



REPUBLIKË E KOSOVËS REPUBLIC OF KOSOVA - REPUBLIC OF KOSOVA AKADEMIA E DREJTËSISË ACADEMY OF JUSTICE			
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Republika e Kosovës
Republika Kosova - Republic of Kosovo
Akademia e Drejtësisë/Akademija Pravde/Academy of Justice

No: 01/358/2023
Date: 25.07.2023

Managing Board of the Academy of Justice,

Pursuant to Article 10 (paragraph 1, sub-paragraph 1.1) and Article 11 (Paragraph 4) of the Law No. 05/L-095 on the Academy of Justice, in its meeting held 25.07.2023 issues the following:

DECISION

- I. Approving Regulation No. 01/2023 on Amending and Supplementing Regulation No. 02/2019 on Trainers and Mentors of the Academy of Justice.
- II. Decision enters into force on the day of its approval.

Vaton Durguti

Chairman of the Managing Board
Academy of Justice

Decision is sent to:
Executive Director of the Academy of Justice
Archive of the Academy of Justice



Republika e Kosovës

Republika Kosova/Republic of Kosovo

Akademia e Drejtësisë/Akademija Pravde/Academy of Justice

Pursuant to the Article 10 paragraph 1, subparagraph 1.1 and Article 24 paragraph 7 of the Law No. 05/L-095 on the Academy of Justice, the Academy's Managing Board in its meeting held on 25.07.2023, approves the following:

**REGULATION
(AJ) NO. 01/2023**

**FOR AMENDING AND SUPPLEMENTING THE REGULATION NO. 02/2019
FOR
TRAINERS AND MENTORS OF THE ACADEMY OF JUSTICE**

**Article 1
Purpose**

Purpose of this regulation is supplementing and amending the Regulation No. 02/2019 on Trainers and Mentors of the Academy of Justice (herein the Basic Regulation).

Article 2

Article 3, paragraph 1 of the basic Regulation is added paragraph 1.9 containing the following:

1.9 "International trainers" are foreign or national trainers that work for or on behalf of international organizations, partners of the Academy of Justice.

Article 3

1. In Article 4 paragraph 1 of the basic regulation, after the word permanent add the sentence with the following content: As needed, the Academy may engage also international trainers.

2. In Article 4 of the basic regulation, after paragraph 2, to add paragraphs 3, 4, 5 and 6 with the following content:

3. In particular, the trainers carry out the following, but not limited to, activities of the Academy:

3.1. Participate in the elaboration of the Annual and other training plans and programs, in training needs assessment, evaluation of trainings and trainees and in other activities, part of the training cycle;

- 3.2. Develop training courses, modules, programs and others;
 - 3.3. Deliver lectures, presentations; conduct classes, panels, conferences and others;
 - 3.4. Moderate and facilitate discussions, round-tables, workshops and others;
 - 3.5. Produce training and other written or visual materials, to be used as support for their training sessions or for publication;
 - 3.6. Participate in face-to-face and online trainings;
 - 3.7. Evaluate trainees in initial training, verbally or in written, including their research papers and other written assignments, as required by the program/curriculum;
 - 3.8. Participate in research, publications and other activities, as per Article 6, subparagraphs 1.8 and 1.9 of the Law on the Academy.
4. Copyright over the training plans, courses, modules, training programs, presentations, training and other written or visual materials and other objects of intellectual property produced by or with the participation of trainers for the needs of the Academy belong to the Academy and they are included in the contract for engaging the trainer. The Academy may freely use, reproduce, update, modify, publish those for its activities.
 5. All objects under paragraph 4 commissioned by or produced for KJA shall bear the copyright sign and an explicit statement that copyright belongs to the Academy and no one can use or reproduce them without its consent.
 6. The trainers may use the objects of intellectual property mentioned in paragraph 4 with the consent of the Academy, however with the explicit statement that those have been developed by/for the Academy who has the copyright over them.

Article 4

1. In Article 7 of the Basic Regulation, after paragraph 2, add the paragraphs 3, 4, 5 and 6 with the following content:
 3. The duties and obligations of trainers from paragraph 1 of this Article are the following:
 - 3.1 Participate in the elaboration of the Annual and other training plans and programs, in training needs assessment, evaluation of trainings and trainees and in other activities, part of the training cycle;
 - 3.2 Develop training courses, modules, programs and others;
 - 3.3 Deliver lectures, presentations; conduct classes, panels, conferences and others;
 - 3.4 Moderate and facilitate discussions, round-tables, workshops and others;
 - 3.5 Produce training and other written or visual materials, to be used as support for their training sessions or for publication;
 - 3.6 Participate in face-to-face and online trainings
 - 3.7 Evaluate trainees in initial training, verbally or in written, including their research papers and other written assignments, as required by the program/curriculum;
 - 3.8 Participate in research, publications and other activities, as per Article 6, subparagraphs 1.8 and 1.9 of the Law on the Academy.

- 4 The trainers from paragraph 1 of this Article are assigned to concrete training courses, modules and events in accordance with Article 9A of the Regulation. The concrete tasks are assigned to them by the Head of the department or division to which they are assigned to and to whom they report on the performance.

Article 5

Article 8 of the basic Regulation is reformulated as below:

Article 8

Temporary trainers

1. Temporary trainers are judges, prosecutors, lawyers, university professors, or experts engaged according to the needs for implementation of the training program.
2. In order to be selected and serve as temporary trainer, candidates shall fulfill the following criteria:
 - 2.1 To have at least 5 years of professional work in the field or the topic to be engaged at;
 - 2.2 To have experience as a trainer, or to have completed training of trainers organized by the Academy or other similar institutions is considered an advantage;
 - 2.3 To be positively assessed where he has been engaged as a trainer by the Academy;
 - 2.4 To have high professional and moral qualities;
 - 2.5 Are not convicted for criminal offences, are not subject to criminal proceedings or have not been subject to disciplinary sanctions in the last five years, with the exception of a non-public reprimand.
 - 2.6 To possess proven experience or competence in the field, course, module or topic they apply for.
3. Temporary trainers are engaged based on the contract for special services, according to the need for implementation of the training program. The contract shall make explicit reference to the terms and conditions established by this Regulation, as well as to the Training Guidelines.
4. Approved temporary trainers are included in the Academy's list for a period of three years after which they may re-apply. The technical layout of the list is approved by the Executive Director. The list is published on the webpage of the Academy.
5. Members of the Managing Board and the Program Council, during their mandate cannot be engaged as temporary trainers.

Article 6

Article 9 of the basic regulation is reformulated as below:

Article 9

Procedure for selection of temporary trainers

1. Trainers of the Academy are selected based on an open competition process which takes place at least once per year or *ad hoc*, depending on the needs of the Annual training program.
2. In the process for public announcement for selection of trainers of the Academy, are taken into account the criteria set out in this Regulation.

3. Trainers involved as representatives of non-judicial institutions, whereas the nature of the training seeks the expertise from these institutions, are considered as an exception from paragraphs 1 and 2 of this Article. They are proposed by the respective institution upon request from the Academy.
4. Exceptionally, the Academy may engage trainers from the rank of judges and prosecutors or individual non-judicial experts even outside the open competition selected list, only in cases where the list of trainers does not meet the needs for the implementation of the training program or may be proposed and certified as trainers from various projects, which are AJ supporters and implementers of the Academy's work, with the condition to fulfill the criteria set out in this regulation.
5. International trainers may be engaged outside the general criteria and procedures set in Articles 8 and 9 of the present Regulation. They are approved by the Managing Board upon direct motivated proposal from the Executive Director, including on the financial conditions of the engagement.
6. The notice for temporary training application is published in the official webpage of the Academy. The notice is sent to KJC and KPC for publication on their webpages, as well as to courts, prosecution offices and other suitable institutions and organizations for distribution.
7. The application is done through completion of the application form and submitting it to the Academy in hardcopy or electronically. The technical layout of the application form is approved by the Director. The application form shall be attached to the following documents:
 - 7.1. Biography (CV);
 - 7.2. Name of the module, courses, or topics for which they apply for as trainer;
 - 7.3 A concept note containing the gaps/problems to be addressed, course goals and objectives, audience and learner characteristics, course content, method(s) and technique(s) for training, course plan, media and devices, course materials and assignments, feedback and evaluation tools. The layout of the concept note is approved by the Executive Director;
 - 7.4. Proof of their experience or competence in the field, course, module or topic they apply for.
8. The Academy prepares the list of the candidates that meet the criteria for the trainer. Information from KJC and KPC Performance Evaluation Committees and other official sources may be requested to assess the professional and moral qualities of the applicants. Interviews with applicants may be conducted.
9. Executive Director after consultation with the Program Council, proposes the list of trainers for approval to the Managing Board of the Academy. The list may contain more than one trainer per module, course, or topic, depending on the needs of the Academy.
10. Candidates who are not admitted as trainers have the right to appeal to the Managing Board within eight (8) days after receiving the notification, on the grounds related to the formal side of the selection procedure and criteria.

Article 7

After Article 9 of the Basic Regulation, add new Article 9A, with the following content:

Article 9A

Ways of allocating trainers in training activities

1. Allocation of trainers in training activities depends from the annual training program approved by the Managing Board.
2. Managing Board may allocate one trainer in maximum five (5) training modules during one calendar year.
3. Inclusion in the list of trainers by the Managing Board does not guarantee by default also their engagement in the trainings.
4. Allocation of the trainers in training activities depends on the following:
 - 4.1. Specific objective of the training;
 - 4.2. Respective expertise of the trainer;
 - 4.3. Evaluation of the trainer's work.
5. In cases when two or more trainers equally meet the determined criteria in paragraph 4 of this Article, Academy of Justice will ensure rational allocation.

Article 8

1. Title of Article 10 of the Basic regulation is reformulates as below:
The trainers' rights, duties and compensation.
2. In Article 10 of the Basic Regulation, after paragraph 8 add paragraphs 9 and 10 to stipulate the following:
 9. Trainers abide by the standards on training methodology and training materials established by the Academy's Faculty Handbook, as well as by the concept note for the respective course, module or topic for which they applied for, provided it is in line with the Academy's standards.
 10. Trainers must adhere to the copyright provisions as foreseen in the respective legislation on copyright. Academy of Justice bears no responsibility for possible violations of this right by trainers.

Article 9

Article 11 of the Basic Regulation is reformulated as below:

Article 11

Trainers' specific responsibilities

1. Trainers of the Academy of Justice have the following responsibilities:

- 1.1 Deliver initial training, respectively the continuous and/or specialized training in relevant legal area (field) as well as mandatory training in compliance with the Academy's program;
 - 1.2 Prepare training materials in writing which is submitted not later than 15 days before the training date;
 - 1.3 Participate in preparation and delivery of the agenda for the respective trainings or other forms of professional training and education;
 - 1.4 Participate in preparation of the Academy's annual training plan and program and conduct needs assessment for training and professional education;
 - 1.5 Analyze problems and uncertainties identified during trainings and issue recommendations which are sent to the Academy not later than 15 days after training;
 - 1.6 They are continuously and constantly present during trainings where they are engaged;
 - 1.7 They adhere to engagements for respective training, while if they withdraw or if they are not able to engage for the training they notify the Academy 30 days before the training is due except in case of emergency;
 - 1.8 Treat fellow trainers, participants, KJA staff, translators and other individuals involved in the activities of the Academy with courtesy, dignity and politeness, adhering to the ethical rules for judges and prosecutors and/or to specific Rules of Conduct, established by the Academy's Faculty Handbook;
 - 1.9 Timely disclose to the Academy activities they are involved in, that may conflict or compete with the activities of the Academy.
2. Complaints concerning trainers' duties and responsibilities will be addressed pursuant to the Academy's Faculty Handbook.

Article 10

Article 12 of the Basic Regulation is reformulated as below:

Article 12 Training of Trainers

1. Academy engages Specialized ToT trainers who prepare and provide training for trainers engaged by the Academy.
2. The Specialized ToT trainers have comprehensive and verified knowledge on methodological and didactic aspects of judicial training, in line with the training standards and methodology of the Academy, established by its Faculty Handbook.
3. The selection criteria set in Article 8 apply also for the Specialized ToT trainers. They are approved by the Managing Board upon direct proposal of the Executive Director and after certification or recommendation of the institution that delivered the advanced training-of-trainers course.
4. The Specialized ToT trainers may apply and be included in the list of non-permanent trainers following the general rules established by this regulation.

Article 11

Article 16 paragraph 2 of the Basic Regulation is reformulated as follows:

2. Assessment of trainers and mentors is made once a year by the Managing Board upon proposal from the Program Council as per the criteria set in paragraph 1 of this Article.

Article 12

Article 17 of the Basic Regulation reformulate as follows:

Article 17

Concluding and termination of the status of trainer or mentor

1. Trainers who do not receive positive assessment feedback for their work or who violate their duties and specific responsibilities or no longer meet the criteria under this Regulation, are removed from the list of trainers with a decision of the Academy's Managing Board.
2. The Academy's Managing Board informs the KJC and KPC in writing about the evaluation of mentors.
3. Termination of the working relation for permanent trainers who are civil servants is made according to procedures set forth by provisions of the legislation on public officials.
4. The proposal in the above cases is made by the Executive Director, accompanied by an opinion from the Program Council. The trainer may present his/her opinion and may be heard by the Board.

Article 13

Transitional provisions

Until selection of trainers according to this regulation, the Academy will engage trainers from existing list of trainers to deliver the training activities.

Article 14

Entrance into force

This Regulation enters into force on the day of approval by the Academy's Managing Board.

Vaton Durguti

Chairman of the Managing Board
Academy of Justice

Prishtina, 25/07/2023