

ANNEX

Бр. 03-204/2
19.03 2009 год.
СКОПЈЕ

TO THE COOPERATION AGREEMENT BETWEEN THE NATIONAL
INSTITUTE OF MAGISTRACY ROMANIA AND THE ACADEMY FOR
TRAINING OF JUDGES AND PUBLIC PROSECUTORS OF THE
REPUBLIC OF MACEDONIA


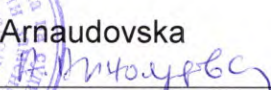
In order to coordinate the activities stipulated in the Cooperation Agreement, the National Institute of Magistracy of Romania and the Academy for Training of Judges and Public Prosecutors of the Republic of Macedonia agree to set up a **Joint Committee**, with the following structure:



- Mr. Constantin BRÂNZAN, director, representing the National Institute of Magistracy of Romania
- Miss Aneta ARNAUDOVSKA, director, representing Academy for Training of Judges and Public Prosecutors of the Republic of Macedonia

The planned activities will be carried out in compliance with the required standards by the **Executive Committee**, with the following structure:

- Miss Diana MIHAILA, representing the National Institute of Magistracy of Romania
- Miss Elena Ilievska - Josifovic, representing Academy for Training of Judges and Public Prosecutors of the Republic of Macedonia

Drawn up at Bucharest, on 20th March 2009

THE NATIONAL INSTITUTE OF MAGISTRACY OF ROMANIA	THE ACADEMY FOR TRAINING OF JUDGES AND PUBLIC PROSECUTORS OF THE REPUBLIC OF MACEDONIA
Judge Constantin BRÂNZAN, Phd Director 	Judge Aneta Arnaudovska Director 





REPUBLIC OF MACEDONIA
Academy for Training of Judges and Prosecutors
of the Republic of Macedonia

РЕПУБЛИКА МАКЕДОНИЈА
АКАДЕМИЈА ЗА ОБУКА НА
СУДИИ И ЈАВНИ ОБВИНИТЕЛИ

Бр. 03 - 204/1
19.03 2009 год.
СКОПЈЕ

COOPERATION AGREEMENT BETWEEN THE NATIONAL INSTITUTE OF MAGISTRACY ROMANIA AND THE ACADEMY FOR TRAINING OF JUDGES AND PUBLIC PROSECUTORS OF THE REPUBLIC OF MACEDONIA

The National Institute of Magistracy of Romania represented by Mr. Constantin BRÂNZAN, Director and **The Academy for Training of Judges and Public Prosecutors of the Republic of Macedonia**, represented by Mrs. Aneta Arnaudovska, Director

HEREBY DECLARE

In view of the fact that the **National Institute of Magistracy of Romania** is the public institution with the exclusive task of training the judges and prosecutors and, who, in the interest of the international judicial cooperation, stimulates the participation in exchanges with their peers from similar institutions in other countries, as well as the dissemination of information and knowledge among the Romanian judges and prosecutors on practice and judicial training in countries with which Romania has special relations based on historical, cultural, legal and language grounds

In view of the fact that the Academy for **Training of Judges and Public Prosecutors of the Republic of Macedonia** is in charge of training the judges and prosecutors from Macedonia

In view of the fact that Romania and Macedonia have a common pool of legal means and being persuaded that the training of judges plays a critical part in improving the functioning of the judicial system and the quality of its performance for the consolidation of *the rule of law*

The two institutions consider it appropriate to draw up a framework agreement regulating the various activities within their competence that shall be carried out in a common effort to reach an optimum understanding and collaboration between the judges and prosecutors from both countries, establishing close contacts between the representatives of the National Institute of Magistracy of Romania and the Academy for Training of Judges and Public Prosecutors of the Republic of Macedonia.

Consequently, the signatory bodies agree as follows:

Article 1 The convention hereby aims to set out the general framework within which the two parties shall cooperate, in particular in the matters which are of mutual interest in their field of competence and in their planned activities.



REPUBLIC OF MACEDONIA
Academy for Training of Judges and Prosecutors
of the Republic of Macedonia

Article 2 Every year, the parties shall lay down an action plan including programmes, projects and activities deemed necessary in the framework of the existing Judicial Training Network or in a bilateral arrangement. These activities will include study visits for judges and prosecutors from one country to another, seminars on particular subjects of interest for both parties, participation in entry-level and in-service training (either in person or virtually, on-line), legal information exchanges, meetings of experts in charge of legal training in the two countries and conclusions of the work meetings in which third party countries participate, as well as studies which could further improve the knowledge of judges and prosecutors from Romania and Macedonia.

Article 3 The action plan shall determine the staffing and material resources needed as well as the costs agreed to be born by each party. All this information shall be specified in annexes enclosed to the action plans.

Article 4 The two parties also commit themselves to organise information exchanges (with the exception of confidential information) and to observe the intellectual property rights of the other party on the contents, training courses, studies or products resulted.

The intellectual property rights and, in particular, the royalties of the materials provided by each party for the cooperation activities set out in this agreement shall be the property of the party providing the materials. When joint activities are organised, the intellectual property rights shall be defined by each party in additional agreements.

Article 5 The signatory parties to this Agreement commit themselves to act in good faith and loyally at all times, each of them trying to cooperate and contribute in order to further improve the training of judges and prosecutors and the mutual knowledge of their legal and jurisdictional systems.

Article 6 The funding of the programmes and activities that will be finalised in carrying out this Agreement shall be done in such a manner so as allow the parties to decide in each particular case, every party having already obtained the approval for its financial contribution.

Article 7 The Agreement hereby does not itself entail the commitment of the parties to economic engagements. However, in the particular cases in which the parties agree on making financial contributions during the period while the agreement is being carried out, these contributions shall have to be previously approved by the institution which is to make them in compliance its own internal regulation procedure. Anyway, the funds shall be used according to each institution's financial regulations and standards. When deemed necessary, in order to use the resources effectively, a work group or a supervisory commission shall be set up.

Article 8 In order to coordinate the activities stipulated in the hereby Agreement, the parties agree to set up a **Joint Committee** made up of one member of the National

Institute of Magistracy of Romania and one member of the Academy for Training of Judges and Public Prosecutors of the Republic of Macedonia which shall meet periodically, according to a schedule deemed appropriate, in order to examine the results of their cooperation and to make the action plans stipulated by Article 2, and designate the means and resources required for implementing them.

The Joint Committee shall appoint an **Executive Committee** made up of two experts. Each party shall be able to designate, in addition, if the nature of the activities require it, other experts to work with the Executive Committee.

The prerogatives of the Executive Committee shall be as follows:

- a) to propose to the Joint Committee the specific development of the planned training programme;
- b) to supervise and ensure that the planned activities are carried out in compliance with the required standards;
- c) to propose the necessary changes in the development of the training activities planned;
- d) other prerogatives delegated or entrusted by the Joint Committee.

The Joint Committee and the Executive Committee will be appointed in an annex to the present agreement.

Article 9 In order to carry out the hereby agreement, the signatory bodies shall be assisted by other public or private bodies, agencies or institutions in compliance with programmes and activities carried out and whose collaboration is deemed relevant for purposes of the Agreement.

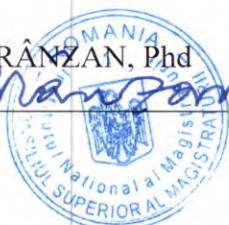
Article 10 The signatory parties may publish and make known, when they deem it suitable, the results of the activities carried out within the framework of this Agreement, acknowledging the source and the objective.

The hereby Agreement shall come in force on the date it is signed, and shall be valid for an indefinite duration. Nevertheless, it can be cancelled upon request from either party, provided this is notified with at least three months in advance of the proposed cancellation date. However, at least a couple of the activities that are under way should be completed in compliance with the stipulations of the Agreement or the action plans.

Drawn up at Bucharest, on 20th March 2009

THE NATIONAL INSTITUTE OF
MAGISTRACY OF ROMANIA

Judge Constantin BRĂNZAN, Phd
Director



THE ACADEMY FOR TRAINING
OF JUDGES AND PUBLIC
PROSECUTORS OF THE
REPUBLIC OF MACEDONIA

Judge Aneta Arnaudovska
Director

