

The right to Defense Counsel and its implementation according to the Criminal Procedure Code of Kosovo

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Abstract

This paper aims to address the normative aspect of determining the right to defense counsel and the importance of this right in practice as a guarantee for a fair trial under the Criminal Procedure Code of Kosovo.

This paper will address two dimensions. In the first dimension, the researcher will address the meaning and importance of the right to defense counsel, including the analysis of the right to mandatory defense and the right to defense counsel at public expense, and the reflection that this right has in the implementation of criminal procedural principles regarding with the position of the defendant as an equal party. The second dimension will address the implementation of the right to defense counsel by judicial bodies by analyzing the powers of the defense counsel at each stage of criminal proceedings, in order to guarantee a fair criminal trial.

Keywords: defense counsel, fair trial, defendant, Criminal Procedure Code of Kosovo (CPCK).

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