



REPUBLIC OF MACEDONIA
Academy for judges and public prosecutors

**REPORT
ON THE WORK OF
THE ACADEMY FOR JUDGES
AND PUBLIC PROSECUTORS
FOR THE YEAR 2010**

Skopje
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I INTRODUCTORY REMARKS

This annual report covers the activities of the Academy for Training of Judges and Public Prosecutors (hereafter “the Academy”) for the period from 1st January 2010 to 31st December 2010 (hereafter “the reporting period”). In the course of this reporting period, the Work Programme of the Academy for the year 2010 was fully implemented, and all activities that were set as priorities through the National Programme for Approximation of the Acquis of the European Union (NPAA), through the Partnership for Accession to the European Union and the recommendations from the Reports of the European Commission on the progress of the Republic of Macedonia for 2009 and 2010 were realised. In this sense, in the area of initial training of candidates for judges and public prosecutors the Programme for Initial Training of the third generation of candidates for judges and public prosecutors 2009/2010 was fully achieved, the fourth generation of candidates attending the programme for initial training in the academic year 2010/2011 commenced their education, and also international cooperation was enhanced through an even greater involvement of the initial training candidates in the international exchange of candidates.

In the area of continuing training of judges and public prosecutors and of other target groups, the goals and objectives contained in the Framework Programme for continuing professional in-service training of judges, public prosecutors and other target groups – 2009/2010 were realised in full, as was the annual and the detailed calendars of planned training events for continuing professional in-service training of judges, public prosecutors and other target groups, adopted for the purpose of realisation of the Programme (detailed quarterly calendars January-March 2010, April-July 2010 and September-December 2010).

It is especially important to highlight the positive assessments that the Academy for judges and public prosecutors received in the Report on the Assessment of the Implementation of the Strategy for Reform in the Judicial System published on the fourth of May 2010 and prepared by the experts Alessandro Simoni and Wolfgang Tide from Soges S.p.A, a project financed by the European Union. The experts concluded that the system for training of judges and the public prosecutors is one of the most energetic activities within the framework of the Strategy for Reform in the Judicial System, which has undoubtedly its advantages, that the Academy is functioning very well from the viewpoint of institutional development and activities, that the initial training is of high standards, with sound deployment of permanent, temporary and ad hoc trainers having significant practical experience and not only purely theoretical knowledge, and with significant contributions by international experts and extensive use of trial simulations.

As a wrap up of the four-year operation of the Academy, a new Law on the Academy for Judges and Public Prosecutors was adopted, introducing innovations that drive the improvement of the work of the Academy.

II LEGISLATIVE FRAMEWORK

At the session held on 2nd July 2010, the Assembly of the Republic of Macedonia adopted the new Law on the Academy for Judges and Public Prosecutors, published in the “Official Gazette of the Republic of Macedonia”, number 88/2010. The Law entered into force on 10th July 2010, and its implementation commenced on 10th November 2010.

With this new Law, the existing Academy for training of judges and public prosecutors was transformed into an Academy for judges and public prosecutors. The Law introduced significant changes in comparison to the old legislative text in the following segments:

- General conditions for enrolment into initial training (average grade during course of study of 8¹, psychological test and test of integrity, higher level of command of the languages of the EU).
- Extension of the duration of initial training (9 months theoretical and 15 months practical training).
- Introduction of specialised training after the completion of the theoretical part and selection of the profession judge – prosecutor by the respective trainee.
- The trainees attending initial training at the Academy enter into fixed-term employment with the Academy for the duration of the training, until its successful completion and election as judge or public prosecutor.
- Taking examinations upon completion of each phase of instruction.
- After the completion of the initial training and obtaining of the status candidate for judge or public prosecutor, until the moment of the election as judge or public prosecutor, the candidate is referred to the court or to the public prosecutor’s office, respectively, where he/she had attends the second phase of initial training, for the purpose of practicing the judicial or prosecutorial function under the mentorship of a judge or public prosecutor, according to the programme of the Academy.
- Introduction of mandatory and voluntary continuing training.
- Securing of budgetary resources in the amount needed for financing the initial and the mandatory continuing training.

These innovations were introduced as a result of the consistent implementation of the recommendations contained in the 2007, 2008 and 2009 Reports of the European Commission on monitoring the progress of the Republic of Macedonia, the March 2008 Report from the Assessment Mission of the European Commission, the two assessment reports by the assessment expert of the CARDS Project (October 2007 and September 2008), as well as the draft amendments to the Law on the Academy (March 2008) proposed by the EU 2004 CARDS Project (Technical Assistance for Establishment of an Institution for Training of the Judiciary, Phase II).

Similarly, harmonisation was carried out with the existing European and international standards for training contained in the adopted documents, in the conclusions and recommendations of international fora and conferences of the principal networks and most renown international training providers, the documents of the Council of Europe, the European Union, the recommendations and the conclusions from the annual sessions and fora of the European Judicial

¹ On a scale of 5 to 10, 5 being a fail grade (*translator’s note*)

Training Network of the European Union (EJTN), that are aimed at developing the strategy for the future training of judges on a European level.

The Transitional and Final Provisions also stipulate that as of 1st January 2012, an internationally recognised certificate for foreign language command is to be submitted as a condition for enrolment into initial training.

III ACTIVITIES OF THE ACADEMY BODIES

1. THE WORK OF THE MANAGEMENT BOARD OF THE ACADEMY

In the course of 2010, **nine sessions** of the Management Board of the Academy were held, during which issues within the scope of its competence pursuant to the Law and Articles of Association of the Academy were reviewed and decided on, that pertain to the everyday operation of the Academy.

2. THE WORK OF THE PROGRAMME COUNCIL OF THE ACADEMY

In 2010, the Programme Council as an expert body of the Academy, acting with the framework of its competences prescribed by the Law and the Articles of Association of the Academy, held a total of six sessions presided over by the Director of the Academy, which provided direction and established proposals for programmes in the areas of initial and continuing training.

The Programme Council works in continuation towards upgrading and improving the training programmes, teaching methodology and techniques in cooperation with the educators and the mentors, with the new Law on the Academy for Judges and Public Prosecutors awarding the Council broader competences.

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

As a managing body of the Academy, the Director performed in the course of the year 2010 her responsibilities established by the Law and the articles of the Statute of the Academy. She managed, namely, the overall work of the Academy, ensured that the decisions of the Management Board were implemented, submitted proposals for adopting general official acts and reports, prepared and submitted to the Management Board of the Academy the Draft Programme for the Operation of the Academy for 2010, presided over the sessions of the Programme Council, participated, without a right to vote, in the work of the sessions of the Management Board where she submitted reports on the completed activities of the Academy in the periods between two sessions, coordinated the delivery of the initial and the continuing training, represented the Academy in its cooperation with national and international authorities, organisations and projects, and also carried out other assignments necessary for the operation of the Academy and for securing conditions for its everyday normal functioning.

The Director continued also in 2010 her activities as member of the Judicial Budgetary Council, whose sessions she regularly attended and where she made a contribution to the functioning of this body; she also served as member of the Working Group for the drafting of the amendments to the Law on Court Budget; as member of the Working Group for drafting the National Programme

for Approximation of the Acquis of the European Union and for preparing the negotiation positions for membership in the European Union she submitted to the Ministry of Justice of the Republic of Macedonia proposals for revision of the NPAA for the period 2011-2013. She managed the work of the Project Committee of the Academy IPA Project; she was also a member of the Administrative Court IPA Project Committee and of the Working Groups of the IOM Project and the EK Project.

In addition, as a Chairperson of the Working Group for drafting the new Law on the Academy for Judges and Public Prosecutors, the Director participated in the drafting of the text of the Law, and presided over the Working Group established in the Ministry of Justice that prepared the Implementation Action Plan to the new Law on Criminal Proceedings, which was adopted by the Assembly of the Republic of Macedonia on 17th November 2010.

As Chairperson of the Editorial Board of the professional journal of the Academy "IUSTITIA", she coordinated the preparation of its two editions, contributing also two articles to the newsletter, namely, *"Introduction of Opinion No. 12 of the Consultative Council of European Judges (CCJE) on the Relations between Judges and Public Prosecutors, and Preparatory Activities"*, published in May 2010 in the second edition of the professional journal "Iustitia", and *"Macedonia, Host to the First International Conference of the Council of Europe"*, published in November 2010 in the third edition of the professional journal "Iustitia".

The Director of the Academy made a contribution to the development of professional thought through her articles in other professional publications including the 2010 GTZ publication entitled "The Role of Women in the Process of Legal and Economic Reform in Macedonia", where she published the article *"The Role of Women Judges and Public Prosecutors as Guarantors of the Protection of Human Rights and Freedoms in Court Proceedings"*, as well as in the publication of the German Foundation "Conrad Adenauer" entitled "Political Thought", which published her article *"The Establishment of the Academy for Judges and Public Prosecutors and its Activities"*.

In the course of 2010, prosecutors within the framework of the continuing training programme, the Director of the Academy held lectures and made presentations both in front of judges and public, as well as before the candidates for judges and public prosecutors in the initial training programme.

Her introductory presentations made a contribution to all training events, presenting international experts as lecturers; she held regular meetings with international lecturers, with representatives of international organisations, embassies and domestic and foreign projects.

In the year 2010, the Director continued her activities within the Working Group of Consultative Council of European Judges (CCJE) of the Council of Europe, whose member she has been since 2005. The Academy, in cooperation with the Ministry of Justice of the Republic of Macedonia, the Judicial Council of the Republic of Macedonia and the Supreme Court of the Republic of Macedonia, and within the framework of the Macedonian presidency over the Committee of Ministers of the Council of Europe and at the invitation of the Minister of Justice, hosted the 19th Meeting of the Consultative Council of European Judges, which was held from 1st to 3rd June 2010 in Ohrid as well as the international conference under the title "The Role of the Judges in the Enforcement of Court Decisions in the Civil, Administrative and Criminal Areas", which was held on 4th June 2010 in Skopje. In November 2010, the Director took part at the 11th Plenary Session of the Consultative Council of European Judges in Strasbourg, Republic of France, where she was

re-elected as member of the working group for the year 2011 tasked with preparing the opinion on the topic of “Non-materialisation of the Judicial Process”.

As a result of the status of the Academy as observer in the European Judicial Training Network (EJTN), in May 2010 the Director took part in the 13th General Assembly of the EJTN which was held in Madrid, the Kingdom of Spain.

The Director of the Academy for Judges and Public Prosecutors continued the intensive cooperation with the directors of the schools of Croatia, Albania, Serbia, Kosovo, Romania, France and other schools from the region and wider.

The Director of the Academy was part of the Macedonian delegation led by the Minister of Justice of the Republic of Macedonia, which in April 2010 visited the Republic of Slovakia at the invitation of the Minister of Justice of the Republic of Slovakia.

In June 2010, the Director of the Academy led the group comprising the Chairperson of the Judicial Council of the Republic of Macedonia and judges and other representatives of the Supreme Court of the Republic of Macedonia, which visited the European Court of Justice in Luxemburg and met with the President of the ECJ, Mr. Vassilios Skouris.

In September 2010, the Director of the Academy was, as a representative of the Academy, part of the delegation of the Republic of Macedonia which participated in the Seventh Session of the Subcommittee for Justice, Freedom and Security in Brussels, Belgium.

In December 2010, the Director of the Academy for Judges and Public Prosecutors attended the two-day conference organised by the Centre for training and development of the judiciary of the Netherlands (Stichting Studiecentrum Rechtsplgng – SSR), which was held in The Hague, the Kingdom of Netherlands. At the Conference organised for directors and representatives of institutions for judicial training in Europe, the Director presented the organisation and competence of the Academy for Judges and Public Prosecutors, as well as the results achieved so far; the event had the objective of facilitating exchange of opinions on the development of judicial training institutions so far, by drawing inspiration from past experience, so that more contemporary solutions could be found for creating more efficient education in the future.

The year 2010 represented a wrap-up of the four-year term of office of the Director of the Academy, Judge Aneta Arnaudovska, who by decision of the Management Board of the Academy, on 22nd September 2010, was reappointed to this function with a new four-year term of office.

IV THE WORK AND ACTIVITIES OF THE PROFESSIONAL SERVICE OF THE ACADEMY

The Professional Service of the Academy performed in 2010 all activities and tasks necessary for unimpeded operation of the Academy and for achievement of the goals set in all segments of its operation. In this sense, it provided significant contribution to the implementation of the programmes for initial and continuing training, and expert, technical and logistical support to the commissions for the enrolment examination and for the final examination, support in the

execution of the competences of the bodies of the Academy, support to the educators and the mentors responsible for the educational process, to the organisation of study visits and training events abroad, as well as support to the organisation of welcoming of foreign delegations in the Academy.

V HUMAN RESOURCES

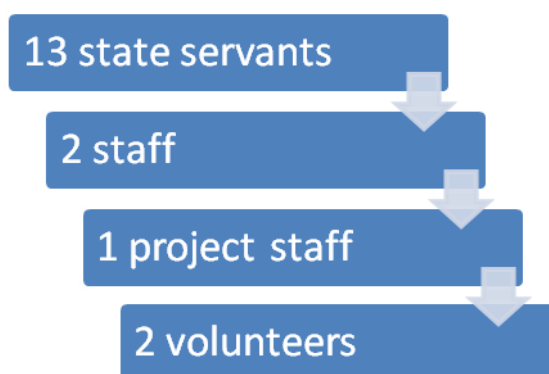
In 2010, the Academy staff consisted of, in addition to the Director, a total of 18 persons, of whom 15 in permanent employment (13 state servants and two persons employed pursuant to the Law on Employment), one engaged on a project and two volunteers.

Of the total of seven positions established and requested pursuant to the NPAA of the Government of the Republic of Macedonia in 2010, the Academy received permission from the Ministry of Finance for only one temporary employment position, which was also filled, namely:

- Senior associate for library work and legal browsing/search.

Thus, the last temporary employment in the Academy was transformed into a permanent employment relation.

The graphic representation of the employee structure in Academy is as follows:



As can be seen from the above data, staffing has so far been implemented in accordance with the NPAA, and there are no persons hired through temporary placement agencies. Thus, the Academy has carried out in full the recommendation relating to temporary employment provided by the European Commission in the Report on the Progress of the Republic of Macedonia for 2009.

As regards the professional in-service training of the management structure and the professional service staff, an annual programme was prepared for the training of the management structure and of the staff at the Academy in different segments from the scope of their operation, with the aim of facilitating performance of work assignments on a highly professional level, which is to be permanently upgraded.

In the course of 2010, the staff attended a total of 18 training events in the areas of labour relations, European Union policies, information technologies, archiving, designing projects, improving management skills of state servants in management positions, public procurement, financial planning, e-governance, etc.

With the aim of completing the internal regulation governing the work of the Academy, internal acts for business operation have been adopted, namely the Code of Business Ethics and Conduct of Staff at the Academy for Training of Judges and Public Prosecutors and the Security Policy for the Information System of the Academy for Training of Judges and Public Prosecutors.

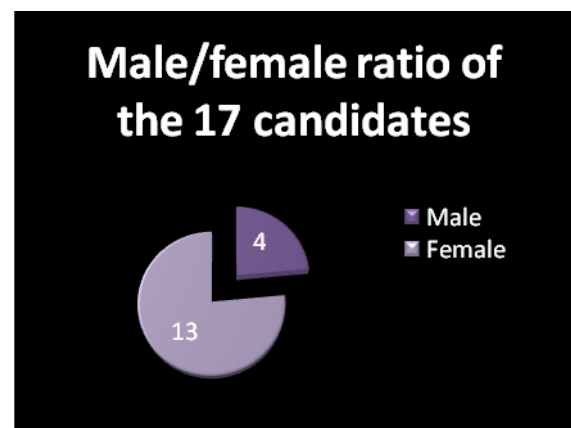
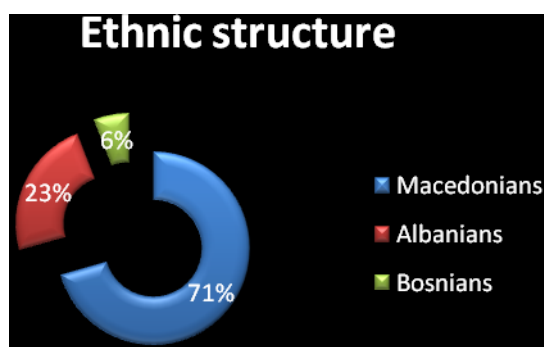
VI INITIAL TRAINING

A) Third Generation of Candidates 2009/2010 – a total of 17 candidates

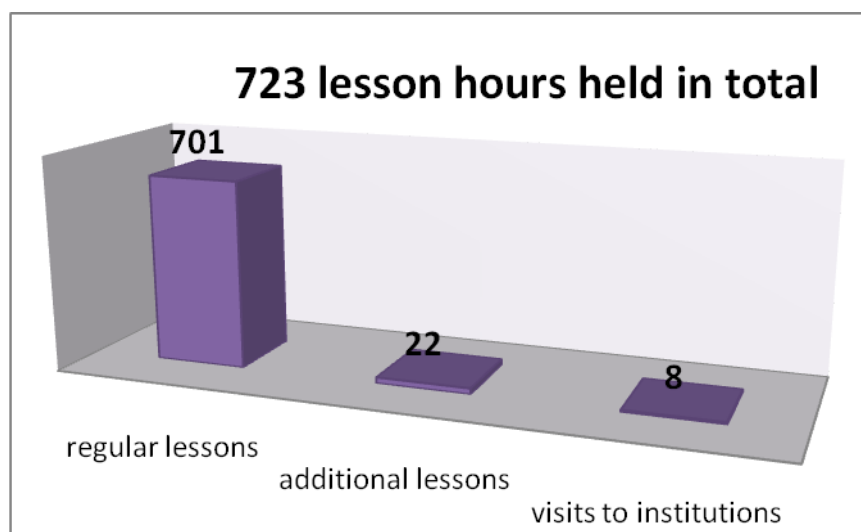
❖ Theoretical instruction

The theoretical instruction for the third generation commenced on 15th September 2009 and ended on 18th February 2010, and was realised in full in accordance with the Programme for Theoretical Instruction 2009/2010.

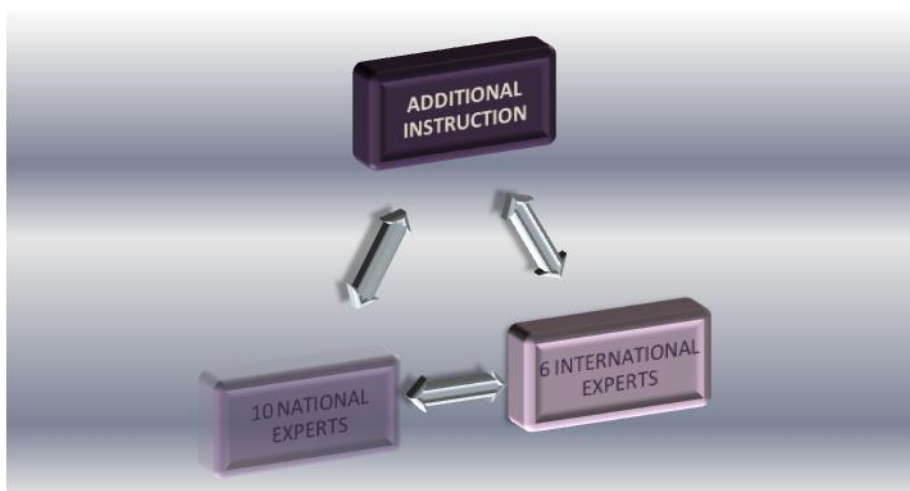
The ethnic and gender structures of the candidates from the third generation are as follows:



The overview of the total number of lessons held in the course of the theoretical instruction shows the following:



Ten national and six international experts held lectures within the framework of additional instruction.



By summarising the results of the other forms of assessment of candidates carried out by the educator teams, the Academy prepared and published a ranking list of the results from the theoretical instruction.

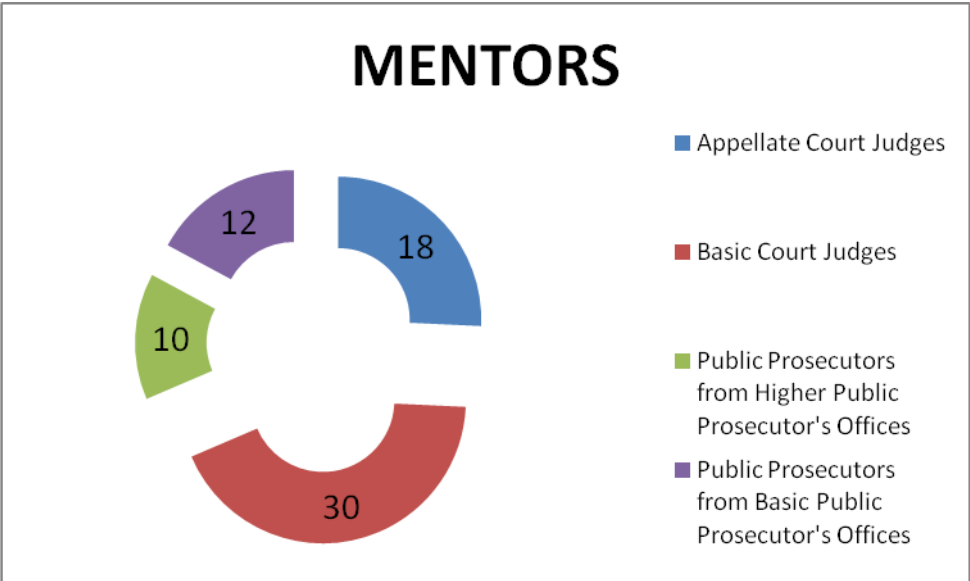
❖ **Practical training**

The realisation of the practical training reached its full implementation in the reporting period as stipulated in the Programme for Initial Training – Practical Training.

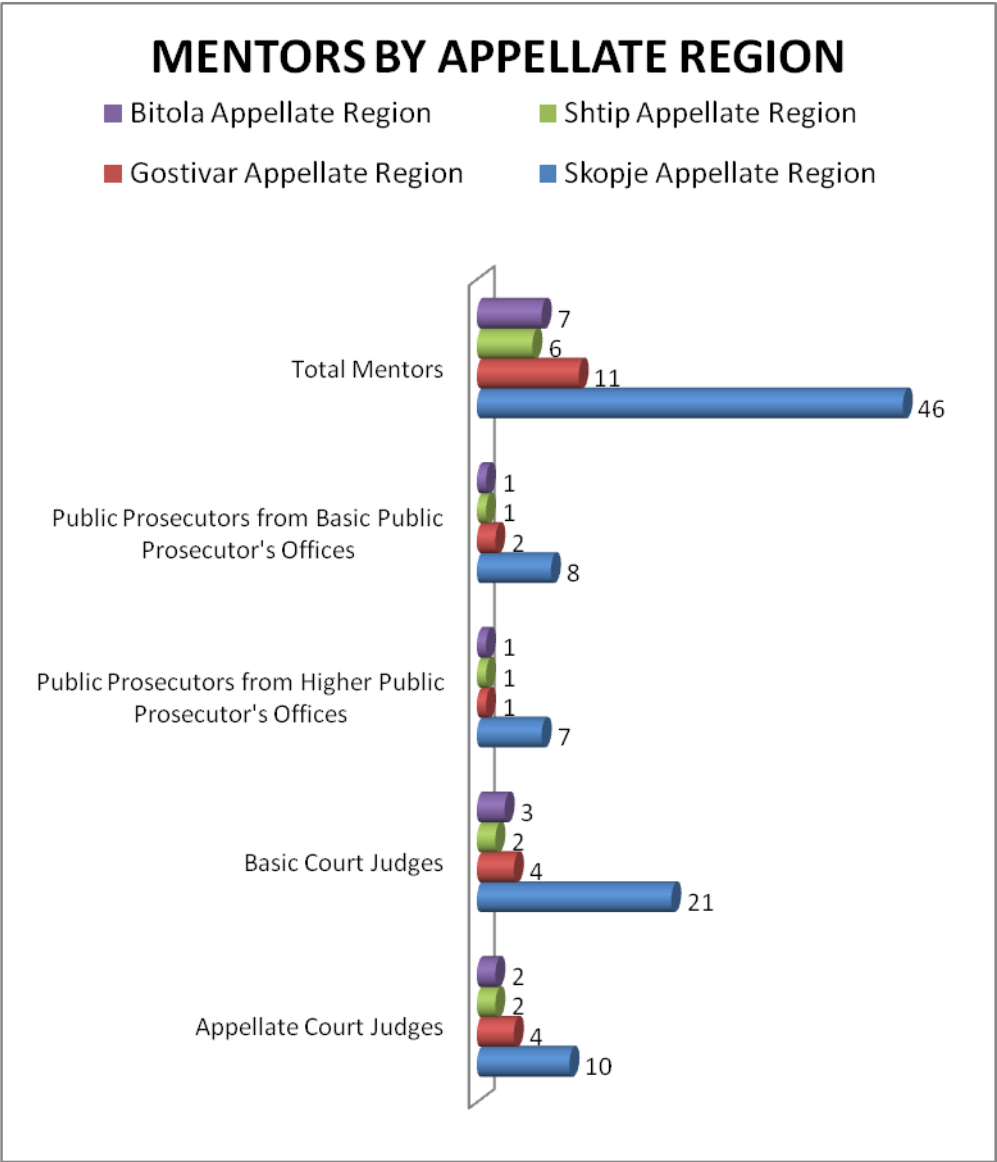
The practical training of the candidates started on 2nd March 2010 and ended on 19th November 2010, as planned in the Programme for Practical Training, after which the candidates had one month at their disposal for the preparation of their final examination. The mentorship for this generation of candidates was also organised according to a regional approach, following the place of origin of the candidates, i.e. the candidates were distributed for practical training in the courts and prosecutor's offices of the four appellate regions (Skopje, Bitola, Shtip and Gostivar). The mentorship for the candidates from the Gostivar Appellate Region was carried out in the Tetovo Basic Court and in the Tetovo Basic Public prosecutor's office due to the number of judges and public prosecutors from all departments necessary for carrying out the instruction according to the programme.

The candidates were allocated to the four appellate regions in accordance with their place of residence and of origin, namely: Skopje – 13 candidates, Bitola – 1 candidate, Shtip – 1 candidate and Gostivar – 2 candidates.

A total of 70 mentors were engaged for the realisation of the practical training, of whom 18 appellate court judges, 30 basic court judges, 10 public prosecutors from the higher public prosecutor's offices and 12 public prosecutors from the basic public prosecutor's offices.



The distribution of mentors by appellate region is as follows:

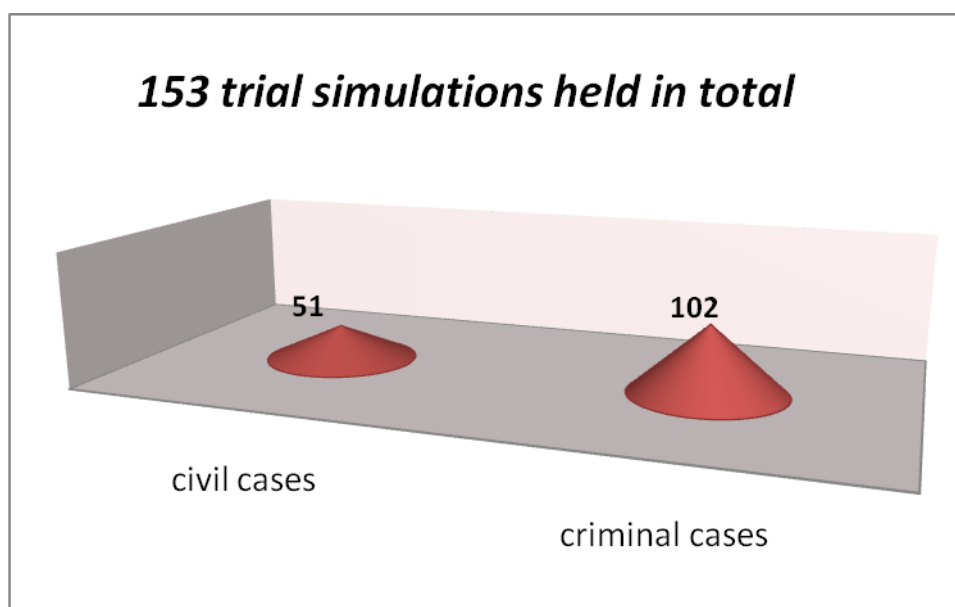


In line with the Programme for Practical Training, the mentorship was carried out in the following manner:

- 10 weeks in a basic court, in all departments from the criminal area,
- 10 weeks in a basic court, in all departments from the civil area,
- 2 weeks in an appellate court, in the criminal area department,
- 2 weeks in an appellate court, in the civil area department,
- 10 weeks in a basic public prosecutor's office,
- 2 weeks in a higher public prosecutor's office.

The candidates were referred for practical work also to other institutions connected with the judicial and prosecutorial function, such as the Ministry of Interior of the Republic of Macedonia – Sector for Criminalistic Technology, the Institute for Forensic Medicine and Criminalistics, penal and correctional institutions, the Centre for Social Work, the Cadastre, etc.

In the course of the practical training, a number of trial simulations were held in all mentorship regions, as follows:



❖ **Final examination**

The written part of the final examination was held on 13th and 14th December 2010, in the form of write up of a ruling in a criminal or civil case and write up of an indictment. The second component of the final examination, in the form of a civil and criminal trial simulation, was held on 15th and 16th December, and the oral part of the examination was held on 20th December 2010, after which the Commission summarised the points from all three components of the final examination (the written part, the trial simulation and the oral part), thus establishing the general score from the final examination for each candidate individually.

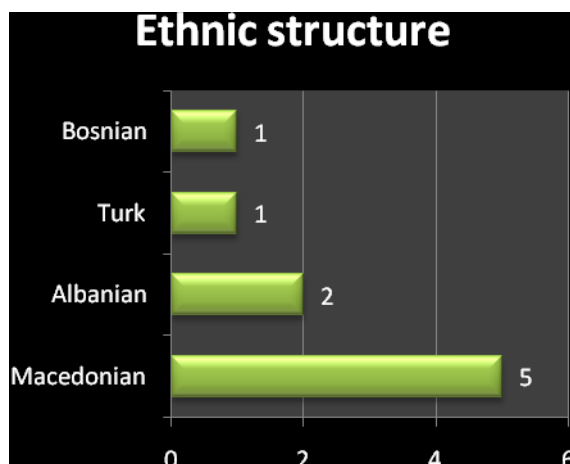
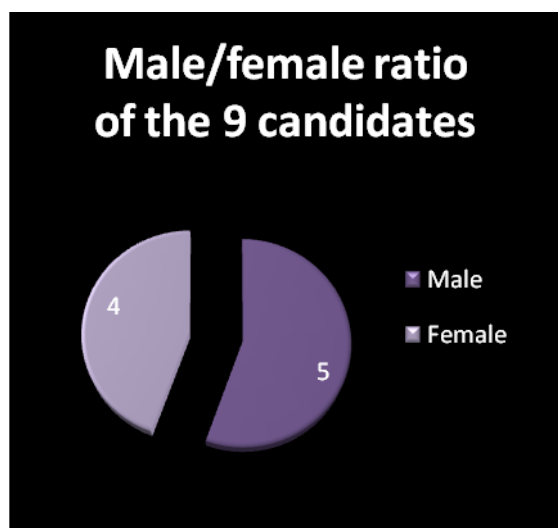
On 28th December 2010, the Commission summarised the overall results of the candidates in initial training and published the results in the form of a ranking list, according to which all 17 candidates of the third generation successfully completed their initial training.

B) The fourth generation of candidates 2010/2011 – nine candidates in total

On 4th May 2010 the Academy issued a public announcement for the enrolment of the fourth generation of the candidates for initial training. A total of 62 interested candidates applied to the announcement, of whom nine were accepted for enrolment in initial training, in line with the number of vacant judicial and prosecutorial positions announced by the Judicial Council and Council of Public Prosecutors.

To aid their preparedness for taking the entry examination, and in line with the implementation of the principle of just and fair representation, the Academy organised preparatory instruction for all candidates applying to the announcement, organised in the form of a one-day seminar covering the introduction of the applying candidates to the work of the Academy and a simulation of the qualification test and of the entry examination was also carried out.

The gender and the ethnic structures of the **fourth generation** of candidates are as follows:

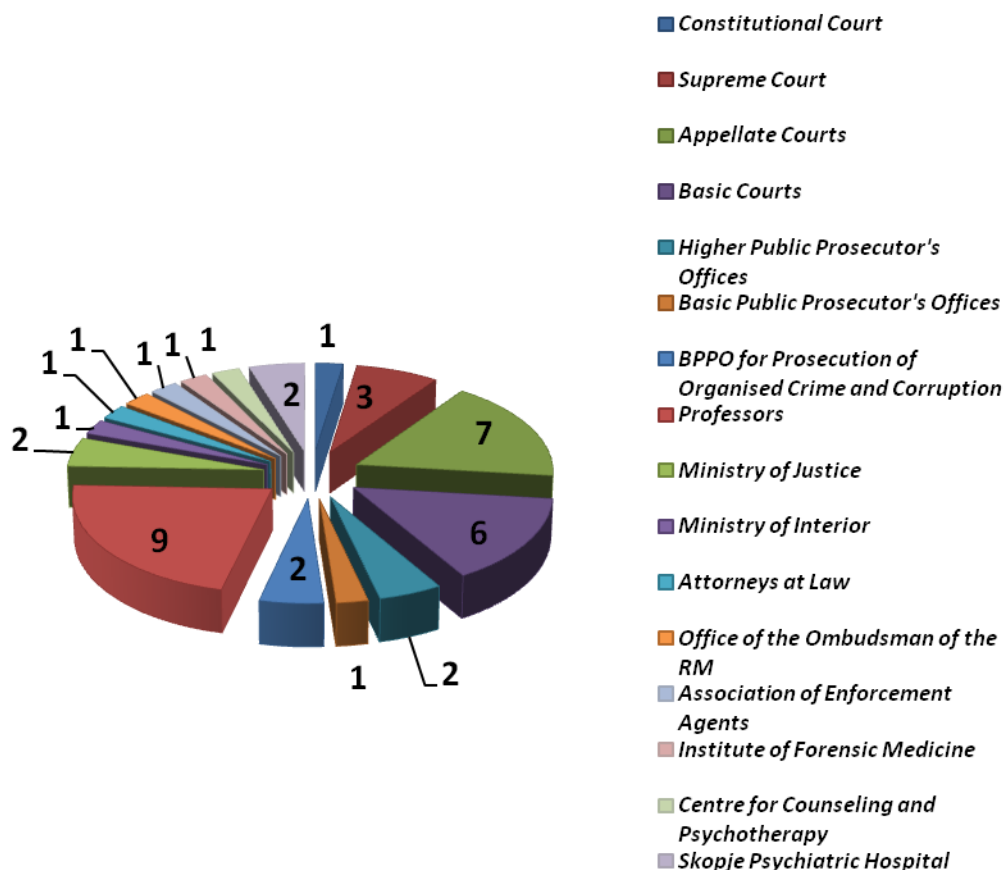


The theoretical instruction for the fourth generation commenced on 15th September 2010 and will be carried out in a 15 month period.

EDUCATORS IN THE INITIAL TRAINING

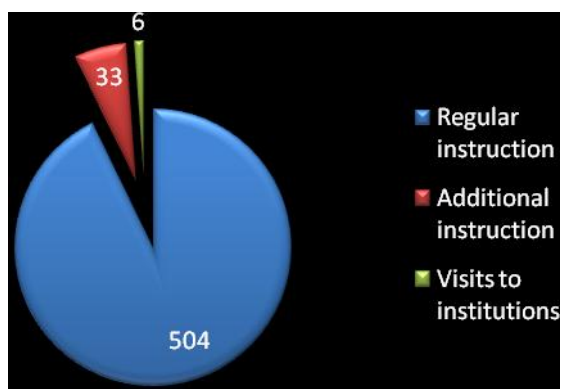
For the purpose of implementing the theoretical instruction in initial training, a total of 41 educators were selected from the list of permanent educators of the Academy, with the following structure:

EDUCATORS IN THE INITIAL TRAINING PROGRAMME

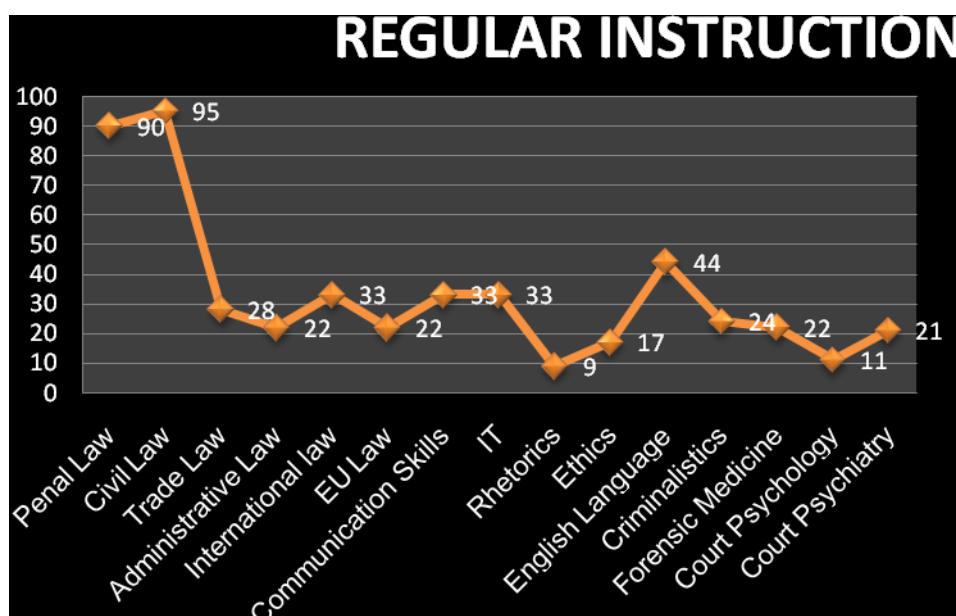


As part of the theoretical instruction, in the period from 15th September 2010 until 31st December 2010 a total of 537 lessons were held, of which 504 regular and 33 additional lessons. In addition, six visits to the following institutions were carried out, namely to the Skopje 1 and Skopje 2 Basic Courts, the Institute for Forensic Medicine and Criminalistics, the Central Register of the Republic of Macedonia, the Department for Criminalistic Techniques at the Ministry of Interior of the Republic of Macedonia and a public notary office.

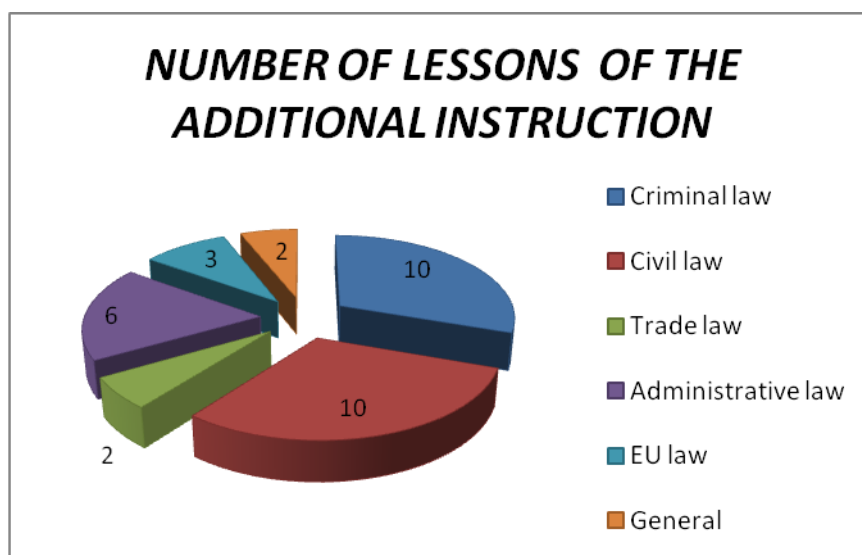
The following is a graphic representation of the lessons held within the framework of the theoretical instruction:



The number of regular lessons by subject is as follows:



The following is an overview of the number of lessons within the additional instruction:



For the realisation of the additional instruction, 20 experts were co-opted, of whom 12 were national experts and 8 international experts.



With the aim of ensuring professional and efficient performance of the judicial/prosecutorial function, educators with different profiles were engaged to realise the programme for initial training, both national and international; in addition to judges and public prosecutors from all instances, professors from the faculties of law and from other faculties were included, along with state servants from the Ministry of Justice dealing with the judiciary and with international cooperation, as well as others from the government sector, attorneys at law, State Attorney Deputies, the Ombudsman and representatives of other state authorities and institutions and others, such as psychologists, psychiatrists, forensic medicine doctors, computer crime experts, expert witnesses, IT-experts, foreign language experts, economists, journalists, representatives of NGOs dealing with issues in the area of human rights protection, especially in the area of protection of victims and vulnerable categories, domestic violence, non-discrimination and similar, public notaries, enforcement agents, mediators, etc.

VII CONTINUING TRAINING

THE CONTENT OF THE TRAINING EVENTS

One of the measures and activities planned towards the realisation of the main priorities for accession to the EU is also the realisation of the plan for continuing training of judges and public prosecutors, an activity that the Academy is implementing in continuation, offering to the judges and public prosecutors training events that cover issues and topics in the area of their speciality, and that follow the latest changes in the national legislation, as well as the latest developments and changes in the legislation and practices of the institutions and bodies of the European Union and Council of Europe. Needless to say, special emphasis was placed on training events in areas and topics indicated within the Accession Partnership process as priorities for the process of harmonisation of the legislation with the *acquis*, which were also planned with the National

Programme for Approximation of the Acquis of the EU (NPAA) for 2010, with a special focus on training events in the following areas: implementation of the Law on Misdemeanours (in cooperation with the Ministry of Justice), evaluation of judges and public prosecutors, training events on the changes in the Criminal Code and the new Law on Criminal Proceedings, training events on combating organised crime and corruption and financial crime, on application of special investigation measures, on conflict of interests, on the application of the Law on Free Access to Public Information, on the application of the European Convention on Human Rights, on special areas of EU Law, training events on strengthening the capacities of the judiciary for business environment, etc.

The continuing training of judges and public prosecutors was carried out in line with the Framework Programme for Continuing Professional In-service Training of Judges and Public Prosecutors for the years 2009/2010 and the detailed quarterly calendars (January-March 2010, April-July 2010 and September-December 2010), thus realising in full the stated two-year programme.

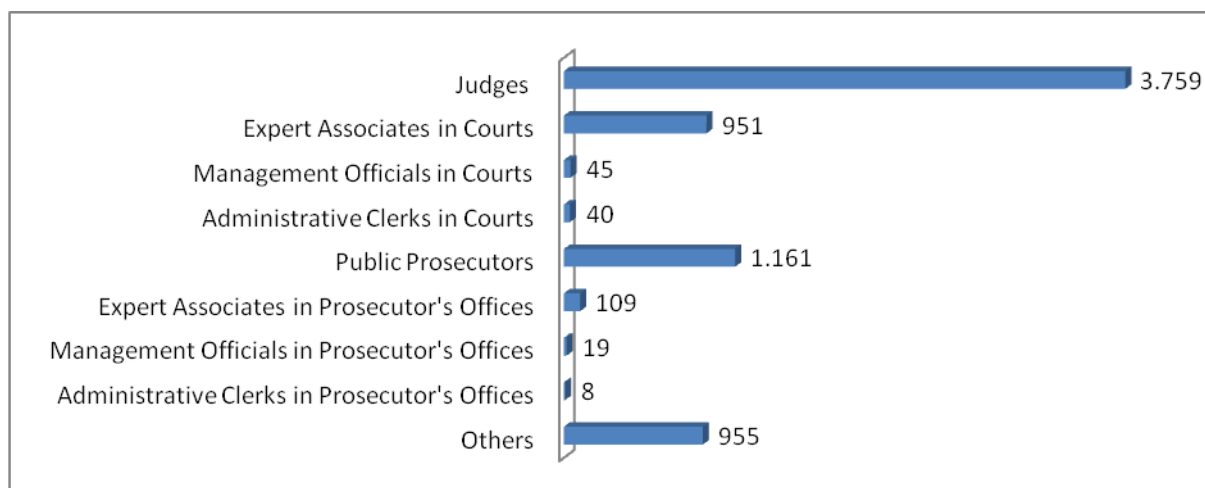
NUMBER OF TRAINING EVENTS IN THE REPORTING PERIOD



In the period between 1st January 2010 and 31st December 2010, the Academy organised and realised a total of 242 training events, with 2043 hours spent in training, which were attended by 7047 participants, of whom 3759 judges, 1161 prosecutors, 951 court associates, 109 expert associates from prosecutor's offices, 45 management officials from the judiciary, 19 management officials from the prosecutor's offices, 40 administrative court clerks, 8 administrative clerks from

the prosecutor's offices and 955 other participants employed in ministries or other domestic institutions, organisations, the non-governmental sector, all of whom work in areas related to the theme of the training, and who attended at the invitation of the Academy.

STRUCTURE OF THE TARGET GROUPS



ORGANISATION OF THE TRAINING EVENTS

From the total of 242 training events realised in the reporting period, 157 training events were organised by the Academy alone, whereas 86 training events were organised by the Academy in cooperation and co-financing with other national and international projects, associations, organisations and institutions.

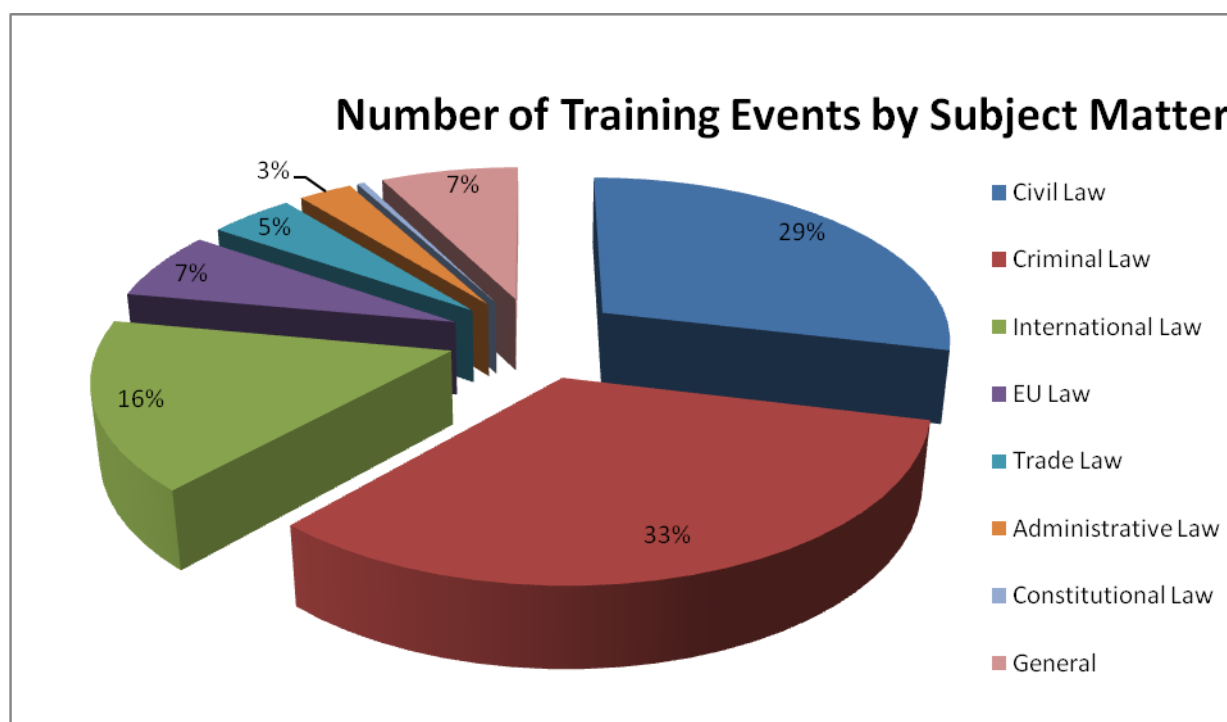
In percentages, the distribution can be graphically represented as follows:



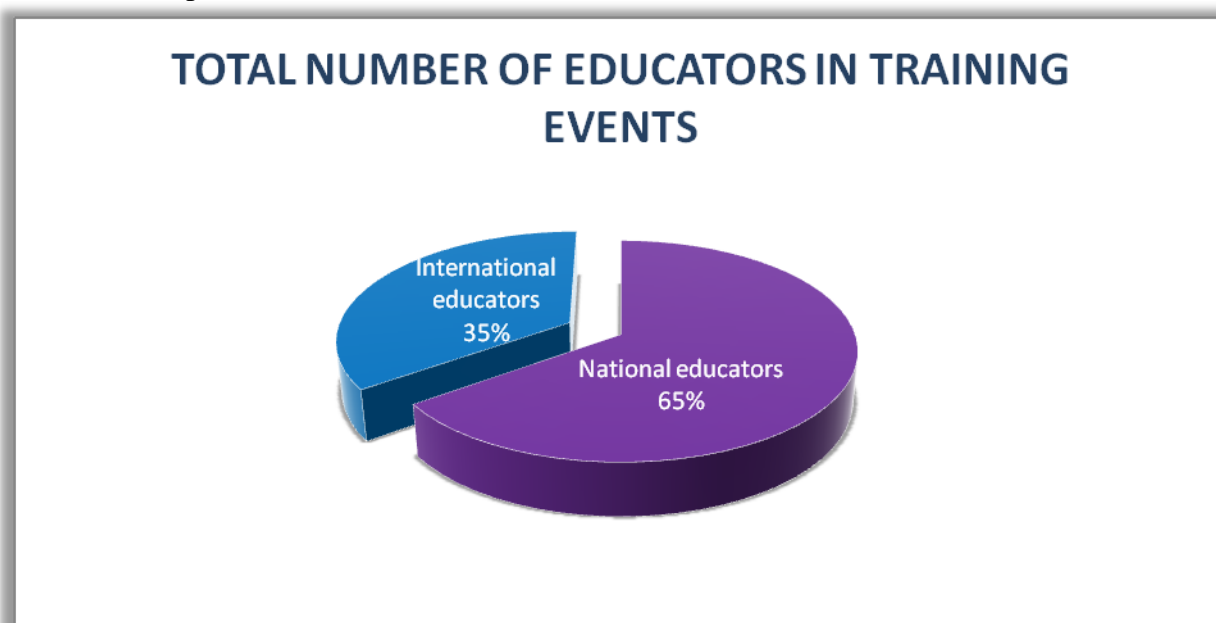
THE CONTENT OF THE TRAINING EVENTS

From the total of 242 training events organised in the reporting period, 69 training events focused on the area of civil law, 81 on the area of criminal law, 39 pertained to the area of international law, 16 training events were devoted to EU law, 11 to trade law, 7 training events focused on administrative law, and 1 training on the area of constitutional law, whereas 18 were general training events.

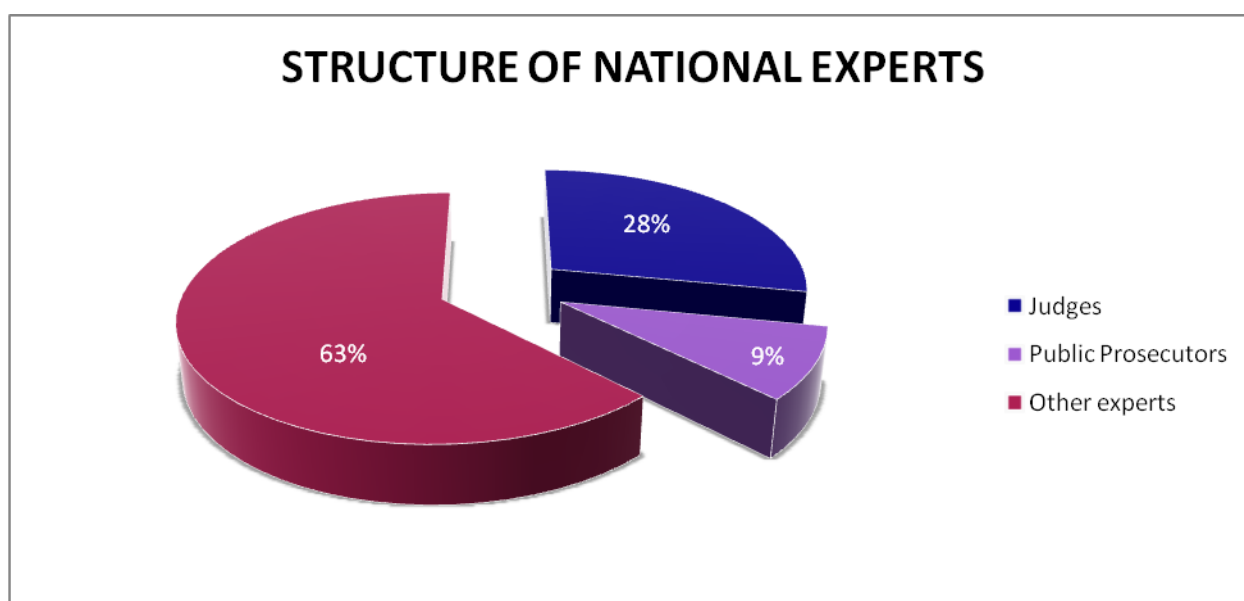
The graphic representation of the structure of the training events is as follows:



A contribution to the successful realisation of the training events carried out in the course of the reporting period was made by a total of 277 educators, of whom 95 were international experts and 182 national experts.



Of the national experts, **51 were judges, 19 public prosecutors and 112 were other miscellaneous experts**, in line with the topic that was covered in the respective training events, such as, for example, experts from respective ministries, institutes, directorates or other respective state authorities, institutions and organisations, especially those with whom the Academy fulfils in partnership commitments for training events pursuant to the NPAA (primarily the Ministry of Justice, the Ministry of Finance, the Ministry of Interior of the RM, the Ministry of Labour and Social Policy, the Ministry Of Economy, the State Institute for Industrial Property, the Real Estate Cadastre Agency, the Ombudsman, the State Attorney's Office, the Stock Market, the Centre for Social Work, experts from the non-governmental sector, retired judges, professors, teaching assistants, attorneys at law, public notaries, enforcement agents, expert witnesses, psychiatrists and many others, having a profile necessary for the specific training).



1. METHODOLOGY, TARGET GROUPS AND CONTENT OF THE PROGRAMME FOR CONTINUING TRAINING

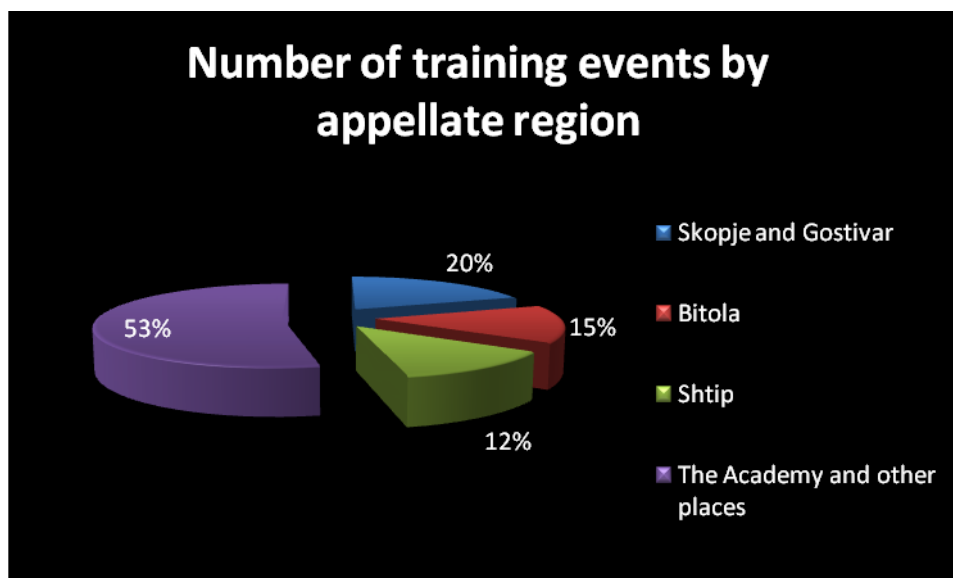
DECENTRALISED SYSTEM OF TRAINING

From the start of its operation, the Academy has been developing a system of decentralised training, which has received broad support from all target groups in the regions. Some training events have, namely, been carried out, in addition to the Academy premises, also in the premises of the Appellate Courts in Bitola and Shtip.

Given the small number of participants, the training events for the members of the target groups from the Gostivar Appellate Region, due to financial viability, are held in the Academy, together with the target groups from the Skopje Appellate Region.

For the sake of better coordination in the realisation of the training events in the regions, the Academy has appointed in each court and in each public prosecutor's office from all instances, as well as in the Ministry of Justice, contact persons responsible for training events, who assist in the preparation of the needs analysis in the respective courts and public prosecutor's offices and

summarise the topics from the individual areas. In addition, the professional service staff from the Academy, according to the work plan and the adopted training events calendar, attends the training events in the regions, provides technical and expert assistance to the presenters, maintains minutes and prepares reports on each training session.



METHODOLOGY AND MODELS OF TRAINING

As regards the teaching methodology and models, the Academy has carried out training events in the form of seminars, workshops, conferences, round-table discussions, debates, using the most contemporary methods and techniques, and focusing on the practical aspect of the instruction.

In regards to the structure of the target groups – training participants, the principle of interdisciplinary training was applied, with participation of the main target groups – judges and public prosecutors, but also of other participants with whom they jointly implement or cooperate with in the implementation of the respective law (Ministry of Interior, Customs Authority, Finance Police Authority, Authority for Prevention of Money Laundering and Financing of Terrorism, Centre for Social Work, misdemeanour commissions of the administration authorities, the Real Estate Cadastre Agency, the Bar Association, the Association of Notaries, the Accusation of Mediators, the Association of Enforcement Agents, the Directorate for Protection of Personal Data, the State Market Inspectorate, the Institute of Forensic Medicine, the Bureau for Court Expertise, etc.).

In relation to the structure of the training events, the principle of organising training events in accordance with the area of work of the judges and public prosecutors continued – criminal law, civil law, trade law, labour disputes, juveniles, the area of fight against organised crime, corruption and the new forms sophisticated crime, followed by training events on international law and EU law, intellectual property, as well as training events on complementary and general topics – mediation, ethics, communication skills, case management, media relations, etc.

SPECIALISED PROGRAMMES

Specialised training of newly elected judges and public prosecutors

The training events for the newly elected judges in the basic courts and the newly elected public prosecutors in the basic public prosecutor's offices was organised according to a particular specialised programme on the basis of which intensive, specially designed training events of several days duration were conducted, with three separate modules reflecting a particularly practical perspective, namely:

- the **Penal Law** Module for 18 participants, of whom 12 newly elected judges and 6 newly elected public prosecutors, with a 45 lesson hour training,
- the **Civil Law** Module for 18 newly elected judges, with 42 lesson hour training,
- the **General Topics** Module, as common training for newly elected judges (38 in total) and newly elected public prosecutors (12 in total), with 20 lesson hour training.

Specialised programme for the Administrative Court

For the judges and advisers of the Administrative Court specialised training was carried out on topics from the areas of town planning and construction, public procurement, entry of the rights to real estate into the real estate cadastre, right to intellectual property, denationalisation, the right of refugees and interim measures in proceedings in front of the Administrative Court.

In addition, in cooperation with IRZ (German Foundation for International Legal Cooperation - Deutsche Stiftung für internationale rechtliche Zusammenarbeit) a seminar on the topic of "Effectiveness of the judicial proceedings in front of the Administrative Court pursuant to Article 6 of the ECHR" was organised as well as a three-day conference on the topic of "Administrative Court proceedings: current problems, comparative experiences and solutions".

Within the framework of the study visits organised abroad, two judges of the Administrative Court attended a workshop on "Competition Law" in Budapest, Hungary, and two judges participated in the training for Macedonian judges in Ljubljana, organised by the Centre for Education of the Judiciary at the Ministry of Justice of the Republic of Slovenia, as part of the IPA "Regional Programme for Industrial and Intellectual Property Rights in the Western Balkans and Turkey".

In the course of the 2011-2012 period, the Academy, as responsible for the component 3 of the IPA Project for the Administrative Court in the part of implementation of the Administrative Court's Training Strategy, will develop and carry out the general and the specialised programmes for training of the judges and the professional staff of the Administrative Court, as well as the programme for training of the court administration and the training of trainers course.

In this way, a contribution will be made towards an improved level of quality of the training events in line with the needs of the judges and towards addressing the dilemmas and issues emanating from their everyday handling of cases of administrative matter.

Specialised programmes for other target groups

Specialised training has been carried out for the presidents of the courts and for the public prosecutors of the public prosecutor's offices, as well as round-table discussions for the judges

from all four appellate courts jointly with the judges from the Supreme Court on harmonisation of the judicial practice on the entire territory of the Republic of Macedonia, both for judges in the criminal departments and judges in the civil departments, for the Council of Public Prosecutors (on the criteria for election, and on evaluation of the work of the public prosecutors), as well as on specific areas of significance for efficient and professional execution of the judicial and public prosecutorial function.

As a result of the successful realisation of the round-tables that had been organised for judges in previous years, the Academy initiated and organised in the first half of 2010 the first round-table discussion for the harmonisation of the public prosecutorial practice on the territory of the Republic of Macedonia for the public prosecutors from all instances, as well as for the members of the Council of Public Prosecutors of the Republic of Macedonia. By the end of the year, two more such meetings were held. In addition, the Academy was the host of the round-table discussion for the Council of Public Prosecutors at which the annual work reports were reviewed together with the public prosecutors from public prosecutor's offices of all instances, as well as of the round-table discussion on criteria for election, promotion and evaluation of the work of the public prosecutors under the current application of the Law on the Public Prosecutor's Office and the Law on the Council of Public Prosecutors, which was open also to the members of the Council of Public Prosecutors of the RM and the public prosecutors from the public prosecutor's offices of all instances from all appellate regions.

INNOVATION IN CONTINUING TRAINING – PREPARATIONS TOWARDS FUTURE SUCCESSFUL IMPLEMENTATION OF NEW LAWS

❖ LAW ON CIVIL PROCEDURE

For the purpose of introducing the judges from all civil departments from all regions to the changes and amendments in the Law on civil procedure, the Academy initiated a new practice of organising fora at which the members of the Working Group at the Ministry of Justice, that had been working on the changes, presented the provisions of the law, after which the summary of the proposals, suggestions and comments by the participating judges and the presenters, as well as the concluding observations adopted at the end of each training session were compiled by the Academy in the form of conclusions and submitted to the Ministry of Justice for review.

Upon the adoption of the Law on Amendments and Supplements to the Law on Litigation Proceedings (Official Gazette of the RM, no. 116 from 1.09.2010), the Academy, in cooperation with the Ministry of Justice and with financial support from USAID/JRIP, carried out further training events, this time with the aim of timely and appropriate preparation of judges from the civil departments of the courts in the Republic on the correct application of the new concept of the civil procedure introduced with the new law. The new concept of litigation proceedings was presented at four training events by 11 presenters of whom two judges of the Supreme Court of the RM, four judges of the Appellate Courts and five judges from the basic courts.

❖ LAW ON CRIMINAL PROCEEDINGS

Bearing in mind the fact that for a successful implementation of the new Law on Criminal Proceedings a timely and comprehensive education of all relevant subjects is of exceptional significance, in accordance with the Action Plan for enforcement of the new Law on Criminal

Proceedings, which contains all activities, deadlines, responsible institutions and partners of the realisation of the activities, the Academy as a responsible institution in the area of conducting training, commenced as early as the stage of drafting the Law the carrying out of the activities.

After the selection of 25 future trainers coming from among the members of the working groups that drafted the text of the Law, judges, public prosecutors and representatives of the Ministry of Justice, the Ministry of Interior, the Finance Police Authority, the Authority for Prevention of Money Laundering and Financing of Terrorism, the Customs Authority and the Bar Association, as well as professors from the Skopje Law Faculty, the Academy and the Ministry of Justice, in cooperation with and financial support from the World Bank Project in the Ministry of Justice commenced the delivery of intensive training of future trainers – technical and thematical.

In addition, the Academy implemented in cooperation with and financial support from the OSCE Monitoring Mission in Skopje the Project **Developing Training Modules Devoted to the Innovations in the Criminal Code and the new Law on Criminal Proceedings** on the topic of “**Expanded Confiscation and Special Investigation Measures**”. For this purpose working groups were established from the future trainers that prepared, in accordance with the respective modules:

- Manuals presenting the new concepts of criminal proceedings from a practical and comparative perspective with special emphasis on the following topics:
 - Prior proceedings – detection and reporting, evidentiary means and special investigation measures.
 - Investigation proceedings.
 - Main hearing with reference to direct and indirect cross-examination.
 - Accelerated proceedings with special reference to settlement between the public prosecutor and the defendant.
 - The role of the attorneys at law pursuant to the new Law on Criminal Proceedings.
- Manual for confiscation of property, which will thoroughly and practically elaborate the new articles of the Criminal Code pertaining to confiscation of property (confiscation by a third party, expanded confiscation, illegal acquiring of property). The Academy will use this manual as reference material for development and delivery of initial and continuing training on this topic.
- Training Materials on the topic of confiscation of property.

In light of the significant structural reforms introduced in the area of work of the authorities in line with the new Law on Criminal Proceedings, as well as of the huge target group that needed to be trained so that the respective Law could be successfully implemented, the roster of trainers was increased from the current 25 trainers by adding additional trainers from within target groups that had completed the basic train the training courses.

In the period since the beginning of 2010, the Academy carried out **eight training events dedicated to the new Law on Criminal Proceedings, with a total of 106 lesson hours**, with the active participation of a total of **258 participants, of whom 63 judges, 74 public prosecutors, 6 expert associates from prosecutor’s offices, 3 representatives of the Academy, 9 representatives of the Ministry of Justice, 19 representatives of the Ministry of Interior, 19 university professors, 32 attorneys at law, 6 members of the Council of Public Prosecutors, 10 representatives of the Customs Authority, 11 representatives of the Finance Police and 6 foreign guests; three** training events were devoted to training trainers for the new Law on Criminal Proceedings. In addition, in the course of the reporting period two study visits were

carried out for the future trainers on the new Law on Criminal Proceedings, one to the Republic of Croatia and one to the Republic of Italy, attended by a total of 15 future educators on the new Law on Criminal Proceedings.

❖ TRAINING ON THE MOST SIGNIFICANT AMENDMENTS TO THE CRIMINAL CODE

Special significance is given to the **30 training events**, carried out since the beginning of the year, devoted to the innovations in the Criminal Code that entered into force on 22nd March 2010, which encompassed **305** lesson hours in total and which were attended by a total of **855** participants, namely:

- eleven training events focusing on expanded confiscation, unlawful acquiring of property and liability of legal entities, with duration of 106 lesson hours in total, attended by 337 participants, of whom 99 judges, 1 management court official, 26 expert associates from courts, 151 public prosecutors, 9 expert associates from prosecutor's offices, 51 other representatives of relevant institutions, at the invitation of the Academy; of these events one was held as part of the World Bank Project at the Ministry of Justice, two two-day workshops and one one-day workshop on the topic of "Unlawful acquisition of wealth and expanded confiscation", organised in cooperation with the Association of Public Prosecutors of the Republic of Macedonia and the Project of the Government of the RM on anticorruption and in collaboration with and with financial support from the British Embassy;
- five training events devoted to Fight against Computer Crime, with 41 lesson hours in total, attended by a total of 134 participants, of whom 62 judges, 10 expert associates from courts, 3 administrative clerks from courts, 52 public prosecutors, 1 expert associate from a prosecutor's office and 6 other representatives of relevant institutions, at the invitation of the Academy; of them one was held as part of the World Bank Project at the Ministry of Justice;
- nine training events on Torture and Human Trafficking, with 130 lesson hours, which were attended by a total of 220 participants, of whom 14 judges, 29 prosecutors and 177 other representatives of relevant institutions, at the invitation of the Academy; of them one was held jointly with the World Bank Project at the Ministry of Justice, and the remaining eight with IOM – the International Organisation for Migration;
- one training was held on the topic of Active and passive bribe of national and foreign arbitrators, through the concept of persons in official capacity as per Article 122 of the Criminal Code as harmonised with the Penal Convention on Corruption with the Additional Protocol and the Civil Convention on Corruption of the Council of Europe, with a six lesson hour duration, which was attended by 20 participants, of whom 15 judges, 2 expert associates from courts, 2 public prosecutors and 1 representative of the Ministry of Justice;
- two training events on the concept of the new provisions as per Article 215 para 2 of the Criminal Code, narcotic drugs, psychotropic substances and precursors in lesser quantities, in cooperation with the Association of Public Prosecutors of the Republic of Macedonia and with financial support from OPDAT, with duration of 13 lesson hours, attended by a total of 70 participants, of whom 13 judges, 40 public prosecutors, 6 expert associates from prosecutor's offices and 11 other representatives of relevant institutions, at the invitation of the Academy;
- one training event on Conspiracy to Defraud - Concept, features and application of special investigation measures, in cooperation with the Association of Public Prosecutors of the

- Republic of Macedonia and with financial support from OPDAT and OSCE, with five hour duration, attended by 40 participants, of whom 4 judges, 31 public prosecutor, 3 members of the Judicial Council and 1 foreign guest, at the invitation of the Academy;
- one round-table discussion on harmonisation of the Annual report with the amendments in the Criminal Code, the Law on Criminal Proceedings and the Law on Juvenile Justice, organised for the members of the Council of Public Prosecutors of the RM, the Public Prosecutor of the RM and the basic public prosecutor's offices from all appellate regions, with four lesson hour duration, attended by 34 participants, of whom 32 public prosecutors and 2 expert associates from prosecutor's offices.

The training events were attended, in addition to judges and public prosecutors, also by other representatives of relevant institutions which apply the Criminal Code in their everyday work.

❖ **FIGHT AGAINST ORGANISED CRIME AND CORRUPTION**

The held training events covering the issue of organised crime and corruption were of special importance both for the overall judicial system, and also for the Republic of Macedonia in general. In the course of 2010, namely, a total of **20** training events were held in relation to this issue, with **212** lesson hours in total, attended by a total of **518** participants, as follows:

- eight training events devoted to the fight against organised crime and corruption with a total duration of 65 lesson hours, with 202 participants, of whom 77 judges, 23 expert associates from courts, 86 public prosecutors, 5 expert associates from prosecutor's offices, 11 other representatives of relevant institutions, at the invitation of the Academy;
- nine training events dedicated to the fight against human trafficking, having a total duration of 130 lesson hours, attended by 220 participants, of whom 14 judges, 29 prosecutors and 177 other representatives of relevant institutions, at the invitation of the Academy;
- three training events devoted to the fight against drug trafficking, with a duration of 17 lesson hours, attended by 96 participants in total, of whom 39 judges, 22 expert associates from courts, 28 public prosecutors, 7 expert associates from prosecutor's offices.

❖ **TRAINING FOR THE MISDEMEANOUR COMMISSIONS OF THE ADMINISTRATIVE AUTHORITIES**

Special attention was devoted to the training focused on misdemeanour proceedings in front of misdemeanour authorities, that was organised for the presidents and the members of the commissions deciding upon misdemeanour offences at all misdemeanour authorities, as well as misdemeanour judges and judges of the Administrative Court handling misdemeanour cases. These training events were carried out in cooperation with the Ministry of Justice and the World Bank Project at the Ministry of Justice.

Starting from the end of October 2008 until the end of the reporting period – the end of 2009, 25 training events were realised, attended by 591 participants. Within the framework of these 25 training events, one national and one regional conference were held.

Through a Decision of the Government of the RM, the need was established to continue the training for the members of the misdemeanour commissions. To this end, an extension of the Project was granted until 30th June 2010, and in the course of 2010 six additional workshops were

organised, with the participation of 121 members of the misdemeanour commissions of the Customs Authority of the RM, of the Ministry of Transport and Communications of the RM, of the Ministry of Education and Science of the RM, of the Ministry of Agriculture of the RM and of the misdemeanour commissions of the Directorate for Protection and Rescue and the Postal Agency of the RM.

In addition, training was held in December focused on the practical application of the Law on Misdemeanours for the judges and advisers handling misdemeanour cases.

❖ **TRAINING ON SPECIFIC ARTICLES OF THE EUROPEAN CONVENTION ON HUMAN RIGHTS**

In the course of 2010, the Academy organised four consultations dedicated to specific articles of the European Convention on Human Rights:

- application of Article 6 of the European Convention on Human Rights from the viewpoint of civil law, a consultation with 30 participants, of whom 26 judges and 4 representatives of other institutions.
- application of Article 5 of the European Convention on Human Rights, a consultation with 28 participants, of whom 10 judges, 14 prosecutors, one representative advisers from the judiciary and the prosecution each, and 2 representatives of other institutions.
- speed and quality of court decisions – effectiveness of judicial proceedings before the Administrative Court pursuant to Article 6 of the ECHR, a consultation organised for the judges and advisers of the Administrative Court, at which 25 participants took part, of whom 13 judges and 12 advisers.
- speed and quality of court decisions – effectiveness of judicial proceedings before the Administrative Court pursuant to Article 6 of the ECHR, a consultation organised for the three generations attending initial training at the Academy, with a total of 21 participants.

❖ **TRAINING ON EU LAW**

During the reporting period, the Academy delivered a total of 178 lesson hours of training devoted to EU law within 16 training events, that were attended by 641 participants overall, of whom 405 judges, 67 expert associates from courts, 59 public prosecutors, 18 management officials from prosecutor's offices, 1 expert associate from a public prosecutor's office and 91 other representative of relevant institutions, at the invitation of the Academy. The training events elaborated the following topics:

- Domestic legislation on consumer protection and contractual consumer law.
- EU Directives on consumer contracts and their transposition into Macedonian legislation.
- International symposium on enforcement and protection of intellectual property rights.
- European Union trade law and its implementation into Macedonian legislation.
- Basic concepts of the right to protection of competitiveness in the European Union and the Republic of Macedonia.
- Workshop on internal market – the patent law of the Union.
- Proceedings before the European Court of Justice – European Union law.
- International private law act.
- Intellectual property (EU law).
- Confiscation of property acquired on grounds of a criminal offence (EU law).
- Victim protection in criminal proceedings.
- Environment protection.

- Judicial cooperation in civil and criminal cases (EU law).
- Two training events for trainers in EU law.
- European standards for consumer protection and their influence over domestic law.

❖ **TRAINING EVENTS ON INTELLECTUAL PROPERTY RIGHT**

In line with the commitments assumed in the NPAA 2010, and within the framework of the Programme for continuing training of judges and public prosecutors, the Academy realised 18 training events dedicated to different aspects of the protection of intellectual property rights, (protection in the administrative court, in misdemeanour law, criminal law and in civil law) and promotion of the European and international standards for the protection of these rights, with a total of 150 lesson hours of training, and with participation of 473 partakers, of whom **405 participants from the judiciary**: 261 judges, 70 public prosecutors, 3 advisers, 65 court associates, 5 expert associates from prosecutor's offices, 1 associate from the Academy and **68 participants from other institutions** (17 representatives of the State Market Inspectorate, 33 representatives of the Customs Authority of the Republic of Macedonia, 1 representative of the Secretariat for European Affairs, 2 representatives of the State Institute for Industrial Property and 15 other participants).

In addition, the first or basic level of "Training of intellectual property rights trainers" was organised, covering 15 participants: 11 judges, 3 public prosecutors and 1 representative of the State Institute for Industrial Property.

❖ **OTHER TRAINING EVENTS DEVOTED TO TOPICS FROM THE LEGISLATION HARMONISED WITH THE EU AND TO INTERNATIONAL LEGISLATION OF IMPORTANCE FOR THE IMPLEMENTATION OF JUDICIAL REFORMS**

- five training events devoted to non-discrimination, attended by a total of 186 participants (75 judges, 1 management official from a court, 47 expert associates from courts, 42 prosecutors, 4 expert associates from prosecutor's offices and 17 other participants invited by the Academy, who deal with issues related to the training content);
- one specialised training session on public procurement in relation to collecting offers, organised for public prosecutors, at which 25 public prosecutors took active part;
- four training events focused on the practical application of the Law on Juvenile Justice with 91 participants in total (28 judges, 18 expert associates from courts, 29 prosecutors, 8 expert associates from prosecutor's offices and 8 other participants invited by the Academy, who deal with issues related to the training content);
- two training events aimed at improving the legal culture – open judiciary, citizen's access to justice, free legal aid and the role of court staff in creating the public image, attended by 45 participants (2 judges, 5 management officials from courts, 24 expert associates from courts, 5 administrative clerks from courts, 7 expert associates from prosecutor's offices and 2 administrative clerks from prosecutor's offices);
- two training events devoted to the protection of personal data, of which one specialised for judges and advisers of the Administrative Court. A total of 39 participants took part in both training events (16 judges, 2 management officials from courts, 7 expert associates from courts, 6 prosecutors and 8 other participants invited by the Academy, who deal with issues related to the training content);
- four training events focusing on the criminal and civil aspects of domestic violence, attended by 113 participants (76 judges, 3 expert associates from courts, 30 prosecutors, 1

- management official from a prosecutor's office and 3 other participants invited by the Academy, who deal with issues related to the training content);
- one training session in the area of asylum and migration for judges and advisers of the Administrative Court and for misdemeanour judges, attended by a total of 60 participants (6 judges, 13 advisers from courts, 2 prosecutors and 42 other participants invited by the Academy, who deal with issues related to the training content);
- one training session focusing on criminal offences related to sexual abuse and violence against children, attended by 29 participants (19 judges, 7 expert associates from courts and 3 prosecutors); etc.

ADOPTION OF THE GENERAL PROGRAMME FOR CONTINUING TRAINING FOR THE PERIOD 2011-2012

The Academy, following a previous research and analysis of opinions and needs of judges, public prosecutors and other users of its services, designed and adopted the General programme for continuing training of judges and public prosecutors for the period 2011-2012. The annual reports for the work of courts and public prosecutor's offices of all instances were taken as basis for the creation of the content and the teaching methodology, taking into account also case flow, areas with greatest backlog, and areas with largest and most frequent violations of procedural and substantive law. The annual reports of the higher courts provided special focus on areas where rulings have been quashed and reversed most frequently, so that the training can address these sensitive areas. The Judicial Council of the RM and the Council of Public Prosecutors of the RM were requested, on the basis of their insight into the annual reports of courts or prosecutor's offices, respectively, to identify areas in greatest need of training, (areas which are characterised by the highest number of grievances, applications and violations of the code of ethics and deontology, and by most frequent grounds for discipline liability of judges and public prosecutors), and the basis thereof to submit their suggestions. In addition, the commitments emanating from the NPAA (National Programme for Adoption of the Acquis of the European Union) were taken into account, the goals and priorities of the Republic of Macedonia for membership in the European Union, the need for harmonisation of the domestic with the international legislation, as well as the need to ensure that judges and prosecutors from the RM implement international standards in their everyday deliberation.

PREPARATION AND PUBLISHING OF THE DETAILED CATALOGUE OF ACTIVITIES WITHIN THE MANDATORY CONTINUING TRAINING OF JUDGES, PUBLIC PROSECUTORS, PRESIDENTS OF COURTS AND PUBLIC PROSECUTORS OF THE PUBLIC PROSECUTOR'S OFFICES FOR THE PERIOD JANUARY-MARCH 2011

Towards the end of 2010, the Academy prepared, in accordance with the General programme for continuing training 2011/2012, a Catalogue of activities within the framework of the mandatory continuing training of judges, public prosecutors, the presidents of courts and the public prosecutors of the public prosecutor's offices for the period January-March 2011, and distributed sufficient copies thereof to all courts and public prosecutor's offices in the Republic of Macedonia so that all judges and public prosecutors have access to it.

ADOPTION OF THE THREE-YEAR PROGRAMME FOR TRAINING OF JUDICIAL AND PUBLIC PROSECUTION ADMINISTRATION

The Academy, in addition to organising and carrying out continuing professional in-service training for judges and public prosecutors, also organises and carries out professional in-service training for the court and prosecution advisers, the court expert staff, the prosecution expert associates, and also for the court and prosecution administrative clerks. Following the example of the training organised for the candidates in the initial training programme, the Academy has commenced organising special training events for advisers from courts in the form of trial simulation and write-up of procedural acts. This target group includes also state servants from the Ministry of Justice responsible for judicial affairs. The Academy has initiated a project for training of court clerks; a comprehensive training programme has been adopted for the coming three-year period. In addition, a suitable programme has also been prepared for prosecution clerks, which will include the same topics as the one for training of court clerks, with the training for both groups being run in parallel.

In this way, the Academy will continually implement the recommendation of the assessment mission, that in addition to judges and prosecutors, the training events should cover also the remaining staff necessary for the proper functioning of courts and prosecutor's offices, an activity already planned in the NPAA 2010.

PREPARATION AND PUBLISHING OF THE DETAILED PLAN FOR TRAINING OF THE COURT AND PROSECUTION CLERKS IN THE PERIOD JANUARY-JUNE 2011

Towards the end of 2010, the Academy, also according to the adopted three-year programme for training of the judicial administration, prepared a plan for training court and prosecution clerks for the period January-June 2011 and distributed it to all courts and public prosecutor's offices in the Republic of Macedonia.

VIII THE COOPERATION WITH NATIONAL AUTHORITIES, ORGANISATIONS AND INSTITUTIONS

The year 2010 saw the Academy continue its successful cooperation with national authorities, organisations and other institutions and associations; thus, and with a view towards realisation of the prioritised planned with the NPAA of the Government of the Republic of Macedonia, the collaboration continued with the Supreme Court of the RM, the Office of the Public Prosecutor of the RM, the Judicial Council of the RM, the Council of Public Prosecutors of the RM, the Ministry of Justice, the Secretariat for European Affairs, the Ministry of Interior, as well as with other ministries, state authorities and institutions. As regards the organisation of joint training events, the Academy continues to collaborate also with the Association of Judges of the Republic of Macedonia, the Association of Public Prosecutors, the Association for Criminal Law and Criminology, the Bar Association, the faculties of law, the Police Academy, the Institute of Forensic Medicine and Criminalistics, the Institute for Industrial Property, the State Commission for Prevention of Corruption, the Directorate for Protection of Personal Data, the respective Chambers of Notaries, Enforcement Agents and of Mediators, with the aim of improving the

knowledge, exchanging experiences and strengthening the cooperation between these target groups and the judges and public prosecutors.

It is especially important to the Academy, to have been, within the framework of cooperation with the national authorities, organisations and institutions, awarded a commendation for the successful cooperation in the area of provision of new knowledge and expertise to customs officials by the Customs Authority of the Republic of Macedonia, on 14th April 2010 on the occasion of the celebration of 18 years of independence, sovereignty and control over the customs area of the Republic of Macedonia .

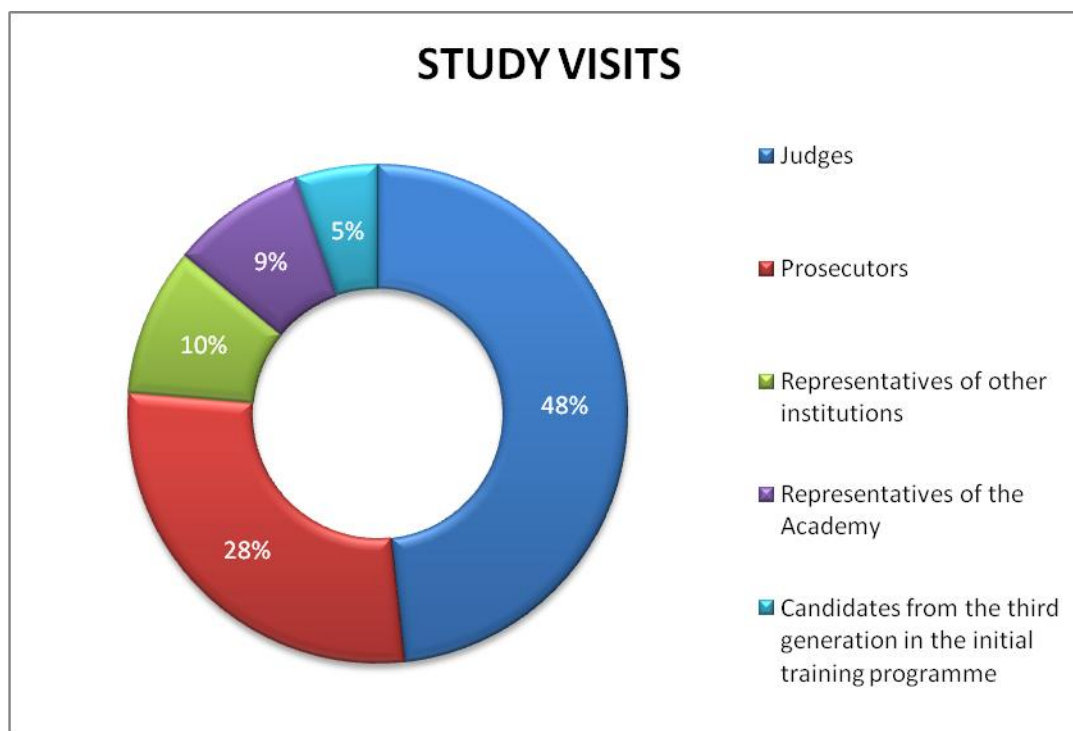
The cooperation continued also in the area of training events organised jointly with NGOs, namely with the Coalition “All for Just Trials”, and the Macedonian association of young lawyers.

IX INTERNATIONAL COOPERATION

In the area of international cooperation, the Academy has been intensively involved in the organisation of training activities within a number of projects, and has intensified the collaboration with the schools for judicial training from other countries in diverse segments; with some of these schools, the collaboration has been officialised through the signing of a memorandum of cooperation.

The practice of involving judges, public prosecutors, candidates for judges and public prosecutors, as well as representatives of various authorities and of the professional service staff of the Academy, the Judicial Council and Council of Public Prosecutors of the Republic of Macedonia in study visits, international training events, exchanges, meetings, workshops and conferences abroad continued.

In the course of 2010, the Academy realised a total of 42 study visits abroad, involving a total of 114 participants, of whom 55 judges, 32 public prosecutors, 11 representatives of other institutions nominated by the Academy, 10 representatives of the Academy and 6 candidates from the third generation in the initial training programme, which expressed in percentages gives the following structure:



STUDY VISITS OF IMPORTANCE FOR THE PROMOTION OF THE JUDICIARY OF THE RM AND ESTABLISHMENT AND PROMOTION OF THE COOPERATION WITH SPECIFIC ACADEMIES AND INTERNATIONAL COURTS AND INSTITUTIONS

❖ STUDY VISIT TO THE EUROPEAN COURT OF HUMAN RIGHTS IN STRASBOURG

In the course of 2010, the Academy organised one visit to the European Court of Human Rights in Strasbourg for a delegation comprising members of the Judicial Council of the RM, the presidents of the four appellate courts in the Republic of Macedonia and the presidents of the two largest basic courts in the RM, the Skopje I Basic Court and the Skopje II Basic Court.

Within the framework of this visit, the delegation met with judges of the European Court of Human Rights and with lawyers from the Registry and from the HUDOC Centre of the European Court of Human Rights, with representatives of the ECRI, and the Venice Commission.

❖ STUDY VISIT TO THE EUROPEAN COURT OF JUSTICE IN LUXEMBURG

In addition, in the course of this reporting period, the European Court of Justice in Luxembourg was visited by a delegation of the judiciary headed by the president of the Judicial Council and the Director of the Academy, accompanied by judges and the Secretary General of the Supreme Court of the Republic of Macedonia. The Macedonian delegation, comprising senior representatives of the judiciary, was also accompanied by a journalist from the Macedonian Radio and Television, providing the study visit with media coverage; thus, through direct broadcasts from Luxembourg, the general public was informed of the course of the two-day visit, which was organised for the purpose of familiarisation with the European Court of Justice, its organisation and the manner of dispensing justice, as well as of exchange of comparative experiences, through observation of a

court hearing; also, meetings took place with the President of the Court, judges and the Advocate General of the court, as well as with other staff from the court.

For the Macedonian judiciary, as well as for Macedonia in general, it is of special significance to have met with the President of the court, Judge Vassilios Skouris.

❖ COOPERATION WITH THE JUDICIAL ACADEMY OF THE SLOVAK REPUBLIC

Within the framework of the visit of the official delegation of the judiciary of the RM, headed by the Minister of Justice of the RM, Mr. Mihajlo Manevski, accompanied by the President of the Supreme Court of the RM, the Director of the Academy, judge Aneta Arnaudovska, and within the cooperation established between two judiciaries, a meeting was held with the Director of the Judicial Academy of the Slovak Republic, Mr. Petar Hulla, with whom a Memorandum for Cooperation between the two academies was signed, which is especially important in light of the membership of the Slovak Republic in the EU and its wealth of experience in organising training events in EU law. The essence of the cooperation will mainly focus on permanent and open collaboration, communication related to exchange of documents, programmes, bylaws, library, particularly on exchange of candidates in initial training and invitation of lecturers in EU law and support to the Academy in establishing its own roster of EU law educators. Mr. Hulla presented the Academy with valuable books, a collection of EU law documents and decisions of the ECJ.

❖ THE COOPERATION WITH THE KOSOVO JUDICIAL INSTITUTE

The fruitful and intensive cooperation with this institute continued through exchange of documents, knowledge, experiences, visits and exchange of materials and books.

❖ THE COOPERATION WITH THE JUDICIAL ACADEMY OF THE REPUBLIC OF CROATIA

The study visit to the Republic of Croatia focused on training on the new Law on Criminal Proceedings; in May 2010, a delegation from the RM comprising judges and public prosecutors, representatives of the Ministry of Justice and other members of the working groups drafting the new Law on Criminal Proceedings, and headed by the Director of the Academy, judge Arnaudovska, met with the State Secretary of the Ministry of Justice of the Republic Croatia, as well as with the Director of the Judicial Academy of Croatia, Ms. Ivana Goranic. At the meeting with the State Secretary, the possibilities for cooperation and exchange of experiences in regard to the new Law on Criminal Proceedings, which has been in force in Croatia as of July 2009, were explored and findings on the initial application of the Law on Criminal Proceedings were presented. The meeting with Ms. Goranic detailed the main contents of the memorandum that is soon to be signed between the two academies, which will formalise the already rich and fruitful cooperation and regular communication between the two academies in regard to exchange of literature, exchange of candidates in initial training, of judges and public prosecutors carried out so far through the exchange programme of the EJTN. The exchange and invitation of lecturers from Croatia in relation of training events on the new Law on Criminal Proceedings is especially important, due to the fact that Croatia has only recently commenced the application of the new Law on Criminal Proceedings, which is in many of its solutions similar to the Macedonian Law on Criminal Proceedings.

❖ **THE COOPERATION WITH THE NATIONAL SCHOOL FOR THE JUDICIARY OF THE REPUBLIC OF FRANCE (ENM)**

In 2010, the cooperation deepened and improved also with this school, especially in the area of initial training. A Convention for Cooperation was signed between the Academy for Judges and Public Prosecutors of the Republic of Macedonia and the French National School for the Judiciary (*École nationale de la magistrature* / ENM), which ensures continuing cooperation through exchange of documents, candidates, lecturers, and mentors, all with the aim of utilising the comparative experiences and practices of this prestigious school with internationally acclaimed results. In this sense, and with the support of the EJTN, study visits were realised in the form of exchange of educators and candidates from the initial training programmes between these two institutions; in November 2010, the Academy hosted a delegation comprising one educator and three candidates from the National School for the Judiciary from Bordeaux, Republic of France, who had the opportunity to familiarise themselves fully with the organisation of the judicial system in the Republic of Macedonia, as well as with the manner of enrolment of candidates, and organisation and carrying out of initial training at the Academy. On the other hand, in December 2010, a delegation from the Republic of Macedonia composed of one educator and three candidates from the third generation of the initial training programme, completed a study visit to the National School for the Judiciary in Bordeaux, Republic of France, where they participated in the European Week, at which, in addition to the host, the Republic of France, delegations from further 11 member states of the European Union and candidate states for accession to the EU, presenting their training schools and participating in a trial simulation. It is very significant that this year the Academy had a participant status at this event, unlike the previous year, when it participated as an observer. Within the framework of this cooperation, this kind of exchange of candidates, lecturers and mentors is planned to continue also in the year 2011 and 2012.

❖ **COOPERATION WITH THE NATIONAL INSTITUTE OF MAGISTRACY OF ROMANIA (NIM)**

The successful cooperation that the Academy for Judges and Public Prosecutors established at the beginning of its operation with the National Institute of Magistracy of Romania (NIM) continued throughout 2010, with special emphasis on exchange of materials from conferences and training events, of internal regulations, as well as general exchange of experiences in all aspects of mutual interest to both institutions.

❖ **EUROPEAN TRAINING NETWORKS**

1. THE ACTIVITIES OF THE ACADEMY WITHIN THE FRAMEWORK OF THE EJTN

In the course of 2010, the Academy continued its active participation in the EJTN Programme for Exchange of Judges, Public Prosecutors and Educators. A total of nine representatives of the judiciary of the Republic of Macedonia participated in exchange activities of training institutions of other member states of the European Union and candidate states for accession to the EU, namely 3 judges (to Estonia, Italy and Slovenia), 3 public prosecutors (to Italy, Poland and the Netherlands) and 3 educators (to Portugal, Slovenia and Croatia). Within this programme, the Academy was host to 11 judges and public prosecutors from other countries, namely: 1 judge from Romania, 2 judges from Poland, 2 judges from Austria, 1 judge from Slovenia, 1 judge from Norway, 1 judge from the Netherlands, 1 judge from Italy, 1 prosecutor from Finland and 1 prosecutor from Poland.

It is of importance to note that in 2011, the Academy is entitled to participate within the framework of the Exchange Programme also with exchange of Supreme Courts judges.

As part of the activities published in the Catalogue of training events of the EJTN for 2010, one judge from the Republic of Macedonia took part in the training dedicated to legal English that was held in Rome and was organised by the Superior Council of the Judiciary of the Republic of Italy.

The EJTN, in cooperation with the Centre for Judicial Studies of Portugal (Centro de Estudos Judiciários) and the National Institute of Magistracy were in 2010 again organisers of the THEMIS 2010 initial training competition. The Academy, through its team of three candidates from the third generation in the initial training programme and one educator participated in the competition with a presentation on a topic from the area of international cooperation in criminal issues.

The representative of the Academy, expert in information technologies, is member of the Working Group of the EJTN on information technologies and takes active part in the work of this body, making a contribution through proposing and preparing modern innovative solutions for the promotion and development of an information system of training institutions on a European level.

2. *THE ACTIVITIES OF THE ACADEMY WITHIN THE LISBON NETWORK OF THE COUNCIL OF EUROPE*

The Academy continued its activities within this network through, primarily, participation in the HELP II Programme. A representative of the Academy was, namely, nominated to be a member of the Working Group on Electronic Learning as part of the HELP II Programme, and took in November 2010 part at the Session of this working group that was held in Strasbourg, Republic of France. At this meeting, the Academy confirmed the commencement of the process of developing an electronic learning system, i.e. that it is in the phase of procurement of the hardware and software for the project for developing the e-learning system.

Academy will continue with its participation as a member of the Bureau of this network.

❖ COOPERATION WITH THE GLOBAL ASSOCIATION OF TRAINING INSTITUTIONS

Ever since its foundation, the Academy continuously upgrades the established cooperation with this Association, especially in the sense of exchange of experiences with the aim of promotion of its work through utilisation of best training practices. In addition, the Academy submits articles on its activities and achievements that are published in the professional journal of the Association.

❖ ACADEMY OF EUROPEAN LAW IN TRIER – ERA

The Academy maintains a direct cooperation with the Academy of European Law (ERA) in Trier through the nomination of judges and public prosecutors for attending training activities at this Academy. In the course of this reporting period, a total of five study visits to this Academy were realised, with 11 participants, of whom 5 judges and 6 public prosecutors.

As a result of the successful cooperation, the Academy was offered the opportunity to send one participant to the two winter academies each – to two-week programmes for training of judges on EU law at the ERA that will be realised in the period January-February 2011.

❖ **THE EUROPEAN CENTRE FOR JUDGES AND LAWYERS, EUROPEAN INSTITUTE FOR PUBLIC ADMINISTRATION – EIPA**

The Academy and the European Centre for Judges and Lawyers, European Institute for Public Administration (EIPA), Luxembourg, within the Luxembourg Technical Assistance Programme for the Republic of Macedonia, “**EU Law for the Judiciary**”, realised in 2010 three training events focused on EU law with experts from EIPA, that were attended by a total of 103 participants. The first training event was dedicated to intellectual property, the second one to environment protection, and the third one to judicial cooperation in civil and criminal cases.

In addition to the workshops on EU law, within the framework of this cooperation, a study visit to Luxembourg took place, organised for the managers of institutions and their departments – on Improvement of the Quality of Justice.

The goal of this study visit was threefold: firstly, to research the requirements posed to a country candidate for accession to the EU with special emphasis on the role and responsibilities of the judiciary in this respect. Secondly, to discuss the introduction of Total Quality Management (TQM) in the judicial sector and to inspire the participants with concrete initiatives towards reviewing its implementation in their respective courts/judicial authorities and to provide them with information on the support they could receive from the EIPA CAF Resource Centre – (CAF - Common Assessment Framework). And thirdly, to discuss the ways of documenting equitable access to justice, given an ever more demanding general public, with special emphasis on communication strategies.

Furthermore, of special significance within the cooperation between the Academy and the European Centre for Judges and Lawyers, European Institute for Public Administration (EIPA), Luxembourg, is the fact that as a result of the successful cooperation in the course of 2010, the Academy received invitation to nominate two participants to a seminar within the framework of the EIPA Catalogue of activities, open for participants from other countries. This cooperation will continue in 2011 with participation of our judges and public prosecutors at a number of such seminars and organizing seminars on the selected topics of the EU law with the EIPA trainers.

❖ **THE REGIONAL ANTICORRUPTION INITIATIVE**

As part of the ongoing cooperation within the framework of this project which is of special importance for the development of the capacities of the judiciary of the RM for successful identification, detection, substantiation, prosecution and adjudication of cases of corruption, whereas the Academy was host to the summer school in the previous year, this year it sent two prosecutors to the summer school held on this topic in Durres, Republic of Albania.

❖ **THE USA EMBASSY IN THE REPUBLIC OF MACEDONIA – THE FULBRIGHT PROGRAMME**

Of special significance within the framework of the cooperation with the USA so Embassy in the Republic of Macedonia, both for the Academy and also for the Republic of Macedonia itself, was the study visit to our Academy by Mr. Michael Diliberto, legal expert of the Fulbright Programme, mediator with long-term wealth of American and international experience, the purpose of which was exchange of experiences in the area of mediation.

As part of this visit, which was realised in the period 6th to 17th April 2010, five training events on mediation were held with a total of 93 participants, of whom 45 judges, 8 public prosecutors, 1 court management official, 13 court professional associates, 2 court administrative clerks and 24 other participants. Mr. Diliberto also held lectures to law students at the South East European University in Tetovo and had a meeting with representatives of the Tetovo State University; he also held lectures to the students of the masters postgraduate studies in commercial law at the “Iustinianus Primus” Faculty of Law in Skopje, and in the American resource centres in Tetovo, Shtip and Bitola for the representatives of the business community and for other interested citizens.

❖ THE COOPERATION WITH THE CONSULTATIVE COUNCIL OF EUROPEAN JUDGES AT THE COUNCIL OF EUROPE (CCJE)

Within the Macedonian presidency over the Committee of Ministers of the Council of Europe, at the invitation of Mr. Mihajlo Manevski, Minister of Justice of the Republic of Macedonia, and in the organisation of the Academy for Training of Judges and Public Prosecutors of the Republic of Macedonia, the Ministry of Justice of the Republic of Macedonia, the Supreme Court of the Republic of Macedonia, the Judicial Council of the Republic of Macedonia, and also in cooperation with the Consultative Council of European Judges at the Council of Europe, an international conference was held on the following topic: “The Role of the Judges in the Enforcement of Court Decisions in the Civil, Administrative and Criminal Areas”.

This conference was the first international event that the Republic of Macedonia organised as part of the Macedonian presidency over the Committee of Ministers of the Council of Europe.

The Conference followed a two-day meeting of the Working Group of the Consultative Council of European Judges, whose permanent member the Director of the Academy has been since 2005, meeting that was held from the first to the third of June 2010 in Ohrid, and that was dedicated to the preparation of the Draft Opinion number 13 on the role of the judges in the relation to other functions of State and other actors in the enforcement of judicial decisions

The Republic of Macedonia maintains an active role in the work of this committee, especially in the wider distribution and dissemination of the opinions of this council in the Macedonian language, as well as that of the reference documents, the most important conventions and recommendations of the Council of Europe related to the respective opinions, as well as the respective jurisprudence of the ECtHR in regard to the respective topics. All adopted opinions have been published on the Council’s web page in Macedonian.

OFFICIAL WELCOMING OF DELEGATIONS

In the reporting period, the Academy was visited by the following delegations:

- Visit by the President of the European Court of Human Rights

The visits of Mr. Jean-Paul Costa, President of the European Court of Human Rights to the Republic of Macedonia was attended by the most senior representatives of the judiciary of RM, as well as by Ms. Mirjana Lazarova Trajkovska, Judge of the European Court of Human Rights, elected by the Republic of Macedonia and Ms. Claudia Westerdiek, representative of the European Court of Human Rights.

The discussion at the meeting within the first visit by a President of the European Court of Human Rights focused on the cooperation between the judicial institutions of the Republic of Macedonia and the European Court of Human Rights, on the status of the cases brought in front of the European Court of Human Rights, on the efficiency of the judiciary and on the reforms of the judiciary carried out in the Republic of Macedonia. At this meeting, the Director of the Academy presented all its activities implemented since the establishment of the Academy that pertain to specific articles of the European Convention on Human Rights or that relate to the European Court of Human Rights in Strasbourg, activities that are also included in this report.

- **Visit by the Director of the School for magistrates of the Republic of Albania**

The realisation of this visit in the course of the reporting period is highly significant for the Academy, as well as for the relations between the Republic of Macedonia and the Republic of Albania, due to the fact that as part of the visit by Ms. Mariana Semini, Director of the School, a Memorandum of future international cooperation was signed, with the aim of enhancing mutual relations of both countries and improving the training of young cadre in courts and public prosecutor's offices.

- **Visit by the Foreign Policy Delegation of the European Parliament**

Within this reporting period, the Academy was also host to a Foreign Policy Delegation of the European Parliament. During this visit, the Euro-parliamentarians had the opportunity to meet with representatives of the Macedonian judiciary from all instances, and to acquaint themselves, through the presentation by the Director of the Academy, with the work and current activities of the Academy on a national as well as on an international level, as well as with the efforts the Academy undertakes towards further development of its capacities, all with the aim of developing into an institution which plays a crucial role in the training of future judges and public prosecutors and in the professional in-service training of current judges and public prosecutors as a precursor to the process of life-long learning.

- **Visit by a delegation of the Russian Federation**

In November 2010, the Academy for Judges and Public Prosecutors hosted a high-level delegation of the Russian Federation. The delegation comprised representatives of the Mission of the International Organisation for Migration (IOM) in the Russian Federation, namely: Mr. Enrico Ponziani, Chief of Mission, and Mr. Kirill Boychenko, Assistant in the Human Trafficking Programmes, and the representatives of the Investigation Committee of the Public Prosecutor's Office of the Russian Federation: Lieutenant-general Mr. Mikhail Yadrov, Head of the Department for International Legal Cooperation of the Investigation Committee, Mr. Alexander Elantsev, Head of the Unit for Procedural Control at the Investigation Committee, Mr. Sergey Sazin, Chief of the Department of the Investigation Committee in the Orlovskaya oblast (Oryol Region), and Ms. Victoria Glybochka, official in the Unit for International Cooperation at the Department for International Legal Cooperation of the Investigation Committee. The objective of the visit was to facilitate exchange of experiences and to establish cooperation with similar institutions in the area of fight against organised crime, as well as to ensure exchange of useful information in regard to the institutional positioning of the education of judges and prosecutors, as well as the positioning of the system for combating organised crime in both countries.

❖ **OVERVIEW OF PROJECTS THE ACADEMY COLLABORATES WITH**

2010 saw the commencement of two substantial projects that are of huge significance to the development of the Academy as a contemporary training institution which functions in accordance with the state of the art international and European standards of training.

The first central project for the Academy is the **IPA 2008 Project “Further Strengthening of the Institutional Capacities of the Academy for Training of Judges and Public Prosecutors”**, financed by the European Commission.

The general goal of this two-year project, which started its implementation on 31st May 2010, is to strengthen the independence, efficiency, professionalism and expertise of the judiciary. More specifically, the Project will offer advisory support to the Academy for Judges and Public Prosecutors with the aim of further improvement of the capacities of the Academy and upgrading of its previous advancements achieved through the CARDS projects. The Project consists of following components:

- 1. Improvement of the system of development of training programmes.*
- 2. Establishment of an e-learning system (electronic learning).*
- 3. Development of a mechanism for decentralised training.*
- 4. Strengthening the capacities of the Academy for Training of Judges and Public Prosecutors pertaining to the library and the web page of the Academy.*

In the course of the reporting period, as part of the Project the following activities were implemented: the inception report of the Project has been prepared and adopted, as well as the first quarterly report; the procedure for procurement of equipment for the implementation of the components 2 and 4 has been initiated; a conference for the wider promotion of the Project was held on 21st October 2010; experts to assist in implementation of each component of the Project have been selected and approved; working groups for the preparation of the methodology and training programmes within component 1 have been put together; hence, we can conclude that the implementation of the project is following the dynamics and the established project objectives.

The second project – the **MATRA Jurisprudence Programme**, which started its implementation as of 1st April 2010, is aimed at strengthening the capacities of the Macedonian judiciary through the improvement of the utilisation of the judicial practice as an additional source of law. This is a three-year project, that was launched with a conference for the promotion of the project on 7th November 2010; its conclusion is planned for 30th May 2013. The Project is being financed by the Kingdom of the Netherlands, and the Academy will collaborate closely with the Centre for International Legal Cooperation (CILC) from the Kingdom of the Netherlands as an implementing partner. In addition, according to the approved project, main local partners in the country will be the Supreme Court of the RM, the Ministry of Justice of the RM, the Bar Association of the RM, the faculties of law at the “Ss. Cyril and Methodius” University and the “South East European” University, as well as the Macedonian Legal Research Centre.

The Project has three main components, which will strive through the implementation of the activities, to achieve the following goals and objectives:

- The goal of the Project is to strengthen the rule of law in the Republic of Macedonia ;
- The objectives of the Project are as follows:
 - To improve and strengthen the role and utilisation of the judicial practice in the domestic legal system.

- To raise the awareness on the role of the judicial practice as an additional legal resource.
- To improve the access to the domestic and international court practice, as well as its usage.

The goals and objectives will be achieved through the organisation of diverse activities, such as seminars, workshops, creation of a data base on the Macedonian court practice and a collection of relevant court decisions, and a study visit to the Kingdom of the Netherlands with the aim of appreciating the advantages of the utilisation of the judicial practice in the legal system of the Kingdom of the Netherlands.

The Academy continued also the cooperation with UNICEF within the framework of the two-year Project “Justice for Children”, the commencement of which was launched in October 2010. This project is financed by the EU within the instrument for pre-accession assistance and co-financed by UNICEF. The Project aims to improve the normative framework, strengthen the prevention capacities and protection of children from victimisation and criminalisation.

In addition to the abovementioned, the Academy maintains a successful cooperation also with other international projects, with whose technical and financial support it organises numerous workshops, round-table discussions, seminars, study visits, etc., presented as follows:

- **the Project of the Administrative Court for utilisation of the IPA funds;**
- **GTZ;**
- **TAIEX;**
- **EIPA;**
- **IRZ – the German Foundation for International Legal Cooperation;**
- **UNHCR;**
- **the World Bank Project at the Ministry of Justice of the Republic of Macedonia ;**
- **the PROSECO Project for support to the network of prosecutor’s offices in South-eastern Europe;**
- **the Council of Europe;**
- **the USA Embassy in the Republic of Macedonia – OPDAT;**
- **the USA Embassy in the Republic of Macedonia – the Fulbright Programme;**
- **USAID/the Project on business environment;**
- **IOM – International Organisation for Migration;**
- **USAID (USAID);**
- **the Coalition – All for fair trials;**
- **the Project of the Government of the RM on anticorruption, and others.**

❖ **ACCEDING TO THE PROJECT “TRAINING OF NATIONAL JUDGES ON EU COMPETITION LAW AND JUDICIAL COOPERATION BETWEEN NATIONAL JUDGES” IN COOPERATION WITH THE ASSOCIATION OF JUDGES OF THE REPUBLIC OF BULGARIA AND THE BULGARIAN INSTITUTE FOR LEGAL INITIATIVES (BILI)**

Within this project, in addition to providing training for national judges, the Academy will participate with its expert in the preparation of a compilation of legislation in this area, who will with his/her article and introduction to competition law give a contribution to this publication.

❖ **ACCEDING TO THE PROJECT ON COMPETITION LAW IN COOPERATION WITH THE DEPARTMENT FOR EUROPEAN LAW AT THE UNIVERSITY IN ROME, ITALY**

As part of this project, training events are planned for judges dealing with competition law through involvement of international experts.

X COMPUTER SYSTEM

In the course of 2010 public procurement of hardware equipment and licences was carried out, for the purpose of achieving sound protection of the Academy computer system; control of the access to data was introduced and also control of the work of the staff. The Academy additionally introduced a state of the art automated system for back-up and archiving of data and electronic mail communications, thus ensuring their integrity and minimum potential for their shortfall. With the aim of full and unimpeded utilisation of the new equipment, the Academy established higher speed internet traffic of 16 Mbps and a fixed IP-address. As of December 2010, the Academy started independent hosting of its electronic mail communication. It is expected to soon commence independent hosting of its web page.

At the end of the first quarter of 2010, automatised record keeping of the working hours was also introduced.

The phase of procurement of equipment within the IPA Project on further strengthening of the institutional capacities of the Academy for Training of Judges and Public Prosecutors is in progress, which, in addition to the other components, is aimed at designing and implementing electronic learning for judges and public prosecutors and at improving the appearance and structure of the Academy web page.

By establishing the system for electronic learning, the learning process will be greatly simplified, as access to training and to training materials will be much easier and more flexible. Similarly, the costs for organising training events will decrease, as the system for electronic learning is an important part of the Academy strategy for decentralised training.

Another component of this project that will be realised is improvement of the appearance and structure of the Academy web page as a primary medium for presenting the Academy and its essence. Not only will the web page be an entry into the electronic learning system, but it is expected that through its interface the staff will be able to operate the preparation of training events, and that judges and prosecutors will be able to obtain useful information related to the individual training events, to maintain regular attendance in specific training events and receive information on the degree of fulfilment of their respective mandatory minimum annual training. Though integration with the data base from the library, the web page will facilitate access to a number of materials in electronic form, as well as to certain on-line resources of other institutions.

All modules that will be implemented as part of this project will be linked to the existing portal of the Academy, where at the moment a complete data base is being maintained on participants in initial training and on participants in continuing professional in-service training. At the same time, the portal maintains records of all ongoing activities in the Academy, both relating to instruction

in initial training, and also to the realisation of training events for continuing professional in-service training. This software solution has found great application also in the exchange of documents in electronic form (document flow) between the staff, and has contributed to easier centralised management of documents, resulting in speedier execution of everyday tasks, better communication between staff and saving of resources.

Bu adapting the new and the existing hardware and software to the needs of the Academy, sound modernisation of the computer system is expected, as well as improvement in the quality and quantity of the completed work, easier delegating of tasks and delivery of training events, as well as greater saving of resources, all of which would mean a great leap forward towards fulfilment of the European standards on security and modernisation of computer systems.

XI LIBRARY

The library of the Academy for Judges and Public Prosecutors plays a significant role in the advancement of the knowledge of the future judges and public prosecutors, as well as in the advancement of the knowledge of judges and the public prosecutors, and of the judicial and public prosecution administration staff.

In this sense, the trend of continuing enrichment of the Academy's library collection with legislative texts, domestic and foreign legal literature and professional magazines, thus offering to its users a wide range of legal texts as well as links to data bases published on its web page. In this fashion, in the course of 2010, 30 new books from Macedonian and foreign authors were procured; they are the latest editions in the area of legal and judicial matters. Following the latest developments in library operation, towards mid-2010, the Academy's library commenced operating in the real base of the system COBISS, ensuring that up to the end of 2010 this system encompassed over 500 records from reviewed books that are part of the library collection.

We can claim with satisfaction that the library is already organised and operates in line with the EU standards for library work.

Towards the end of 2010, the library started with the establishment of a data base of materials, which will house the presentations and materials of all national educators and international experts who have given a lecture or presentation, as well as all materials prepared by the mentors. All these materials will be systematised in special data banks according to the area they pertain to.

The Academy continued its cooperation with the German Technical Cooperation (Deutsche Gesellschaft für Technische Zusammenarbeit - GTZ) in the year 2010, that resulted in the publication of two editions of "IUSTITIA", professional journal for the judiciary, offering articles on topics related to quality of court decisions and justice, innovations in the Law on Criminal Proceedings, and to human rights and the European Court on Human Rights.

The IPA Project plans for several activities focusing on the library, such as: new internal software for improving the organisation and upgrading of the library operation, software that will with the redesigning of the web page facilitate easier searching, and provide users with a simpler and faster access to the information bases of the library.

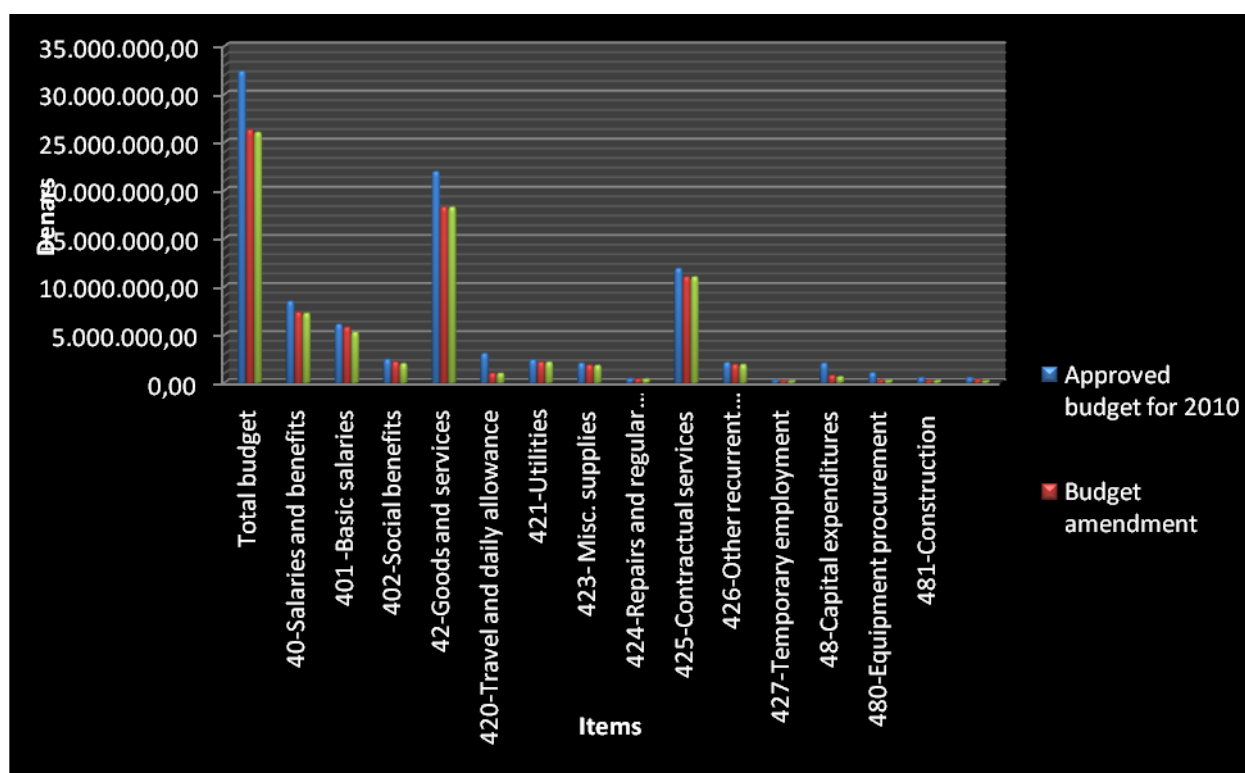
XII BUDGET AND PUBLIC PROCUREMENT

❖ BUDGET

For the year 2010, the Academy was approved a budget in the amount of 32,369,000.00 denars. With the adoption of the budget amendment, the budget of the Academy was decreased for 6,610,000.00 denars. After the adoption of the amended budget, the total annual budget of the Academy amounted to 25,759,000.00 denars. In December 2010, the Ministry of Finance, at the request of the Academy, approved additional resources in the amount of 505,000.00 denars.

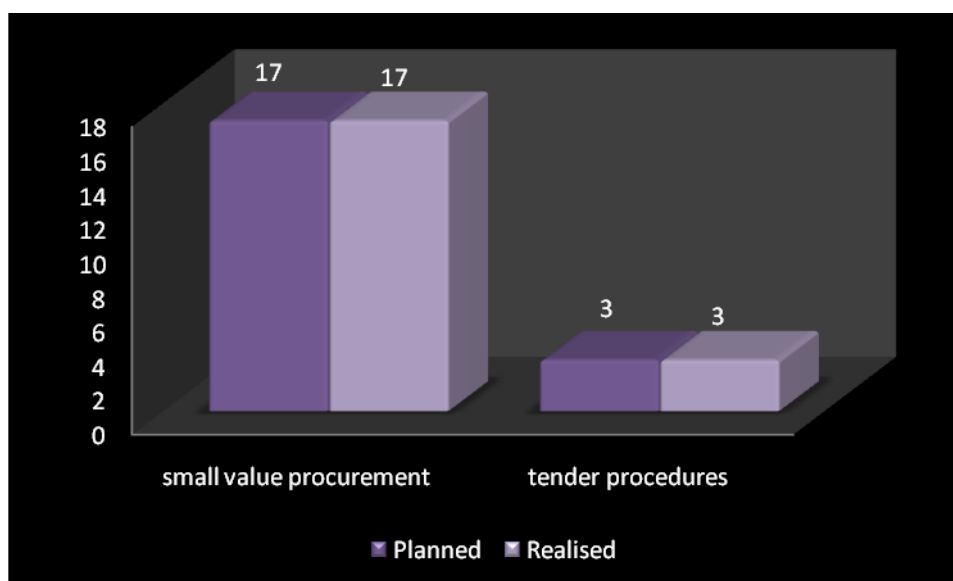
At the end of 2010, the Academy had at its disposal a budget in the amount of 26,264,000.00 denars.

Since the beginning of 2010 up to and inclusive of 31.12.2010, the Academy utilised 26,001,060.00 denars from its budget.



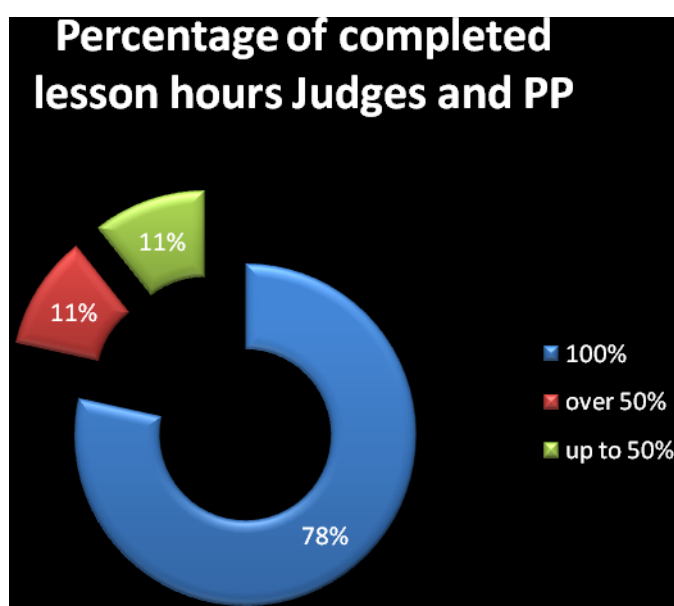
❖ PUBLIC PROCUREMENT

In the course of the reporting period, a total of 20 public procurements were implemented by the Academy as was planned for the year 2010, of which 17 were public procurement procedures of small value and three were public tender procedures.



XIII STATISTICS

The Academy is regularly updating the data base on judges and the public prosecutors. It, namely,

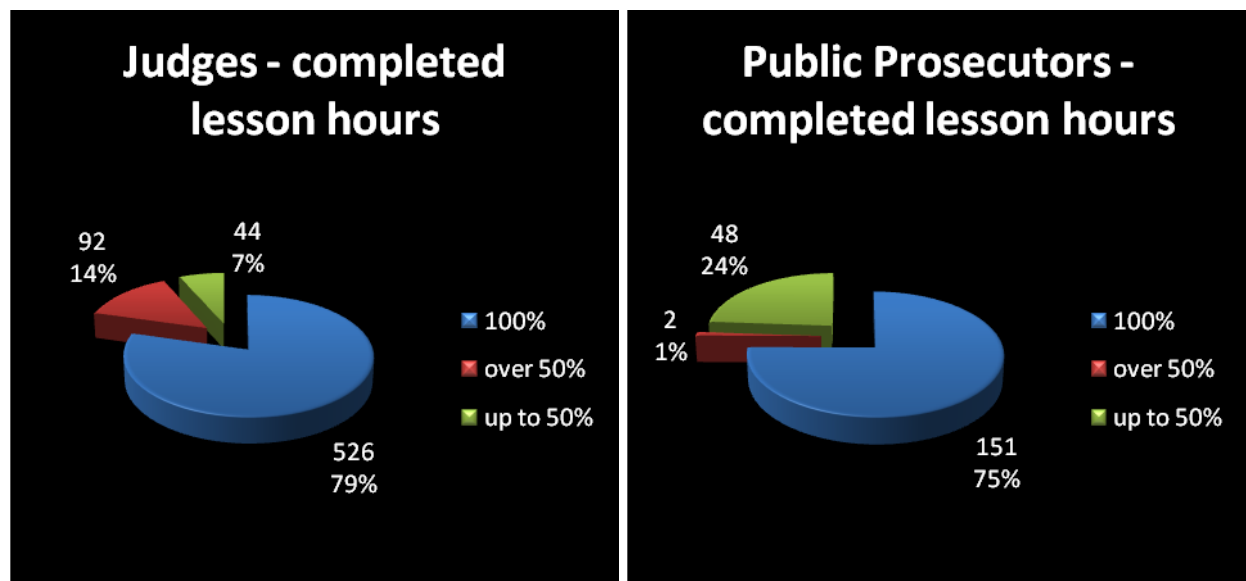


enters all changes in their respective status, such as their election, retirement, dismissal, transfer from one to another court/public prosecutor's office, promotion, and the matter upon which they adjudicate, because the Academy draws from this base through different statistics all the parameters pertaining to the number of planned training events by area in continuing professional in-service training according to the respective target group, offering a sufficient number of training events in order to enable all target groups to meet the mandatory number of lesson hours for the respective year.

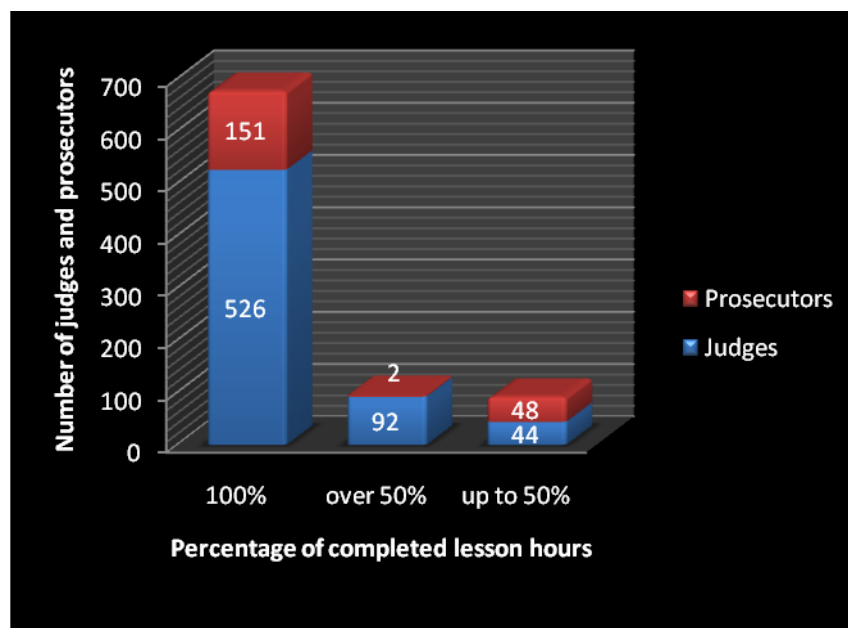
MONITORING THE ATTENDANCE AND FLUCTUATION OF TRAINING EVENTS

This way of collecting and monitoring detailed statistics to a large extent facilitates the work on planning quarterly detailed calendars, thus greatly contributing to rationalisation of financial expenditures, enabling immediate overview of how much training the Academy needs to offer to

each target group according to the subject matter which the judges and the public prosecutors work on.



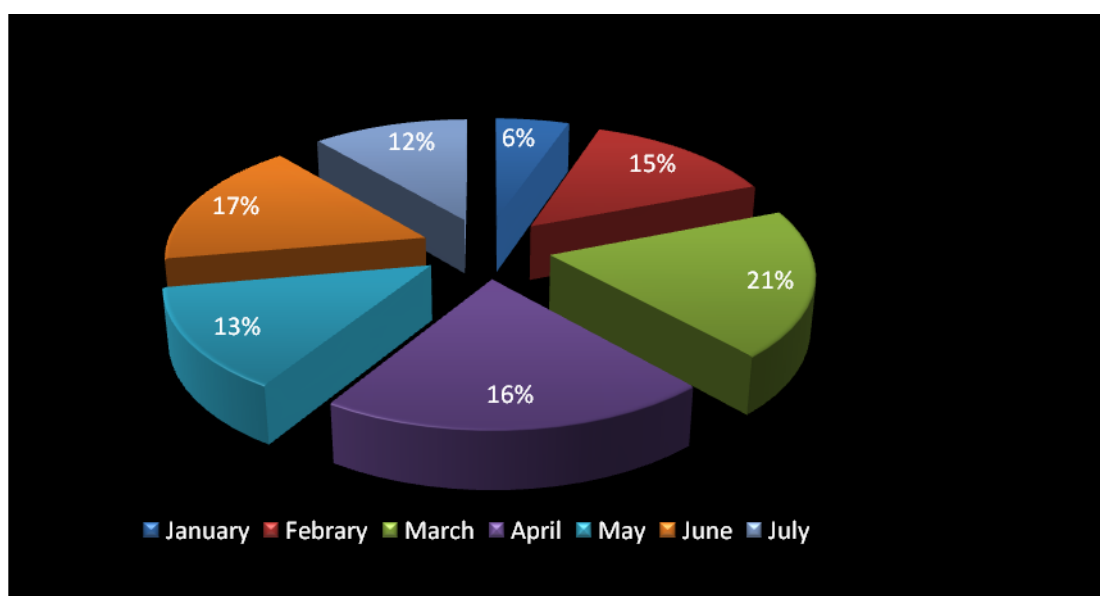
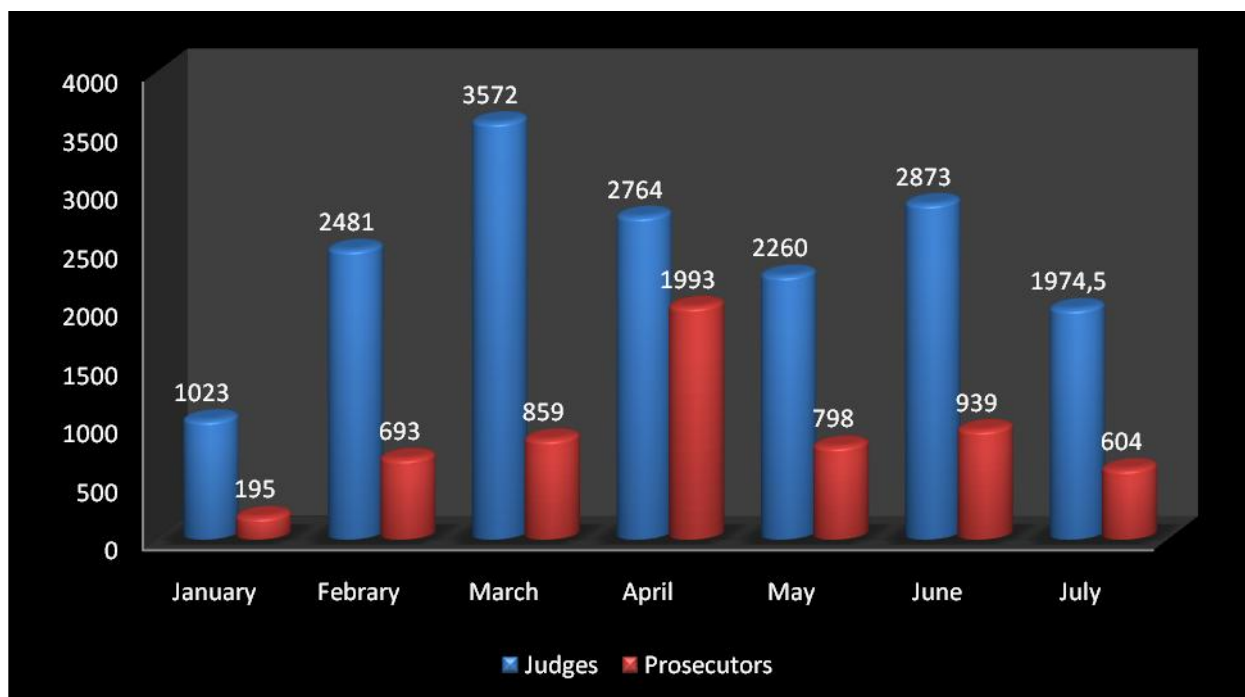
Overview of the fulfilment of the mandatory minimum of lesson hours in the continuing professional in-service training of judges and public prosecutors in 2010



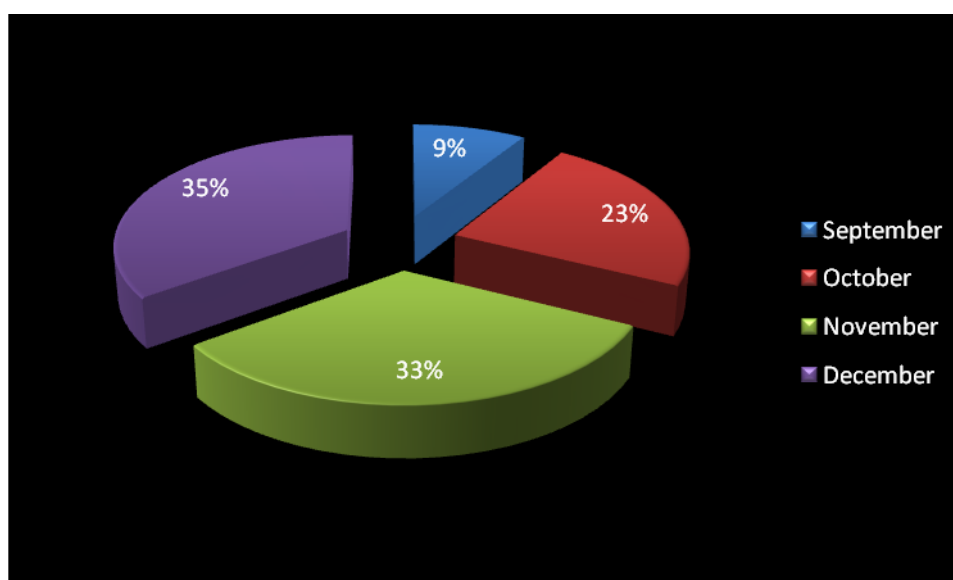
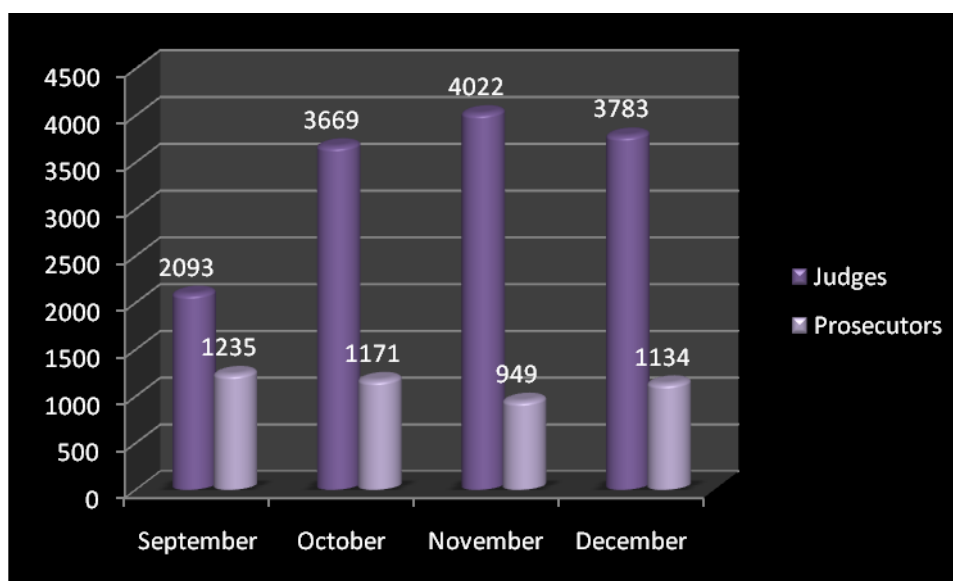
Overview of the fulfilment of the mandatory lesson hours in the continuing professional in-service training of judges and public prosecutors in the first part of the current year 2010 by target group



Overview of the fulfilment of the mandatory lesson hours of training of judges and public prosecutors in the first half of 2010 by month, expressed in numbers and percentages:



Overview of the fulfilment of the mandatory lesson hours of training of judges and public prosecutors in the second half of 2010 by months, expressed in numbers and percentages:



XIV EVALUATION

The Academy continues to evaluate the initial and continuing training, the educators and the mentors.

The Academy strives to implement international standards of training that require preparation of diverse analyses, collection of statistics and records, with the aim of establishing the short-term, the medium-term and the long-term effects of the training.

In regard to initial training, an evaluation of the practical training was carried out by the candidates from the second generation, and also of the theoretical instruction by the candidates from the third generation, who evaluated the work of the educators and the mentors participating in the training. The objective of such evaluation was, through an analysis of the remarks,

suggestions and proposals made by the candidates, educators and mentors, as well as the professional service staff of the Academy, to improve the organisation of the instruction, to improve the teaching contents, techniques and training materials. As a result of these evaluations, changes were introduced into the bylaws regulating theoretical and practical training for the purpose of their more successful realisation.

The evaluation of the continuing professional in-service training was carried out permanently through filling out of evaluation questionnaires at the end of each training event.

As every year, at the end of 2010, an annual evaluation was carried out of the educators engaged within continuing training.

These two evaluations are used for improvement of the instruction, the teaching techniques and skills, and more generally for analysing the needs of the target groups. To a large extent, these evaluations assisted the preparation of the General Programme for Continuing Training for the period 2011-2012.

XV OPENNESS TO THE PUBLIC

The Academy for Training of Judges and Prosecutors ensures regular public and transparent provision of information on its activities through its internet page www.jpacademy.gov.mk, the bulletin board and publishing of the adopted acts in the “Official Gazette of the Republic of Macedonia“. Most of the information on the work of the Academy has been published on the internet page of the Academy, including: the acts, the organisational structure and composition (the organogram), the training programmes, and the training events calendars. The Academy also provides the media in the Republic of Macedonia with press releases on the more significant events it organises, publishes interviews, etc.