



РЕПУБЛИКА МАКЕДОНИЈА  
АКАДЕМИЈА ЗА СУДИИ  
И ЈАВНИ ОБВИНИТЕЛИ

REPUBLIC OF MACEDONIA  
Academy for Judges and Public  
Prosecutors

Бр. ОБ-250/1  
15.04 2011 год.  
СКОПЈЕ



**osce**

Organization for Security and  
Co-operation in Europe  
Mission to Skopje

**MEMORANDUM OF UNDERSTANDING  
BETWEEN THE OSCE MISSION TO SKOPJE AND THE ACADEMY OF JUDGES  
AND PUBLIC PROSECUTORS FOR THE IMPLEMENTATION OF THE PROJECT  
ACTIVITIES “PROMOTION OF THE NON-DISCRIMINATION CONCEPT IN THE  
COUNTRY”, AND “DEVELOPMENT OF A TRAINING TOOLKIT ON CRIMINAL  
LIABILITY OF LEGAL PERSONS”**

The OSCE Mission to Skopje, herein after referred to as “OSCE”, represented by the Acting Head of Mission, H.E Ambassador Natalya Drozd and Academy of Judges and Public Prosecutors, represented by the Director, Judge Aneta Arnaudovska, hereinafter referred to as the “Academy” jointly referred to as the “Parties” on \_\_\_\_\_ have agreed as follows:

**Article 1: Purpose and Scope**

1. The OSCE and the “Academy” shall cooperate for the purposes of implementation of the project activities contained in the Projects “Promotion of the non-discrimination concept in the country”, and “Criminal Liability of Legal Persons”, as described in the attached Annexes, which forms an integral part of this MoU.

2. The OSCE and the “Academy” commit themselves to work together, consult, jointly programme and coordinate the activities for the implementation of the Projects.

**Article 2: Responsibilities of OSCE**

OSCE responsibilities are set out in the Projects that are attached to this MoU as Annex 1 and Annex 2. In particular, the OSCE shall:

- a. Retain the sole responsibility for the purchase of goods and services, based on a competitive process as appropriate, for the implementation of the Project activities;
- b. Designate a contact person who will liaise with the “Academy” and share information regarding the Projects;
- c. The OSCE retains the sole responsibility for funds disposal and will directly enter into contracts with local service providers;
- d. Develop a Training Toolkit on ‘Criminal Liability of Legal Entities’ consisted of two documents: Practical Handbook for judges and prosecutors; and Training Programme for the Academy for Judges and Prosecutors;
- e. Develop a Training module on ‘Anti-discrimination concept and procedures’; and
- f. Implement two trainings and one consecutive lecture to “Academy” incumbents on ‘Anti-discrimination concept and procedures’, one training of trainers of the Academy and one consecutive lecture to Academy incumbents on ‘Confiscation of Assets’.



### **Article 3: Responsibilities of the “Academy”**

1. The “Academy” shall fully support the implementation of the Projects set out in the enclosed Annexes.
2. Its responsibilities are set out in the Projects that are attached to this MoU as Annex 1 and Annex 2. In particular, the “Academy” shall:
  - a. Designate a contact person who will work closely and coordinate the activities of the implementation of the project activities “Promotion of the non-discrimination concept in the country” and “Development of a Training Toolkit on Criminal Liability of Legal Persons”;
  - b. Meet regularly with the OSCE contact person to coordinate all aspects of the Projects and share information;
  - c. Provide timely and accurate information in relation to the projects activities, including information about the possible difficulties which might be encountered during the implementation of the Projects;
  - d. Provide required authorizations in sufficient time for OSCE to accomplish its activities;
  - e. Review and provide comments on all Project documents as defined in the Projects set out in enclosed Annexes;
  - f. Invite and ensure the target group’s participation in all projects activities as stated in the Projects set out in enclosed Annexes;
  - g. Provide any information necessary to the international and national experts drafting the Toolkit on ‘Criminal Liability of Legal Entities’ and the training module on ‘Anti-discrimination concept and procedures’.
  - h. Include the training module on ‘Anti-discrimination concept and procedures’, the Handbook for judges and prosecutors on ‘Criminal Liability of Legal Entities’ and the Handbook on ‘Confiscation of Assets’ within its curriculum for basic and continuous training;
  - i. Coordinate with the OSCE in the process of dissemination of the Handbook for judges and prosecutors on ‘Criminal Liability of Legal Entities’ to all relevant judges and prosecutors in the country that apply this institute in practice;
  - j. Provide adequate training premises and communication/translation equipment for the trainings for judiciary and the lectures to Academy incumbents that will be held in Skopje as stated in the Projects set out in enclosed Annexes; and
  - k. Take active participation in the Projects’ post-evaluation processes.

### **Article 4: Communication**

All communications relating to the implementation of this MoU shall be addressed as follows:

For the OSCE:

- Project/activity managers:  
Zaneta Poposka, National Rule of Law  
Officer  
and  
Nikola Petrovski, National Rule of Law  
Officer
- Address: Bul.Oktomvriska revolucija bb,

For the “Academy”:

- Project/activity manager:  
Atanas Georgievski, External Consultant for  
International Cooperation
- Address: Jane Sandanski 12, 1000 Skopje
- Telephone: 02/2401 563
- Telefax: 02/2401 570
- Mobile: 070/205507



- 1000 Skopje
- Telephone: 02/3234 439
  - Mobile: 070/358005 and 070/358918
  - E-mail: [zaneta.stojkova@osce.org](mailto:zaneta.stojkova@osce.org)  
[nikola.petrovski@osce.org](mailto:nikola.petrovski@osce.org)

– E-mail: [atanas.georgievski@gmail.com](mailto:atanas.georgievski@gmail.com)

#### **Article 5: Liability**

OSCE does not assume liability for any third party claim for damages arising out of this MoU.

#### **Article 6: Publications and Media Releases**

1. All rights, title and interest, including without limitation, all copyrights and patents, in and to any material produced and invention developed in the performance of this MoU shall be vested exclusively in the OSCE.

Any use of these materials shall require prior approval of the OSCE.

2. The “Academy” may use the name and logo of the OSCE only in direct connection with the Project activities, and subject to prior consent of the OSCE.
3. The OSCE involvement in the Project activities shall be acknowledged in any printed material prepared in connection with the Projects. Where appropriate, the “Academy” shall acknowledge the OSCE in publications, speeches, and press releases or in any similar mediums.

#### **Article 7: Privileges and Immunities**

Nothing contained in this MoU shall be deemed a waiver of the privileges and immunities enjoyed by the OSCE and its staff.

#### **Article 8: Dispute Resolution**

Any differences which may arise in the application of the provisions of this MoU and its Annexes shall be resolved through friendly negotiations between the Parties.

#### **Article 9: Entry into Force, Amendments, Termination**

- a. This MoU shall enter into force upon signature by both parties and remain valid until the execution of the obligations deriving from this MoU, unless either party decides to terminate it earlier by giving not less than 15 calendar days’ written notice or immediately by the OSCE upon default in whole or in part by the “Academy” of its obligations under this Agreement.
- b. This MoU shall supersede any and all prior written or oral statements, agreements and representations of the parties and shall constitute the sole MoU between the parties.
- c. Any modification of this MoU shall be subject to the written approval of both parties.

Done in Skopje on \_\_\_\_\_ in three originals in the English language

Signatories

For the OSCE

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H.E Ambassador Natalya Drozd  
Acting Head of Mission

16.03.17



For the "Academy"

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Judge Aneta Arnaudovska  
Director

Enc.:

Annex 1 Project "Promotion of the non-discrimination concept in the country"

Annex 2 Project "Criminal Liability of Legal Persons"