



РЕПУБЛИКА МАКЕДОНИЈА
Академија за обука на судии и јавни обвинители
и нивни заменици на Република Македонија

REPORT ON THE WORK OF THE ACADEMY FOR TRAINING OF JUDGES AND PUBLIC PROSECUTORS AND THEIR DEPUTIES OF THE REPUBLIC OF MACEDONIA for 2008

The Academy was founded with the Law on the Academy for Training of Judges and Public Prosecutors (Official Gazette of the Republic of Macedonia No. 13/06) from 1 February 2006, with its own employees, premises, and budget. It is managed by the Management Board of the Academy. It began operations in November 2006.

The full functioning of the Academy for Training of Judges and Public Prosecutors (The Academy) and the activities for initial training of judges and public prosecutors and the continuing education program for judges, public prosecutors and other target groups, is one of the priorities of the reforms of the judicial system in the Republic of Macedonia for strengthening its competency, professionalism and independence, as an important precondition and criterion for the commencement of the negotiations of the Republic of Macedonia as a candidate country for a full membership in the European Union.

In the course of 2008, the priorities and goals set out in the National Programmes for the Adoption of the Acquis of the Government of the Republic of Macedonia, as well as the Work Programme of the Academy, prepared by the Director of the Academy and adopted by the Management Board of the Academy on its session held on 28 February, were fully accomplished.

I. INSTITUTIONAL DEVELOPMENT

1. EMPLOYMENT

For the purpose of advancing the institution, professional staff and capacities of the Academy, five new people were employed in 2008, which is the full number provided for by the National Programme for the Adoption of the Acquis of the Government of the Republic of Macedonia.

Currently, the professional staff of the Academy has 14 permanently and 5 temporarily employed persons, and 2 volunteers.

2. PUBLIC PROCUREMENT AND EXPANSION OF PREMISES

As part of the Investment Programme and resources from the 2008 budget, the Academy conducted 15 public procurement procedures in the course of 2009, with or without a public announcement.

The Academy is included in the IPA funds with resources allocated for strengthening the institutional capacities of the Academy, which will begin to be used in 2010.

These resources will be used for:

- Creating three regional training centres with adequate training and IT equipment in Bitola, Gostivar and Stip;
- Developing a system of distance learning and networks;
- Procuring legal publications for the library of the Academy from Macedonia and member states of the EU, as well as subscribing to reputable legal journals and data bases in Europe;
- Organizing specialized trainings for judges, prosecutors, enforcement agents and professional staff employed in the social sector and correctional institutions of juvenile justice;
- Organizing trainings for the court administration and judges for the new system of case management.

For the purpose of expanding the premises of the Academy, which are too small for holding daily classes for the initial and continuing education, a feasibility study was prepared; it lays out, in general terms, the needs that will be met with the adaptation of the current or construction of a new structure, and includes offices for the employees, for the candidates of the initial training (for studying, sport, relaxation, computer room with Internet access for all candidates, group work, moot court, amphitheatre, and offices for the trainers).

The requirement for more room seems financially justified, in view of the legal option given to the Academy to generate its own revenue by providing training for other target groups (notary publics, attorneys, mediators, enforcement agents) with participation and registration fees, following the completion of the theoretical instruction in the duration of five months.

3. BUDGET

The Academy began 2008 with an approved budget of 27,132,000 denars, which is 25% less in comparison with 2007, and as such inadequate for regular execution of the planned activities. This is the result of the fact that in 2008 the Academy started working with full capacity, and thus has a much larger scope of obligations of simultaneously holding initial training for two generations of candidates of future judges and prosecutors. and continuing education for all three appeal court areas. As a result, it is necessary not to have budget reductions in future.

The budget of the Academy approved for 2009 was once again reduced to 31133, 000 denars, which necessitates additional allocation of resources with a rebalance of the budget.

At the request of the Academy, the Ministry of Finance in the approved rebalanced budget allocated additional resources in the amount of 5,400,000 denars, making it possible for the Academy to fulfil all obligations towards the mentors, coordinators and trainers.

At the end of 2008, the Institution executed 98% of the annually approved resources.

In the course of 2008, the State Audit Office conducted an audit of the Academy. The final report of the audit was submitted on 4 September 2008, and its findings noted no irregularities in the work of the Academy.

4. INFORMATION TECHNOLOGIES (IT)

In the course of 2008, a software solution for the needs of Academy was designed, developed and implemented. This software, which is a portal of the Academy, maintains a complete data base of the participants in the initial and continuing education, as well records of all activities. All participants, trainers and mentors will have access to all information about them, and there will be certain access privileges. At the same time, the software solution includes a platform for e-learning, which offers possibilities for distance learning.

The procurement of the hardware necessary for the software solution is one of the priorities of the Academy for 2009, and the necessary resources for that purpose have been earmarked in the new budget.

In the course of 2008, the Academy procured 7 lap top computers, two by way of projects with the Norwegian Embassy and UNICEF, and the rest with resources from the budget of the Academy. The Academy has permanent ADSL Internet-access, through Makedonski Telekom a.d. Skopje.

As part of the Distance Learning (e-learning) Programme, The Academy prepared a pilot course in the Macedonian language, on the topic of Article 6 of the European Convention, which is hosted on the web site of the Council of Europe's HELP Programme.

5. LIBRARY

The Academy for Training Judges and Public Prosecutors enriched the library fund with new books and legal texts, through donations and its own resources. In the course of 2008, it was possible to employ a librarian, who, with the help of the CARDS 2004 expert, set up the library according to EU library standards. The Academy librarian attended electronic library and data base search training, as well as one for publication preparation, with the aim of having the Academy start publishing its own publication already in the course of next year.

The Academy expects to be connected to the COBISS system, an organizational model of linking libraries into a library information system, which will enable processing of all kinds of library material according to international standards and obtaining records from any one of joint COBIB database and OCLC catalogue; the possibility for obtaining bibliography records from some of the mutual catalogues in Europe and US is also in the planning of the Academy.

6. STRENGTHENING THE CAPACITIES OF THE ACADEMY THROUGH TRAINING

In the course of 2008, the Director and the Executive Directors of the Academy, as well as the professional staff took part in trainings aimed at building the capacities for designing

and developing training curricula, management, budgeting and strategic planning. For this purpose, 11 working visits abroad were realized, for meetings and conferences, five of which for training conferences abroad and 10 in the country.

II. ACTIVITIES OF THE BODIES OF THE ACADEMY

1. WORK OF THE MANAGEMENT BOARD OF THE ACADEMY

The Management Board of the Academy consists of 11 members. Ex-officio members are: the President of the Judicial Council, the President of the Supreme Court of the Republic of Macedonia, the Public Prosecutor of the Republic of Macedonia and the Minister of Justice of the Republic of Macedonia. The other six members include renowned judges and public prosecutors proposed by the institutions represented in the Management Board by the Collegium of the Public Prosecutor's Office of the Republic of Macedonia, the Council of Public Prosecutors, the Association of Judges of the Republic of Macedonia and the Association of Public Prosecutors and the Ministry of Justice.



-Session of the Management Board -

In the course of 2008, the Management Board of the Academy held ten sessions, at which it deliberated and decided on issues related to its scope of work.

In the course of 2008, the Management Board adopted all the necessary and planned regulations for 2008, in accordance with the Statue of the Academy: all general acts, programs and reports necessary for conducting the activities of the Academy in 2008, including 8 general and specialized training programs (for initial and continuing education), and 10 Rule Books that regulate the execution of the initial and continuing education, as well as other programs and general acts necessary for the work of the institution.

2. WORK OF THE PROGRAM COUNCIL OF THE ACADEMY

In the course of 2008, the members of the Programme Council, the expert body of the Academy, designed and defined proposals for training programmes, both for the initial programme and for the continuing education programme. On the sessions of the Council, which is chaired by the Director and where the Executive Directors also takes part, seven

training programmes were adopted, which were then adopted by the Management Board in full. Depending on the special nature of the programme, the work of the Council also included trainers, renowned professors and experts in their relevant field. The Programme Council is composed of experienced professional practitioners, who, with their knowledge and experience and participation in various law drafting work groups, professional and scientific debates, and directly as trainers in the training programmes, give a significant contribution to creating programmes that are in line with the current training needs and European standards.

3. WORK AND ACTIVITIES OF THE DIRECTOR AND EXECUTIVE DIRECTOR OF THE ACADEMY

In 2008, the Director as a managing, and the Executive Director as the executive body of the Academy conducted activities in accordance with their competencies provided for by the Law, Statue and general acts of the Academy. The Executive Director also acted upon the authorizations transferred by the Director, with the aim of fulfilling all activities and planned actions for normal day to day operations.

They organize the implementation of the initial and continuing education, coordinate the cooperation of the bodies of the Academy with domestic institutions and NGOs, maintain contacts with trainers and mentor teams, work on the preparation and keep up-to-date the National Programme for adopting EU law, prepare the necessary reports for realization of obligations for training, in accordance with the programmes and action plans of various state bodies, institutions and organizations, negotiate projects with foreign and domestic donors, receive delegations, organize and manage the international cooperation for domestic judges and prosecutor and for the Judicial Council and the Administrative Court of the Republic of Macedonia.

They are also members of numerous work groups and commissions at the Government of the Republic of Macedonia, the Ministry of Justice, and other ministries and state bodies for drafting laws, training programmes, national strategies, as well as members of other work groups at international organizations in the Republic of Macedonia and the NGO sector.

As part of the international cooperation with the schools for training of judges and public prosecutors, the Academy organized for its bodies and for representatives of other judicial bodies in the Republic of Macedonia visits to the school for training of the judiciary in Lisbon, Portugal, the Kosovo Judicial Institute in the Republic of Kosovo, the School of Magistrates and the High Council of Justice of the Republic of Albania, the High Council of Judges and Prosecutors of Bosnia and Herzegovina, the Administrative Court in Lyon, France, the Judicial Centre for Training of Judges in the Republic of Serbia.

In the course of 2008, the Director and the Executive Director took part in all regular and plenary sessions of international training networks – the European Judicial Training Network (EJTN) and the Lisbon Network of the Council of Europe; they took active part in their work groups, and in the HELP Programme, the maintained the cooperation with other organs and bodies of the Council of Europe, participated on the meetings of experts of the European Commission for the education of Judges in the Subcommittee for Justice, Freedom, and Security of the European Union in Brussels. As a long-standing judge, the Director is also a member of the working group of the Consultative Council of European Judges – CCJE (Council of Europe) and participated on its working meeting and plenary session.

WORK AND ACTIVITIES OF THE PROFESSIONAL STAFF

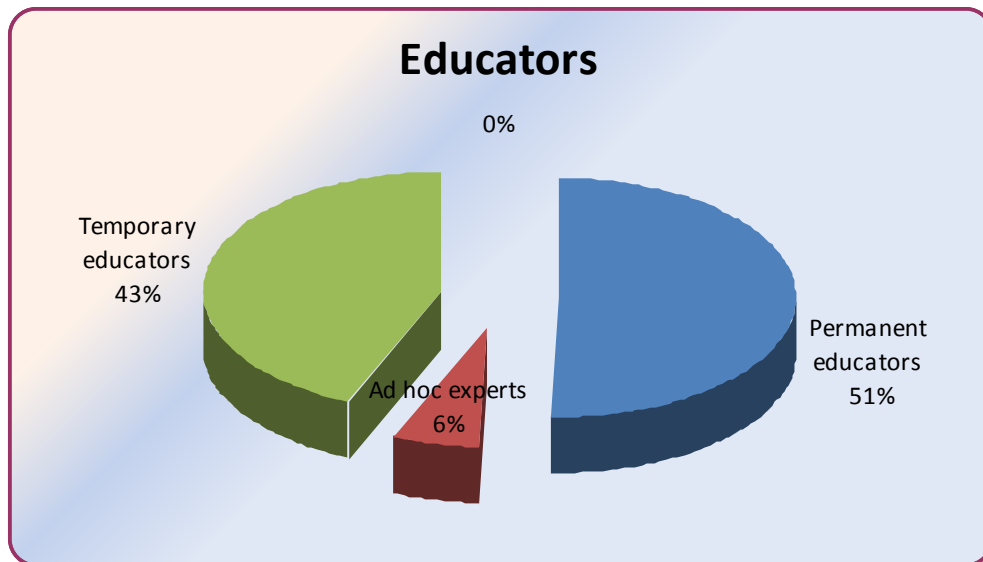
In the course of 2008, the professional staff of the Academy, albeit understaffed, displayed maximum effort and commitment, and under the leadership of their superiors fully realized the tasks of all work posts foreseen by the Systematization Rule Book. In doing so, they extended their full support and gave a significant contribution to the realization of all planned goals and activities of the bodies and organs of the Academy and contributed to its institutional strengthening. The professional staff worked on carrying out all activities of the Academy, starting from its primary function, the implementation of all training programmes, technical and logistical support for the initial training candidates, the trainers and mentors in following the planned schedule of classes in the initial training, and for each seminar in the continuing education programme, provided logistical support in organizing study visits, visit of delegations, protocol matters, employment, public procurement, budget execution, maintenance and upgrading of the IT equipment and other activities aimed at facilitating normal day-to-day functioning, and further development of the Academy. A particular accent was given to the training of the professional staff in the area of their work, with the aim of further strengthening and advancing their capacities, work skills and ethical, human and professional qualities.



- The Director and the Executive Director with the Employees -

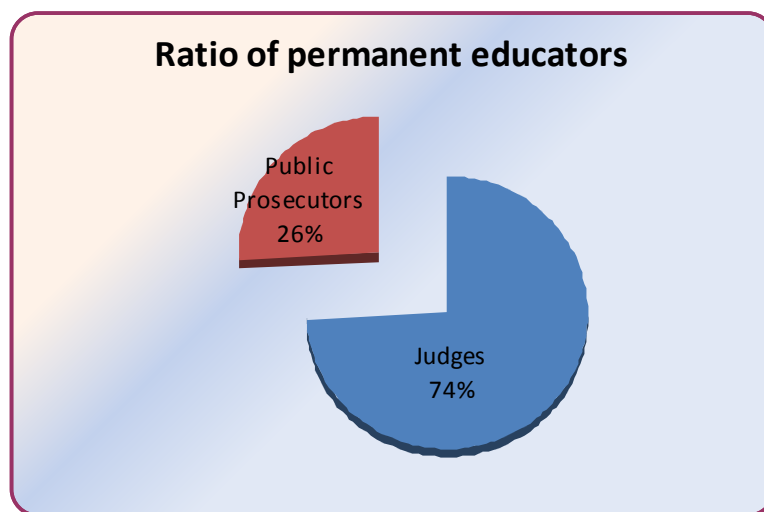
7. TRAINERS OF THE ACADEMY

In accordance with the Law on the Academy, the trainers are experts who directly carry out the training programmes. In the course of 2008, the list of trainers proposed by the Director, confirmed by Decisions of the Management Board of the Academy in 2007, remained unchanged.

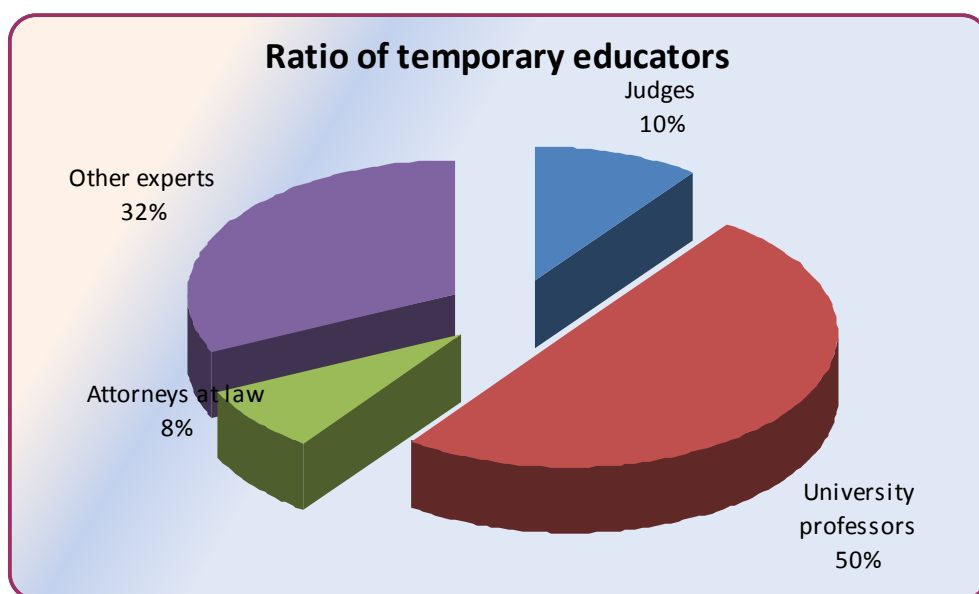


The education process at the Academy is directly conducted by a total of 108 trainers: 58 permanent trainers, 43 of whom are judges and 15 public prosecutors, and 50 temporary trainers, 5 of whom are retired judges, 25 university professors, 4 are attorneys, and 16 other experts. In accordance with the Rule Book, ad hoc experts (domestic and foreign) were engaged for specialized topics and areas.

➤ Permanent Trainers:



➤ Temporary Trainers:



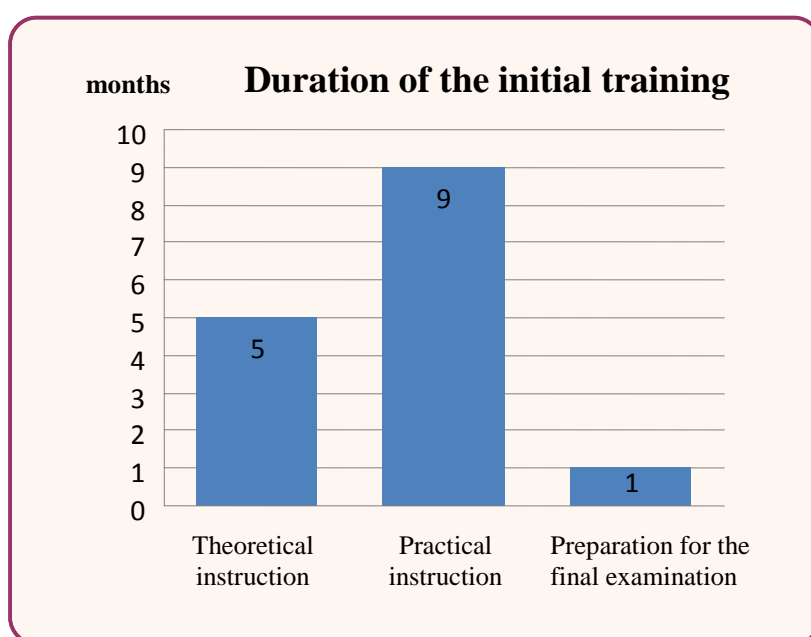
For the purpose of executing its planned activities, the Academy began a procedure for renewing and expanding the list of permanent educations that fulfil the conditions for trainers foreseen by Law, the Statue and the Rule Book on Educations and mentors at the Academy.

III INITIAL TRAINING

BASIC GOALS, STRATEGY

The basic goal of the Academy is through selection and the initial training for candidates for judges and public prosecutors to secure competent, independent and efficient performance of the offices of judge and public prosecutor.

For the first time in the Republic of Macedonia, an objective system for first-time election of judges and public prosecutors is being created, based on precise and measurable criteria that follow the achievements of the candidates through continuous assessment by the trainers and the mentors, and a final exam.



From 1 January to 31 December 2008, initial training for two generations of candidates for judges and public prosecutors was conducted in parallel.



- The participants of the initial training in class -

FIRST GENERATION OF INITIAL TRAINING - 2007/2008

A) Theoretical Instruction

In the course of the five month theoretical instruction for the first generation of participants in the initial training, all planned activities were fulfilled: a total of **660 regular classes, 99 supplementary classes, and 11 visits to institutions. A total of 13 domestic and 14 international experts held presentations during the supplementary classes.**

The trainers regularly assessed the participants with points and sub-points issued on the basis of accomplishments on tests, home work, essays and class activity, following by a rank listing of the results of the participants for the theoretical work.

The theoretical instruction of the initial training for the first candidates of judges and public prosecutors ended on 16 February, 2008.

B) Practical Instruction – mentorship

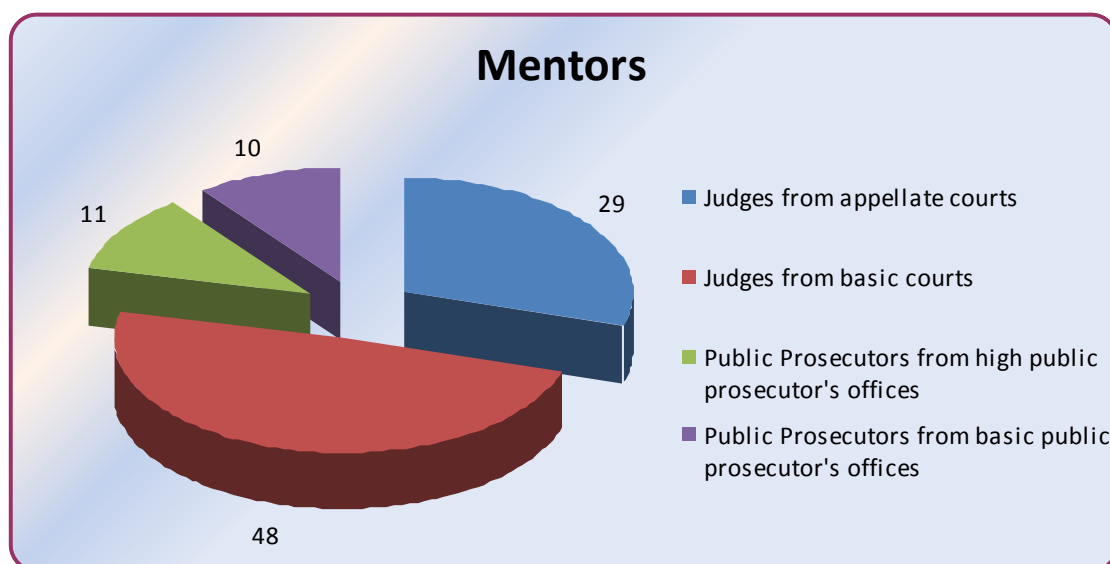
The goal of the practical part of the instruction is to train candidates under the guidance of mentors, helping them professionally versed and capable to practically conduct the office or judge i.e. public prosecutor.

The practical part of the initial training for the first generation of participants in the initial training began on 25 February, 2008, and ending the final exam, lasted 10

months; its was executed in accordance with the Programme Rule Book for Practical Instruction.

The concept of regional mentorship was adopted for the practical training, meaning that the instruction is was conducted under the guidance of judges and public prosecutors from the Basic and Appellate Courts in Skopje, Ship and Bitola, and the corresponding Basic and Higher Public Prosecutor's Offices. The aim of this concept is, through the interactive system of one mentor-one candidate mentorship, to contribute to an even spread development of the capacities and efficiency of the judiciary as a whole. Depending on their place of residence, the candidates were assigned in the three appellate areas. Each participant was assigned to mentorship team with a coordinator, responsible for the organization of the practical training of the candidate.

A total of 81 mentors, 17 deputy mentors from the appellate regions of Skopje, Bitola and Ship were engaged, 29 of which judges in the Appellate Courts, 48 judges in Basic Courts, 11 public prosecutors from the High Public Prosecutor's Offices and 10 public prosecutors from the Basic Public Prosecutor's Offices.



In accordance with the Programme for Initial Training, the mentorship process was conducted in the following manner:

- 10 weeks in a Basic Court, in all units dealing with criminal proceedings
- 10 weeks in a Basic Court, in all units dealing with civil proceedings
- 2 weeks in an Appellate Court, in a unit dealing with criminal proceedings
- 2 weeks in an Appellate Court, in a unit dealing with civil proceedings
- 8 weeks in a Basic Public Prosecutor's Office
- 4 weeks in a High Public Prosecutor's Office

The candidates were also assigned as interns in other institutions connected to the office of judge and public prosecutor, such as the Ministry of Interior of the Republic of Macedonia, in the Sector for Crime Scene Investigation Techniques, correctional and penal facilities, centres for social work in Skopje, Bitola and Stip, the Customs, Cadastre, Ombudsman and others.

The practical training was conducted by:

- resolving actual and hypothetical cases,
- participating in case simulations,
- writing essays,
- preparing procedural acts and other written correspondence



-Participants in the initial training in a moot court -

In the course of the practical training in all the regions of mentorship, the participants and their mentors held a total of 59 moot civil and criminal trials, which is in line with the schedule, together with archived judicial and prosecution cases.

The candidates were continuously evaluated by their mentors by points and sub-points, entered into a mentor's book, following the criteria laid out in the Rule Book for practical training. Following the completion of the practical training, a rank-list was published, listing the achievements of each of the candidates in the practical training.

In the last (tenth) month of the practical training, the candidates prepared for the Final Exam, with additional activities with a mentor in the areas of their choice, and the Academy also organized a seminar where the candidates and their mentors were able to run a simulation of the final exam. A total of 14 moot trials were held, with drafted indictments and judgments.

The mentors assessed the seminar as very useful and important for verifying the acquired knowledge of the candidates, as well as for raising their confidence and experience necessary for passing the final exam. It was deemed as particularly important for levelling

out the assessment criteria for the final exam, in view of the different practice of judges and public prosecutors in various appellate regions.

G) Training of Mentors

As part of the continuing education programme, training was also held for the mentors:

The Academy for Training of Judges and Public Prosecutors in cooperation with the CARDS 2004 project, with experts from Denmark, organized a seminar on the topic “Training the Mentor”, which was attended by mentor coordinators of the mentorship teams from all appellate regions.

Within the framework of the Project for bilateral cooperation with the French Embassy, training for mentors from all three appellate regions was organized, attended also by the 27 candidates for judges and public prosecutors.

D) Final Exam

The final exam for the first generation of participants in the initial training took place in the period from 1 - 10 December, 2008. It was held before an Exam Commission, comprising of members proposed by the Judicial Council of the Republic of Macedonia (4), the Council of Public Prosecutors of the Republic of Macedonia (2) and the Ministry of Justice (1). The members proposed by the Councils are experienced judges and public prosecutors from among the ranks of higher judicial and prosecutor’s instances.

The aim of the final exam in the Academy for training of judges and public prosecutors is to comprehensively assess the acquired theoretical and practical knowledge of the candidates necessary for executing the office of judge and public prosecutor.

The final exam at the Academy for training of judges and public prosecutors was focused on the practical aspect of final verification. It was composed of three parts – a written part, moot court, and oral part in criminal and civic matters - verification of acquired knowledge and skills in the course of the overall initial training in substantive and procedural law and practice, as well as questions regarding the functioning and organization of the judicial system of the Republic of Macedonia, implementation of reforms, the code of ethics and international standards related to the judicial and prosecutor’s profession.

Following the evaluation conducted under a set procedure, the Commission issued a rank listing of the results of the final exam. All participants passed the final exams with excellent results. Immediately after issuing the final rank-list, the Commission compiled the rank-list for the overall results of the candidate, by summing up the points from the theoretical and practical work, and the final exam.

The final rank list was issued on the 12th January 2009, confirming that all participants successfully completed the initial training, and thus gained the status for candidate judges and public prosecutors.

In accordance with the legal regulations, the final rank-list was submitted to the Judicial Council of the Republic of Macedonia, to the Council of Public Prosecutors of the Republic of Macedonia and to the Minister of Justice of the Republic of Macedonia. In accordance with the existing Laws on Courts and Public Prosecutor, the candidates will be elected to fill 50% of the available public prosecutor positions in the basic public prosecutor’s offices and 50 % of the available positions as judges in the basic courts for the period of next three years.

SECOND GENERATION PARTICIPANTS IN THE INITIAL TRAINING 2008/2009

On the basis of the Decisions of the Judicial Council of the Republic of Macedonia and the Public Prosecutor's Office of the Republic of Macedonia, which established 15 available posts for judges and 12 available posts for public prosecutors, the Management Board of the Academy for training of judges and public prosecutors reached a decision for issuing a public announcement for application of candidates for the school year 2008/2009; on 26 June 2008 it constituted the Commission for Qualification and Enrolment of Candidates (in further text (Commission)).

Of the total of 56 applicants, 49 took the qualification exam, and 34 of them qualified to take the enrolment exam that consisted of a written and oral part. All 34 candidates took the exam, and 27 candidates with the best results were enrolled into the Programme for initial training in the academic year 2008/2009.

The questions on the qualification and enrolment check previously acquired theoretical knowledge of the candidates in the basic areas of law, as well as international and EU law, foreign language, while the task of a practical problem and writing decisions in criminal and civil matters their capacity for logical interpretation and application of the regulations.

All candidates on the enrolment exam passed the threshold of 70% of the maximum 100 points that represents 100% possible achievement.

For the purpose of preparing for the enrolment exam and implementing the principle of equitable and adequate representation of other communities in the Republic of Macedonia, on three occasions the Academy organized a two-day preparation course of a simulated exam for the candidates that.

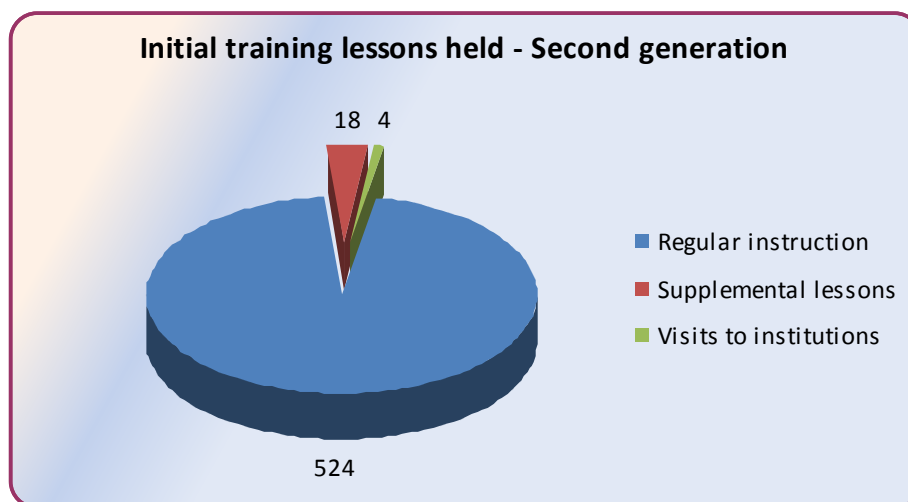
The design of the Programme and Rule Book on Initial Training focused on the practical aspect of the training, by strengthening the team of trainers with experienced experts and the strict obligation to have a 50:50 ratio of theory and practice, the latter covered by analyses of case studies, drafting decisions, and visit to institutions of the judicial system.

REALIZATION OF THE INITIAL TRAINING FOR THE SECOND GENERATION OF CANDIDATES

The second generation of candidates began the initial training at the Academy on 15 September 2008.

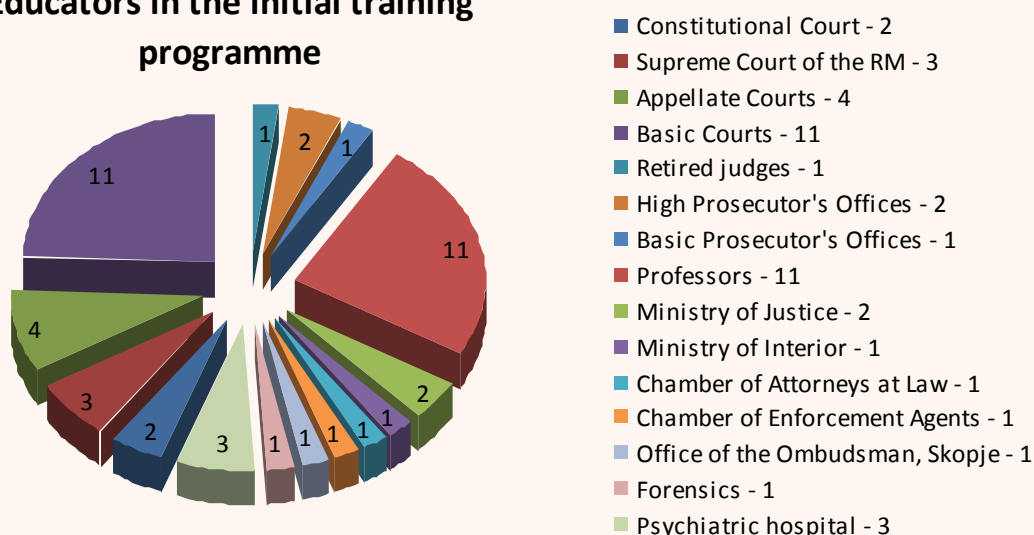
In accordance with the Programme for initial training at the Academy, theoretical aspects are covered with a total of 720 lesson hours of instruction, debate, discussions, analyses of case studies and other forms of training following a previously set schedule.

Within the framework of the theoretical instruction, a total of 542 lesson hours were held in the period of 15 September to 31 December 2008, of which 524 regular and 18 supplemental lesson hours, as well as 4 visits to institutions.



A total of 45 trainers with the following structure were engaged for the theoretical instruction:

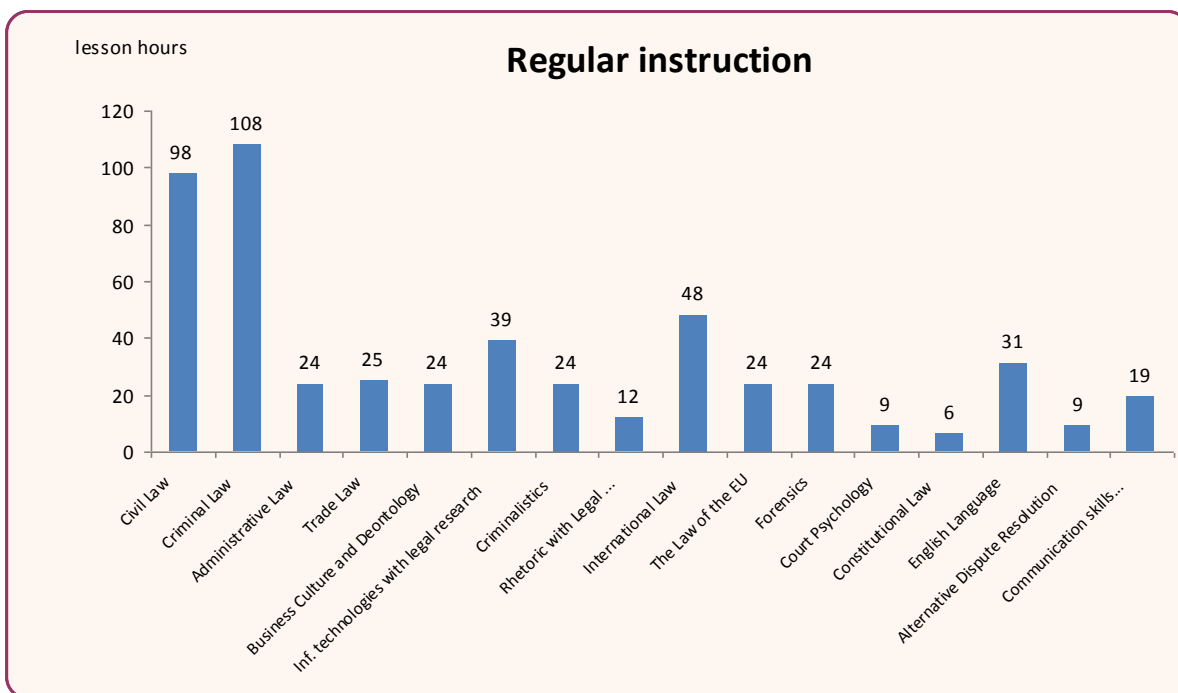
Educators in the initial training programme



Such a large number of trainers is justified by the circumstances that the Academy does not have full time trainers and the diversity of the subjects, which cover law but also other complementary skills that create a new profile of judges and public prosecutors – not only good practitioners of law, but also open minded individuals aware of the social environment in which they bring their decisions.

The training is being held without delays or intermissions, in accordance with the previously prepared and published detailed schedule of classes, every day from Monday to Friday. Regular classes are held from 8:30 to 15:05, and supplementary classes according to the requirements. Regular attendance, activities and assessment of the candidates is recorded daily in a Logbook, kept by the trainers.

The structure of the total of 524 lesson hours held as part of the regular instruction by subject is the following:



5 local and 10 foreign experts held lectures as part of the supplemental instruction.



Supplemental activities for the candidates include their participation in seminars. Four visits to relevant institutions were also realized.

STRUCTURE OF THE TRAINERS OF THE INITIAL TRAINING

Only 4% of the total number of trainers engaged in the initial training of the candidates are expert theoreticians; the rest are judges, prosecutors, experts from other institutions, such as the Ministry of Interior, Forensic Medicine, Ministry of Justice, the Chamber of Enforcement Agents, etc. Of the total of 720 lesson hours of theoretical instruction in the initial training, theoreticians are represented with 78 lesson hours, or

10,83% of the total number of lesson hours of initial training, while the rest of the classes are conducted by practitioner.

TOTAL REALIZATION LEVEL OF THE INITIAL TRAINING

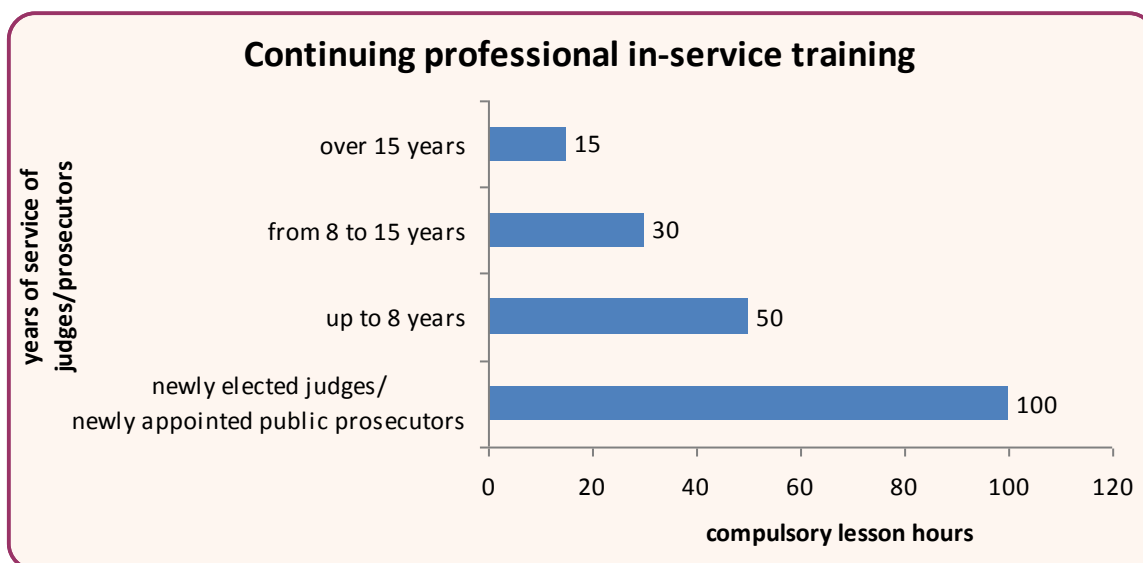
In the period from 1 January to 31 December 2008, instruction in the initial training for the two generations of candidates is being carried out 100% in accordance with the schedule of classes for theoretical instruction. Additionally, there are supplemental classes which correspond to the needs of the participants attending instruction, and in line with the schedule for practical instruction.

IV. CONTINUING PROFESSIONAL IN-SERVICE TRAINING

OBJECTIVES OF THE TRAINING AND TARGET GROUPS

Pursuant to the Law on the Academy, the Academy organises continuing professional in-service training for judges and prosecutors and other target groups provided for in detail in the Law.

The right to and obligation for the continuing professional in-service training of judges and prosecutors is implemented by the Academy depending on their respective years of service, pursuant to article 43 of the Law, namely as follows:



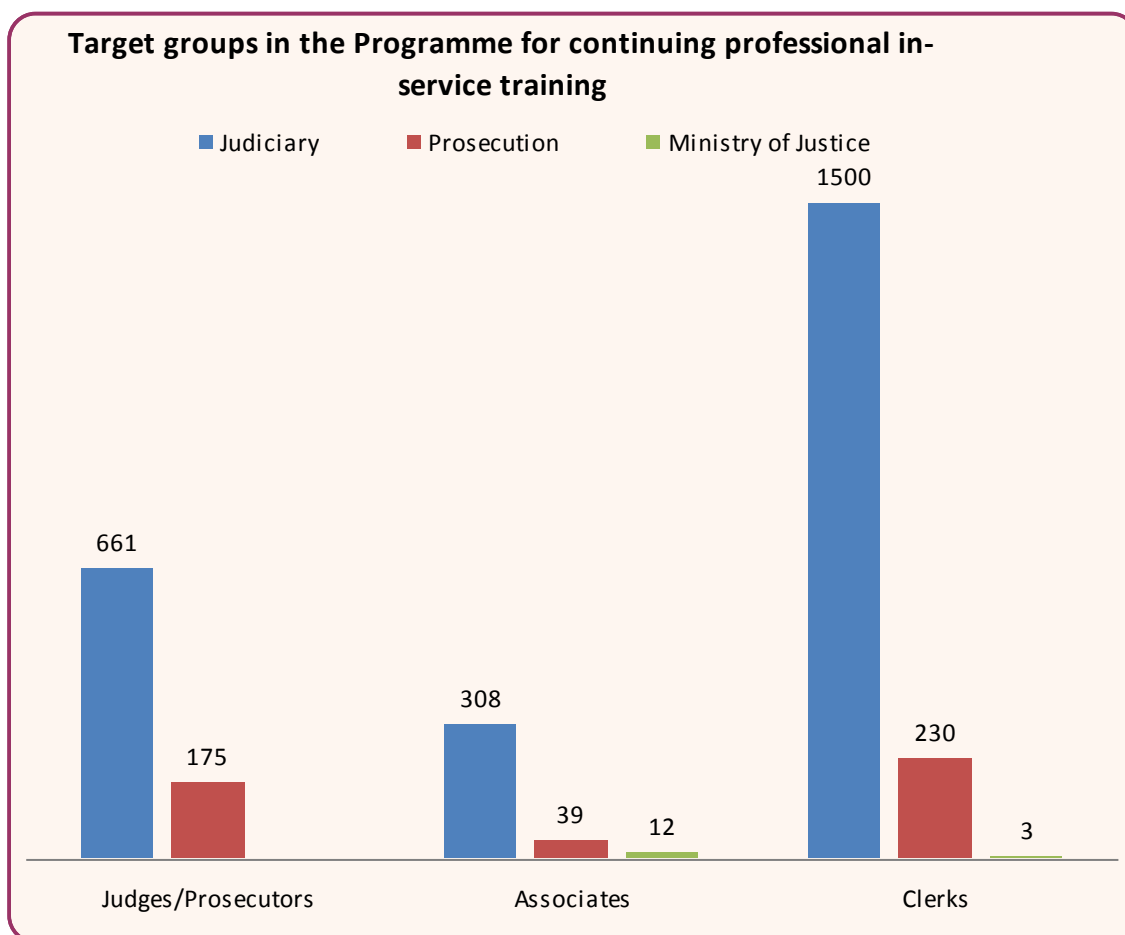
CONCEPT AND OBJECTIVES

In accordance with the Law on the Academy, a structured and detailed continuing training of judges and public prosecutors was introduced with the adoption and publishing of the Two-year Framework Training Programme, which was further realised through the preparation and publishing of an annual activity calendar and quarterly activity calendars.

The Objectives of the Programme for Continuing Training are not only the maintaining and improvement of the legal knowledge of judges and public prosecutors and their abilities for practical application of the laws, but also the development of their complementary skills necessary for the performance of the judicial-prosecutorial function and for the application of international law and the law and practice of the EU, all of which, in its

broadest sense, will contribute to the strengthening of the independence of the judiciary and the autonomy of the prosecution. The ultimate Goal of the Programme is the creation of a modern, transparent and efficient judiciary and its preparation for integration in the European Area of Justice, and preparation of the judges and prosecutors for the process of life-long learning.

The Academy conducts continuing training for the following target groups:



PREPARATION OF THE PROGRAMME

Pursuant to article 122 of the Articles of Association of the Academy, the Programme is prepared on the basis of previous research into and analysis of the training needs of the judges, the public prosecutors and other beneficiaries of the services of the Academy, taking into account, in the process, the opinions of the institutions represented on the management Board of the Academy, the faculties of law, the professional chambers and other relevant judicial institutions and organisations, the summarised evaluations of participants at each training session and of the trainers who directly delivered the training programmes, the reports on the work of the courts and the Judicial Council of the RM and also comparative experiences.

REALISATION

In the course of 2008, within the framework of the continuing in-service training activities, the Academy carried out all general and specialised programmes planned and

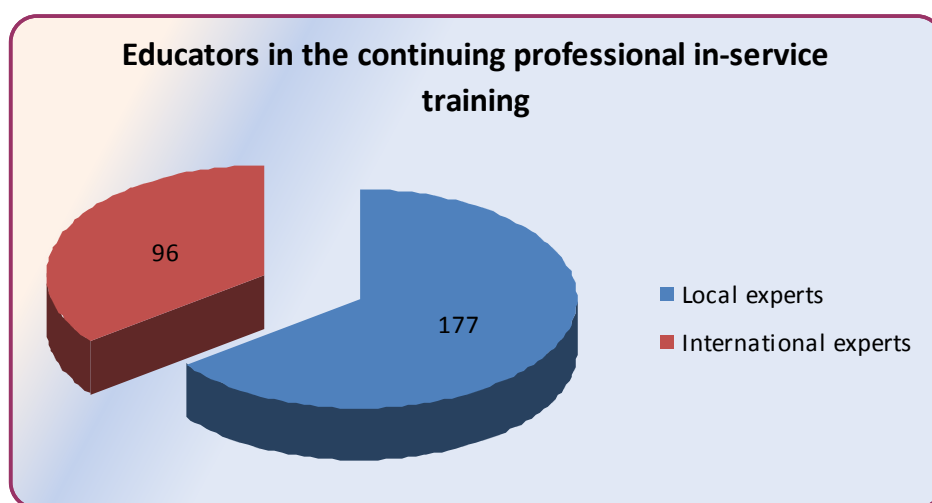
adopted by the Management Board, targeted namely at the judges of the newly established Appellate Court in Gostivar, at the 70 newly elected judges and newly appointed public prosecutors for the year 2008, at the newly established minor offence commissions, at the judges of the Administrative Court for the year 2008/2009, all of which were in turn realised through the adoption of the annual and of the detailed quarterly training calendars for the year 2008.

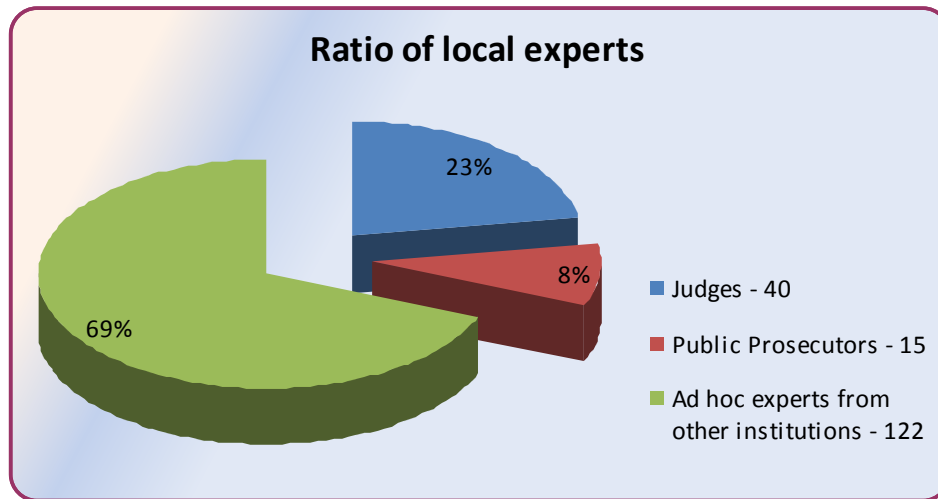


- workshop within the continuing training programme -

TRAINERS

A total of 273 trainers were invited to deliver the continuing professional in-service training in the course of 2008, **with the following distribution:**





TRAINING OF TRAINERS

With the aim of advancing the professional knowledge and skills of the local trainers, two study visits were conducted and one five-day workshop held with the aim of training the trainers in the organisation of the Academy and the CARDS Project.

CONTENT OF THE TRAINING

The general and specialised programmes for the continuing professional in-service training were realised through the organisation of workshops, training sessions, conferences and round tables with the application of contemporary techniques and teaching methods, such as power point presentations, case studies from the national and international practice, discussions and short tests with questions, all with the following content:

➤ General topics and practical experiences with application of legislative provisions:

- innovations in the substantive and procedural legislation from the basic areas of the law (criminal, civil and trade);

Specialised programmes with the following content:

- fight against organised crime and corruption, money laundering, financial crime, human trafficking, drug trafficking, computer crime,
- financial crime, money laundering, criminal acts in relation to bankruptcy and the stock exchange,
- domestic violence,
- juvenile justice,
- personal data protection, access to public information,
- bankruptcy, securities,
- corporate management,
- training events for enforcement agents, notaries and mediators,
- industrial property,
- alternative dispute resolution and mediation,
- training for other complementary skills: legal research, time management and case management, ethics, communication skills, public and media relations,

- study of specific articles from the European Convention on Human Rights with appropriate practices of national courts, as well as comparative practices of other states and of the European Court for Human Rights and of other international courts with the aim of correct application of international standards for fair trial within a reasonable time;
- Budget management, preparation of investment programmes;
- Modules on the general and specific areas of international law and the Law of the EU (cooperation in the criminal and civil areas, natural environment protection, international public law, the EU internal market, intellectual property, the European patent system, alternative dispute resolution and mediation, etc.);
- Foreign languages (French – advanced course).

ADOPTED AND PUBLISHED FRAMEWORK PROGRAMME FOR CONTINUING PROFESSIONAL IN-SERVICE TRAINING OF JUDGES AND PUBLIC PROSECUTORS 2009-2010

In accordance with the adopted Programme for 2009-2010, training in the field of the above listed contemporary topics and areas of significance for the application of substantive and procedural law will continue, especially as regards the changes in the national and international legislation and practice.

Special emphasis will be placed on training on the Amendments in the Criminal Legislation, primarily the new role of the public prosecutor in the course of the pre-criminal proceedings and of the ruling judge in the course of the proceedings, following their final adoption.

DECENTRALISATION OF TRAINING

In the course of 2008, the Academy continued to implement its training in a decentralised manner, i.e. in the Appellate Regions, due to the high number of participants in the target groups and also in order to decrease the travel and accommodation costs, to efficiently utilise working hours and also to benefit from holding the training events in a court atmosphere, which was widely accepted by the judges and the public prosecutors.

The concept of regional approach to conducting training represents equitable strengthening of the capacities and improvement of the knowledge and skills of the holders of the judiciary functions in the Republic of Macedonia.

RECORDS

The Academy, in accordance with the Law on the Academy, issues to the judges, the prosecutors and the government officials from the Ministry of Justice performing duties in the area of the judiciary, for the number of the compulsory lesson hours spent on continuing professional in-service, training certificates and passes on the respective data to the Judicial Council of the RM, the Public Prosecutors' Council and the Minister of Justice. At the same time, the Academy recognises the hours spent on training organised in cooperation with other organisers, if the training has been agreed in advance between the respective parties.

FINANCING OF THE TRAINING

The Academy realised the Programme for continuing professional in-service training of judges and prosecutors with its own funds earmarked in the Budget for the year 2008, with some funds being made available for the realisation of parts of the Programme through projects financed by international organisations.

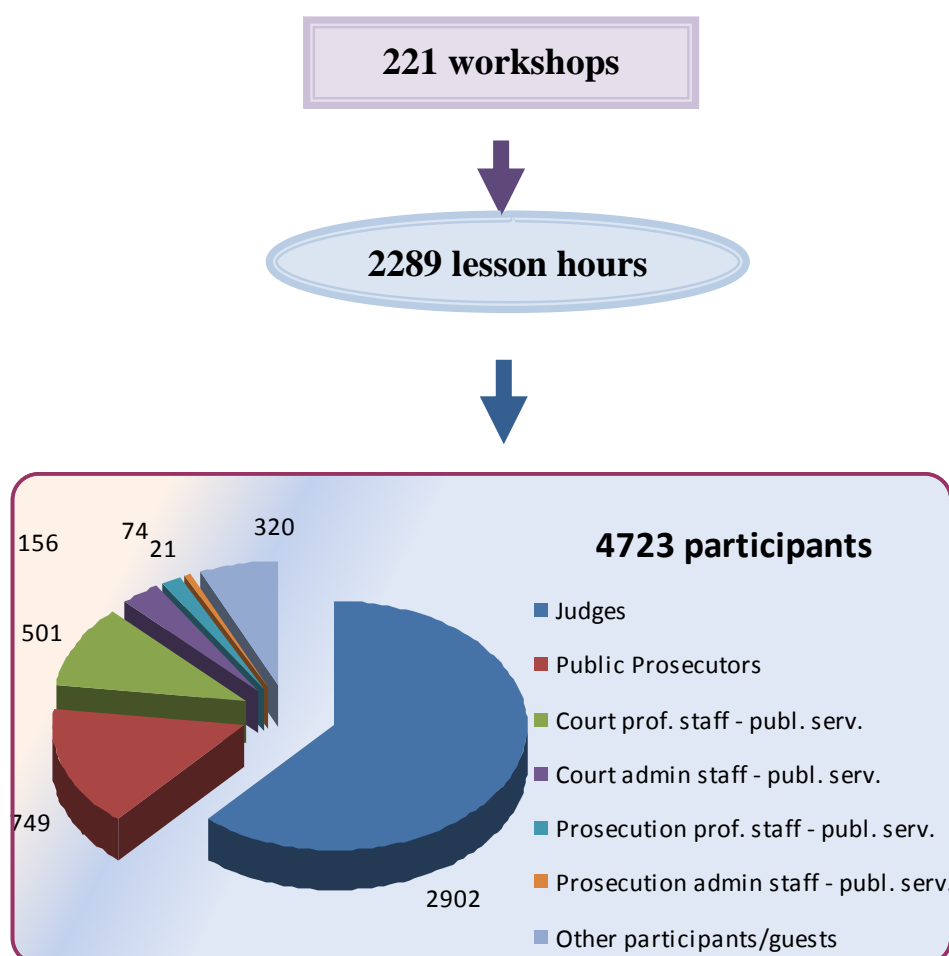
The most significant projects implemented in the course of 2008 are as follows:

- the CARDS 2004 Project “Technical Assistance for Support to the Establishment of a Judiciary Training Institute – Phase II”, which was implemented through three segments, namely normative assistance in the preparation and delivery of training programmes, in the preparation of a qualification test, and an enrolment and graduation examination; in the organisation of training events with EU expert participation; support to the institutional development of the Academy and improvement of its sustainability with experts in the areas of budgeting, IT and evaluation of the work;
- Project for bilateral Macedonian–French cooperation in the area of the judiciary, financed by the Government of the Republic of France and implemented by the Embassy of the Republic of France in the Republic of Macedonia through the mission of the French expert Mr. Dominique Durand, Public Prosecutor for Financial Crime, in the framework of which several cooperation components were realised (training and study visits to France for the judges of the Administrative Court of the RM, training of the trainers and mentors of the Academy with experts from France and French language courses);
- the OSCE Spillover Mission in Skopje (Rule of Law Department), the “Right to a Trial within a Reasonable Time” training encompassed training segments primarily for the judges in the Supreme Court of the RM on complaints in respect to trials within a reasonable time, but also on raising the public awareness on the role and operation of the Academy and attracting graduate lawyers to the judicial-prosecutorial profession;
- Council of Europe – training events on the application of specific articles from the European Convention on Human Rights;
- projects with the German Foundation for International Legal Cooperation (IRZ) – training events and study visits for the judges of the Administrative Court, training events on business crime and rule of law in the public administration;
 - the World Bank – workshops on misdemeanours procedure;
 - UNICEF – workshops in the area of juvenile justice;
 - UNHCR – training events on asylum and migration;
 - USAID – training events on the Law on Bankruptcy, the Trade Law, case management, ethics, public and media relations, court administration;
 - USAID/JRIP – training of the court administration;
 - USAID/State Commission on Prevention of Corruption – training events on fight against corruption and conflict of interests;
- the Twinning Project with Italy on Fighting Organised Crime and Corruption – training events on fighting organised crime and corruption, human trafficking, special investigation techniques, financial crime and money laundering;

- the Twinning Project with Spain “Strengthening the Capacities for Prevention of Money Laundering – Phase II” – training events on fighting financing of terrorism, taxes, international trade, customs, smuggling, money laundering and special investigation techniques;
- GTZ – training events on the assistance in the harmonisation of the legislation in the area of business cooperation and the EU legislation;
- the US Embassy in the RM / the OPDAT Programme – the Office for Development, Assistance and Training of Public Prosecutor Offices at the Ministry of Justice of the USA, through the organisation of workshops in cooperation with the Association of Judges and Public Prosecutors and the Association for Criminal Law and Criminology;
- FORUM – the Centre for Strategic Development – training events on article 10 of the European Convention on Human Rights.

DEGREE OF DELIVERY OF TRAINING EVENTS

In the period between 1st January and 31st December 2008, a total 221 workshops were held in the organisation of the Academy or in cooperation with other organisations, as follows:



The high degree of implementation of the planned training was instrumental in the achievement of significant result in the fulfilment of the legal training minimum for each judge and public prosecutor in the Republic of Macedonia (85% of them reached the legal minimum).

The training events held in the course of 2008 exhausted in full the topics and contents of the Annual Training Calendar for the Year 2008 as well as the adopted Framework Programme for Continuing Professional In-service Training of Judges and Public Prosecutors 2007-2009.

V. NATIONAL COOPERATION

On a national level, this year saw the continuance of the intensive and fruitful cooperation in the field of organisation of training events with the professional associations of judges and public prosecutors, with the faculties of law (with whom exchange was realised of local and foreign experts, of books and publications, with the cooperation being especially strengthened in the area of attracting and recruiting graduate law students into the Academy, of preparation of candidates from the other communities), as well as with other state authorities and institutions through participation in their working groups, all of this leading to full implementation of the training obligations according to the NPAA of the Government of the RM. In this respect, the cooperation with the non-governmental sector was significant, especially in the areas of juvenile justice, domestic violence, sexual abuse of children, protection of victims of organised crime, especially of human trafficking. A new initiative is the commencement of joint training events with notaries, enforcement agents and mediators as well as other target groups of significance for the expansion of the knowledge of the judges and public prosecutors.

VI. INTERNATIONAL COOPERATION

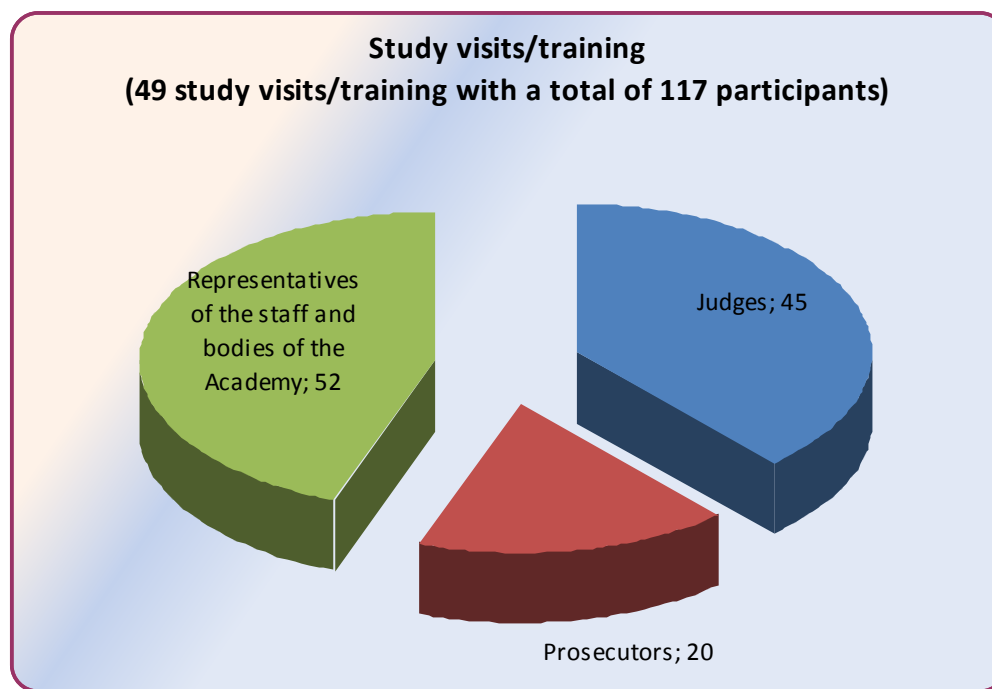
INTERNATIONAL NOMINATIONS

The Academy, due to the achieved results in the organisation of the initial training and continuing education of judges and public prosecutors, was nominated by the Minister of Justice, Mr. Mihajlo Manevski, and participated in the competition for the “Crystal Scales of Justice” award, established by the Council of Europe and the European Commission, representing acknowledgement for innovative practices that enhance the quality in the area of justice.

STUDY VISITS

The Academy continued to realise an intensive international cooperation both on a bilateral and also on a multilateral level, through the organisation of study visits for and exchange of judges, public prosecutors, Academy bodies and representatives of other judicial authorities, the Judicial Council of the RM, the Administrative Court of the RM, and also through receiving visits from representatives of the judiciaries and academies for judges and prosecutors of the other states in the Balkans and in Europe.

In the course of 2008, the Academy organised the following study visits and placements:



COOPERATION WITH THE EJTN

The cooperation with the European Judicial Training Network (EJTN) was especially significant. The Academy, having received the status of observer in this network, has been actively involved in all its activities and programmes. The Academy offered its training events, which were included in the EJTN Training Catalogue for 2009, thus providing opportunity for the judges and public prosecutors from all European countries to participate in them. Similarly, in the course of 2008, the Academy was included in the Exchange Programme, which enabled six judges and public prosecutors and candidates from the first generation of initial training as well as one trainer to participate in the realisation of the said Programme. Within the framework of the Exchange Programme, the Academy hosted six participants of whom five were public prosecutors from Belgium, Latvia and Spain and one was a trainer from Estonia.

The Academy is a member of the working group responsible for the development of contemporary IT and distance learning at the EJTN.

COOPERATION WITH THE LISBON NETWORK OF THE COUNCIL OF EUROPE

The Academy is also a member of the European Network for Exchange of Information between Persons and Entities Responsible for the Training of Judges and Public Prosecutors (the Lisbon Network), established and operating within the Council of Europe.

The Academy for Training of Judges and Public Prosecutors of the Republic of Macedonia, as a member of the Lisbon Network of the Council of Europe, actively participates in the work of the HELP Programme for designing training events on the specific articles of the European Convention on Human Rights. Of significance within the framework of this Programme is the pilot training for distance learning, organised by the Academy for the judges, the public prosecutors and the candidates from the initial training programme, with appropriate access being provided to the web page of the HELP Programme for the two

generations of candidates undergoing initial training as well as for the trainers and the mentors.

In October 2008, the Academy became one of the five members of the Bureau of the Lisbon Network, with a two-year term of office. The Bureau has the status of an executive body between the annual plenary sessions of the largest network of institutions responsible for education of judges and prosecutors in Europe.

The Academy maintains an intensive collaboration with the National Institute for Magistrates of the Republic of Romania. Three candidates from the first generation and one of their mentors participated in the third event of **THEMIS – the International Competition in Initial Training**, held in **Bucharest** between **22nd and 26th September 2008**, organised by **this Institute**, the Council of Europe and by the Lisbon Network.

In addition, 10 candidates from the first generation in initial training participated in November 2008 in an exchange programme at this Institute, where they had opportunities to exchange experiences from their initial training with their respective colleagues; they also visited the Bucharest Appellate Court, the High Magistrate Council and the Ministry of Justice and the Ministry of Foreign Affairs.

OFFICIAL DELEGATION RECEPTIONS

In the course of 2008, the Academy received several official delegations:

- Mr. Franco Frattini, Vice-President of the European Commission and Commissioner for Justice, Freedom and Security; within the frame of this visit, a round-table discussion was organised in cooperation with the Ministry of Justice on the issue of fighting organised crime;



-the Academy Director with Mr. Franco Frattini, H.E. Mr. Erwan Fouéré and the Minister of Justice during the visit of Mr. Frattini to the Academy -

- within the framework of the Project for Bilateral Macedonian–French Cooperation in the Area of Judiciary, the Academy organised in the course of 2008 a visit to the Academy, the faculty of Law in Skopje and other judicial authorities for five high representatives of the French Administrative and Appellate Courts and the National School of France for Magistrates;

- the Deputy President and the members of the High Judicial-Prosecutorial Council of Bosnia and Herzegovina, who participated in the round-table discussion on the topic “The Role of the Judicial Council and the Council of Public Prosecutors in the Protection of Judicial Independence and Judiciary Management, national and international experiences”;

- members of judicial institutions of the RM and the Embassy of the Kingdom of Norway in the Republic of Macedonia;

- in the course of 2008, the Academy was visited by delegations of the Judicial Centres of the Republic of Serbia and the Republic of Kosovo, led by their directors, both centres being at the stage of creating the initial training, and in this sense, the benefit of the experience of the Academy as an institution, which was the first one in all of the former Yugoslav republics that introduced this type of school for judges and public prosecutors as a novel way for selecting future judges and public prosecutors.

ACTIVITIES FOR THE YEAR 2009

Within the process of the development of the National Programme for the Adoption of the Acquis (NPAA) for the period 2009-2011, the Academy submitted to the Ministry of Justice proposals for the amendment of the NPAA, in the sense of harmonisation of the Law on the Academy for Training of Judges and Public Prosecutors with all other laws in the area of the judiciary, strengthening its institutional capacities: human, physical and technical, achievement of international cooperation, planning of the international support, and also funds required for the respective realisation, as well a proposal for the expansion of the facility.

VII. EVALUATION OF SPECIFIC SEGMENTS OF WORK

INITIAL TRAINING

Both generations of participants in the initial training programme prepared monthly evaluations focusing on all components of the training in respect to the Academy, the trainers and the mentors.

Following these evaluations, the director and the executive director of the Academy held regular meetings with specific trainers and mentors and with representatives of the participants in the initial training, with the aim of improving the instruction and assessment.

CONTINUING TRAINING

Upon completion of each training session, the participants filled out evaluation questionnaires in which they evaluated several segments of the training, such as organisation, preparedness, expertise of the trainers, availability and usefulness of training materials, etc. These assessments and remarks were later taken as the basis for the planning of the contents of the future training events in accordance with the stated needs, and also for the improvement of the training abilities and teaching skills of the trainers.

EVALUATION MISSION OF THE EUROPEAN COMMISSION

A **European Commission Evaluation Mission** took place in the course of 2008 to evaluate the progress achieved in the judicial reforms. The work of the Academy received favourable assessment in the Report, with some of the therein contained recommendations being subsequently implemented by the Academy within the shortest possible time (improvement of the anonymity and with it the objectivity of the enrolment examination, retaining of the enrolment number and not expanding the list with new candidates enrolled on the basis of quota, increase in the number of the practical lessons, inclusion of notaries, enforcement agents and mediators in the training, etc.).

EXTERNAL ASSESSMENT BY FOREIGN EXPERTS

An evaluation of the work of the Academy was carried out within the CARDS 2004 Project. The remarks and recommendations related to: the need for more appropriate facility for accommodating the Academy, promotion of the process of applying for training through the web page, use of single uniform software for the Academy records and the library, access to electronic libraries, specialisation of the initial training after the completion of the theoretical part of the instruction.

The majority of these recommendations are already being implemented and will be realised especially following the introduction of the new software that has already been designed and will soon be implemented, whereas some interventions in the law and the by-laws are necessary for the implementation of the remaining recommendations.

VIII. TRANSPARENCY

The Academy for Training of Judges and Prosecutors ensures regular public and transparent informing on its activities through its web site www.jpacademy.gov.mk, the information board and through publishing of the acts regulating its operation in the “Official Gazette of the Republic of Macedonia”. The bulk of the information on the work of the Academy can be found on its web page, such as the acts, the organisational composition, the training programmes, the calendars; the Academy also provides the media in the RM with press releases on the more important events, publishes interviews, etc.