two (2) days.

Topic identified by:



- President of the Commercial Court
- USAID/Commercial Justice Training Needs Assessment Report



10. Construction Contract

The construction contract and the engineering contract have currently found great use in the field of construction given the reconstruction phase of the country. Likewise, public contracts are widely used in the public sphere. While business organizations during the development of business in the international sphere often apply the contracts to which the Convention ON Contracts for the International Sale of Goods applies. These contracts have special specifications and require special knowledge in the case of the implementation and interpretation of the contractual provisions, therefore special knowledge is required, not only legal but also from the fields covered by these contracts, for the resolution of disputes arising from the business relationship created through these contracts. In judicial practice, the number of disputes arising from these contracts is considerable, with a tendency to increase, therefore the treatment of this topic is of particular importance to increase the knowledge of judges in handling cases.







How to increase the professional expertise of judges in this field? How to create court practice in accordance with international and European standards? What are the experiences and best practices of the countries in the region? How to apply the international instruments that regulate this area?

Objectives


-  Know the specifics, special clauses and other characteristics of the construction contract, engineering and public contracts;
-  Apply the Convention on Contracts for the International Sale of Goods correctly in business relations with a foreign element;

-  Apply the legal procedures in the protection of the rights of the business parties, in the disputes arising from the non-fulfillment of these contracts;
-  Know the ways and criteria of evaluating specific elements in cases of claims for non-fulfillment or contesting the validity of these contracts.

Content

-  Characteristics of the public construction contract and their specifics;
-  General conditions and special conditions of the contract;
-  "Turnkey" clause;
-  Price changes due to changes in the market;
-  Legal procedures in the protection of the rights of the business parties, in disputes arising from the non-fulfillment of these contracts;
-  Methods and criteria for evaluating specific elements in cases of claims for non-fulfillment or contesting the validity of these contracts.


Methodology

-  The training will apply an interactive learning methodology, which consists of the presentation of hypothetical cases and concrete cases from judicial practice, as well as discussions on the merits of concrete cases and the provision of solutions and opinions.

Beneficiaries

-  Judges and professional associates of the Commercial Court.

Duration

-  Training will last one (1) day.

Topic identified by:

- President of the Commercial Court
- USAID/Commercial Justice Training Needs Assessment Report








11. Loan Contract

Credit contracts have special specifications and require special knowledge during the implementation and interpretation of contractual provisions, therefore special knowledge is required, not only legal but also from the fields that cover these contracts. Moreover, the financial market in the Republic of Kosovo has continuously undergone essential changes, which has also resulted in legislative changes in this field. In order to enable the updating of the knowledge of judges with legislative changes and their application in the disputes presented to the courts, continuous training in this field is necessary.


Objectives

- 🎯 Advancement of knowledge to handle the loan contract;
- 🎯 Establishment of judicial practice in accordance with international and European standards;
- 🎯 Knowledge related to experiences and best practices of countries in the region;
- 🎯 Application of international instruments that regulate this sphere.

Content

-  Meaning of the loan contract, its elements and specifications;
-  Special clauses related to interest and their calculation;
-  Special clauses for late interest and penalties;
-  Premature loan repayment and legal consequences;
-  Means of ensuring the fulfillment of the loan - Pledge and Mortgage;
-  Legal procedures in the protection of the rights of the parties, in disputes arising from the non-fulfillment of these contracts;
-  Methods and criteria for evaluating specific elements in cases of claims for non-fulfillment or contesting the validity of special contractual provisions.


Methodology

-  The application of the interactive methodology, the theoretical treatment of specific contracts, the presentation of hypothetical cases and concrete cases from judicial practice, all of this to provide answers to the dilemmas and ambiguities that arise in judicial practice.

Beneficiaries

-  Judges and professional associates of the Commercial Court.

Duration

-  Training will last one (1) day.






Topic identified by:


- Rule of Law Strategy Action Plan 2025-2026
- USAID/Commercial Justice Training Needs Assessment Report

12. Financial Knowledge













The Financial Literacy Training provides practical and theoretical knowledge on the finances and financial statements of businesses, where through them, participants will increase their financial ability and competence for the financial aspects of commercial matters as well as further improve their skills and expertise enabling them explore complex financial aspects with even greater knowledge.

Objectives


-  Advance knowledge about the analysis of financial statements;
-  Analyze and interpret the documents that make up the financial statements;
-  Identify practical examples of financial statements from public entities in Kosovo, allowing participants to apply their knowledge to real-world scenarios;
-  Know the different types of audit opinions and what each one means in the context of financial reports;
-  Advance knowledge on the main financial indicators and their implications;

-  Review cases involving tax disputes with TAK, examining lost revenue and providing a concrete example of lost revenue in a legal proceeding.

Content

-  Basic concepts of financial reports, elements of financial statements;
-  Key business performance indicators and what they show;
-  Types of financial reports and their users, reporting framework;
-  Actors and specific roles of actors in global financial reporting and in Kosovo;
-  Financial disputes between operators with economic/financial impact;
-  Types of damages that are caused during transactions between the parties;
-  Concept of time value of money;
-  Use of the concept of devaluation of money during economic disputes;
-  Financial expertise and where they will be able to contribute the most;
-  Tax and fiscal issues of businesses;
-  General trends of fiscal disputes;
-  Insights from the private sector on tax and fiscal disputes.


Methodology

-  During the training, there will be interactivity and theoretical and practical explanations will be included, followed by concrete examples, where all participants will be active and will be involved in discussions and exercises.

Beneficiaries

-  Judges and professional associates of the Commercial Court.

Duration

-  The training will last one (1) day.

***TRAINING ACTIVITIES IN THE
ADMINISTRATIVE FIELD***

Topics identified from:

- Rule of Law Strategy Action Plan 2025-2026
- Permanent Trainer of the AJ

1. New Law on Administrative Disputes

This training is designed to address the provisions of the new Law on Administrative Disputes⁶ that will come into effect in January 2025. It will cover the following topics:

- General principles of adjudication in administrative disputes, including the organization, competences, composition in adjudication, and lawsuits;
- Judicial procedure in the first instance - filing a lawsuit; preparation and main review; Rules for judicial review and control; Procedure of adjudicating upon lawsuits with the abrogation of a normative sub-legal act; and Decisions;
- The role and importance of ordinary and extraordinary judicial remedies;
- Lawsuit relief and statement of claim in the administrative dispute; procedure costs; and Enforcement of Court decisions.





The new Law on Administrative Disputes stipulates that the administrative judicial jurisdiction covers all public law disputes except those of a constitutional nature, which fall under the jurisdiction of the Constitutional Court. This Law is intended, to provide judicial protection of the subjective rights and legitimate interests of the subjects of the law against acts or omissions committed unlawfully during the exercise of public authority as well as the lawfulness in the exercise of such an authority. This training will thoroughly examine the provisions of the new Law on Administrative Disputes regarding general principles, organization, competences, composition in trials, and lawsuits.

The following questions will be raised and require answers: What are the general principles of adjudication in administrative disputes? What is the organization, competencies, and composition in adjudication? What are the main objectives of this law regarding lawsuits in Kosovo? Additionally, during this training, issues and questions will be raised that require answers such as: What are the goals of the legal provisions regarding first instance court proceedings - filing the lawsuit; Where does the importance of preparing the main hearing stand? What is the role of rules in judicial review and control? What is the importance of special provisions for the procedure of adjudicating upon lawsuits with the abrogation of a normative sub-legal act; and what is the significance (weight) of decisions and their issuance procedure? Other issues that need to be addressed in this training include: what is the role of ordinary and extraordinary judicial remedies in administrative disputes; what is the importance of lawsuit relief measures and statements of claim in administrative disputes; What do the new legal provisions on procedure expenses in administrative disputes contain; and how is the procedure for enforcing court decisions carried out. During this training, trainers will interpret the provisions of the new Law on Administrative Disputes by providing explanations related to the topics mentioned above. The topics covered in the training will be





⁶ New Law - No. 08/L-182 ON ADMINISTRATIVE DISPUTES which was published in the OFFICIAL GAZETTE OF THE REPUBLIC OF KOSOVO / No. 3/10 JANUARY 2024.

addressed by providing explanations, comparing the new legal solutions with those of other countries in the region, and elaborating on hypothetical practical examples of the main principles and rules of the new Law on Administrative Conflicts. The training will also involve group work and interactive discussions with participants.


Objectives

-  Understand the role of general principles of adjudication in administrative disputes, including the organization, competences, and composition in adjudication, as well as lawsuits;
-  Enhance knowledge of first instance court proceedings, main hearings, rules for judicial review; procedures for adjudicating upon lawsuits with the abrogation of a normative sub-legal act, and decisions.
-  Familiarize with the role and significance of ordinary and extraordinary judicial remedies.
-  Apply legal provisions correctly regarding relief measures and statements of claim in administrative disputes; procedure expenses; and Enforcement of Court decisions.


Content

-  General principles of adjudication in administrative disputes, including the organization, competences, composition in adjudication, and lawsuits;
-  Judicial procedure in the first instance - filing a lawsuit; preparation and main review; Rules for judicial review and control; Procedure of adjudicating upon lawsuits with the abrogation of a normative sub-legal act; and Decisions.
-  Ordinary and extraordinary judicial remedies; and
-  Lawsuit relief and statement of claim in the administrative dispute; procedure costs; and Enforcement of Court decisions.

Methodology

-  The issues raised during the training will be addressed through explanations by the trainers, comparing solutions with those of other countries in the region, and based on concrete examples, interactive discussions, hypothetical practical examples, and group work with participants.

Beneficiaries

-  Judges from the administrative department of the Basic Court in Pristina and the Court of Appeals, as well as professional associates.

Duration

-  The training will last for two (2) days.






Topics identified from:

- Rule of Law Strategy Action Plan 2025-2026
- Permanent Trainer of the AJ





2. Roundtable Discussion on Harmonizing Judicial Practice in Administrative Disputes



This roundtable discussion aims to primarily examine current issues related to administrative disputes. The focus of the roundtable will also be on addressing current issues from judicial practice and harmonizing this practice among judges of the administrative department of the Basic Court in Pristina, the administrative department of the Court of Appeals and the Supreme Court of Kosovo. The roundtable will take place in the context of the provisions of the new Law on Administrative Disputes that will come into effect in January 2025, especially those that ensure full judicial protection against any possible form of administrative activity, simpler and more appropriate effective judicial procedures, as well as a much more active role of the administrative judge. At this roundtable, current issues in the judicial practice of the administrative departments of the Basic Court in Pristina, the Court of Appeals, and the Supreme Court of Kosovo will be discussed. The main focus will be on harmonizing judicial practices across these three judicial instances when handling cases in the administrative justice branch. Participants in this roundtable will have the opportunity to exchange experiences through explanations from selected panelists and engage in discussions on various current issues in the judicial practice of the administrative departments of the Basic Court in Pristina, the Court of Appeals, and the Supreme Court of Kosovo. The trainers' will also focus on explaining the novelties of the new Law on Administrative Disputes.

Objectives


-  Avoid the dilemmas that have arisen in the judicial practice of the administrative department of the Basic Court in Pristina.
-  Clarify and avoid the dilemmas that have arisen in the judicial practice of the administrative department of the Court of Appeals.
-  Gain partial familiarity with the main novelties of the new Law on Administrative Disputes that will come into effect in January 2025,
-  Familiarize with the current judicial practice of the Supreme Court of Kosovo and its fundamental principles.
-  Harmonize and unify the judicial practice of these three judicial instances.

Content


-  Comprehensive judicial protection against any potential form of administrative action;
-  Efficient judicial procedure;
-  Active role of the administrative judge;
-  New facts and new evidence in the administrative disputes;

-  Public hearings in administrative conflicts;
-  Procedures according to legal remedies with the current practice of the Supreme Court of the Republic of Kosovo.


Methodology

 At this roundtable, the questions and dilemmas raised during the roundtable will be addressed through partial explanations by selected panelists, focusing on issues that have arisen in practice. In addition to explanations and discussions, recommendations will be given on the issues discussed. The roundtable will be structured in a way that encourages all participants to contribute to its success through their discussions.

Beneficiaries

 Judges of the administrative departments of the Basic Court in Pristina, the Court of Appeals, and judges of the Supreme Court of Kosovo.

Duration

 The training will last for one (1) day.

Topics identified from:





- Rule of Law Strategy Action Plan 2025-2026

3. Characteristics of Full Jurisdictional Disputes and Expertise in Administrative Disputes




This training aims to address the role and explain the characteristics of full jurisdictional disputes and expertise in administrative disputes. This legal institute will also be discussed in the context of the provisions of the new Law on Administrative Disputes (January 2025). The differences between legality disputes and full jurisdictional disputes in legal theory are mainly seen in the goals of these conflicts, the competences that courts have during their development, and the anticipated way in which they will unfold. During the training, it should be explained that legality disputes and full jurisdictional disputes are also distinguished by the authorizations that the court has in each of these types of disputes. Furthermore, the differences between legality disputes and full jurisdictional disputes are also observed in the way the court's obligation to handle these conflicts is anticipated.



This training will address topics and questions that need answers such as: What are the goals of legal provisions regarding full jurisdictional disputes; Where does the importance of this legal institution stand? What does current judicial practice indicate? What is the significance (weight) of decisions in full jurisdictional disputes? Under what circumstances can the Second Instance Court overturn the judgment of the first instance court and resolve the case itself by altering or replacing the challenged judgment? Can the Second Instance Court alter the judgment of the first instance court to the detriment of the appealing party, and if so, when? During this training session, the trainers will interpret the provisions of the new Law on Administrative Disputes. They will provide explanations on the mentioned topic and address any issues raised during the training. This will be achieved by explaining and comparing new legal solutions with those of other countries in the region as well as by elaborating on practical and hypothetical examples of full jurisdiction disputes. Additionally, participants will have the opportunity to exchange experiences related to various current issues in the judicial practice of the administrative departments of the Basic Court in Pristina and the Court of Appeals through discussions.

Objectives


-  Advance understanding of the role of full jurisdiction in administrative disputes;
-  Enhance understanding of the role and significance of expertise in administrative disputes;
-  Distinguish between legality disputes and full jurisdictional disputes;
-  Correctly implement current legal provisions related to full jurisdictional disputes and expertise in administrative disputes.

Content


-  Characteristics of full jurisdiction in administrative disputes;
-  The role and importance of expertise in administrative disputes;
-  Differences between legality disputes and full jurisdictional disputes;

-  Circumstances in which the Second Instance Court can overturn the judgment of the first instance court and resolve the case itself by altering or replacing the challenged judgment;
-  Proper application of current legal provisions related to full jurisdictional disputes and expertise in administrative disputes.

Methodology

 In this training, the provisions of the new Law on Administrative Disputes regarding the above-mentioned topic will be addressed through explanations, and the issues raised will be discussed by comparing solutions with other countries in the region, as well as based on specific practical cases and examples. Additionally, the mentioned topics will be addressed through interactive discussions and using hypothetical practical examples on the main principles and rules of the new Law on Administrative Disputes, and work in groups with participants.

Beneficiaries

 Judges from the administrative department of the Basic Court in Pristina and the Court of Appeals, as well as professional associates.

Duration

 The training will last for one (1) day.

Topics identified from:

- Permanent Trainer of the AJ

4. Labor disputes - Law on Civil Servants





The purpose of this training is to enhance the judges' understanding of procedures and judicial protection in cases involving employment relationship disputes, with a specific focus on civil servants in the Republic of Kosovo. The training will concentrate on the procedure - disputes arising from violations of civil servants' rights within both the Independent Oversight Board of the Civil Service of Kosovo (IOBCSK) and the Basic Court of Pristina, where uncertainties have been identified. There are challenges in implementing decisions made by IOBCSK, enforcing decisions by the courts, implementing constitutional standards for labor rights, and ensuring guarantees of the ECHR. Additionally, issues related to the implementation of the provisions of the Law on Civil Servants, institutions and units involved in judicial protection from employment relationships, as well as the procedure and deadlines for administrative appeals will be addressed. The initiation of an administrative dispute against the IOBCSK decision, judicial protection of labor rights for civil servants, competences, deadlines, and legal remedies, etc. will also be discussed. The aim of this training is to improve the effective assessment of claims, both in the administrative and judicial procedure. The intention is also to apply the principle of fair and timely adjudication in these cases. The decision of the Constitutional Court, which has prohibited the application of the provisions of the Law on Public Officials for a certain period of time, poses a challenge in resolving some of these cases, therefore there is a need for comprehensive treatment.

During this training, we will thoroughly review the provisions of the Law on Public Officials regarding the implementation of their rights for civil servants. Furthermore, we will discuss the legal procedures within the IOBCSK, remedies against its decisions, and the enforcement of its decisions. Additionally, in this training, issues and questions will be raised that require answers such as: What are the rights of civil servants? Which categories of civil servants are adjudicated in the administrative dispute procedure and which categories in the contested procedure? What is the importance of the provisions of the Law on Public Officials for the adjudication procedure regarding these categories and what is the weight of the decisions and the procedure for issuing them? The trainers will interpret the provisions of the Law on Public Officials regarding the above-mentioned topics through explanations. The issues raised during the training will be addressed, not only through explanations, but also by interpreting legal solutions and elaborating practical examples on the main principles and rules of the mentioned Law and other current legislation, as well as through interactive discussions with participants.


Objectives

- 🎯 Become familiar with the rights of civil servants under the Law on Public Officials;
- 🎯 Distinguish between the categories of civil servants who are adjudicated in the administrative dispute procedure and those who are adjudicated in the contested procedure?
- 🎯 Analyze the legal procedure in the IOBCSK and the remedies against its decisions;
- 🎯 Correctly apply the legal provisions for civil servants.


Content

-  Correct implementation of legal provisions for civil servants;
-  Understanding the difference between the categories of civil servants adjudicated in the administrative dispute procedure and those in the contested procedure.
-  Legal procedure in the IOBCSK and remedies against its decisions;
-  Cases from judicial practice related to the procedure in matters concerning civil servants.


Methodology

-  The main methods used during this training will include: partial lectures, interactive discussions, and critical analysis of legal provisions and cases from practice. The training will be structured in a way that dedicates the majority of time to debates and discussions with participants. It will elaborate on the main principles and rules of labor law for civil servants according to the Law on Public Officials, as well as ways to make merit-based decisions.

Beneficiaries

-  Judges from the administrative departments of the Basic Court in Pristina, and the Court of Appeals, as well as professional associates in these courts and officials of the IOBCSK.

Duration

-  The training will last for one (1) day.

Topic identified from:

- Permanent Trainer of the AJ
- UNHCR and Civil Rights Program in Kosovo /CRPK

5. Judicial practice in the country and Europe in the field of international refugee protection





The purpose of this training is to enhance the judges' understanding when reviewing international protection cases in an objective and unbiased manner, and to apply the same legal criteria and common international norms when determining eligibility for international protection. Another objective is to enhance the judges' understanding of the correct application of the provisions of the Law on Asylum of Kosovo, its relationship with the International Convention on Asylum, and its effective implementation in asylum decisions. The knowledge gained from this training will positively impact the evaluation of asylum seekers' claims in both administrative and judicial procedures, facilitating fair and prompt resolution of these cases. Additionally, participants will gain effective knowledge in gathering information from various international reports and the asylum seekers' country of origin during case processing.

This training will focus on providing answers related to international legislation and the provisions of the Law on Asylum in Kosovo. It will address issues and dilemmas related to the status and stay of individuals seeking international protection, as well as the legal procedures for their detention and expulsion from the Republic of Kosovo based on international standards and national legislation. The training will also cover the proper implementation of these procedures by the competent bodies of the Republic of Kosovo. Additionally, the current judicial practice regarding court decisions on lawsuits for recognition of international protection status will be reviewed, comparing them with cases from the European Court of Human Rights. According to statistics, by the end of 2023, millions of individuals worldwide were forcibly displaced due to persecution, armed conflicts, violence, or human rights violations. The number of displaced persons continues to increase each year for the reasons mentioned above.






In this training, dilemmas and questions will be addressed with a partial theoretical explanation, followed by the treatment of cases and concrete examples. Discussions and practical examples based on international and national legislation in the field of Asylum/International Protection will also be used. All dilemmas and thematic issues will be explained through examples from local, regional and international administrative and judicial practice in this training.

Additionally, practical cases that have been decided in court will be discussed alongside engaging participants in dialogue. Through this dialogue, participants will exchange experiences related to various current issues from the judicial practice of the administrative departments of the Basic Court in Pristina and the Court of Appeals.


Objectives

-  Understand and promote principles and policies related to protecting individuals in need of international protection;
-  Enhance understanding of international law principles for safeguarding refugee rights, in accordance with the principles of the 1951 Convention on the Protection of the Rights of Refugees and its 1967 Protocol;
-  Acknowledge the role of local legislation and identify the characteristics of the Law on Asylum in Kosovo
-  Apply the provisions of the Law on Asylum in Kosovo and secondary legislation correctly when making decisions on asylum cases.


Content

-  The role and significance of principles and policies related to the protection of individuals in need of international protection;
-  Application of international law principles for safeguarding refugee rights, specifically - the principles of the 1951 Convention on the Protection of the Rights of Refugees and its 1967 Protocol;
-  The role of local legislation and the characteristics of the Law on Asylum in Kosovo;
-  The correct application of the provisions of the Law on Asylum in Kosovo and secondary legislation when making decisions on asylum cases;
-  Cases from judicial practices in the country, the region and Europe.


Methodology

-  The methodology will include theoretical explanations and open discussions to ensure that the conclusions and recommendations are shared with all participants for the benefit of their practical work. The dilemmas and issues raised will also be addressed through discussions and practical examples on the main principles and rules of international and national legislation in the field of international refugee protection, as well as through group work and discussions with participants.

Beneficiaries

-  Judges from the Department for Administrative Matters of the Basic Court of Pristina and the Court of Appeals, as well as officials from the National Commission for Refugees and the Department for Citizenship, Asylum and Migration – MIA, and from other institutions.

Duration

-  The training will last for one (1) day.

Topic identified from:

- UNHCR and Civil Rights Program in Kosovo /CRPK






6. Judicial practice in the country and Europe in the field of citizenship and the risk of statelessness

The purpose of this training is to enhance the judges' understanding of current statelessness issues in the country, as well as current developments in international legal doctrine, and examples of good practices and potential solutions. During this training, we will compare the practices of the country with those in the region and Europe. We will discuss the objective and subjective challenges in reviewing claims within the administrative disputes procedure, as well as the role of the qualitative work of administrative bodies in two instances as well as judicial bodies in preventing statelessness. Every year, tens of thousands of children are born stateless because their parents are stateless. Statelessness can occur as a result of discrimination and arbitrary deprivation of citizenship, abnormal state performance, improper civil registration practices, difficulties in obtaining documents proving citizenship, and other deficiencies in citizenship laws. At the Basic Court in Pristina - in the department for administrative matters, legal dilemmas and ambiguities have been identified regarding the acquisition, loss and reacquisition of citizenship. The training will also focus on comparative practices related to the right to citizenship, highlighting positive and negative practices in several countries in the region and Europe, and comparing them with practices in the country. Familiarity with these practices will enable judges to gain new knowledge and participate in the global cause of preventing and reducing statelessness. This training will also have a positive impact on participants by helping them assess the needs of individuals with citizenship and those without citizenship in both administrative and judicial proceedings, and will enable fair and timely adjudication of these cases, as well as provide effective knowledge regarding merit-based decisions made by the courts.






Some of the issues that will be addressed and require answers in this training are: What are the dilemmas emerging regarding citizenship and the ways of acquiring and losing it in Kosovo? What are the main problems in implementing the Law on Citizenship of Kosovo? It is important to understand and respect the legal deadlines for acquisition and loss of citizenship. In practice, there are legal problems and ambiguities in the Republic of Kosovo related to citizenship and other issues that need to be addressed in detail. These issues and procedures need to be comprehensively addressed by explaining legal provisions, ways of acquiring citizenship, proper implementation of procedures for losing citizenship, and deadlines for reviewing requests and appeals.

During this training session, all thematic issues will be covered through theoretical explanations, examples from judicial practice, and engaging participants with practical cases that have been decided in court, as well as with hypothetical cases. Additionally, participants will exchange experiences related to various current issues in the judicial practice of the administrative departments of the Basic Court in Pristina and the Court of Appeals. Moreover, cases from administrative and judicial procedures applicable in the region and in Europe will also be addressed, which will assist judges in efficiently and practically reviewing requests directly or indirectly related to citizenship rights.


Objectives

-  Gain an understanding of the principles and policies related to the protection of stateless individuals;
-  Enhance knowledge on developing and implementing local legislation in line with the international law principles for the protection of the rights of stateless individuals.
-  Become familiar with current statelessness issues in Kosovo;
-  Analyze the processes of acquiring citizenship under the Law on Citizenship of Kosovo (LCK);
-  Accurately interpret and apply the provisions of the LCK when making decisions on citizenship matters.


Content

-  Current issues regarding statelessness and developments in international legal doctrine;
-  Application of existing legal provisions on citizenship in the Republic of Kosovo;
-  Methods of acquiring citizenship;
-  Methods of losing citizenship;
-  Cases from judicial practice in the country, the region and Europe.


Methodology

-  During this training, the questions and dilemmas raised in discussions will be addressed with a combination of theoretical explanations and practical examples, focusing on issues that have been encountered in practice. The training will be structured in a way that encourages all participants to contribute to its success through their discussions.

Beneficiaries

-  Judges from the Department for Administrative Matters of the Basic Court of Pristina and the Court of Appeals and professional associates/legal officers in these courts, as well as officials from the National Commission for Refugees and the Department for Citizenship, Asylum and Migration-MIA, and from other institutions.

Duration

-  The training will last for one (1) day.

Topic identified from:

- UNHCR and Civil Rights Program in Kosovo /CRPK

7. Roundtable on Challenges in Merit-Based Decision-Making for International Protection and Citizenship Applicants








During this roundtable, we will openly discuss the challenges in decision-making at the administrative levels, including the first and second instances by the relevant national commissions, as well as at the judicial levels. We will then discuss how legal aid is provided throughout the procedure, the difficulties faced, and how to overcome them. The focus of the roundtable will also be on identifying ways to overcome challenges and increasing the level of cooperation and coordination among relevant institutions at all levels throughout the procedure. Next, we will address the specific needs for support in improving the quality of decision-making, and issuing final recommendations. The training sessions have been developed and organized primarily for the benefit of judges, who as decision-makers in Kosovo currently have few cases and lack experience. However, with global trends showing an increasing number of displaced people, Kosovo may soon face a larger number of refugees than it currently has. It is therefore necessary to continuously organize trainings focused on the rights of refugees so that the local capacities of all decision-makers have the appropriate level of capacity to handle potential challenges in this area.

During this roundtable, questions and dilemmas will be addressed with partial theoretical explanations and answers from selected panelists. These explanations will be based on national and international legal provisions as well as specific cases and examples from the field of Asylum/International Protection. The knowledge acquired by participants will have a positive impact on the assessment of requests from individuals in need of international protection and stateless individuals, both in administrative and judicial procedures. This will enable fair and timely adjudication of these cases, as well as provide effective knowledge regarding merit-based decisions made by the courts. Additionally, strengthening cooperation among stakeholders involved in these matters is expected to positively influence the enhancement of decision-making quality in all instances.


Objectives

- 🎯 Understand and promote the principles and policies related to the protection of individuals in need of international protection;
- 🎯 Enhance their skills in implementing local legislation in line with the principles of international law for safeguarding refugee rights;
- 🎯 Advocate for the principles and policies concerning the protection of stateless individuals seeking international protection, particularly in accordance with the principles of the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness;
- 🎯 Improve their skills in developing and implementing local legislation that aligns with the principles of international law for protecting the rights of stateless individuals.


Content

-  Principles and policies related to the protection of individuals in need of international protection;
-  Implementation of local legislation in accordance with the principles of international law for safeguarding refugee rights, specifically with the principles of the 1951 Convention relating to the Protection of the Rights of Refugees and its 1967 Protocol;
-  Promotion of principles and policies concerning the protection of stateless individuals seeking international protection, particularly in accordance with the principles of the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness;
-  Development and implementation of local legislation that aligns with the principles of international law for protecting the rights of stateless individuals.
-  The importance of completing case files, including country of origin information (COI) used as evidence in decision-making in administrative instances;
-  The weight and importance of referencing, for similar cases, from the European Court of Human Rights (ECtHR) in the field of asylum.
-  Improving inter-institutional communication and coordination during the decision-making process, especially in representing cases at the judicial level.


Methodology

-  During this roundtable, the issues raised in discussions will be addressed with partial explanations from selected panelists. This will provide an open platform for all participants to discuss on the current state of merit-based solutions for applicants seeking international protection and citizenship at all instances. Additionally, the roundtable theme will be explored through conversations, discussions, and practical examples focusing on the main principles and rules of international and national legislation in the field of international protection.

Beneficiaries

-  Judges from the Department for Administrative Matters of the Basic Court of Pristina and the Court of Appeals, professional associates/legal officers, officials from the National Commission for Refugees, officials from the Department for Citizenship, Asylum and Migration-MIA, officials from the Agency for Free Legal Aid, and officials from the Kosovo Chamber of Advocates.

Duration

-  The roundtable will last for one (1) day.

***TRAINING ACTIVITIES IN THE
CONSTITUTIONAL FIELD***

Topics identified from:







- Permanent Trainer of the AJ

1. Issues of current practices of the Constitutional Court of the Republic of Kosovo in relation to the practices of the ECHR in the criminal field (law)






The main purpose of this training is to familiarize participants with the current practices of this court in relation to criminal law requirements. Another goal is to enhance the knowledge of judges and prosecutors regarding key decisions of the Constitutional Court of Kosovo in relation to the standards applied in practice by the European Court of Human Rights (ECtHR). This training will also cover the relationship between the Constitutional Court of Kosovo and regular courts within the context of constitutional provisions and the role of incidental control of constitutionality. This practice will also be analyzed in the context of current legislative developments and judicial practice, and the requirements of Article 6 of the ECHR and the criteria set by the ECtHR regarding the right to a fair hearing in criminal matters will be elaborated upon (the framework of the right to a fair hearing and the convention principles). Participants will also be introduced to the principles of equality of parties in the procedure, the duration of criminal proceedings, the right to defense, and the presumption of innocence. They will learn to properly utilize the ECtHR practice, particularly in criminal cases where violations of human rights and fundamental freedoms have been identified.

In this training session, we will address various issues and questions that require answers, such as: What are the objectives of the constitutional provisions regarding the relationship between the Constitutional Court of Kosovo and regular courts within the context of constitutional provisions; What are the main legal issues that arise before this court in criminal matters; What are the stances of the Constitutional Court of Kosovo regarding the substantive and procedural aspects of individual rights and freedoms in relation to the practice of the ECtHR. What are the reasons that the Constitutional Court of Kosovo relies on the jurisprudence of the ECtHR, and what are the benefits of interpreting human rights and fundamental freedoms in line with the decisions of the ECtHR? The institute of incidental constitutional review will also be covered in this training session. Trainers will interpret the provisions of the Constitution of Kosovo related to the above-mentioned topic through explanations. Issues raised during the training will be addressed using key cases handled by the Constitutional Court of Kosovo and the ECtHR. Instructions and recommendations will be provided for individual human rights protected by constitutional provisions, the jurisprudence of the Constitutional Court, and the ECtHR. This will be followed by an analysis of the judicial protection of constitutional rights in the Republic of Kosovo, comparing it to the protection offered by the ECtHR and distinguishing the standards of interpretation used when deciding on these fundamental rights. Additionally, trainers will focus on explaining the relationship between the Constitutional Court and regular (ordinary) courts, particularly the connection between constitutional courts and supreme (higher) courts. Attention will also be given to incidental constitutional review within the framework of ongoing developments in judicial practice. Participants will engage in discussions and exchange experiences related to various current issues in judicial practice.


Objectives

-  Understand the relationship between the Constitutional Court of Kosovo and regular courts within the context of constitutional provisions.
-  Become familiar with the current practices of the Constitutional Court in response to requests in the criminal field, highlighting the main legal issues brought before this court;
-  Grasp the essence of Article 6 of the ECHR and correctly apply these provisions, as well as the criteria set by the ECtHR regarding the right to a fair hearing in criminal matters;
-  Properly utilize the ECtHR practice, particularly in criminal cases where violations of human rights and fundamental freedoms have been identified.
-  Comprehend the reasons why the Constitutional Court of Kosovo relies on the jurisprudence of the European Court of Human Rights and the benefits of doing so.
-  Understand the role and importance of incidental constitutional review.


Content

-  The relationship between the Constitutional Court of Kosovo and regular courts within the context of constitutional provisions;
-  The current practices of the Constitutional Court in response to requests in the criminal field, highlighting the main legal issues brought before this court;
-  The stances of the Constitutional Court of Kosovo regarding the substantive and procedural aspects of individual rights and freedoms in relation to the practice of the ECtHR, as well as the specific features of the practices of these two courts in relation to the judicial protection of human rights;
-  The reasons why the Constitutional Court of Kosovo relies on the jurisprudence of the European Court of Human Rights, and why human rights and fundamental freedoms should be interpreted in harmony with ECtHR decisions;
-  The role and importance of the institute of incidental constitutional review.

Methodology

-  During the training session, participants will have the opportunity to advance their knowledge of the main issues in the current practices of the Constitutional Court related to the requirements in the criminal field. This will be achieved through interactive discussions and explanations by trainers. Additionally, participants will gain new insights into the key decisions in the current practices of the Constitutional Court of Kosovo in relation to the practices of the ECtHR in the criminal field.

Beneficiaries

-  Judges of all court levels in the Republic of Kosovo.

Duration

-  The training will last for one (1) day.

TRAINING ACTIVITIES FOR THE ECHR

Topics identified from:

- EU Report on Kosovo
- US State Department Report
- Ombudsperson Institution
- Permanent Trainer of the AJ

1. Freedom of Expression

Freedom of expression is a fundamental right that supports the free exchange of ideas and fosters democratic societies, but it also requires protection from unjustified interference. The goal of this activity is to gather a significant number of legal professionals in the field of freedom of expression, including judges, prosecutors, and lawyers, to create a sustainable platform for the exchange of ideas and different perspectives. The training aims to develop a platform for the exchange of information and knowledge among legal professionals on the existing legal framework and jurisprudence in Kosovo, in relation to European standards and the jurisprudence of the European Court of Human Rights (ECHR) in the field of freedom of expression and the media.

The discussion will focus on the challenges posed by Strategic Lawsuits Against Public Participation (SLAPP) for legal professionals, emphasizing the need for new approaches and legal strategies. This exchange will contribute to materializing the idea of creating a platform through discussion and networking among interested parties.




SLAPPs (Strategic Lawsuits Against Public Participation) present a new challenge for legal professionals, requiring a renewed emphasis on legal comprehension and strategy. SLAPP lawsuits are legal actions that *prima facie* seem to lack a solid foundation and are likely to fail in court. The objective of the claimant in these lawsuits is not to win the case, but rather to intimidate and dissuade journalists from further reporting on issues of public interest by subjecting them to lengthy and costly legal proceedings.

For judges and prosecutors, the increase in number of SLAPPs requires heightened awareness and a proactive approach to handling them. It is crucial to identify that these early, understand their often threatening nature, and apply legal principles that balance the right to due process with the protection of public participation and free expression.


Objectives

- 🎯 Increase awareness among legal professionals about the challenges posed by issues of freedom of expression in practical implementation, with a particular emphasis on SLAPP lawsuits and their impact on freedom of expression and public participation.
- 🎯 Advance the knowledge of judges and prosecutors in the efficient implementation of local and international standards, with a particular emphasis on the jurisprudence of the ECtHR.
- 🎯 Foster a platform for discussion to exchange ideas and experiences among legal professionals, judges, prosecutors, lawyers, and professional associates.


Content

-  Analysis of the Legal Framework regarding freedom of expression in general: Discussion of the current legal framework in Kosovo and comparison with European standards.
-  The influence of international instruments, such as the Council of Europe Recommendations on SLAPP lawsuits and the EU Directive on combating SLAPP lawsuits, and the potential for their use in practice.
-  SLAPP and Freedom of Expression: Discussion on understanding the nature and intent of SLAPP lawsuits, and the risks they pose to freedom of expression.


Methodology

-  Presentations by legal experts on the topic of SLAPPs and the relevant jurisprudence. Interactive discussion sessions where participants can share their experiences and ideas on addressing SLAPPs. Analysis of specific SLAPP cases in Kosovo and at the European level.

Beneficiaries

-  Judges, prosecutors and professional associates.

Duration

-  The training will last for one (1) day.

Topic identified from:

- Needs assessment questionnaire for continuous training (judges/prosecutors)
- Ombudsperson Institution
- Permanent trainer of the AJ

2. Judicial process within a reasonable timeframe under Article 6 of the ECHR: Unjustified prolongation of civil and criminal proceedings in the jurisprudence of the ECtHR





According to Article 22 of the Constitution of Kosovo, primary international human rights instruments, such as the European Convention on Human Rights (ECHR), are directly applicable in the legal system and take precedence in interpretation over national legislation. Furthermore, Article 53 of the Constitution stipulates that all human rights and fundamental freedoms guaranteed by this Constitution shall be interpreted in accordance with the judicial decisions of the European Court of Human Rights. The right to a fair hearing is protected under Article 6 of the European Convention on Human Rights (ECHR). In light of this, the Academy of Justice deems it crucial to create training programs for legal professionals (judges, prosecutors, and professional associates) regarding the established standards of the ECHR and the practices of the European Court of Human Rights (ECtHR), specifically referring to Article 6 on the Right to a Fair Hearing. The training will serve as a platform to improve understanding of judicial practice under Article 6 of the ECHR, as well as discuss its implementation in judicial practices. It will focus specifically on providing examples from the ECtHR jurisprudence on issues such as addressing the excessive prolongation of proceedings and the unjustified annulment of decisions, which are key components of Article 6 of the ECHR. In this regard, it is important to have a more detailed treatment of the implementation of ECtHR cases and CoE standards, offering advanced perspectives for addressing procedural defects in judicial practice in Kosovo such as the excessive prolongation of judicial proceedings and unjustified annulment of cases. The practices developed by the ECtHR and the access to jurisprudence references in cases referring to Article 6 of the ECHR will serve as valuable resources for practitioners in the Kosovo judiciary regarding the right to a fair hearing, procedural rights, and due process, leading to qualitative reasoning in decisions.

The training is designed to help legal professionals (judges, prosecutors, and professional associates) in effectively applying in practice the ECtHR cases when interpreting fundamental rights and freedoms, particularly in relation to the right to a fair hearing. Specifically, the training aims to offer insights for court and prosecutorial staff on how to eliminate factors that contribute the prolongation of judicial proceedings, implementing ECtHR standards and practices, and providing practical knowledge to harmonize judicial practices that would impact the reduction of unjustified annulment of decisions.


Objectives

- 🎯 Implement the relevant standards and practices of the ECtHR in the context of timely trial implementation by correctly applying the jurisprudence of the ECHR under Article 6.
- 🎯 Enhance the capacities of legal professionals in implementing the standards and practices of the ECtHR concerning excessive prolongation of proceedings and the unjustified annulment of lower instance decisions.
- 🎯 Improve understanding of judicial practices of the ECtHR in relation to the implementation of Article 6 of the ECHR


Content

-  Analysis of the standards and jurisprudence of the ECtHR regarding Article 6 of the ECHR, focusing on practical issues such as timely adjudication (trial) and unjustified annulment of decisions;
-  Access to specific cases from the ECtHR and their best implementation in judicial practice in Kosovo, both in civil and criminal cases;
-  Violations of Article 6 in relation to timely adjudication (trial) and unjustified annulment of decisions;
-  Case studies based on the ECtHR jurisprudence (General considerations of Article 6 in terms of civil and criminal cases; General guarantees: institutional requirements, procedural requirements, Specific guarantees, and Extraterritorial effect of Article 6)

Methodology

-  The training session will be conducted through a combination of presentations and interactive discussions with participants, case studies including analyses of the Convention and ECtHR cases, and working on hypothetical scenarios. The focus will be on analyzing the relevant ECtHR jurisprudence, referring to the practical application of Article 6 and the impact it has at the national level.

Beneficiaries

-  Judges, prosecutors and professional associates.

Duration

-  The training will last for two (2) days.

Topic identified from:

- Needs assessment questionnaire for continuous training (judges/prosecutors)

3. Effective legal remedies under Article 13 of the ECHR: The judicial practice of the ECtHR in Civil and Criminal Matters

Article 13 of the European Convention on Human Rights (ECHR) establishes the right to an effective legal remedy. Article 13 of the ECHR envisages that “*everyone whose rights and freedoms as set forth in the Convention are violated shall have an effective remedy before a national authority notwithstanding that the violation has been committed by persons acting in an official capacity*”. The aim of the training is to enhance participants’ comprehension of the right to an effective remedy, which is a crucial component of human rights under the ECHR and other human rights instruments. Access to effective remedies must be guaranteed in national legal systems at all levels of judicial proceedings. In practice, it is advisable to first exhaust all available legal remedies at the regular levels, within the regular judicial system, before seeking relief from the European Court of Human Rights (ECtHR). By establishing internal mechanisms, it is expected that individuals first utilize these mechanisms before turning to the ECtHR. The right to an effective legal remedy upholds the principle of subsidiarity, as stated in Article 35 of the ECHR, which also outlines the admissibility criteria. This principle highlights the fundamental role of national judicial systems in guaranteeing respect for human rights standards, as an integral component of the Convention system. Participants are expected to analyze a significant number of cases from the practices of the ECtHR that pertain to violations of Article 13, including instances of violations within member states and the enforcement of legal remedies. Additionally, participants will gain an understanding of how a violation of Article 13 is always linked to another right outlined in the ECHR and its Protocols. Moreover, this training aims to analyze the practical aspects of ECtHR jurisprudence concerning Article 35 of the ECHR, which addresses effective legal remedies that have not been exhausted prior to applying to the ECtHR.


Objectives

- 🎯 Apply the relevant ECtHR standards and practice on the right to an effective remedy in their roles as judges and prosecutors;
- 🎯 Enhance understanding of domestic remedies to effectively redress violations of Convention rights;
- 🎯 Appropriately apply the fundamental principles related to effective remedies and understand the necessary characteristics of legal remedies in various specific situations involving civil, criminal and administrative matters.


Content

- 📄 Access to effective legal remedies - Standards and principles applied by the ECtHR (references to the ECHR, and the practical application of the principles of Article 13 of the ECHR);
- 📄 The principle of subsidiarity - the procedural aspect of the practical application of this principle in case presentation;
- 📄 Violation of Article 13 in conjunction with other articles of the ECHR;
- 📄 Procedural aspects of the inadmissibility of applications by the ECtHR - relevant judicial practice according to Article 35 of the ECHR;
- 📄 Case studies based on the jurisprudence of the ECtHR.


Methodology

 The training will consist of presentations, interactive discussions, and exchanges with participants in a “peer-to-peer” environment. The focus will be on analyzing relevant ECtHR jurisprudence, with a particular emphasis on the practical implementation of Article 13 and its impact at the national level.

Beneficiaries

 Judges, prosecutors and professional associates.

Duration

 The training will last for one (1) day.

Topic identified from:

- Needs assessment questionnaire for continuous training (judges/prosecutors)
- Permanent trainer of the AJ

4. Using and referencing the ECtHR jurisprudence in writing judicial decisions

According to Article 22 of the Constitution of Kosovo, the primary international human rights instruments, such as the European Convention on Human Rights (ECHR), are directly applicable in the legal system and take precedence in interpretation over national legislation. Furthermore, Article 53 of the Constitution stipulates that all human rights and fundamental freedoms guaranteed by this Constitution shall be interpreted in accordance with the judicial decisions of the European Court of Human Rights. In light of this, the Academy of Justice deems it crucial to create training programs for legal professionals (judges, prosecutors, and professional associates) regarding the established standards of the ECHR and the practices of the European Court of Human Rights (ECtHR).




The Academy of Justice has determined that it is necessary to provide training on the use of ECtHR platforms and resources (such as HUDOC), as well as on the use and referencing of ECtHR cases for legal writing and reasoning purposes. Since the interpretation of fundamental rights and freedoms is based on ECtHR jurisprudence, it is crucial for legal professionals in courts and prosecution offices to have an understanding of ECtHR databases, Council of Europe platforms, and other resources, including the ECtHR guidelines for relevant Articles of the ECHR. This training will offer knowledge on how to use and access these platforms, as well as an understanding of how to accurately reference specific matters.

The training will focus on the aspects of correct citation and referencing of cases and standards set by the ECtHR. It will cover the application of ECtHR jurisprudence in specific cases in courts and prosecution offices, as well as the implementation of ECtHR jurisprudence in legal writing and reasoning. The knowledge gained in this training will enhance the capacity building skills of judges and prosecutors by ensuring that legal writing and reasoning are developed with reference to the principles and specific cases of the ECtHR.




The training is designed to help legal professionals (judges, prosecutors, and professional associates) in effectively utilizing the ECtHR platforms and resources (such as HUDOC and ECtHR Case Guidelines). This includes the ability to research relevant ECtHR cases and established jurisprudence, which will assist them in their work. Furthermore, the training will provide legal professionals with the opportunity to draft and justify appropriate acts by accurately interpreting human rights through ECtHR jurisprudence.

Objectives


- 🎯 Provide training on utilizing Council of Europe and ECtHR resources and platforms (such as HUDOC, ECtHR Guidelines for ECHR Articles, etc.);
- 🎯 Develop practical skills in researching and identifying specific cases or documents on the Council of Europe and ECtHR platforms;
- 🎯 Utilize platforms according to specific needs and different methods to identify issues, relevant articles, or cases;

-  Offer practical training in the use of ECtHR jurisprudence in legal writing, including citing appropriate cases, referencing ECtHR cases, and using ECtHR cases in practical situations;
-  Enhance legal professionals' skills in legal writing in accordance with ECtHR standards through the application of ECtHR jurisprudence;
-  Develop practical skills in applying ECtHR judicial practice when making decisions that refer to ECtHR jurisprudence.


Content

-  Accessing and researching on the Council of Europe and ECtHR platforms, including skills in finding and researching cases and documents in HUDOC and using ECtHR guidelines.
-  Researching and accessing ECtHR cases and their optimal application in Kosovo's judicial practice in civil and criminal matters.
-  Legal writing and capacity building with a focus on reasoning decisions in line with ECtHR jurisprudence.

Methodology

-  The training will be conducted through a combination of presentations and interactive discussions with participants, utilizing search engines on platforms like HUDOC and practical use of the ECtHR Guidelines. Practical exercises will be included to help participants find, reference, and cite ECtHR cases in line with legal writing standards.

Beneficiaries

-  Judges, prosecutors and professional associates.

Duration

-  The training will last for two (2) days.

Topic identified from:

- Needs assessment questionnaire for continuous training (judges/prosecutors)
- Permanent trainer of the AJ

5. Article 5 of the ECHR

The main international human rights instruments, such as the European Convention on Human Rights (ECHR), are directly applicable in the legal system and take precedence in interpretation over national legislation. Article 53 of the Constitution stipulates that all human rights and fundamental freedoms guaranteed by this Constitution shall be interpreted in accordance with the judicial decisions of the European Court of Human Rights. With this in mind, the Academy of Justice has developed an important program that provides judges and prosecutors in Kosovo the opportunity to receive training on the highest standards set by the European Court of Human Rights (ECtHR).

In the recent training needs assessment conducted by the Academy of Justice, there was a specific request for training on the jurisprudence of ECtHR under Article 5 of the ECHR, which refers to The Right to Liberty and Security. The right to liberty and security, as defined in Article 5 of the ECHR corresponds to Article 29 of the Constitution of Kosovo and is considered one of the fundamental rights in a democratic society, falling under the category of fundamental human rights. This right guarantees that all individuals should be free from arbitrary or unjustified deprivation of liberty. The legal framework that affects this right includes the Constitution, the Criminal Procedure Code, and the Juvenile Justice Code.







The training aims to review their implementation by referring to the ECtHR jurisprudence and provide concrete tools for practitioners on how to enhance decision-making process, the decision quality, and their reasoning. Specifically, it will address issues such as excessive detention length and inadequate reasoning for detention under Article 5 of the Convention.

The workshop will provide a platform to explore the judicial practices of the European Court of Human Rights in accordance with the ECtHR Guidelines on Article 6 of the ECHR. These guidelines include references to historical cases in both civil and criminal matters. The practices established by the ECtHR and the approach taken when deciding on specific cases will be a valuable resource for practitioners within the Kosovo judiciary concerning the right to a fair trial, procedural rights, due process, and the quality of reasoning in judgments.


Objectives

- 🎯 Advance the understanding of the standards and practices of the ECtHR regarding the Right to Liberty and Security
- 🎯 Increase the use of alternative measures to ensure the defendant's presence in proceedings related to pre-trial detention;
- 🎯 Decrease the length of pre-trial detention;
- 🎯 Provide quality reasoning when imposing and extending pre-trial detention


Content

-  The training program will cover the following thematic areas through analysis of the ECtHR jurisprudence:
-  The Right to liberty and security, as outlined in Article 5 of the European Convention on Human Rights (ECHR)
-  The non-absolute nature of the right to liberty and security
-  Legal deprivation of the right to liberty;
-  Detention;
-  Guarantees for persons deprived of their liberty.


Methodology

-  The training will be conducted using theoretical, practical, and combined lecturing methods. Participants will be given practical exercises based on cases handled in the prosecution office and will be required to analyze and present the identified issues. The sessions will be organized into individual and group workshops. This method aims to actively involve participants in every issue, thereby strengthening their existing knowledge and gaining new insights in specific areas.

Beneficiaries

-  Judges, State Prosecutors, Lawyers, Professional Associates, Legal Officers, Police Investigators.

Duration

-  The training will last for one (1) day.

TRAINING ACTIVITIES ON EUROPEAN LAW



Topic identified by:

- European Centre for Judges and Lawyers (Luxembourg Centre of the European Institute of Public Administration/EIPA)






1. Judicial cooperation in civil and commercial matters

Over the past 15 years, there has been a significant development in the field of European law, which, however, remains largely unnoticed by legal practitioners (such as national judges, lawyers, etc.). Private international law, or 'judicial cooperation in civil matters' as it is called in the Treaty, has evolved into a distinct and independent field of European law. Since the Amsterdam Treaty granted the European Union the authority to legislate in the field of private international law, numerous European legislative acts have been implemented in this area. Similar to other areas of European Union law, the instruments established in this field take precedence over the domestic laws of Member States and work alongside national law to establish minimum common procedural standards at the EU level in specific legal areas. Consequently, national judges are increasingly encountering situations with cross-border implications and legal issues governed by EU law. These situations may involve contracts that involve the delivery of goods and provision of services across borders, legal matters concerning tourists' movement and traffic accidents abroad, issues related to the purchase and sale of movable and immovable property by individuals and businesses in one or more EU Member States other than their own, and inheritance of property by individuals who have property and connections in multiple Member States. In family law as well, multinational personal relationships are becoming more common, leading to legal questions arising in cases of cross-border family relationships and parental responsibilities. Similarly, small and medium-sized enterprises (SMEs), a significant part of the European internal market, are engaging in cross-border transactions almost daily, often through online platforms.


Objectives

-  Advance knowledge of the evolution of the institutional and decision-making framework of the civil justice sector in the EU;
-  Understand the current legal instruments in force and gain an overview of the approximation and harmonization of EU civil laws.

Content

-  Free movement of decisions in civil and commercial matters;
-  Applicable law in civil and commercial matters;
-  Free movement of judgments in family matters;
-  Procedural aspects of judicial cooperation in civil matters;
-  Out-of-court settlements, alternative methods for resolving civil and commercial disputes in the European Union.


Methodology

 The main methods that will be used during this training include: partial theoretical explanations, cases from judicial practice; interactive discussions, and analysis of judicial cases.

Beneficiaries

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

Duration

 The training will last for one (1) day.

Topic identified by:





- European Centre for Judges and Lawyers (Luxembourg Centre of the European Institute of Public Administration/EIPA)

2. Judicial and law enforcement cooperation in criminal matters





This module introduces the basic concepts, objectives, and forms of cooperation within the institutions of EU criminal law. It also describes how the institutional and decision-making framework for cooperation in criminal matters has evolved within the European Union, focusing on the legislative procedure and legal instruments currently in force. Special attention will be given to explaining the difference between mutual legal assistance and mutual recognition. Key instruments, such as the European Arrest Warrant, will be analyzed in detail. Furthermore, the main achievements of substantive and procedural criminal law will be explained, along with the directions in which legal developments in this field seem to be evolving.

Additionally, the module will focus on the role of national judges and prosecutors in implementing EU criminal law, along with the impact of the judicial practice of the Court of Justice of the EU in interpreting and shaping this legal field.


Objectives

-  Enhance knowledge of the effective use of legal principles, various legal instruments, and procedures for implementing EU criminal law
-  Develop the ability to address decisions of the European Court of Justice related to the application and interpretation of EU criminal law, and to work with them in the preliminary ruling procedure.
-  Understand the similarities and differences between the national criminal justice systems of the Member States, as well as the allocation of authority between investigation and prosecution functions.
-  Improve practical skills in utilizing mutual legal assistance and mutual recognition instruments in the field of EU criminal law, such as the European Arrest Warrant and the European Investigation Order, as well as effectively addressing a variety of e-Justice Instruments.

Content

-  Criminal Justice and EU Legislation;
-  Legal Aid and Mutual Recognition;
-  Protection of Fundamental Rights, Procedural Rights and Defense in Criminal Procedure;
-  Specific Areas of Crime and Substantive Criminal Law.


Methodology

-  The main methods that will be used during this training include: partial theoretical explanations, cases from judicial practice; interactive discussions, and analysis of judicial cases.

Beneficiaries

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

Duration

 The training will last for one (1) day.

TRAINING ACTIVITIES ON MINOR OFFENCES

Topic identified by:



- Questionnaire on continuous training needs assessment (judges/prosecutors)

1. Withdrawal of the claimant after it's submission – in the field of inspectorate




This training aims to provide clarifications about the minor offence procedure in general, and particularly on initiating entities of the minor offence proceedings, cases when the minor offence proceedings are developed by the authority and cases when the proceedings are developed by the court, then in cases of conflict between the authority and the court, the suspension of the minor offence proceedings, inspectorate files, and especially when the inspectorate withdraws the application as an initiating party to the minor offence proceedings. Court decisions in such cases and further proceedings. Discussions of identified problems are aimed to provide a clear picture of initiation, initiating entities, suspension, application withdrawal, content of the minor offence application and entities against which the minor offence proceedings are initiated. How to act when the authority that initiated the minor offence application withdraws it?

This has been identified as an issue by the judges. Do the withdrawn applications have an effect? How does the procedure develop further and how is this area covered by the law?


Objectives

-  Correctly apply legal provisions in cases of application withdrawal;
-  Advance knowledge about cases when the minor offence proceedings are developed by the authority itself and cases developed by the court.


Content

-  Initiating the minor offence proceedings and initiating entities;
-  Minor offence proceedings in authorities and courts;
-  Suspension of minor offence proceedings;


Methodology

-  The training will be carried out through elaborations of theoretical issues, also providing interpretation of legal provisions which is the focus of the training, as well as practical discussions built on identified challenging and common practical cases with the aim of unifying practice.

Trainees

-  Judges of Basic Courts, Minor Offence Division, inspectors under the inspectorate directorates

Duration

-  The training will last for 1 (one) day.

TRAINING ACTIVITIES ON MEDIATION

Mediation-Criminal Law

Topic identified by:

- Federal Mediation and Conciliation Service/FMCS and INL

1. Mediation for Judges and Prosecutors (in criminal cases)

Mediation in criminal cases presents an opportunity for conflict resolution and reducing the burden on the judicial system. Mediation provides a more flexible and rapid approach to resolving disputes, creating space to negotiate and reach an agreement that is acceptable to both parties. However, the use of mediation in criminal cases in Kosovo faces several challenges, such as the lack of sufficient referred cases to mediation, the lack of effective inter-institutional coordination and communication, the lack of effective communication with the parties, or the challenges in identifying suitable cases for mediation.

The purpose of this training is to improve the capacities of judges and prosecutors for the mediation process in criminal cases, through the sharing of international good practices, in order to increase the use of mediation in the criminal justice system in Kosovo.


Objectives

- 🎯 Raise awareness among judges and prosecutors on the role and value of mediation;
- 🎯 Discuss criminal cases that are appropriate for mediation and those that are not;
- 🎯 Sharing best practices and success stories from local and international contexts to illustrate positive mediation results;
- 🎯 Advance knowledge on the social benefits of mediation, including faster dispute resolution, reduced court workload, and improved relations between parties;
- 🎯 Sharing best practices for effective collaboration with mediation officers to ensure easier referral of cases and more sustainable outcomes.


Content

- 📄 Social benefits of mediation;
- 📄 Identifying appropriate cases for mediation;
- 📄 Best local and international practices;
- 📄 Strategies for cooperation between judges, prosecutors and mediation officers.

Methodology

 The training will include theoretical part to be carried out by FMCS experts, group discussions to share experiences and practices, encouraging an open exchange of thoughts and ideas, analysis of case studies illustrating concrete situations and interactive discussions.

Trainees

 Prosecutors of Basic Prosecutor's Offices and Judges of Basic Courts (Criminal Departments).

Duration

 Four trainings lasting for one (1) day:

- Prishtina;
- Gjilan and Ferizaj;
- Gjakova and Prizren;
- Peja and Mitrovica.

Mediation-Civil Law

Topic identified by:

- USAID – Commercial Justice

1. Referral of cases to the mediation procedure, its development into mandatory mediation, especially in family cases, and approval or cancellation of mediation agreements – practical cases







Referral of cases to the mediation procedure, its development into mandatory mediation and approval or annulment of mediation agreements - practical cases, aims to provide detailed explanations of the mediation procedure, starting from the moment of referral of the case, clarification of its development into mandatory mediation, especially in family cases, as well as to describe the procedure for approval or cancellation of mediation agreements and their effect in practice. The training aims to clarify and help judges to understand or correctly interpret ambiguous legal provisions and elaborate the non-unified application of these provisions by judges handling such cases.

The need to organize such a training cycle, with the proposed topic, stems from the monitoring of the implementation of the Law on Mediation and from the practical challenges addressed by judges. The training aims to build the capacities of judges who have completed the initial training and those who have not participated in the previous cycles of these trainings. The aim is for them to effectively handle civil cases and provide solutions to the challenges encountered during the processing of cases in mediation, as well as in the exercise of their competence regarding the validity of mediation agreements. This includes the harmonization of judicial practices and the consistent implementation of legal provisions.






What are the biggest challenges for judges when referring cases to the mediation procedure, during the procedure for approving or cancelling Mediation agreements? What are the challenges of the procedure for referring cases for which mandatory Mediation is foreseen? What are the dilemmas of judges in exercising their competence when assessing the validity of mediation agreements? What are the potential shortcomings that judges see in terms of the drafting of agreements by mediators?

The most efficient way to understand the concepts according to this training is interactive conversation with judges through Q&A sessions and practical examples to resolve the dilemmas that may arise.


Objectives

-  Correctly understand the role of judges in the process of referring, approving or rejecting mediation agreements
-  Correctly understand the legal basis of mediation;
-  Unify the practice of referring, approving or cancelling agreements reached through mediation
-  Clarify the referral procedure for family cases in the mediation procedure;
-  Unify the referral of disputes that require mandatory mediation;
-  Unify the implementation of the Mediation Protocol.

Content

-  Referral of appropriate cases to the mediation procedure – practical cases;
-  Procedure of approving or cancelling mediation agreements;
-  Mandatory mediation, with special focus on family cases;
-  Challenges in the implementation of the Mediation Law;
-  Challenges in the implementation of the Mediation Protocol.

Methodology

-  The training will be conducted through interactive discussion, application of best practice examples that provide adequate explanations of the referral process, approval or rejection of agreements reached in mediation, mandatory mediation. During the training, practical cases will be presented in which judges should give their answers or opinions, to facilitate the understanding of the mediation procedure.

Trainees

 Judges of basic courts and branches, as well as mediators of the regions of those courts.

Duration

 Two trainings lasting one (1) day:

- Prishtina, Ferizaj, Gjilan and Mitrovica;
- Prizren, Peja and Gjakova.

***TRAINING ACTIVITIES ON INTER-
DISCIPLINARY COMPETENCE***

Topic identified by:

- Post-Training Assessment Form;
- Continuous Training Needs Assessment Questionnaire (judges/prosecutors)
- Training policy document and training needs plan for state prosecutors and administrative staff for 2025 - KPC

1. Drafting and reasoning of court decisions

Drafting and reasoning of judicial decisions is one of the main components reflecting fair court decision-making, and reflects the professionalism and concrete knowledge of judges in relation to the subject matter and international standards. This Training aims to improve the level of writing and reasoning and is presented as an aid for judges, legal associates and officials in building their professional capacities regarding legal research, judicial review and drafting of judicial decisions.

The training as such, due to the topic, will be a reflection of practical findings, which will benefit trainees in terms of writing and reasoning with a focus on developing their analytical skills by addressing how to approach a legal issue, how to conduct resource research on the issue under review, how to conduct legal analysis, and according to which standards legal writing and reasoning should be conducted. In addition to theoretical instructions regarding the principles and methods of legal writing and reasoning, this training will also include practical cases and instructions so that participants can apply the knowledge gained in practice.








Through instructions and concrete cases from the civil and criminal fields, participants will have the opportunity to apply the requirements of the laws from criminal and civil procedure to draw their own conclusions for the decision of the cases they deal with. Legal writing and reasoning represents a standard for evaluating the work of courts. In this sense, legal writing and reasoning in the work of judges, legal associates and officials represents a difficult objective to achieve, therefore, this training aims to improve the quality of legal writing and reasoning in their work.

Issues for discussion in this training may include the following: Current practice, identified practical problems, quality of writing and reasoning, level of analytical skills development, and application of international standards of legal writing and reasoning.


Objectives

- 🎯 Enhance the quality of legal drafting and reasoning;
- 🎯 Advancing analytical skills necessary for drafting and reasoning of court decisions;
- 🎯 Patterns of legal writing and reasoning;
- 🎯 Build interpretation skills;
- 🎯 Advance knowledge of the adequate offence qualification in the indictment and other prosecutorial acts.

Content

-  Types of legal reasoning;
-  Principles of good legal writing;
-  Legal requirements for writing and reasoning of court decisions;
-  Applying the IRAC method in criminal decisions;
-  Accurate qualification of the offence in indictments and other prosecutorial acts;
-  Writing without mistakes;
-  Number of returned acts for supplementation by the court.


Methodology

 Theoretical treatment of the elements of writing, drafting legal acts, interpretation of acts, analysis of facts, drafting the main procedural acts. Theoretical discussion on procedural legal provisions referring to the legal requirements for the writing of legal acts. Practical demonstration of the method of reasoning and legal writing. Theoretical and practical discussion of the methods of legal analysis in concrete cases. Presentation of civil and criminal cases and discussions on the method of the presumed merits decision for concrete cases. Participants, in addition to their contribution to the discussions, also challenge the trainer's ideas regarding the phrasing and resolution of many alternative or even problematic issues.

Trainees

 Judges of Basic Courts, legal associates and legal officers.

Duration

 The training will last for one (1) day.

Topic identified by:

- EU Kosovo Report
- Continuous training needs assessment questionnaire (judges/prosecutors)

- Training policy document and training needs plan for state prosecutors and administrative staff for 2025 - KPC






2. Professional Ethics

Ethical practices of judges and prosecutors are among the first major steps towards creating an institutional environment that will improve citizens' trust in the Kosovo judicial system. An ethical approach will serve as a cornerstone for the self-confidence of judges or prosecutors when providing their services related to justice. However, codes of ethics and conduct are part of a broader framework. Professional codes should not, and cannot, stand alone (independently). Professional codes should be considered together with job descriptions, oaths of honesty, performance evaluations and other forms of supervision and leadership. This training will address, among other things, issues regarding the implementation of the main ethical principles, which are defined by, but not limited to, the Code of Professional Ethics for Judges and Prosecutors, such as independence, impartiality, integrity, conflict of interest, equality, use of social media, professionalism and responsibility at work, confidentiality and relations with the public and the media, etc.









The issues for discussion in this training may be as follows: How is the principle of judicial independence and impartiality implemented in practice by judges and prosecutors? How is the principle of integrity of judges and prosecutors implemented in practice, and what are the consequences if such a principle is not respected? What does *ex parte* communication mean and how should a judge or prosecutor avoid such communication? What are the ethical obligations of judges and prosecutors in implementing the principle of equal treatment of parties in judicial proceedings? What does conflict of interest mean, and how should it be avoided by judges or prosecutors? What does maintaining the confidentiality of judicial proceedings by judges and prosecutors entail, and how should they behave in relation to the media and the public? Is the use of social networks by judges and prosecutors permitted, and if so, under what conditions? Is the acceptance of gifts by judges or prosecutors permitted?

The training will serve as a good basis for providing knowledge to participating judges and prosecutors by addressing the main issues and principles of professional ethics mentioned above, the correct implementation of which by judges and prosecutors will strengthen public trust in judges and prosecutors in particular and the justice system in general, and will have a positive impact on judges and prosecutors who, during their work and beyond, will be independent, impartial, with integrity, treating all parties equally. The issues will be addressed by presenting the challenges identified in judicial and prosecutorial practice, which will be presented through concrete cases. The cases presented must be carefully selected in order to address all the challenges related to the relevant field, i.e. issues related to the implementation of the principles of the Code of Professional Ethics for Judges and Prosecutors. Regarding the selected cases, trainers should conduct appropriate research into judicial practice in the courts where they work and should not only ensure that those cases objectively present the problematic issues addressed, but also the way in which future action should be taken.


Objectives

-  Advance knowledge of the basic rules of judicial ethics according to the Code of Professional Ethics for Judges and Prosecutors;
-  Analyse the principles and rules of the Code in different real-life situations;
-  Identify and solve ethical problems;
-  Develop critical thinking regarding ethics;
-  Correctly apply ethical rules and the Code of Professional Ethics.

Content

-  Professional ethics and the Code of Ethics for judges and prosecutors;
-  Independence and impartiality;
-  Integrity and conflict of interest;
-  Equality, professionalism and responsibility at work;
-  Ex parte communication;
-  Gifts;
-  Use of social media;
-  Confidentiality and relations with the public and the media.


Methodology

-  The training will employ combined methods of explanation, interactive discussion, presentation of issues through cases, discussion of cases and summary of conclusions on the issue discussed, in order to fully achieve the objectives of this training.

Trainees

-  Judges and prosecutors of all levels.

Duration

-  The training will last for one (1) day.



Topic identified by:

- Western Balkans Trial Monitoring Report
- CE/CEPEJ








3. Management of Court Hearings

The European Convention on Human Rights and the Court's case-law provide for the effective application of the right to a fair and timely trial. The Court assesses the excessive length of proceedings on the basis of the circumstances of the case, taking into account in particular the complexity of each case, the conduct/actions of the plaintiff and the relevant authorities, and the importance of what the plaintiff is seeking in a trial. The overall length of proceedings before the court should be monitored and measured from the submission of the proceedings to the court until the enforcement of the final court decision. The aim of this training is to prevent excessive length of judicial proceedings. This training is complementary to the CEPEJ modules available online in HELP format.


Objectives

-  Actively manage court proceedings;
-  Avoid delays and procedural abuses.

Content

-  Active case management;
-  Involvement of parties at an early stage;
-  Agreed procedural calendar;
-  Cooperation with other actors: experts, witnesses, etc.
-  Eradication of procedural abuses;
-  All data is recorded in the case management system and updated regularly;
-  Use of standard electronic templates.


Methodology

-  The training will be conducted using various methodologies including interactive discussions, group work, preparation and handling of practical cases.

Trainees

-  Judges, legal associates and legal officer.

Duration

-  The training will last for one (1) day.

Topic identified by:

-Ministry of Internal Affairs (MIA)

4. Treatment of classified information in trials

The purpose of this module is to provide participants with theoretical and practical knowledge regarding the handling and use of classified information as evidence in trials. The court should decide whether classified information can be used as evidence. Law No. 08/L-175 on Protection of Classified Information addresses the basic principles, minimum security standards for the protection of classified information related to the security interests of the Republic of Kosovo. Based on this law, the Agency for the Protection of Classified Information was established, which is responsible for the protection of classified information. The law also regulates which authorities have the right to classify information, categories of classified information, levels and duration of classification, as well as their declassification. Classified information may be used as evidence in trials, but its use is subject to strict rules and restrictions to protect national security or sensitive data. Because of the sensitive nature of classified information, courts and parties involved in the proceedings must follow special procedures to balance the need for justice with the protection of classified information, and parties seeking to use classified information as evidence must follow a trial to obtain permission to disclose relevant documents, and the court may use redacted versions of documents to avoid disclosure of sensitive parts of classified information or order that parts of the trial be held behind closed doors to prevent that information from becoming public. To protect classified information, courts often restrict public and media participation in these hearings, ensuring that the information is kept within a narrow circle of people with special authorization. In some cases, parties may request that some classified information be declassified to allow its use in court proceedings. The court must also take care to protect classified information, its transmission, and access to court files. The court must therefore balance the need for justice with the protection of national security interests by using measures such as closed hearings, redaction of documents, and authorization rules for access.








- What does ‘classified information’ mean in trials?
- Who classifies classified information in trials?
- What are the classification levels of this information?
- What do we mean by declassification of documents?
- Who has the right to access classified documents?
- What is the procedure for declassifying classified documents in trials?
- How are classified documents treated in court proceedings?
- Is special permission required for using these documents as evidence?

Objectives


- 🎯 Understand exactly what is meant by classified information;
- 🎯 Minimum security standards for the protection of classified information;
- 🎯 Identify classification authorities and classification levels;
- 🎯 When classified information can be used as evidence in legal proceedings;
- 🎯 Understand correctly the declassification procedure.

Content

- 📄 Definition of classified document;
- 📄 Classification authority;
- 📄 Classification levels;
- 📄 Personnel security clearance;

-  Protection of classified information;
-  Declassification of classified documents;
-  Use of classified documents;
-  Restriction of access to classified documents;
-  Access to classified information;
-  Role of judges and parties;
-  Exclusion/Restriction of classified documents.

Methodology

-  Training, interactive discussion, presentation of cases from Kosovo judicial practice, case studies from the EHRC judicial practice.

Trainees

-  Judges, prosecutors, legal associates, legal officers, officials of the Agency for the Protection of Classified Information.

Duration

-  The training will last for two (2) days.

Topic identified by:




- Training policy document and training needs plan for state prosecutors and administrative staff for 2025 – KPC

5. Case and Office Management








The implementation of case management techniques by prosecutors, compared to the management of the flow of cases that prosecutors deal with, presents challenges that are quite problematic in daily work. The changes in the organizational structure that have been made in

the prosecutor's office also have an impact on this problem, which will have a positive effect on improving case management.


Objectives

-  Correctly apply case management principles;
-  Advance knowledge on case management;
-  Correctly apply case management techniques.

Content

-  Case management;
-  Basic principles of case management;
-  Key techniques of case management;
-  Effective use of CMIS in case management.
-  Being open to using new working methods and techniques;
-  Resolving cases in an appropriate manner;
-  Acting in accordance with all office procedures and protocols.


Methodology

-  The training will employ combined methods of explanation, theoretical and practical explanations, group work, followed by practical examples, and PowerPoint presentation.

Trainees

-  Prosecutors of all levels.

Duration

-  The training will last for one (1) day.

TRAINING ACTIVITIES ON VIOLENCE AGAINST WOMEN, DOMESTIC VIOLENCE AND GENDER-BASED VIOLENCE

Topic identified by:

- CE Office in Pristina, project Approximation of laws and policies with the Istanbul Convention
- Strategy for protection from domestic violence and violence against women
- National Human Rights Program 2021-2025.


1. Violence against Women, Domestic Violence and Gender-Based Violence

With the inclusion of the Istanbul Convention in the Constitution in 2020 and CEDAW in 2008, all justice officials should be aware and knowledgeable about international standards and how to effectively implement them in their work, so this training aims to achieve this objective as well. The purpose of the training is to build the capacities of the legal staff on the main concepts, local normative frameworks and laws related to Violence against Women (VW), Domestic Violence (DV) and Gender-Based Violence (GBV).


Objectives

-  Building the capacity and knowledge of legal officers on the basic concepts of Violence against Women, Domestic Violence and Gender-Based Violence.


Content

-  Familiarization with the gendered nature, manifestations and dynamics of GBV and DV and participants will be provided with an overview of guiding principles in dealing with these cases. This includes using a victim-centred, gender-responsive approach and holding the perpetrator accountable, explaining trauma and the impact of trauma on the victim, and making decisions in such cases without gender stereotypes.

Methodology

-  The training methodology is mixed, it is recommended to combine the online course on the main platform of the Council of Europe for Legal Professionals “HELP”, the course on “Violence against Women and Domestic Violence”, which covers the Istanbul Convention and relevant domestic laws and policies on VW, DV and GBV. It is also proposed that the rest of the training be in-person to provide participants with the opportunity to reflect on how to apply these principles in practice in their work.

Trainees

-  Judges, prosecutors and other professionals of any level and function and may be suggested as a prerequisite for attending other specialized modules, if the participant has not attended previous training in this field.

Duration

-  The training will last for one (1) day.



Topic identified by:

- CE Office in Prishtina, Project: Approximation of laws and policies with the Istanbul Convention
- Strategy for protection against domestic violence and violence against women
- National Human Rights Programme 2021-2025







2. Domestic Violence Offences: Effective Response of Criminal Justice

The aim of the Training Program is to train judges, prosecutors and other professionals to effectively handle cases involving VW, DV and GBV in accordance with domestic laws and international standards, with a focus on ensuring a victim-centred, trauma-informed, gender-responsive and perpetrator-accountable approach, so as to contribute to stopping the cycle of impunity.


Objectives

-  Building capacities to provide an effective response to cases of domestic violence, taking into account concepts and circumstances related to the case such as: the dynamics of domestic violence, the cycle of power and control, combating common stereotypes about victims and perpetrators of violence, interviewing techniques.
-  Familiarize with programmes for perpetrators of violence, as part of the sentence.


Content

-  Summary of relevant provisions of the Criminal Code and relevant Guidelines and Policies of the Supreme Court and the Prosecutor's Office, as well as new definitions in the Law on DV, VW and GBV.
-  Dynamics of domestic violence, coercive control, the cycle of power and control and the cycle of violence, stereotypes of victims and perpetrators of domestic violence;
-  Trauma, domestic violence and risk factors, including post-separation violence;
-  identification of domestic violence offences, interviewing techniques - what to do and what not to do, collection and assessment of evidence, exercising prosecutorial judgment and selecting charges,
-  Combating discriminatory use of evidence rules, ensuring the right decision is made to sentence perpetrators,
-  Incorporating perpetrator treatment programmes as part of sentencing, and addressing protection order violations.

Methodology

-  The proposed methodology for this training includes reviewing relevant legal and policy provisions, international principles and concepts related to the topic, reviewing the latest research on DV, VW and GBV, and working on developing practical skills through examples and case studies.

Trainees

-  Judges, prosecutors, legal associates, victim advocates and other relevant professionals who come into regular contact with domestic violence cases in the criminal justice system.

Duration

-  The training will last for two (2) days.



Topic identified by:

- CE Office in Pristina, project Approximation of laws and policies with the Istanbul Convention
- Strategy for protection from domestic violence and violence against women
- National Human Rights Programme 2021-2025





3. Understanding Domestic Violence in Civil Law: Restraining Orders and Considerations of the Family Law

The overall goal of the training is to increase the knowledge of the legal framework on the meaning of domestic violence in Civil Law, with a focus on protective orders and family law considerations.


Objectives

-  Build the capacities of the legal staff to understand correctly domestic violence in civil law;
-  Build knowledge of effective implementation of restraining orders.


Content

-  Relevant provisions in the Law on DV, VW and GBV regarding the judicial procedure for establishing applications for restraining orders;
-  Relevant provisions in the Family Law regarding custody and access, child protection, child and spousal support and division of property;
-  Dynamics and types of domestic violence;
-  Trauma.

Methodology

-  The proposed methodology for this training includes reviewing relevant legal and policy provisions, international principles and concepts related to the topic, reviewing the latest research on DV, VW and GBV, and working on developing practical skills through examples and case studies.

Trainees

-  Judges of Civil Courts, and includes the application of restraining orders and/or issues of family law (e.g. custody issues).

Duration

-  The training will last for two (2) days.

Topic identified by:


- CE Office in Pristina, project Approximation of laws and policies with the Istanbul Convention
- Strategy for protection from domestic violence and violence against women
- National Human Rights Programme 2021-2025

4. Criminal offences including Violence against Women: Criminal prosecution and trauma-informed trials







The overall goal of this training is to build the capacity of the legal framework on effective criminal prosecution and informed decision-making on the trauma of the victim, in accordance with local laws, international standards and the National Strategy Against Domestic Violence and Violence against Women 2022-2026. Participants will engage in practicing techniques for appropriate questioning of traumatized witnesses and victims and

participants will have the opportunity to practice them through simulated exercises in a controlled environment.


Objectives

-  Advancing knowledge of important factors that play a role in trauma-informed prosecutions and trials, delving into common myths about rape, the issue of consent, and interviewing practices in such cases.


Content

-  Common rape myths around issues of credibility and consent;
-  The neurobiology of trauma and how trauma affects victim behaviour and memory, and implications for investigations, prosecutions, and trials;
-  General interviewing approaches;
-  Witness and victim protection;
-  Examination techniques (direct, cross-examination, redirection);
-  Questioning strategies for different witnesses, handling traumatized witnesses, witness support approach, and handling secondary traumatization.

Methodology

-  The proposed methodology for this training includes reviewing relevant legal and policy provisions, international principles and concepts related to the topic, reviewing the latest research on DV, VW and GBV, and working on developing practical skills through examples and case studies.

Trainees

-  Prosecutors, judges, victim advocates, and other professionals (e.g., forensic examiners) who deal with offenses that cover various forms of violence against women, including rape and sexual assault, stalking, forced marriage, and sexual harassment.

Duration

The training will last for two (2) days.

ANTI-DISCRIMINATION TRAINING ACTIVITIES

Topic identified from:

-CSO Human Rights Report

-National Human Rights Program 2021-2025

1. Judicial protection in cases arising from the Anti-Discrimination Law





The training on judicial protection in cases arising from the Anti-Discrimination Law focuses on addressing the challenges of judicial practice regarding the implementation of substantive and procedural provisions in the field of current anti-discrimination legislation. In terms of procedure, the Law on Protection from Discrimination (LPD) clearly expresses the intention of the legislator to ensure effective legal remedies for discrimination cases through all available legal channels, including administrative bodies, courts, criminal investigations, prosecutors' offices, and mediation mechanisms.

A claim based on the discrimination grounds provided for in the Law on Protection from Discrimination (LPD) and according to current legislation, can be filed by any individual or group of individuals (conditionally) who claim to have been discriminated against. The LPD clearly outlines the specific procedural characteristics in cases dealing with discrimination. These include the deadline for filing a claim by the party alleging discrimination, the urgency in handling discrimination cases, accountability, evidence, and lawful methods (including, but not limited to, statistical data) that may prove discriminatory conduct the burden of proof that falls on the defendant, the types of measures, sanctions, and compensation, even when the LPD is applied in conjunction with the relevant procedural laws.






The issues (topics) to be discussed in this training may include the following: What is meant by discrimination? What are the different types and forms of discrimination and how are they commonly manifested in practice? What is the extent of the provisions of the Anti-Discrimination Law, specifically in which situations and circumstances are they applicable? What is the role and responsibility of the Ombudsperson under the LPD? Who is eligible to file a lawsuit for discrimination disputes with the appropriate court? What is the legal deadline for filing a discrimination lawsuit with the appropriate court? Who holds the burden of proof in discrimination disputes? What types of judicial decisions does the appropriate court make under the LPD? What legal remedies can be sought in these disputes? What are the instances of discrimination that constitute a criminal offense? Etc.

The training will provide participating judges with a strong foundation of knowledge on current judicial practices. It will be conducted following a (pre-determined) framework agenda for issues related to anti-discrimination field, with a special emphasis on judicial protection in cases stemming from the Anti-Discrimination Law. The training will address these issues by highlighting challenges identified in the practices of second and third instance courts, using specific cases as examples. These cases should be carefully selected to ensure that all challenges related to the relevant field are addressed, specifically those related to judicial protection in cases stemming from the Anti-Discrimination Law. In regards to the selected cases, the trainers will need to conduct thorough research on cases from their own judicial practice in the courts where they work, ensuring that these cases objectively present the issues being addressed, and provide guidance on how to proceed in the future.


Objectives

-  Accurately interpret legal provisions related to discrimination;
-  Understand the practical complexities in situations where laws intersect in cases of discrimination;
-  Analyze the addressing of discrimination cases in dispute procedures, including employment disputes involving elements of discrimination, and
-  Align perspectives on the unique implementation of legal provisions related to discrimination.


Content

-  Basics and forms of manifestation of discrimination according to the Law on Protection from Discrimination;
-  Methods for implementing the procedural aspects of the LPD, in conjunction with relevant procedural laws;
-  Types of measures, compensation, and sanctions that can be imposed on those who discriminate;
-  Implementation of the LPD in conjunction with other laws;
-  ECHR practices regarding protection from discrimination.


Methodology

-  During this training, a combination of teaching methods will be used, including interactive discussions, case study presentations, discussions on the cases, and summarizing key conclusions on the topic discussed, in order to fully achieve the objectives of this training.

Beneficiaries

-  Judges from the Court of Appeals and Basic Courts, as well as prosecutors.

Duration

-  The training will last for one (1) day.

***TRAINING ACTIVITIES FOR THE
MANAGEMENT OF COURTS AND
PROSECUTOR'S OFFICES***

Topics identified from:

- Rule of Law Strategy Action Plan 2025-2026




1. Court Management

Management means organizing and harmonizing resources to achieve specific goals for success. It encompasses planning, organizing, directing, and monitoring. Therefore, it is crucial to have a broad understanding of court management, starting with the management of human resources, finances, the central case management office, the legal support office, the logistics office, and the information office. This understanding can be further enhanced through practical training.




How can a court be successfully managed? What are the standard principles of good management? What are the current challenges and shortcomings in court management?

This training is designed to address questions related to court management through a combination of presentations that will address advanced strategies related to the successful court management. A pragmatic approach to implement rules for successful and efficient management will be emphasized throughout the process.


Objectives

-  Apply standard principles of good management;
-  Identify criteria for successful planning;
-  Apply planning principles and methodology.


Content

-  General management and court management;
-  Managerial responsibilities;
-  Human resources and finances.


Methodology

-  During the training, a combination of teaching methods will be used, including theoretical and practical explanations, group work, accompanied by practical examples, PowerPoint presentations.

Beneficiaries

-  Court presidents, branch supervising judges, heads of departments and divisions.

Duration

-  The training will last for one (1) day.

Topics identified from:

- Rule of Law Strategy Action Plan 2025-2026




2. Prosecution Management

Management means organizing and harmonizing resources to achieve specific goals for success. It encompasses planning, organizing, directing, and monitoring. Therefore, it is crucial to have a broad understanding of prosecution management, starting with the management of human resources, finances, the central case management office, the legal support office, the logistics office, and the information office. This understanding can be further enhanced through practical training.




How can a prosecution be successfully managed? What are the standard principles of good management? What are the current challenges and shortcomings in prosecution management?

This training is designed to address questions related to prosecution management through a combination of presentations that will address advanced strategies related to the successful prosecution management. A pragmatic approach to implement rules for successful and efficient management will be emphasized throughout the process.


Objectives

-  Apply standard principles of good management;
-  Identify criteria for successful planning;
-  Apply planning principles and methodology.


Content

-  General management and prosecution management;
-  Managerial responsibilities;
-  Human resources and finances.


Methodology

-  During the training, a combination of teaching methods will be used, including theoretical and practical explanations, group work, accompanied by practical examples, PowerPoint presentations.

Beneficiaries

-  Chief prosecutors, heads of departments and divisions, regional heads of the office for protection and assistance to victims.

Duration

-  The training will last for one (1) day.

***TRAINING ACTIVITIES FOR PROFESSIONAL
ASSOCIATES AND LEGAL OFFICERS***

BASIC TRAINING MODULES FOR PROFESSIONAL ASSOCIATES

CRIMINAL

Material

1. Application of the most favorable Law, Causes of Exclusion of Illegality, Special Part of Criminal Law as well as Criminal Offenses against Sexual Integrity
2. The quality of the perpetrators - the meaning of the official person and the Punitive Policy for criminal acts of corruption, Cooperation in committing a criminal offense as well as criminal offenses from Chapter XXVI, Chapter XXIII, Chapter XXX and Chapter XXIX of the Criminal Code.

Procedural

3. Phases of the criminal procedure, Indictment, judicial review and reasoning
4. Legal Remedies and Special Procedures

JUSTICE FOR CHILDREN

5. Principles of proceedings against minors and the Measures and punishments imposed against minors

CIVIL

Material

1. The right of inheritance and the property right
2. The right to work and the obligation right

Procedural

3. Contested Proceedings
4. Enforcement Procedure and Mediation
5. Family Law and Domestic Violence

***TRAINING ACTIVITIES FOR JUDICIAL AND
PROSECUTORIAL ADMINISTRATIVE STAFF***





Topics identified from:

- Training policy document and training needs plan for state prosecutors and administrative staff for 2025 – CCK
- Court and prosecutor's office administrators






1. File and case management in the judicial and prosecutorial system

The main purpose of this training is to inform and prepare participants with the skills to identify and address the case management issues. Through the presentation of concepts and principles of case-flow management, participants will learn how to develop and implement a plan for the efficient case-flow management.


Objectives

-  Advance knowledge of case management;
-  Respect the principles of case management;
-  Demonstrate case management techniques;
-  Advance knowledge related to the CEPEJ principles and methodology


Content

-  Courts and prosecution office registers;
-  Organization of the work flow and case development;
-  Collection of statistical data and reporting;
-  Efficient case management based on CEPEJ methodology;
-  Digitalization of the work process in courts and prosecution offices.


Methodology

-  The PowerPoint presentation methods, group work and the use of practical cases will contribute to the implementation of this training.

Beneficiaries

-  Administrators, assistant administrators, the head of CMO, registry officials, statistics officers, legal officers, legal secretaries, information officers, and the performance evaluation unit of prosecutors and judges

Duration

-  The training will last for one (1) day.


Topics identified from:

- Training policy document and training needs plan for state prosecutors and administrative staff for 2025 – CCK
- Court and prosecutor's office administrators








2. Internal and external communication

Administrative staff in courts and prosecution offices are constantly engaged in various forms of communication. Communication skills are important in every work environment. However, there is no doubt that effective communication is absolutely crucial for the successful functioning of these institutions. The context of communication may vary, but it generally falls into two basic categories: internal communication and external communication.


Objectives

-  Improving communication within the administration and focusing on various aspects and rules, and best practices for better external (with the media, citizens, and other institutions) and internal communication.


Content

-  External communication and applicable policies and standards;
-  Internal communication: information flow, hierarchy, teamwork, information exchange, data and information confidentiality, and professional conduct and ethics;
-  Delegation of tasks, monitoring and supervision;
-  Planning, prioritizing and assigning tasks;
-  Reporting;
-  Use of IT in communication;
-  Uniform standard practices, forms and procedures.


Methodology

-  Presentations, case studies, simulations, practical exercises.

Beneficiaries

-  Administrators of court and prosecutor's offices, as well as their deputies, public relations officers, reception office staff and all other categories of administrative staff who interact with citizens, parties and various institutions.

Duration

-  The training will last for one (1) day.

Topics identified from:




- Training policy document and training needs plan for state prosecutors and administrative staff for 2025 – CCK
- Court and prosecutor's office administrators

3. Integrity and ethical behavior in judicial and prosecutorial administration




The goal of the judicial and prosecutorial administration in Kosovo, for all staff belonging to the judicial and prosecutorial system, is to enhance the quality of professional performance. This is accomplished by ensuring the proper practical implementation of ethical principles and standards in accordance with the Code of Ethics such as professionalism, discipline at work, impartiality, independence, confidentiality, avoidance of conflict of interest and unethical behavior, honesty and accountability

The module is designed to address the established rules of ethical and professional behavior through theoretical explanations and interactive discussions. It provides participants with the legal basis and practical examples necessary to understand and effectively apply these principles.


Objectives

-  Distinguish between ethical behavior inside and outside the office;
-  Apply the Code of Ethics and its principles fairly;
-  Identify cases where ethical violations can occur

Content

-  Principles and norms of ethical behavior;
-  Behavior inside and outside the office, and
-  Social awareness and responsibility


Methodology

-  During this training, we will apply a methodology that combines theoretical explanations with PowerPoint and interactive discussions.

Beneficiaries

-  Judicial and prosecutorial administrative staff.

Duration

-  The training will last for one (1) day.

Topics identified from:




- Training policy document and training needs plan for state prosecutors and administrative staff for 2025 – CCK
- Court and prosecutor's office administrators

4. Time and stress management






This training is designed to enhance the time and stress management skills of officials in Courts and Prosecution Office administrations. It is a prerequisite for improving their performance in order to support the work and increase the performance efficiency of the Courts and Prosecution Offices in carrying out their duties and functions as defined by law. Stress is a pervasive widespread issue today that accompanies all activities, developments, actions, and behaviors of individuals and is an inevitable phenomenon that impacts society as a whole. Officials in the Courts and Prosecution Office administrations often face numerous stressful situations and are exposed to various stressors in their daily work which have a negative impact on the services provided by these officials, not only in relation to Judges and Prosecutors, but also in relation to other parties and subjects involved.

Therefore, there is an immediate need for time and stress management to prevent the detrimental effects of stress on the well-being of officials in the administration in the specific case, as it ensures that their work is of high quality and efficiency.


Objectives

-  They know how to manage their time;
-  They prioritize their daily, weekly and monthly activities;
-  They know and apply techniques for maintaining their health and working conditions.

Content

-  Stress and its theoretical definition;
-  Time management;
-  Prioritization of activities;
-  Techniques for maintaining health and working condition;
-  Protection from professional "burn out".


Methodology

-  During this training, we will apply a methodology that combines theoretical explanations with PowerPoint and interactive discussions.

Beneficiaries

-  Judicial and prosecutorial administrative staff.

Duration

-  The training will last for one (1) day.

Topic identified from:

- Administrators of courts and prosecutors' offices

5. Improving Court Efficiency based on CEPEJ Instruments and Indicators for Performance using CMIS Statistical Reports and Tables

This training curriculum aims to convey key knowledge related to the use of the CEPEJ methodology in courts to enhance quality and efficiency, in accordance with the recommendations of the EU Enlargement Report 2021. The report recommends providing reliable statistical data in in-line with the methodology of the European Commission for the Efficiency of the Judiciary, improving strategic planning, which also requires a commitment to presenting reliable statistical systems for the judiciary based on CEPEJ indicators and utilizing the findings for management and policy-making purposes, as well as strengthening commitments to reduce the accumulation of cases based on the digitalization strategy.

The training will introduce the main instruments developed by the Working Groups at CEPEJ (Working Group on Evaluation of Judicial Systems, SATURN Working Group, Working Group on Quality, and the newly established Working Group on Cyber Justice). It will explain how these instruments can be utilized in the judicial system of Kosovo, taking into account the specific needs that have been identified. Additionally, the training will provide guidance on interpreting the statistical reports and tables created for CMIS, which include some of the crucial CEPEJ indicators.


Objectives

- 🎯 Calculate, use, read and understand CEPEJ performance indicators (CEPEJ rate for verification, time of resolution of court cases, time of pending cases, duration of procedures) incorporated in SMIL statistical reports and tables;
- 🎯 Utilize CEPEJ instruments for time management, quality, and cyber justice;
- 🎯 Change work practices, behaviors, and attitudes to improve efficiency.


Content

- 📄 Presentation of the European Commission for the Efficiency of Justice and relevant areas of interest;
- 📄 CEPEJ Performance Indicators;
- 📄 Case Management Information System (CMIS) and Interrelated Statistical Reports and Tables;
- 📄 Data available from CMIS;
- 📄 Time frames of CEPEJ, one of the main CEPEJ instruments;
- 📄 Court policies that have proven successful in further reducing the length of court proceedings in European judicial systems, and how these policies can be adapted to Kosovo's experiences;
- 📄 European Case Weighing Systems for judicial procedures and the possibility of adapting these systems in the Courts of Kosovo;
- 📄 Surveys of court users as an instrument to inform courts and judges about the perception of users regarding "justice brought", as well as being open to civil society;
- 📄 Summary of concepts and information.


Methodology

 The training sessions are designed to be as concise and interactive as possible. They will include question and answer sessions and discussions to encourage proactive participation. Short sessions are more suitable for judges with busy schedules. It is necessary to repeat the main concepts to ensure that participants fully understand them, which is essential to ensure that they will implement them in their daily work

Beneficiaries

 Court staff, particularly staff directly assisting judges and administrative staff

Duration

 The training will last for one (1) day.

Topics identified from:





- Training policy document and training needs plan for state prosecutors and administrative staff for 2025 – CCK
- Court and prosecutor's office administrators

6. Protocol and Etiquette Training








Hospitality is a unique aspect that necessitates adherence to etiquette guidelines not only in society, but also during official ceremonies and functions. With this in mind, a protocol has been established that outlines a set of rules to be followed by state institutions when hosting foreign delegations in our country or within our own institutions.

The objective of this training is to enhance the abilities of courts and prosecution offices staff in arranging receptions for delegations, in accordance with the rules set forth by the State Protocol.


Objectives

-  Understand the definition of Etiquette and Protocol;
-  Familiarize oneself with examples of official dress (dress codes) for women in both public and official settings;
-  Compare protocols and good practices across different countries;
-  Independently expand knowledge about diplomatic practices.

Content

-  Protocol and Ethics;
-  Protocol for the reception of delegations;
-  Diplomatic correspondence;
-  The changing nature of diplomacy;
-  Diplomatic method;
-  Development of diplomatic practices;
-  Instruction on communication and international traditions


Methodology

-  The training will be conducted through an interactive lecture, providing participants with the opportunity to analyze the ceremonial aspect of protocol procedures using special cases. This will be done through questions and conversations.

Beneficiaries

-  Judicial and prosecutorial administrative staff.

Duration

-  The training will last for one (1) day.



Topics identified from:

- Training policy document and training needs plan for state prosecutors and administrative staff for 2025 – CCK
- Court and prosecutor's office administrators



7. Whistleblower Protection

The purpose of this training is to address issues related to the protection of whistleblowers, enhance understanding of whistleblowers rights, and generate knowledge on the latest developments in the field of whistleblowing in Kosovo, the region and Europe. The training aims to educate administrative staff of the courts and the officials responsible for whistleblowing across all regions of the country.


Objectives

-  Understand international and local standards for human rights that pertain to the work of the judiciary;
-  Implement best practices in the areas of freedom of expression and whistleblower protection;


Content

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


Methodology

-  This training will utilize specific training methods tailored for legal professionals. These methods include icebreaker exercises, PPT presentations, case studies, group exercises, public opinion polls, debates facilitated by specialized trainers in the field of freedom of expression, as well as assessment exams. The training will be entirely based on the training manual developed by the JUFREX project.

Beneficiaries

-  Courts and prosecution offices administrative officers, and whistleblowing officials within the courts and prosecution offices.

Duration

-  The training will last for one (1) day.




Topics identified from:

- USAID/Commercial Justice








8. Mediation - training for Court officers

Mediation officers in the Prosecutor's Offices and Basic Courts, particularly in the criminal departments, play a key role in managing and coordinating mediation processes for criminal cases. They are responsible to oversee procedures and documentation, ensuring that mediation is carried out in compliance with the law and professional standards. Through their expertise, they contribute to conflict resolution and alleviate the workload (burden) on the judicial system. The objective of this training is to enhance the capacity building of mediation officers, particularly in their communication with the parties involved. Participants will receive instructions (will be trained) on the fundamentals of the mediation process, its benefits, what to anticipate, and how to prepare parties for mediation.


Objectives

-  Advance knowledge and promote best international practices for judicial officers regarding the mediation process and its benefits;
-  Increase officers' capacity to clearly describe the mediation process to the parties involved;
-  Enhance officers' abilities to effectively communicate the benefits of mediation and the role of mediators to the parties.


Content

-  Summary of basic knowledge on the mediation process;
-  The role of mediators and the benefits of mediation;
-  The objectives of mediation;
-  Communication with the parties involved;
-  What parties should expect when participating in mediation processes;
-  How parties should prepare for mediation;
-  Best practices of mediation programs in courts and prosecution offices.

Methodology

-  The training will include a theoretical component led by FMCS experts; group discussions to share experiences and practices, analysis of case studies illustrating real-life situations; role-playing; and interactive discussions.

Beneficiaries

-  Mediation officers in Basic Courts and Basic Prosecution Offices (Criminal Departments).

Duration

-  The training will last for one (1) day.






Topics identified from:

- Training policy document and training needs plan for state prosecutors and administrative staff for 2025 – CCK
- Court and prosecutor's office administrators






9. Legal and Judicial Skills

The training on legal and judicial skills aims to assist administrative staff in judiciary and prosecution offices in enhancing their professional capacities. This training focuses on improving professional capacities related to the development of professional skills to provide appropriate assessments when receiving requests to initiate various legal procedures, taking necessary procedural actions regarding the preparation of subsequent stages of the procedures, and drafting various acts/decisions based on the outcome achieved as a result of the respective procedure. As part of this training, special attention will be given to legal research techniques, writing, and legal reasoning as essential components to improve the quality and efficiency in the implementation of judicial and prosecutorial competencies in addressing issues promptly and professionally. This training is designed to provide theoretical and practical guidance on legal research, case handling, and legal writing and reasoning skills, following methods and standards that ensure objectivity, certainty, quality, and efficiency.


Objectives

-  To learn legal research techniques;
-  To apply skills in analyzing cases and preparing subsequent procedural stages;
-  To understand the process and principles of good legal writing;
-  To effectively apply the IRAC method;
-  To independently draft judicial decisions and indictments.

Content

-  Legal research techniques;
-  Preliminary case analysis and taking action to prepare for subsequent procedural stages;
-  The process and principles of good legal writing;
-  Legal writing and reasoning using the IRAC method;
-  The structure and content of reasoning in judgment.



Methodology

-  The training will be conducted in an interactive environment focused on discussion and dialogue, with the goal of keeping all participants actively engaged and contributing throughout.

Beneficiaries

-  Professional associates, legal officers and legal assistants-secretaries.

Duration

-  The training will last for one (1) day.
- 

Topics identified from:

- Training policy document and training needs plan for state prosecutors and administrative staff for 2025 – CCK
- Court and prosecutor's office administrators

10. Induction training for all newly appointed members of the judicial/prosecution administration

The purpose of induction trainings is to provide all employees with the opportunity to participate in relevant training courses that are essential for carrying out administrative duties in courts and prosecution offices. The main goal of induction training is to ensure that all new members of the administration receive training focused on the most important areas for developing their professional skills and capacities as members of the judicial and prosecutorial administration.

Objectives

- 🎯 Improve understanding of the structure and administration of the judicial system;
- 🎯 Understand the main principles and responsibilities involved in carrying out administrative tasks within the system;
- 🎯 Enhance the quality of services offered by members of the administration.

Content


Module 1:

- 📄 Code of Ethics and professional conduct, and Access to information, confidentiality of data and classified information, and data protection (relevant legal acts, practical aspects);
- 📄 Introduction to planning, management, time and stress management, Internal and external communication and teamwork, The concept of "Quality Oriented Services" and in the service of citizens;
- 📄 Introduction to the judicial/prosecutorial system of Kosovo, Constitutional principles and regulations (Chapter 7), relevant legislation and institutions and Introduction to judicial/prosecutorial administration, relevant legislation, functions and responsibilities.


Module 2:

- 📄 Introduction to the work of courts and prosecution offices; structure, organograms; categories of administrative staff and their rights and obligations, Specifics of work in civil cases, criminal cases and administrative cases; types of cases, court acts and court hearings;
- 📄 The main rules and regulations for managing the case-flow;
- 📄 Judicial procedures and the corresponding tasks of the administrative staff, including sending summons, deadlines, and presenting the types of registers and documents maintained by the administrative staff; rules and samples.


Methodology


 Presentations, interactive discussions, and practical exercises, including simulations will be utilized.

Beneficiaries

 Newly appointed members of court and prosecution office administration and staff who have less than 6 months of experience in their relevant positions.

Duration

 Module 1, three (3) days

 Module 2, three (3) days

HELP Courses Platform

Platform for the education of legal professionals on freedoms and human rights - HELP online courses

The Council of Europe's HELP online platform is a distance learning platform developed by the Secretariat of the Council of Europe, and it aims to facilitate and provide top-notch training for legal professionals. HELP online courses are designed to be interactive and visually engaging. They cover different topics related to human rights, and reflect different areas of the Council of Europe's work.

The main objective of the Council of Europe's Human Rights Education Program for Legal Professionals (HELP) is to enhance the capacity of judges, lawyers and prosecutors, in all 46 member states of the Council of Europe, as well as beyond, in applying European standards of human rights in their daily work. This is achieved through HELP online courses that cover a wide range of human rights topics.

| No. | HELP Courses developed in the Albanian language |
|------------|--|
| 1. | Access to Justice for Women |
| 2. | Admissibility Criteria of requests submitted to the ECHR |
| 3. | Alternative Measures to Detention |
| 4. | Alternative to Immigration Detention |
| 5. | Anti-discrimination |
| 6. | Asylum and Human Rights |
| 7. | Business and Human Rights |
| 8. | Child-friendly justice |
| 9. | Data Protection and Privacy Rights |
| 10. | Ethics for Judges, Prosecutors and Lawyers |
| 11. | Freedom of Expression |
| 12. | Hate Crimes |
| 13. | Hate Speech |
| 14. | Introduction to the ECHR and ECtHR |
| 15. | Judicial Reasoning and Human Rights |
| 16. | Procedural Safeguards in Criminal Proceedings and Victims' Rights |
| 17. | Prohibition of Ill-treatment |
| 18. | Property Rights |
| 19. | Protection and Safety of Journalists |
| 20. | Radicalization Prevention |
| 21. | Refugee and Migrant Children |
| 22. | Violence Against Women |
| 23. | Efficiency and quality of work with CEPEJ |

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