



# 2017

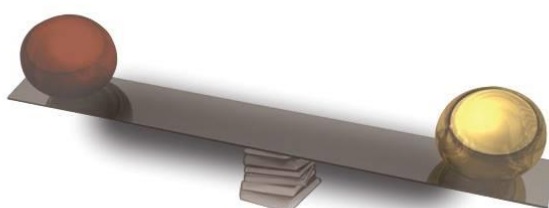
## REPORT

ON THE WORK OF THE ACADEMY FOR JUDGES AND PUBLIC PROSECUTORS  
"PAVEL SHATEV" FOR 2017



REPUBLIC OF MACEDONIA

ACADEMY FOR JUDGES AND PUBLIC PROSECUTORS  
PAVEL SHATEV



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## I INTRODUCTORY REMARKS

The Academy for Judges and Public Prosecutors "Pavel Shatev", in 2017, with the successful realization of all the envisaged activities, confirmed its maximum commitment to the improvement of the efficiency and effectiveness of the judicial system through professional training of the judges, public prosecutors, the judicial and prosecutorial service.

The Academy, in 2017, continued to work on the improvement of the quality of the trainings, by selecting new contents, methods and topics, in accordance with the international standards and training programs, on the strengthening of its own capacities, it expanded and strengthened the domestic and international cooperation, and at the same time consistently implemented the recommendations of the European Commission, contained in the reports on the monitoring of the progress of the Republic of Macedonia, of GRECO from the Fourth Evaluation Round and other international reports, thus continuously contributing to the strengthening of the expertise, professionalism and independence of the judiciary as one of the priorities of the judicial reforms in the Republic of Macedonia, and a key priority of the Partnership for Accession to the European Union.

The improvement of the competency of the judiciary by reforming the performance management systems and the strengthening of the systems for initial and continuous professional development were the priorities of the Academy. Within this framework, the Academy conducted all activities in accordance with the NPAA and for this purpose, in cooperation with the partners, conducted trainings, seminars, round tables, trainings for trainers and other educational events at basic and advanced level, in order to strengthen the teaching staff, by putting a special emphasis on the ethical principles, the ethical behavior of the judges and the public prosecutors, in order to strengthen the integrity and increase the trust among the public.

A pilot project was prepared for the purpose of assessing the effectiveness of the trainings and their effect on the improvement of the quality of the regular judicial and prosecutorial practice, in accordance with the recommendations of the hired expert within the framework of the IPA 2010 project, for the development of a "Methodology for assessment of the effectiveness of the trainings with mechanisms for qualitative assessment of the trainings", that will be realized in the first half of 2018 in partnership with the key domestic judicial institutions.

Within the framework of the initial training, that is, in March 2017, a theoretical training was initiated for 37 participants of the new sixth generation of participants in the Academy, which ended in December 2017. After the completion of the first stage – theoretical training in the Academy, the participants in the initial training will take a knowledge test after which, depending on the achieved success, will move to the second stage – practical training in the courts and public prosecutor's offices and other institutions, in accordance with the initial training program that will last 15 months.

The Program Council, in parallel with the theoretical training within the framework of the initial training, actively worked on the verification of the question databases and the case studies



databases prepared by the lecturers for the purpose of preparing the knowledge test that the participants in the initial training are going to take after the completion of the theoretical training.

The implementation of the "Work Program for 2017" was complete, and all legal obligations regarding the continuous professional development of judges, prosecutors and other target groups were fulfilled through the implementation of the annual training plans for 2017. All project activities that arose from the international cooperation of the Academy with its foreign partners were fully realized as well.

In order to promote the judicial system of the Republic of Macedonia and its values, the Academy continued to strengthen the partnership with the training institutions of the countries from the region and Europe, in terms of the implementation of the training modules that represent training priorities, through active participation and networking in the Regional Cooperation Council (RCC), participation in the activities of the international bodies and organizations of the European Union, the Council of Europe and beyond, namely the European Judicial Training Network (EJTN), the GRECO Committee at the Council of Europe, the Consultative Council of European Judges (CCJE), the European Commission for the Efficiency of Justice (CEPEJ), the International Judicial Training Network (IJOT) and many others, while providing comparative information and translation of documents that made a significant contribution to the strengthening of the quality and efficiency of the judiciary.

Within the framework of the project "Joint Action for Urgent Judicial Reforms", the First Monitoring Report entitled "Judicial Reforms - from Priebe 1 to Priebe 2" was adopted. This monitoring report was based on the urgent reform priorities of June 2015, in terms of the rule of law and the judiciary - the judiciary sector (based on the Report of the expert group, led by Reinhard Priebe, from 2015), and the Second Report prepared by Priebe, from September 2017.

This monitoring report also included the Academy for Judges and Public Prosecutors Pavel Shatev, from which conclusions and recommendations for the promotion of the judiciary in general arose.

In addition, in June 2017, within the framework of the cooperation of the Academy with the Embassy of France in the Republic of Macedonia, an expert mission was held in order to improve the institutional capacities of the Academy by improving the training methodology and the capacities of the lecturers and mentors, conducting an objective evaluation of the initial and continuous professional development, increasing the quality of the training materials and improving the capacity of the Library of the Academy.

Following this mission, a monitoring report was prepared, which was presented to the Minister of Justice by the Ambassador of France in the Republic of Macedonia, H. E. Christian Thimonier.



## II LEGISLATION

The Law on the Academy for Judges and Public Prosecutors ("Official Gazette of the Republic of Macedonia" No. 20/2015), together with the amendments and supplements ("Official Gazette of the Republic of Macedonia" No. 192/2015 and 231/2015), in terms of the status, promotes the previous legal concept regarding the independence and autonomy of the Academy, as well as the expertise and competence of its authorities and bodies and the continuous strengthening of the capacities of the teaching staff, in particular. At the same time, all by-laws, within the competences of the Management Board, are harmonized with the Law on the Academy and regulate in detail the internal organization and the manner of execution of all segments of the activity of the Academy.

## III ACTIVITIES OF THE BODIES OF THE ACADEMY

### 1. WORK OF THE ACADEMY MANAGEMENT BOARD

In the course of 2017, the Academy Management Board held 13 meetings, which addressed important issues within the scope of the competences of the Management Board. At the proposal of the Program Council, the Management Board established a "Specialized Training Program for Lay Judges" and a "Supplementation of the Program for the entrance exam to the Academy", and "Modification of the initial training program". Regarding the bylaws, the Management Board adopted a "Rulebook on conducting the exam for lay judges", a "Rulebook on compensations", a "Rulebook on Initial Training", "Rulebook on Amending and Supplementing the Rulebook on Initial Training", a "Rulebook on Amending the Rulebook on Continuous Professional Development", a "Rulebook on Amending the Rulebook on Taking An Entrance Exam", a "Rulebook on Amending the Rulebook on systematization of the work positions in the Academy", and a "Rulebook on Amending and Supplementing the Rulebook on internal organization of the Academy".

The Academy Management Board adopted a "Report of the Commission for the entrance exam for the course and the procedure for conducting the entrance exam in 2016 for admission of participants to the initial training for the sixth generation in the Academy", a "Report on the work of the Academy for 2016", a "Final Report for 2016", a "Program for work in 2017", a "Report of the Commission for revision of the held exams, for the conducted revision of the entrance exam for admission of participants to the initial training for the sixth generation in the Academy", and adopted the "Procurement plan for 2017" and the "Financial Plan", based on the positive opinion of the Program Council, determined a supplementation to the List of lecturers at the Academy on several occasions.

The Management Board was regularly informed by the Director of all ongoing activities within the scope of the Academy's activity, adopted conclusions and decisions in the domain of its competence, among which the decision to establish a Commission for revision of the held exams and the decision to annul the public announcement of the Academy for Judges and Public



Prosecutors "Pavel Shatev" for the admission of 60 trainees to the initial training-candidates for public prosecutors, which was published in accordance with the Law on Amending and Supplementing the Law on the Academy for Judges and Public Prosecutors ( "Official Gazette of the Republic of Macedonia" no. 231/2016).

In addition, the Management Board followed the implementation of the Law on the Academy for Judges and Public Prosecutors ("Official Gazette of the Republic of Macedonia" No. 20/2015, 192/2015 and 231/2015) and at the proposal of the Director determined the text of the Notes from the bodies of the Academy regarding the implementation of the Law that was submitted to the Minister of Justice of the Republic of Macedonia.

Aside from this, the Management Board reviewed proposals for projects and provided guidelines for the cooperation with related institutions, organizations and associations, both from the country and abroad.

## **2. WORK OF THE PROGRAM COUNCIL OF THE ACADEMY**

The Program Council as an expert body of the Academy monitors the implementation of the training programs, their efficiency and success, provides an opinion on the list of lecturers and continuously works on upgrading and improving the training programs, the teaching methodologies and techniques in cooperation with the lecturers, the mentors, the director and the professional service of the Academy, in accordance with the Law on the Academy for Judges and Public Prosecutors.

In the course of 2017, the Program Council, acting within the framework of its competencies stipulated by the Law on the Academy and the Statute, held sessions chaired by the Director of the Academy at which it provided guidance and determined: the "Proposal for a Specialized Training Program for Lay Judges", a "Proposal for Supplementing the Program for the Entrance Exam to the Academy", and the "Proposal for Amending the Initial Training Program" and gave a positive opinion on the supplementation of the list of eligible trainers in accordance with the Law on the Academy.

The Program Council, within the framework of the new competence envisaged by the Law on the Academy, worked on the verification of the database of questions and databases of case studies for conducting the knowledge test among the participants in the initial training after the completion of the theoretical training in the Academy, previously prepared by the lecturers at the Academy.

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

The program for the work of the Director, adopted by the Academy Management Board, was fully implemented, in cooperation with the professional service. As part of the regular work activities, within the framework of the numerous consultations, round tables, trainings and conferences organized in the period from January to December 2017, in cooperation with domestic and foreign / international relevant institutions and projects, in which national and



foreign experts participated and presented, the Director had a total of 28 greetings and thematic addresses.

The Director held work meetings with representatives of domestic and international institutions, embassies and projects, project evaluators, in order to negotiate and successfully implement projects, exchange experiences, of lecturers, organize study visits and publish publications, that is, for the purposes of strengthening the domestic and international cooperation with the judiciaries of many countries.

The Director actively participated in all working activities related to the realization of the "Action Plan of the Government of the Republic of Macedonia" prepared on the basis of the List of Urgent Reform Priorities for the Republic of Macedonia (in accordance with the "Reinhard Priebe Report"). According to that plan, in relation to the Academy, several activities related to the organization of trainings for judges and public prosecutors, dedicated to judicial ethics and integrity, trainings for trainers, as well as development of a methodology for evaluation of the training that include hiring a foreign legal expert, including exchange of experience and comparative practice, through organizing study visits of the European Court of Human Rights in Strasbourg.

As a result of the efforts of the Academy to establish cooperation with relevant domestic and international institutions and organizations from the non-governmental sector in the field of continuous and initial training, as well as the Macedonian judiciary in order to increase the professionalism and competence of the judges and prosecutors in the application of the national legislation and international standards, a Memorandum of cooperation between the Director of the Academy for Judges and Public Prosecutors and the Macedonian Young Lawyers Association has been signed as well as with the representatives of the Institute in Siragusa-Italy.

Thirty-seven participants from the sixth generation of the Academy for Judges and Public Prosecutors "Pavel Shatev" started the 24-month initial training at which they will be expertly and professionally trained for the judicial and public prosecution profession. The Director of the Academy wished the participants success and asked them to be ethical, conscientious and professional, while using the experience of the lecturers and mentors.

Within the framework of the regular working activities, the GRECO Committee of the Council of Europe, in the capacity of the Head of the Delegation of the Republic of Macedonia, the Director of the Academy, attended the 75th, 76th and 77th plenary sessions, and in that direction, in cooperation with all relevant institutions, especially the Ministry of Justice, the judiciary and the SCPC, implemented the activities for the purpose of implementing the obligations assigned to the Republic of Macedonia in the fourth evaluation round of the GRECO.

In order to strengthen the promotion of the work of the GRECO Committee, and with the purpose of starting an efficient fight against corruption in the country, the Director presented all the relevant facts related to this topic, as well as some of the more important documents that resulted from the GRECO meetings, were translated in Macedonian and published on the website of the Academy.





The Director of the Academy for Judges and Public Prosecutors Pavel Shatev was decorated with the Order "Knight of the National Order of Merit" by the French ambassador to Macedonia, Christian Thimonier, on behalf of the President of the Republic of France. The ambassador Thimonier stated at the ceremony that in the past 10 years the director has consistently advocated for the development of the cooperation between France and Macedonia in the field of the training of judges and public prosecutors, which is of great importance for the improvement of the judiciary through the application of the European standards.

## **IV INTERNAL ORGANIZATION, WORK AND ACTIVITIES OF THE PROFESSIONAL SERVICE**

### **INTERNAL ORGANIZATION**

According to the Rulebook on Internal Organization of the Academy for Judges and Public Prosecutors Pavel Shatev, the Academy has the following organizational units:

1. Training sector:
  - 1.1 Department of initial training and practicing of judicial or prosecutorial function;
  - 1.2 Department of continuous professional development, international cooperation, foreign assistance and management of IPA funds.
2. Sector for Legal Affairs and Human Resources Management:
  - 2.1. Department of Legal Affairs and Human Resources Management;
  - 2.2 Department of Information Technologies, Library, Statistics, Research and Strategic Planning;
  - 2.3 Department of Statistics, Evaluation and Analysis
3. Sector for Financial Affairs
  - 3.1 Department of Financial Affairs
  - 3.2 Department of Budget Coordination

In the course of 2017 the Professional Service of the Academy professionally performed all activities and tasks, thus contributing to the achievement of the foreseen objectives in all segments of its operation and the institutional strengthening within the overall judicial system. The professional service performed all tasks in a timely and quality manner, thus providing support in the exercising of the competencies of the authorities and bodies of the Academy, the lecturers and mentors as holders of the educational process and the preparation of the exams, as well as in the field of effective business correspondence with other bodies and institutions. All obligations and priorities arising from the regulations on labor relations, administrative officials, public procurement, preparation and implementation of the budget and realization of the priority activity of the Academy – conducting the initial training and the continuous professional development, were carried out in a timely manner.





## PROFESSIONAL DEVELOPMENT AND TRAININGS

In terms of the professional development and the expert and efficient activities of the administrative officials, the Academy at the end of 2016 adopted the Annual Plan for training of administrative officials for 2017 number 03-190 / 14 dated 23.12.2016 year. In the course of 2017, the employees attended the Safety and Health at Work training.

## PARTICIPATION OF THE DIRECTOR AND THE PROFESSIONAL SERVICE IN THE WORKING BODIES AND GROUPS

In addition to performing the regular work tasks within the scope of the work and the activities of the Academy, the Director and the staff of the professional service, under the authorization of the Director, actively participated in the capacity of members of the working group for Chapter 23 of the NPAA - Judiciary and Fundamental Rights (coordinator - Ministry of Justice) and the working group for chapter 3.7. of the NPAA – Right to Intellectual Property (Coordinator - State Office of Industrial Property).

The Director of the Academy was likewise a member of the working group for monitoring the implementation of the IPA 2012 Project, Component 1 "Preventing and Stopping Corruption, Including Improving the Inter-Institutional Cooperation".

## V HUMAN RESOURCES

A total of 18 persons, in addition to the Director, were employed in the Academy for Judges and Public Prosecutors Pavel Shatev in the course of 2017, out of whom:

- 16 administrative officials and
- 2 workers.

The filled work places were distributed as follows:

1. Within the Initial Training Sector:
  - In the Department of Initial Training and Practice of the Judicial and Prosecutorial Position – 1 Associate employed;
  - In the Department of Continuous Professional Development, International Cooperation, Foreign Assistance and IPA Asset Management – 2 Associates and 2 Junior Associates employed;
2. Within the Legal Affairs and Human Resources Management Sector – A Head of the Sector employed;



- In the Legal Affairs and Human Resources Department - 1 Junior Associate, 1 Independent Officer, 1 Junior Officer employed, Auxiliary technicians - 1 Courier and 1 Cleaner;
  - In the Department of Information Technologies, Library, Statistics, Research and Strategic Planning - 1 Counselor, 1 Senior Associate, 1 Associate, 2 Junior Associates and 1 Independent Officer employed;
  - In the Department of Statistics, Evaluation and Analysis - there are no employments;
3. Within the Financial Affairs Sector:
- In the Department of Financial Affairs - 1 Head of Department employed;
  - In the Department of Budget coordination – there are no employments.

At the same time, in the course of 2017, a working relationship was established with 37 participants in the initial training within the VI generation of participants in the initial training. The work relationship of the participants is based on a particular time, which lasts until the completion of the initial training and the election of the candidate for a judge in a basic court, or for a public prosecutor in the basic public prosecutor's office.

## VI INITIAL TRAINING

### SIXTH GENERATION OF PARTICIPANTS IN THE INITIAL TRAINING 2017/2019 – 37 participants

The procedure for conducting the entrance exam for admission of participants in the initial training ended on 26 January 2017 when the Entrance Exam Commission adopted the Final Ranking List of Participants in the Initial Training. After the publication of the Final Ranking List, the Commission for audit of the held exams reviewed all the minutes and decisions of the Entrance Exam Commission and the Management Board associated with the course of the procedure for conducting the entrance exam at the session held on January 30, 2017 and it concluded that there were no procedural irregularities in the procedure for the entrance exam.

The theoretical part of the initial training started on March 1, 2017. According to the Initial Training Program - theoretical part, a total of 1220 classes, divided into three modules, were realized.

Civil law (substantive and procedural) 270 classes

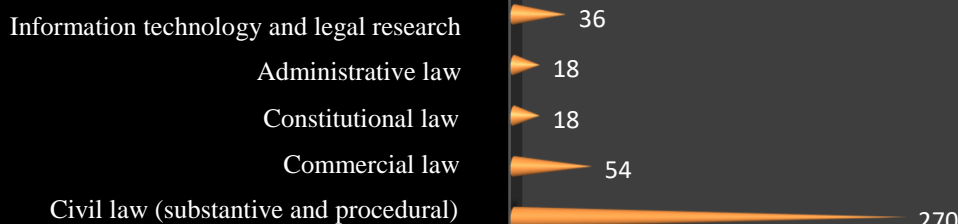
Commercial law 54 classes

Constitutional law 18 classes

Administrative law 18 classes

Information technology and legal research 36 classes

### Module 1

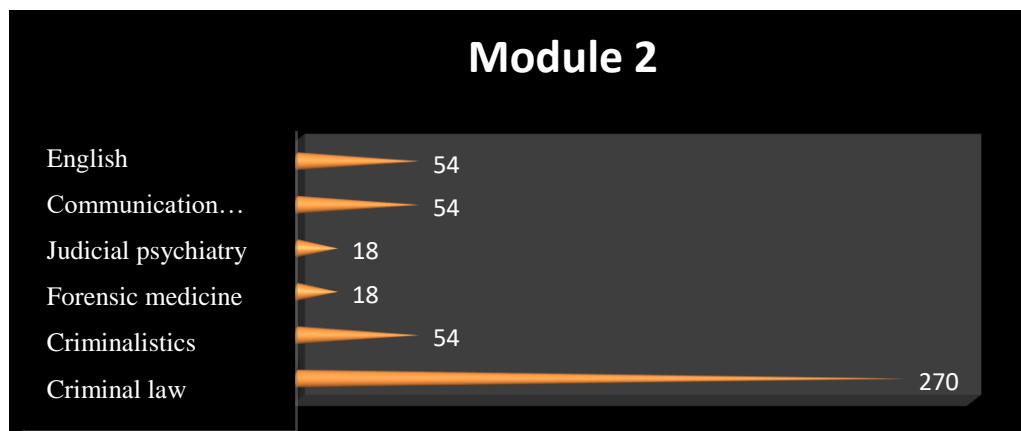




Judicial psychiatry 18

Communication skills, case management and public relations, rhetoric with legal argumentation, linguistics of law 54 classes

English 54 classes

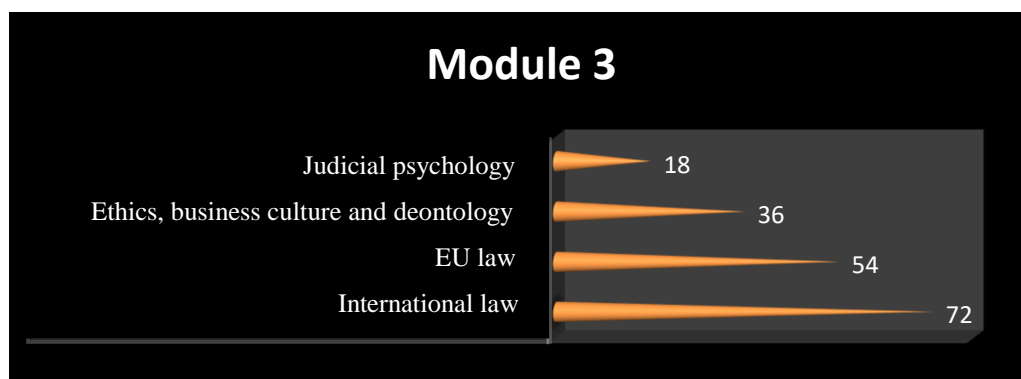


International law 72 classes

EU law 54 classes

Ethics, business culture and deontology 36 classes

Judicial psychology 18 classes



A total of 77 lecturers were hired for the realization of the envisaged number of classes in accordance with the Initial Training Program - theoretical part.

In addition to the envisaged number of classes according to the Initial Training Program - theoretical part, additional 140 classes were realized by 8 foreign and 17 domestic lecturers, as well as visits to relevant institutions, among which the Economic Chamber of Macedonia, the State Office of Industrial Property, the Public Revenue Office, the Psychiatric Hospital Skopje, the University Clinic of Psychiatry, the Institute of Forensic Medicine, the Department of Criminalistic Technical Investigations and Expertise at the Ministry of Interior, the Secretariat for European Affairs and others.

According to the Rulebook on Initial Training, after the completion of the theoretical part, the participants will take a knowledge test that will cover all the modules studied during the theoretical part of the training.



## VII CONTINUOUS PROFESSIONAL DEVELOPMENT

The continuous professional development of judges and public prosecutors was realized in accordance with the General Program for Continuous Professional Development of Judges and Public Prosecutors for 2017-2018 and the Catalog of Trainings for 2017.

Trainings on the amendments to the domestic legislation, the international legislation and the legislation of the European Union, for the juridical practice, as well as on general topics necessary for the performance of the judicial and the prosecutorial function were organized.

The trainings were held in a decentralized manner, in all appellate regions. The majority were held in Skopje, and a smaller number of them, which is determined depending on the needs of the target group for which they are organized, were conducted in the Court of Appeal Bitola, the Basic Court Gostivar and the Court of Appeal Shtip. Apart from judges and public prosecutors, the trainings included participants and lecturers from various institutions that are affected by the topic that is being processed. In this way, an exchange of experiences and a discussion of the perceived problems and inconsistencies in the application of the laws, among the legal practitioners, are realized in order to overcome them and to act in a uniform manner.

### NUMBER OF TRAININGS IN 2017

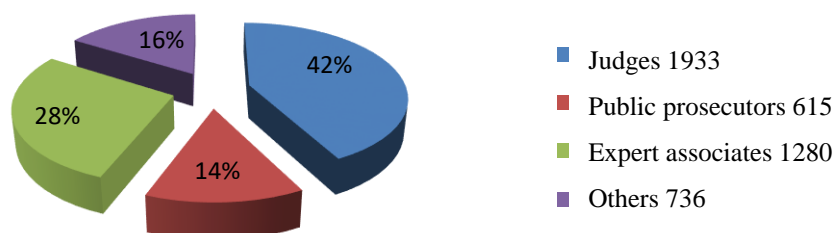
In the period from January 1, 2017 to December 31, 2017, the Academy organized a total of 201 trainings, with the participation of 4564 participants, out of whom 1933 were judges, 615 were public prosecutors, 1280 were expert associates from the courts and prosecution offices and 736 were other participants - representatives from other relevant institutions, organizations, the non-governmental sector, etc., invited by the Academy, and operating in areas related to the content of the training.



### STRUCTURE OF THE TARGET GROUPS

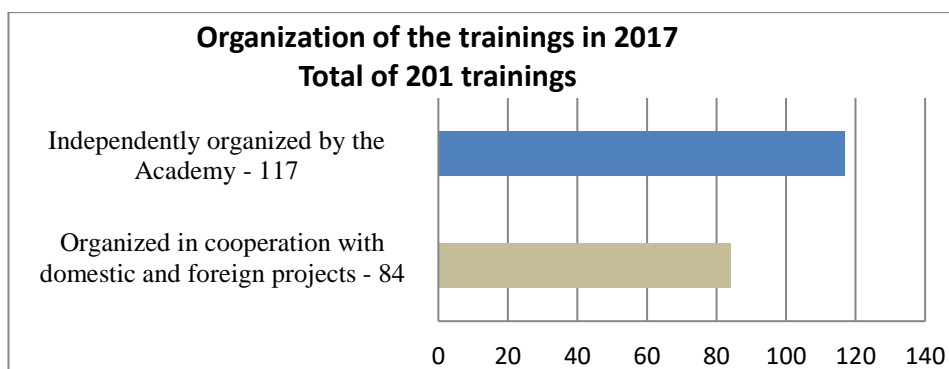


There were a total of 4564 participants in 2017, out of whom



### ORGANIZATION OF THE TRAININGS

Out of the total of 201 realized trainings in the reporting period, 117 trainings were independently organized by the Academy, while 84 trainings were organized by the Academy in cooperation, and with partial or full co-financing, with other domestic and foreign projects, associations, organizations and institutions.

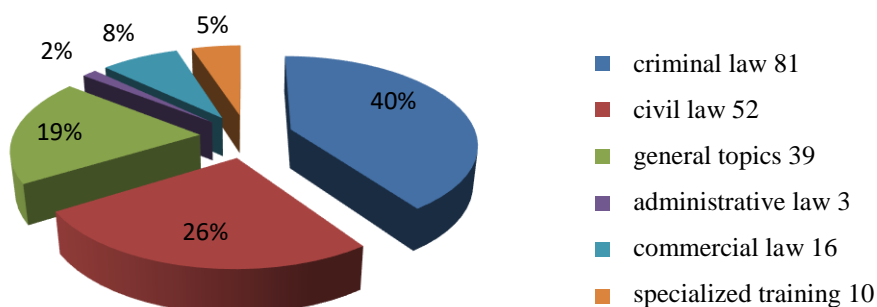


### CONTENT OF THE TRAININGS

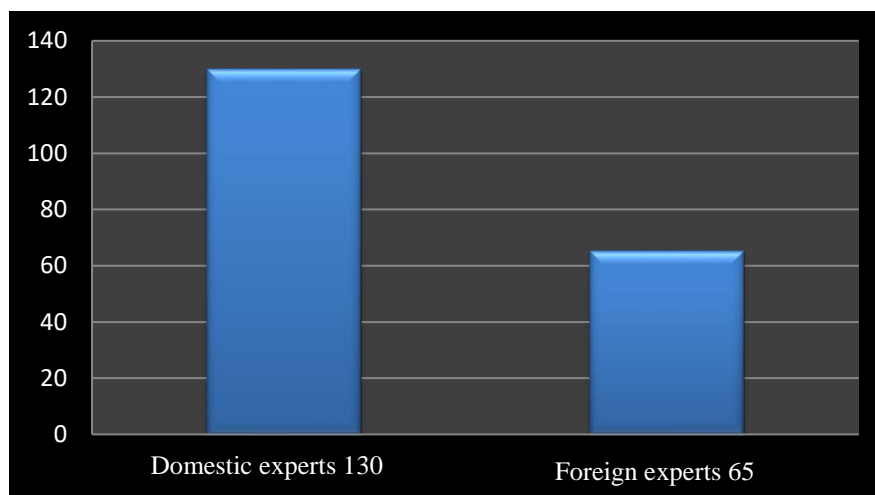
Out of the total number of realized trainings in the reporting period, 52 were held in the field of civil law, 81 in the field of criminal law, 3 in the field of administrative law, 16 in the field of commercial law, 39 trainings were dedicated to general topics, specialized trainings 10. Graphically presented, the structure of the trainings looks as follows:



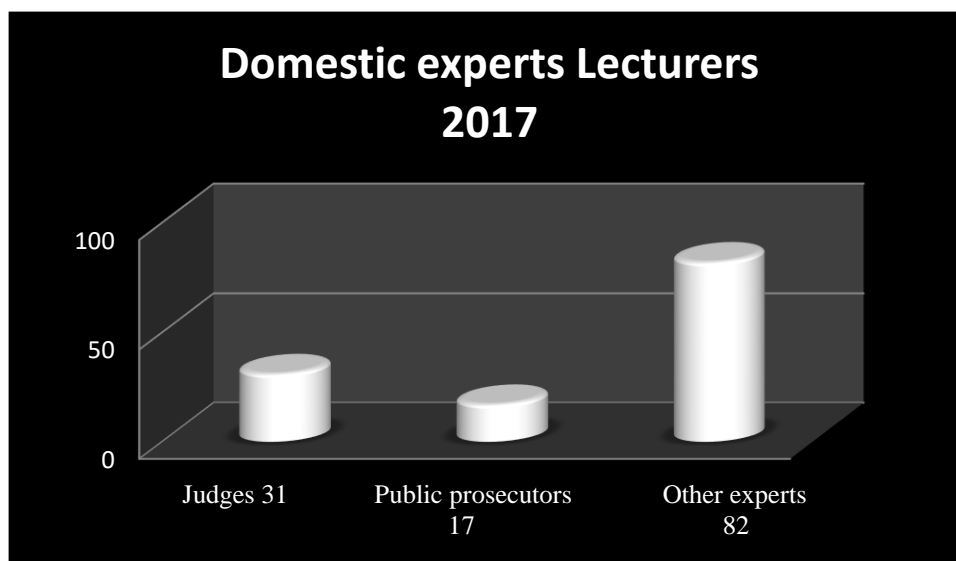
### Trainings by fields



In the course of 2017, a total of 195 lecturers were hired, out of whom 130 were domestic experts and 65 were foreign experts.



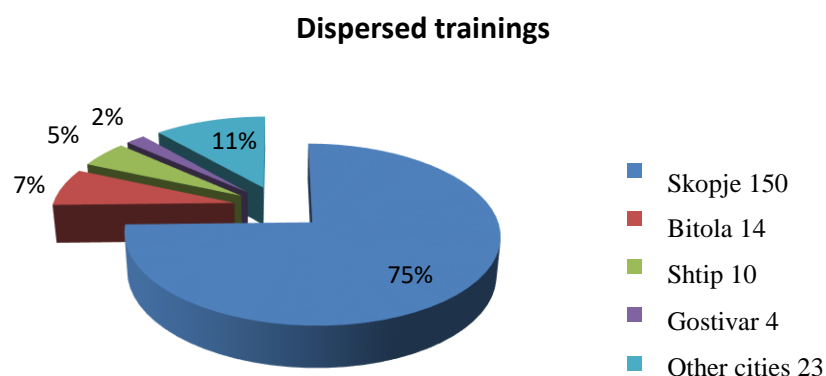
Out of the domestic experts who participated in the trainings as lecturers in 2017, 31 were judges, 17 were public prosecutors and 85 were other experts, in accordance with the fields covered by the trainings.



In 2017, experts from the highest level were hired - judges and public prosecutors from other states of the highest instances, Supreme Court judges, constitutional court judges, state public prosecutors, professors, judges of the European Court of Human Rights and other top experts.

In addition to the lecturers of the Academy, who are on the list of permanent lecturers, the Academy likewise hires temporary lecturers - experts from relevant ministries, offices, administrations and from other state bodies, institutions and organizations, especially those with whom the Academy in partnership meets the obligations for trainings, in accordance with the NPAA, experts from the non-governmental sector, retired judges, professors, assistants, lawyers, notaries public, bill collectors, experts, psychiatrists and many others, who fit the profile required for the specific training.

Out of the total number of trainings that were realized during the reporting period, 150 were held in Skopje, 14 in Bitola, 10 in Shtip, 4 in Gostivar, while the other 23 trainings were held in other cities and places throughout the Republic of Macedonia.







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**CONTINUOUS PROFESSIONAL DEVELOPMENT FOR THE APPLICATION OF PROCEDURAL LAWS**

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**LAW ON LITIGATION PROCEDURE**

In the period from January 1, 2017 to December 31, 2017, the Academy organized 5 trainings for judges that refer to the Law on Litigation Procedure, with a total of 109 participants, out of whom 90 were judges and 15 were judicial associates from the civil departments of the courts of all appellate regions and 4 notaries public. The realized trainings were on the following topics: Objective and subjective alteration of the claim; The novelties in the Law on Litigation Procedure and the Law on Notary in connection with the court and notarial payment order and handling of complaints; Disputable issues regarding the delivery in the litigation procedure, with special emphasis on the electronic delivery with scanned submissions; The role of the procedural solutions in the management of the litigation procedure and types of procedural solutions; Amendments to the LLP with jurisprudence, practical implementation issues;

A special training on the topic - Delivery of court letters was organized for the judicial officials, in accordance with the Law on Litigation Procedure and the Law on Criminal Procedure with practical examples, which was attended by a total of 25 employees.

In addition, two trainings were organized on the topic "Structure of the written preparation of a court verdict and a decision", attended by a total of 25 participants, out of whom 9 were judges, 13 were judicial associates and 3 were lawyers.

**LAW ON CRIMINAL PROCEDURE**

The Academy independently organized and held trainings on several topics from the Law on Criminal Procedure, which are as follows: Precautionary measures with a special emphasis on detention, detention in summary procedures and extradition detention, Inspection, reconstruction, expert witnessing, technical advisor and super-expertise as evidence in the criminal procedure, summary procedure, procedure for issuing a verdict for issuing a penal warrant and detention in a summary procedure. A total of 36 judges, 20 public prosecutors and 17 expert associates (total of 73) participated in these trainings.

During February and March, the Academy organized 3 trainings for the new probation service, in accordance with the provisions of the Criminal Code and the Law on Determining the Type and Measuring the Penalty

In the period from January 1 to December 31, 2017, 2 one-day trainings were organized independently for the professional associates from the criminal departments of all courts and prosecutor's offices in the Republic of Macedonia on the topic: "Criminal Procedure in accordance with the new Law on Criminal Procedure". A total of 80 participants attended these trainings, out of whom 59 were public prosecutors and 21 judicial officials.



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## SPECIALIZED MODULE OF TRAINING FOR THE HIGHER ADMINISTRATIVE COURT AND THE ADMINISTRATIVE COURTS

The judges and the professional service of the Higher Administrative Court and the Administrative Court attended trainings that were adapted to their needs, with the possibility to participate in other trainings that deal with issues of interest to the administrative judiciary as well as on general topics. Specialized trainings were held on the following topics: „Application of the Law on Real Estate Cadastre ", " Execution of the ECHR judgments, including repetition of the procedure as a type of individual measure ", " Complaints in the common European asylum system "(in cooperation with TAEX), " Customs offenses, appeals and lawsuits for administrative dispute ". Additionally, in cooperation with the EASO, on the thematic field of asylum, the participation of 7 judges from the Higher Administrative Court and the Administrative Court was organized for a regional seminar in Montenegro, ie 9 judges participated in the study visit in Warsaw - Poland.

### TRAININGS ON THE RIGHT TO INTELLECTUAL PROPERTY

In the course of 2017, the Academy, in accordance with the obligations of the "National Program for the Adoption of the Acquis Communautaire" (NPAA), continued with the continuous education of judges and public prosecutors in the field of intellectual property rights with the purpose of ensuring efficient prosecution of the infringers of intellectual property rights and effective judicial protection through further strengthening of the awareness of the importance of the intellectual property rights and consistent application of the regulations in this field.

In this context, the Academy in cooperation with the EU Twinning Project "**Strengthening the Enforcement of Intellectual Property Rights**" of the Kingdom of Denmark, realized:

- five two-day consultations on the topic of the enforcement of the intellectual property rights, which were attended by a total of 108 participants, out of whom 53 judges, 16 public prosecutors, 23 judicial associates, 9 expert associates from the public prosecutor's offices, 6 representatives of the Ministry of Interior and 1 representative of the Ministry of Justice;
- one three-day training of trainers on intellectual property rights, which was attended by 6 participants, out of whom 1 judge, 1 lawyer and a representative of the industrial property rights, 2 representatives of the State Office of Industrial Property, 1 representative of the State Market Inspectorate and 1 representative of the Ministry of Culture.

In addition, a Handbook on the Enforcement of Intellectual Property Rights was drafted within the Project, and one judge participated in the study visit of Denmark for the topic area - Intellectual Property Right.

### TRAININGS IN THE FIELD OF ETHICS AND THE FIGHT AGAINST CORRUPTION AND CONFLICT OF INTERESTS

The Academy, in accordance with the recommendations of GRECO in 2017, with the purpose of promoting the preventive mechanisms for corruption, in the field of the trainings, organized a total of 19 trainings in cooperation with the SCPC, out of which 1 training for judges and public prosecutors, 1 training for presidents of courts and court administrators, 1 training for public prosecutors of public prosecutor's offices and senior officials, 14 trainings for lay judges, on topics related to ethics, ethical behavior, prevention of conflicts of interest and anti-corruption measures, as well as 2 trainings for court and public prosecutors and:



- 1 training for judges and public prosecutors from all appellate regions, on the topic: "Ethics and integrity / Conflict of interests", which was attended by a total of 33 participants, out of whom 25 judges and 8 public prosecutors.
- 2 trainings in cooperation with EIPA (European Institute for Public Administration-Luxembourg), intended for presidents of courts, court administrators, public prosecutors of public prosecutor's offices and senior officials from all appellate regions, on the topic: "Ethics", which were attended by a total of 34 participants, out of whom 8 presidents of courts, 7 public prosecutors of public prosecutor's offices, 2 judges, 9 court administrators and 8 prosecutors.
- 2 trainings for court officials and prosecutors on the topic: "Prevention of Corruption and Conflicts of Interest, Good Governance, Integrity and Ethics", which were attended by 32 participants from all appellate regions, 16 of whom court officials and 16 prosecutors.
- 14 trainings for lay judges, on the topic: "Conflict of interests / Anti-Corruption Measures / Ethics and Code of Ethics", which were attended by a total of 188 lay judges, out of whom 71 participants from the appellate region of Skopje, 34 participants from the appellate region of Shtip, 63 participants from the appellate region of Bitola and 20 participants from the appellate region of Gostivar;

Within the framework of the implementation of the activities envisaged by the NPAA, the following trainings were likewise organized:

- 2 trainings on the topic "Criminal offenses in the field of financial crime: tax evasion, money laundering and corruption", which were attended by 16 judges, 13 public prosecutors and 11 expert associates.
- 1 training on the topic "Financial Investigations: how is money laundered", in cooperation with the APPRM, which was attended by 9 prosecutors and 10 expert associates.
- 2 trainings on topics associated with confiscation, extended confiscation and illegal acquisition of property, which were attended by 18 judges, 19 public prosecutors and 9 expert associates.
- 1 training on the topic "Criminal liability of legal entities / Bribery", which was attended by 8 judges, 12 public prosecutors and 1 expert associate.
- 3 trainings on the measure of detention, which were attended by 35 judges, 17 public prosecutors and 14 expert associates.



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## **TRAININGS INTENDED FOR PARTICULAR MEMBERS OF THE EUROPEAN CONVENTION ON HUMAN RIGHTS**

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The Academy for Judges and Public Prosecutors, within the framework of the "JUFREX" project, which already covers six locations in the Balkan region, and is conducted in cooperation with the Council of Europe, organized a total of 3 trainings related to the freedom of expression referred to in Article 10 of the European Convention on Human Rights, out of which one for trainers and 2 cascading trainings. 12 judges, 3 public prosecutors and 5 lawyers, or a total of 20 participants were trained at the training of trainers.

A total of 22 judges, 3 judicial associates, 1 representative from among the lawyers and 2 representatives of the Bureau for Representation of the Republic of Macedonia before the ECHR participated in two cascading trainings related to Article 10 of the ECHR, that is, the Freedom of Expression on the Internet, and the balance between the freedom of expression and the right to privacy.

At least 2 more activities are envisaged to be realized within the framework of this project in the course of 2018.

The Academy, within the framework of the EU-funded Horizontal Program, implemented by the Council of Europe "Strengthening the Judicial Capabilities for the Protection of Human Rights and Combating Inhuman or Degrading Treatment and Impunity", organized and held 2 trainings for trainers, 2 pilot trainings and a total of 4 cascading trainings in different appellate regions. These trainings referred to Articles 3 and 6 of the ECHR, that is, the Prohibition of Torture and the Right to a Fair Trial.

A total of 3 judges and 10 public prosecutors were trained in the training for trainers on Article 3 of the ECHR, while a total of 36 judges, 26 public prosecutors and 22 expert associates attended the pilot training and the cascading trainings referring to this article.

A total of 3 judges, 4 public prosecutors and 2 lawyers were trained in the training for trainers on Article 6 of the ECHR, while a total of 17 judges, 10 public prosecutors and 15 expert associates attended the pilot training and the cascading trainings referring to this article.

One more training on Article 3 of the ECHR and 3 trainings on Article 6 of the ECHR are envisaged to be held within the framework of this project in the course of 2018. A training for trainers in relation to Article 5 of the ECHR is envisaged to be held within the framework of the same project in the course of the following year.

2 trainings were organized within the framework of the cooperation with TAIEX on the following topics: "The right to freedom and security in the criminal procedure (Article 5 of the ECHR)" and "The principle of equality of arms (Art. 6 of the ECHR)", which were attended by a total of 45 judges, 34 public prosecutors, 2 expert associates, 5 lawyers and 2 representatives of the Bureau for Representation of the Republic of Macedonia before the ECHR.

In addition, the Academy individually organized and realized 3 more trainings on the ECHR on the following topics: "Article 3 of the ECHR, with special emphasis on the obligation to conduct an efficient investigation", "The principle of legal certainty referred to in Article 6 of the ECHR through the prism of a harmonized domestic jurisprudence" and "The right to property (Article 1 of Protocol No. 1 of the ECHR)", which were attended by a total of 47 judges, 2 public prosecutors and 15 judicial associates.



### **TRAININGS ON THE EU LAW**

The EU law was elaborated in the trainings through the following topics:

1. "The Consumer Law Perceived through the Consumer Protection Law and the Connection to Other Laws". The consultation was organized in cooperation with the CDI and was attended by a total of 31 participants.
2. "The Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance (2007) with the Protocol on the Law Applicable to Maintenance Obligations". A total of 14 participants attended.
3. "International Judicial Cooperation in Cross-Border Disputes from the Aspect of the EU Law - EU Regulation on the Law Applicable to Contractual Obligations (ROME 1)". The consultation was attended by 26 participants.
4. 2 consultations on the topic "Structure and Institutional Framework of the EUSR, General Review of the EU law / Search, Analysis and Application of the EU Law, Jurisprudence of EUSR". The consultations were organized in cooperation with the Twinning Project of Latvia, and were attended by 54 participants.
5. A 5-day training in EU law - International Judicial Cooperation in Civil and Commercial Matters, organized in cooperation with the EIPA. Six judges took part in the consultation.
6. "Convention on the Civil Aspects of International Child Abduction", attended by 26 participants.

### **SPECIALIZED TRAINING FOR PRESIDENTS OF COURTS AND PUBLIC PROSECUTORS OF THE PUBLIC PROSECUTOR'S OFFICES**

In the course of 2017, the following specialized trainings were organized for the presidents of the courts and the public prosecutors of the public prosecutor's offices.

The following trainings were held for the presidents:

- "Ethics", consultation organized in cooperation with the EIPA
- "Inventory and records of court deposits"

The public prosecutors of the public prosecutor's offices attended a training on the topic:

- "Ethics", consultation organized in cooperation with the EIPA

### **TRAININGS FOR TRAINERS**

The Academy for Judges and Public Prosecutors, within the framework of the "JUFREX" project, which already covers six locations in the Balkan region, and is conducted in cooperation with the Council of Europe, organized a training of trainers in relation to the freedom of expression referred to in Article 10 of the European Convention on Human Rights, at which 12 judges, 3 public prosecutors and 5 lawyers were trained, or a total of 20 participants.

The Academy, within the framework of the EU-funded Horizontal Program, implemented by the Council of Europe "Strengthening the Judicial Capabilities for the Protection of Human Rights and Combating Inhuman or Degrading Treatment and Impunity", organized and held 2 trainings for trainers that referred to Articles 3 and 6 of the ECHR, that is, the Prohibition of Torture and the Right to a Fair Trial.



A total of 3 judges and 10 public prosecutors were trained in the training for trainers on Article 3 of the ECHR.

A total of 3 judges, 4 public prosecutors and 2 lawyers were trained in the training for trainers on Article 6 of the ECHR.

A training for trainers in relation to Article 5 of the ECHR is envisaged to be held within the framework of the same project in the course of the following year.

A training of trainers was likewise conducted within the framework of the Danish Twinning Project for 6 participants - representatives of relevant institutions involved in the system of enforcement of intellectual property rights.

### **NEWLY ELECTED JUDGES AND NEWLY APPOINTED PUBLIC PROSECUTORS**

In the course of 2017, specialized five-day trainings in two modules were organized for the newly elected judges and the newly appointed public prosecutors, and the module "Criminal law" for the newly appointed public prosecutors and the newly elected judges for misdemeanor and criminal matters and the module "Civil law" for the newly elected judges for civil matters.

### **LAY JUDGES**

Fulfilling the legal obligation, in accordance with Article 42 paragraph 3 of the Law on Courts, lay judges are obliged to attend specialized trainings organized by the Academy.

The Academy for Judges and Public Prosecutors "Pavel Shatev" from January 1, 2017 to December 31, 2017 organized 7 trainings, which were attended by 188 participants, out of whom 71 were from the Skopje Appellate Region, 34 from the Shtip Appellate Region, 63 from the Bitola Appellate Region and 20 from the Gostivar Appellate Region.

**In addition, in accordance with Article 42, paragraph 4 of the Law on Courts, the Academy conducted a test for verification of the acquired knowledge from the conducted Specialized Trainings for Lay Judges by Appellate Regions, whereby 182 candidates passed the test and acquired the status – lay judge.**

### **TRAINING OF THE COURT OFFICIALS AND PROSECUTORS**

In the course of 2017, the Academy continued with the professional development of court officials and prosecutors, who have made a significant contribution to the successful operation of the courts and public prosecutors' offices.

The trainings for court officials and prosecutors covered various target groups, and: the professional service in the courts and prosecutors' offices, the administrative officials and the expert-administrative workers.

In accordance with the Program and the Training Plan for Court Officials and Prosecutors, in the period from January 1, 2017 to December 31, 2017, the Academy organized and held a total of 26 trainings for court officials and prosecutors, which were attended by a total of 687 participants, out of whom 357 were court officials and 330 were prosecutors, on the following topics:





- "Application of the Basic Principles on the Personal Data Protection in the Practice of the Courts / The Role of the Personal Data Protection Officer in accordance with the new EU Regulation";
- "Novelties in the Field of Public Procurement/ Amendments, Electronic Conducting of Public Procurement, Opened Issues when Acting in Practice";
- "Termination of a Lifelong Support Contract for Failure to Fulfill Obligations";
- "Preparation of a Final Account";
- "Material, Financial and Office Operations";
- "Prevention of Corruption and Conflict of Interests, Good Governance, Integrity and Ethics";
- "Criminal Procedure in Accordance with the New LCP / Problems Arising from the Application of the Law";
- "Governance and Management according to the Law on Judicial Service";
- "Practical Problems Arising from the Application of the Law on Public Prosecutors";
- "Application of IT in Prosecutor's Offices";
- "Damage – Lost Profits (proving the type and extent of the lost profits)";
- "Communication Abilities - Communication Skills, Types, Stress Management";
- "Charging a Court Fee and Enforcement of Sanctions in Accordance with the Court Rules of Procedure and the Law on Court";
- "Delivery of Writs, Pursuant to the Law on Litigant Procedure and the Law on Criminal Procedure with Practical Examples";
- "Human Resources Management";
- "Case Management";
- "Making of an inventory and preparation of census lists";
- "Inventory and records of court deposits";
- "Ethics".



## VIII COOPERATION WITH DOMESTIC BODIES, ORGANIZATIONS AND INSTITUTIONS AND FOREIGN PARTNERS AND PROJECTS

Cooperation with domestic bodies, institutions, organizations and associations, as well as with foreign partners and projects, established at the beginning of the functioning of the Academy, continued with same intensity in the course of 2017.

### DOMESTIC BODIES, ORGANIZATIONS AND INSTITUTIONS





In the course of 2017, during the process of organization of the events in the continuous professional development, the Academy cooperated with the Ministry of Economy, the Association of Public Prosecutors of the Republic of Macedonia, the Bureau of Forensic Experts, the State Office of Industrial Property, the Association of Journalists of Macedonia, the CLRA - Center for Legal Research and Analysis, the Chamber of Trustees in Bankruptcy of the Republic of Macedonia and the Helsinki Committee for Human Rights of the Republic of Macedonia.

The cooperation with the **Ministry of Economy**, established for the purpose of implementing the IPA project "Strengthening the administrative capacities for implementation of the legal framework for bankruptcy and liquidation of companies", whose implementation began in the course of 2016, continued during 2017. Consultations were held within the framework of this cooperation in the course of 2017, on the following topics: "Assessment of the debtor's property in a bankruptcy procedure - practical aspects" - 2 consultations; Conditions for opening a bankruptcy procedure - normative aspects and jurisprudence; Legal consequences from the opening of a bankruptcy procedure - normative aspects and jurisprudence; Management of the bankruptcy procedure - normative aspects and jurisprudence; Protection of the rights of the creditors in the bankruptcy procedure - normative aspects and jurisprudence; Bankruptcy Trustee - normative aspects and jurisprudence; Repudiation of the debtor's legal actions - normative aspects and jurisprudence; Reorganization of the bankruptcy debtor in conditions of preliminary procedure - normative aspects and case law; and Reorganization of the bankruptcy debtor in a bankruptcy procedure - normative aspects and jurisprudence

Consultations were organized in cooperation with the **Association of Public Prosecutors of the Republic of Macedonia**, on the following topics: Financial Investigations - How is money laundered; Combating Human Trafficking; Witness Protection: Challenge and risk in a criminal procedure (3 consultations); International cooperation in criminal matters (2 consultations).

The **Bureau of Forensic Expertise** organized a consultation on the topic of Traffic - Technical Expertise as a basis for quality resolution of court disputes, at which an invitation was sent through the Academy to the judges and public prosecutors who act upon this type of cases.

The Academy for Judges and Public Prosecutors Pavel Shatev in cooperation with the **Association of Journalists in Macedonia**, within the framework of the project "Journalists' Network for Media Freedoms in Macedonia", organized an expert meeting on the topic: "Improving the cooperation between journalists and judges in order to promote media freedoms", which was attended by journalists, judges, public prosecutors and lawyers. This meeting contributed to the consideration of topics of common interest, which are related to the media freedoms. This type of meetings improve the communication and trust, and at the same time strengthen the cooperation between the journalists and judges.

A three-day consultation was held in cooperation with the **CLRA - Center for Legal Research and Analysis** on the topic "Sharing practical experiences of the ECHR *vis a vis* the practical experiences of the jurisprudence departments in the Republic of Macedonia". The consultation was intended for persons responsible for the jurisprudence, as well as for the heads of the criminal and civil matters of the Supreme Court of the Republic of Macedonia, the four



appellate courts and the Basic Court Skopje I and the Basic Court Skopje II as courts with the largest volume of cases. Judicial associates from the mentioned courts working on this matter likewise attended the consultation.

4 Consultations on the topic "Practical experiences, jurisprudence and legal issues that arise in the application of the Law on Bankruptcy" in cooperation with the **Chamber of Bankruptcy Trustees of the Republic of Macedonia**.

A consultation on the topic "Access to justice for LGBTI communities", intended for public prosecutors was held in cooperation with the **Helsinki Committee for Human Rights of the Republic of Macedonia**.

#### **FOREIGN PARTNERS AND PROJECTS WITH WHICH THE ACADEMY COOPERATED IN THE COURSE OF 2017**

The established cooperation likewise continued with the foreign partners and projects, which by providing financial and technical support enabled the organization of numerous workshops, round tables, seminars:

- The TAIEX Instrument for Technical Assistance and Information Exchange at the European Commission; EIPA; German Foundation for International Legal Cooperation - CDI; Council of Europe; Danish Twinning Project; The OSCE Mission to Skopje; Latvian Twinning Project; Regional Environmental Center for Central and Eastern Europe (REC); European Asylum Support Office – EASO;
- UNICEF; UNODC; The US Embassy in the Republic of Macedonia; iPROCEED; UNDP;
- Embassy of the Republic of France;

#### **➤ TRAININGS IN COOPERATION WITH THE TAIEX INSTRUMENT FOR TECHNICAL ASSISTANCE AND INFORMATION EXCHANGE AT THE EUROPEAN COMMISSION OF THE EUROPEAN UNION**

With the financial support of the TAIEX Instrument for Technical Assistance and Information Exchange AT the European Commission of the European Union, 4 workshops were held in the course of 2017 on the topic:

- The protection of property rights under Article 1 of the ECHR
- The principle of equality of arms (Article 6 of the ECHR)
- The right to freedom and security in criminal procedures (Article 5 of the ECHR)
- Appeal procedures in the common European asylum system

In December 2017, the Academy, with the financial support of the TAIEX Instrument for Technical Assistance and Information Exchange at the European Commission of the European Union, organized a regional workshop on the topic: "The European Union Standards for Initial Training of Judges and Public Prosecutors", with the participation of representatives who



attended the initial training at the Academy, lecturers, mentors, members of the Program and Management Board of the Academy, representatives of the Judicial Academies from the countries of the region - Macedonia, Serbia, Montenegro, Kosovo, Albania and Turkey.

➤ **THE EUROPEAN CENTER FOR JUDGES AND LAWYERS, EUROPEAN INSTITUTE FOR PUBLIC ADMINISTRATION – EIPA**

6 trainings were held in cooperation with the European Center for Judges and Lawyers, the European Institute for Public Administration - EIPA, were held in the period from January 1, 2017 to December 31, 2017, which were attended by a total of 110 participants, on the following topics:

- "Ethics ", 2 trainings were held, which were attended by a total of 34 participants, out of whom 8 presidents of courts, 7 Public Prosecutors of Public Prosecutor's Offices, 2 judges and 17 officials;
- "Instruments of judicial cooperation in criminal cases", 2 trainings were held, which were attended by a total of 39 participants, out of whom 8 judges, 3 prosecutors, 25 officials and 3 lawyers;
- "EU Law: Judicial Cooperation in Civil and Commercial Matters in the EU" 1 training was held which was attended by a total of 6 judges;
- "Quality development in the field of justice", 1 training was held, which was attended by a total of 31 participants, out of whom 24 judges and 7 prosecutors;

➤ **UNICEF**

In the course of 2017, the Academy for Judges and Public Prosecutors in cooperation and with the financial support of the UNICEF office in Skopje organized a conference on the topic: "Protection of Child Victims in Legal Procedures", which was attended by judges from the criminal and civil departments and by public prosecutors from all appellate regions, by lawyers, as well as by representatives of the Ministry of Justice of the Republic of Macedonia, the Ministry of Labor and Social Policy, the Centers for Social Work and the Ministry of Interior of the Republic of Macedonia. The purpose of this conference was the elaboration on some examples of the jurisprudence in the cases that were finalized in order to improve the efficiency in the handling and equalization of the jurisprudence, as well as to present the new ways of electronic communication and child protection.

In the course of 2018, and in cooperation with the Macedonian Young Lawyers Association and UNICEF, the implementation of the project "Protection of children's rights in criminal and civil proceedings" is envisaged. A training module will be prepared for the needs of the project by experts in the field of criminal law, social protection, pedagogy, psychology and health care, followed by trainings of judges, public prosecutors and lawyers working on this matter.

➤ **GERMAN FOUNDATION FOR INTERNATIONAL LEGAL COOPERATION – (IRZ)**



The Academy, within the reporting period, and in cooperation with the German Foundation for International Legal Cooperation (IRZ) and with its financial support, with which it has had years of fruitful cooperation, realized the following activities:

- A consultation was held in cooperation with the German Foundation for International Legal Cooperation (IRZ) on February 3 on the topic: "Consumer Law, perceived through the Law on Consumer Protection and the Connection with Other Laws". The consultation was intended for judges and expert associates from all departments of all appellate regions, representatives of the Macedonian Bar Association, as well as representatives of the Ministry of Justice. It was attended by 15 judges, 9 lawyers, 2 representatives of the Ministry of Finance, representatives of the State Market Inspectorate.
- A consultation was held on April 27 on the topic: "The competence of the national courts and the application of the relevant law in specific cases according to the LIPR". 8 judges, 6 judicial associates and 11 lawyers attended the consultation. In the period from 28 to 30 November, a training was held on the Introduction to the German Law. It is envisaged under this program that during a week-long study and a working visit to Germany, the young Macedonian lawyers will be introduced to the German legal system as an example of a traditional continental European legal system that is harmonized with the EU law, thus gathering experiences that you will use for their further jurisprudence as judges and public prosecutors. The training was attended by 5 judges and 10 public prosecutors. They took a written and oral exam, followed by a study visit in May 2018 in Germany where participants will be introduced to this legal system in more details, as well as to the work of relevant institutions.

➤ **COUNCIL OF EUROPE AND HELP-PROGRAM OF THE COUNCIL OF EUROPE**

The Academy for Judges and Public Prosecutors, within the framework of the "JUFREX" project, which already covers six locations in the Balkan region, and is conducted in cooperation with the Council of Europe, organized a total of 3 trainings related to the freedom of expression referred to in Article 10 of the European Convention on Human Rights, out of which one for trainers and 2 cascading trainings.

12 judges, 3 public prosecutors and 5 lawyers, or a total of 20 participants were trained at the training.

A total of 22 judges, 3 judicial associates, 1 representative from among the lawyers and 2 representatives of the Bureau for Representation of the Republic of Macedonia before the ECHR participated in the two cascading trainings related to Article 10 of the ECHR, that is, the Freedom of Expression on the Internet, and the balance between the freedom of expression and the right to privacy.

At least 2 more activities are envisaged to be realized within the framework of this project in the course of 2018.

The Academy, within the framework of the EU-funded Horizontal Program, and implemented by the Council of Europe "Strengthening the Judicial Capabilities for the Protection of Human Rights and Combating Inhuman or Degrading Treatment and Impunity", organized and



held 2 trainings for trainers, 2 pilot trainings and a total of 4 cascading trainings in different appellate regions. These trainings referred to Articles 3 and 6 of the ECHR, that is, the Prohibition of Torture and the Right to a Fair Trial.

A total of 3 judges and 10 public prosecutors were trained in the training for trainers on Article 3 of the ECHR, while a total of 36 judges, 26 public prosecutors and 22 expert associates attended the pilot training and the cascading trainings referring to this article.

A total of 3 judges, 4 public prosecutors and 2 lawyers were trained in the training for trainers on Article 6 of the ECHR, while a total of 17 judges, 10 public prosecutors and 15 expert associates attended the pilot training and the cascading trainings referring to this article.

One more training on Article 3 of the ECHR and 3 trainings on Article 6 of the ECHR are envisaged to be held within the framework of this project in the course of 2018. A training for trainers in relation to Article 5 of the ECHR is envisaged to be held within the framework of the same project in the course of the following year.

At the same time, for the purpose of preparing the judges and prosecutors for legal searching, several trainings were held on using the HELP program, using the HUDOK and AIRE bases with decisions of the ECHR, translated into the languages of the countries in the region.

#### ➤ **UNODC – United Nations Office on Drugs and Crime**

The primary objective of the United Nations Office on Drugs and Crime Project (UNODC), the Department of Terrorism which is intended to assist the national judiciaries (Albania, BiH, Croatia, Kosovo, Montenegro, Serbia and the Republic of Macedonia) for the purpose of strengthening their expertise in the fight against new terrorist threats in Southeast Europe, is the development of training institutions in the national legislations in Southeast Europe, in order to provide trainings on specific legal and technical aspects related to the fight against terrorism, at the national and regional level, through modules that will include best practice and through relevant practical experiences.

In the course of 2017, the Academy in cooperation with the United Nations Office on Drugs and Crime and the U.S. Embassy in the Republic of Macedonia, organized an event on the topic: "Research and verdict in cases involving foreign terrorist-fighters in Southeast Europe", in a period during which they are stronger and unfortunately more real, the terrorist threats at a global scale. The knowledge that the practitioners acquired through this event helped them to have better legal communication in practice and to share it with their colleagues.

At the end of the year, the United Nations Office on Drugs and Crime (UNODC) project organized training for foreign terrorist fighters in Vienna, Austria. At the same time, this was the last event of the project and currently the module for foreign terrorist fighters, which will soon be printed in English version is in its final phase.

The Academy for Judges and Public Prosecutors in cooperation with the United Nations Office on Drugs and Crime (UNODC), Department of Organized Crime and Illicit Human Trafficking in the course of 2017 started with the development of a curriculum for smuggling migrants.

The primary goal of the Department of Organized Crime and Illicit Human Trafficking, for the purpose of drafting a UNODC curriculum for the smuggling of migrants in order to emphasize the





smuggling of migrants, is to promote global respect of the Migrant Smuggling Protocol signed by the Republic of Macedonia and to help countries in their efforts to conduct effective implementation. For this purpose, representatives of the Department of Organized Crime and Illicit Human Trafficking went on a working visit to the relevant judicial institutions in the Republic of Macedonia in the course of 2017. Given that the preparations for the drafting of the curriculum for smuggling of migrants are underway, the participation of all relevant institutions through the organization of a meeting for the purpose of their acquaintance and involvement in the preparation was of great importance.

In addition, a two-day training of trainers was organized in the course of 2017, which was related to the drafting of the curriculum for smuggling of migrants. The expert group that conducted the training consisted of an international consultant on migrant smuggling and human trafficking and a crime prevention and criminal justice officer from the UNODC Anti-Human Trafficking and Migrant Smuggling Unit. The meeting was attended by representatives of all relevant institutions

#### ➤ **OSCE MISSION TO SKOPJE**

The planned activities within the framework of the cooperation between the Academy and the OSCE Mission to Skopje in the course of 2017 were realized through the organization of events dedicated to the anti-discrimination legislation and the concept of equality and the Law on Criminal Procedure.

In the area of protection and prevention of discrimination, two events were organized on the topic "The concept of non-discrimination", which were attended by a total of 20 judges, 4 expert associates and 11 lawyers.

In addition, two legal debates on the Commentary on the Law on Prevention and Protection against Discrimination were organized, one of which was intended for judges and the other for representatives of relevant institutions. Thus, these two meetings were attended by 22 judges, 1 judicial associate, lawyers, 1 representative of the Ministry of Labor and Social Policy, representatives of the Macedonian Young Lawyers Association, the Helsinki Committee for Human Rights, **the Coalition for Sexual and Health Rights of the Marginalized Communities, the Institute for Human Rights.**

During 2017, the Academy in cooperation and with the financial support of the OSCE Mission to Skopje organized three round tables in relation to the Law on Criminal Procedure on the topic: "The role of the trial judge in the evidence procedure".

The Academy for Judges and Public Prosecutors, Pavel Shatev, in cooperation and with the financial support of the OSCE Mission to Skopje, after the completion of the advanced trainings for the new LCP, in 2016 began with the creation of an e-learning platform in order to enable the preservation and transmission of all video materials from the advanced trainings on the Law on Criminal Procedure. Namely, the creation of the e-learning platform is aimed at making the material from the trainings on the new LCP conducted so far electronically available for all present and future practitioners. In the course of 2017, the material from the Academy was uploaded on the e-platform and with the finalization of its design, the e-platform reached its final stage of development. The material is published on the website of the Academy for Judges and Public Prosecutors, initially with the purpose of providing information and self-assessment of the



knowledge, with the potential to be used not only for criminal, but also for trainings from all other areas in the future.

➤ **LATVIAN TWINNING PROJECT**

Within the framework of the Twinning Project "Strengthening the Rule of Law", organized by the Ministry of Justice, in the part of Component 2 of the Project - "Improving the knowledge and capacities of the relevant stakeholders in the justice sector for EU law and other international justice standards, in terms of encouraging their transposition into the national legislation", two trainings were organized in the course of 2017 in the area of the EU Law on the topic "Structure and institutional framework of the Court of Justice of the EU, a general overview of the EU law/ Search, analysis and application of the EU law, jurisprudence of the Court of Justice of the EU", which were attended by a total of 53 participants - judges and judicial associates.

➤ **US EMBASSY IN THE REPUBLIC OF MACEDONIA**

In the course of 2017, the Academy in cooperation and with the financial support of the US Embassy in Skopje organized a regional seminar on the topic: "**Legal Aspects of the Fight against Terrorism**". The seminar was conducted by experts from the Institute for Defense and International Legal Studies from Wuport, Roud Ajlend (DILS), which was attended by 40 representatives from various institutions who work in the field of the fight against terrorism and are directly involved in activities aimed at combating terrorism.

In addition, the Academy, in the course of 2017 through the US Embassy in the Republic of Macedonia, and in cooperation and with the financial support of the US Embassy in Croatia, organized training of trainers on the development of a curriculum and methods for adult learning. The training represented an opportunity to encourage institutions and trainers that conduct trainings to develop strategic plans in a more efficient manner, to prepare a curriculum, and to use learning methods in order to develop a sustainable training program in a more efficient manner.

In the course of 2017, the Academy in cooperation with the Office of the US Department of Justice (OPDAT) and the US Embassy in the Republic of Macedonia organized a workshop on the topic "**Cyber evidence of anti-terrorist investigations and charges**", which was attended by practitioners working on issues related with terrorism, including electronic evidence, as well as evidence from social media sites and electronic storage devices (such as computers and smartphones). The workshop was conducted by the staff of the US Ministry of Justice and the Federal Bureau of Investigation.

In addition, a workshop was organized in cooperation with the Office of the US Department of Justice (OPDAT) and the US Embassy in the Republic of Macedonia on the topic: "**Investigation and prosecution of preparatory acts on terrorism, terrorist attacks and financing of terrorism**" intended for practitioners dealing with cases of terrorism in the field of the judiciary, the prosecution, the Administration for Security and Counter-Intelligence, the Ministry of Interior and the Financial Intelligence Directorate.

The Academy, through the US Embassy in the Republic of Macedonia and at the invitation of the US Navy Department for the participation in a course on the topic: Legal aspects of the fight





against corruption at the Institute of International Legal Studies, Newport, Rhode Island, US, nominated 2 public prosecutors and 1 judge. The aim of the course was for the participants to acquire knowledge and skills that would improve their ability to raise the awareness of public corruption, to explore mechanisms for improving the national efforts to prevent, detect, investigate and prosecute corrupt practices, to understand the international legal framework for combating corruption.

Advanced trainings on topics related to the Law on Criminal Procedure from 2010 are envisaged to be held in the course of 2018, and in cooperation with the US Embassy in the Republic of Macedonia. For this purpose, a training module was prepared by the lecturers of the Academy, and with the support of representatives from the US Embassy, covering the following topics:

- **Module I:** Pre-investigative procedure and investigation
- **Module II:** Settlement for criminal sanction, indictment, direct and cross-examination
- **Module III:** Financial investigations and expertise
- **Module IV:** Complex case management
- **Module V:** Public relations

➤ **iPROCEEDS – Regional project on capacity building for combating crime via the Internet**

In the course of 2017, the Academy continued with its activities within the framework of the regional project, in cooperation with the European Union, for the purpose of building anti-crime capacities via the Internet - iPROCEEDS (cybercrime). The project started on January 1, 2016, and is financed through the multi-beneficiary IPA II program for 2014, and it includes: the Republic of Macedonia, Albania, Bosnia and Herzegovina, Montenegro, Serbia, Turkey and Kosovo. The project is in duration of 42 months. The purpose of this project is to strengthen the capacities of the competent institutions in identifying, researching, reducing and confiscating the property benefits, acquired via cybercrime as well as prevention of money laundering on the Internet.

Members from the Republic of Macedonia were appointed who are now part of the group that will work on the process of implementation at the national level, comprised of representatives from the Academy for Judges and Public Prosecutors, the Ministry of Interior, the Ministry of Justice, the Ministry of Finance, the Public Prosecutor's Office for prosecuting organized crime and corruption and the Financial Intelligence Directorate.

The following activities were implemented in the course of 2017:

- Training of trainers on an initial module on cybercrime, electronic evidence and online crimes that took place from June 20 to June 24, 2017 in Budva, Republic of Montenegro. Two public prosecutors and two judges from the Republic of Macedonia participated in it. The trainers from the Republic of Macedonia are expected to conduct an introductory module on training on cybercrime, electronic evidence and online proceeds from crime in the course of 2018 in Skopje

- A Regional Conference on Cybercrime was held in cooperation with iPROCEED and the International Association of Prosecutors, in the period from 9 to 11 October 2017 in Baku,



Azerbaijan, which was attended by 1 public prosecutor from the Public Prosecutor's Office for Prosecution of Organized Crime and Corruption.

- In the period from 25 to 28 September 2017, the "Cybercrime Coordination and Partnership Exercise" was held in Skopje, which was attended by 2 public prosecutors from the Republic of Macedonia and representatives from other relevant institutions. The purpose of the case simulation exercise was to demonstrate the need for an inter-agency cooperation and public-private partnership in cybercrime and financial investigations, in order to quickly gain access to the necessary data, to reach agreements for exchanging of contacts and at the same time to encourage the use of common approaches and methods in the use of electronic evidence in both cybercrime and financial investigations.

- In the period from 2 to 3 November, 2017, in Bucharest, Romania, a Regional workshop for collecting and using electronic evidence was held, which was attended by 1 judge and 1 public prosecutor and representatives from other relevant institutions in the Republic of Macedonia.

More activities are envisaged to be held in the course of 2018 within the framework of this project.

#### ➤ UNDP

The Academy for Judges and Public Prosecutors, Pavel Shatev, in cooperation with UNDP, organized two one-day consultations on the topic: **"Effective implementation of the Istanbul Convention"** intended for judges, public prosecutors and expert associates from all appellate areas. The trainings were attended by 24 judges, 11 public prosecutors and 4 expert associates (a total of 39 participants).

#### ➤ REGIONAL ENVIRONMENTAL CENTER (REC)

The Academy for Judges and Public Prosecutors Pavel Shatev, in cooperation and with the financial support of the Regional Environmental Center (REC) organized a workshop on the topic: "Access to justice" in the course of 2017. The workshop represented an opportunity for judges, public prosecutors and other legal experts from the Republic of Macedonia to better understand the "access to justice", in accordance with the requirements of the Aarhus Convention, the relevant EU directives and the national legislation, as well as: to exchange experiences through interactive participation; have the opportunity to hear how the access to justice in the EU and other countries is implemented; to address the main difficulties and shortcomings in the implementation of the access to justice, and to present solutions for removing or reducing the obstacles to the access to justice.

In addition, a workshop was organized in cooperation with the REC and the financial support of the US Embassy in Skopje, on the topic: "Enforcement of environmental cases in the United States". This workshop represented an opportunity for judges, public prosecutors and other legal experts from the Republic of Macedonia to better understand the organizational structure of the environmental protection in the US, as well as the case management system in this area.



➤ **COOPERATION WITH ICITAP**

The Academy, within the framework of the reporting period, in cooperation with the "Program ICITAP – Macedonia", at the US Department of Justice conducted a five-day training on on-site investigations following an explosion, which was attended by public prosecutors and representatives of the Ministry of Interior. The training focused on people who have undergone the process of collecting evidence and can conduct a routine investigation. The instructions of this training provided an overview of the typical explosive devices and techniques used in many cases and at the same time provided an opportunity for the participants to discover fragments of real explosive devices. The training included advanced concepts for collecting evidence, techniques, exposure to threats from frequently used improvised devices and the connection to precursors.

1 public prosecutor was nominated to participate in the round table on transnational crime, which was held in Vrnjacka Banja, Serbia, at the invitation of the International Criminal Investigative Training Assistance Program (ICITAP) – Macedonia at the US Department of Justice in Serbia.

In addition, a training was likewise organized on the topic: **Computer crime with virtual currencies / money**, which will be held at the police academy in Zagreb, Croatia.

➤ **STRENGTHENING THE WITNESS PROTECTION IN THE FIGHT AGAINST ORGANIZED CRIME, TERRORISM AND CORRUPTION (WINPRO III)**

In the course of 2017, the Academy, within the framework of the EU project "Cooperation in the Criminal Justice System: Strengthening the Witness Protection in the Fight against Organized Crime, Terrorism and Corruption (WINPRO III)", nominated 3 public prosecutors to participate in the training on "**Children in the Witness Protection Program**", held in Belgrade, Serbia.

## **IX INTERNATIONAL COOPERATION**

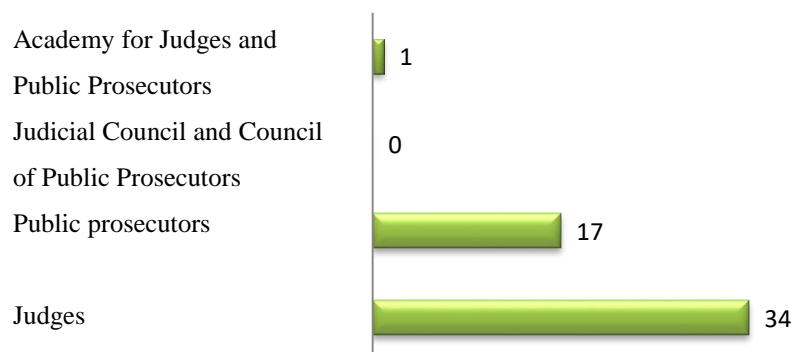
➤ **STUDY VISITS**

The practice of involving judges, public prosecutors, candidates for judges and public prosecutors, as well as representatives of the bodies and the professional service of the Academy, the Judicial Council and the Council of Public Prosecutors of the Republic of Macedonia likewise continued in study visits, international trainings, exchanges, meetings, workshops and conferences abroad. In the domain of the international cooperation, the Academy was intensively involved in the organization of training activities with a number of projects.



In the course of 2017, the Academy realized a total of 20 study visits abroad with the participation of a total of 34 judges and 17 public prosecutors and 1 representative from the Academy, out of whom:

#### Study visits in 2017



In the course of 2018, the Academy for Judges and Public Prosecutors will again be involved in the activities of the European Judicial Training Network (EJTN), with judges and public prosecutors attending events organized by the EJTN in the course of the following year. Also, the presence of two-week exchanges, as well as short-term exchanges, is envisaged. These EJTN events include training from a criminal, civil, administrative area, as well as trainings related to the international law and human rights.

#### ➤ INTERNATIONAL COOPERATION WITH THE FRENCH EMBASSY

At the beginning of 2017, the Academy enabled the realization of a three-week internship of Mrs. Emily Petreska, candidate from the ENM - National School of Magistrates Bordeaux - Republic of France.

Regarding the activities envisaged in the Memorandum of Cooperation between the Academy for Judges and Public Prosecutors Pavel Shatev and the Embassy of the Republic of France in the Republic of Macedonia, an expert mission was implemented by two experts from the National School of Magistrates of in the period from **12 to 16 June 2017** France for the purpose of improving the institutional capacities of the Academy through the improvement of the training methodology and the capacities of the lecturers and mentors, the implementation of an objective evaluation of the initial training and the continuous professional development, the increase of the quality of the training materials and the improvement of the capacity of the library of the Academy.

As part of their visit, the French experts **Mrs. Anne Marie Morice**, Deputy President of the Supreme Court of Nanterre and a coordinator in the Criminal Division and **Mrs. Isabelle Saliou**, Inspector of Justice in the Republic of France, placed the focus on the exchange of opinions and experiences regarding the amendments to the Law on the Academy and the implementation of the experiences of the National School of Magistrates in the Republic of France.

The experts, in addition to the planned meetings and gatherings with the Director of the Academy for Judges and Public Prosecutors, Mrs. Aneta Arnaudovska, the lecturers, mentors and



candidates in the initial training of the Academy, the chairmen of the admission and final exam committees, the representatives of the Program Council and the Management Board of the Academy and the Professional Service of the Academy likewise made a working visit to the Ministry of Justice of the Republic of Macedonia, the Judicial Council of the Republic of Macedonia, the Council of Public Prosecutors of the Republic of Macedonia, the Supreme Court of the Republic of Macedonia, the Bar Association of the Republic of Macedonia, the EU Delegation, the Helsinki Committee for Human Rights of the Republic of Macedonia, the Young Lawyers Association, the Council of Europe and OSCE.

## **X COMPUTER SYSTEM**

Within the framework of the multi-annual project of the OSCE Mission to Skopje, in cooperation with the Academy for Judges and Prosecutors, a number of basic and advanced trainings for legal practitioners for the implementation of the Law on Criminal Procedure ("Official Gazette of the Republic of Macedonia", 150/2010, 100/2012) were conducted. The advanced trainings of 2013, were videotaped in order to ensure their preservation and further use. As a result of the video, as well as of the written materials from the advanced training this thematic web site was developed as a pilot project in 2015. The platform, which in 2016 referred to the first part of the total material, that is, Module 1, was upgraded and expanded into a modern platform covering all the material in 2017. An e-learning platform was created in order to make the training material available in electronic form to all current and future generations of legal practitioners. In 2017, the Academy, following the innovations in the field of information technology, was considering the possibilities for upgrading and implementing some of them, which would make the current distance learning module more efficient.

## **XI LIBRARY**

In the current year - 2017, the overall library fund of the Academy was available for all interested users under the same conditions as before.



## XII BUDGET AND PUBLIC PROCUREMENT

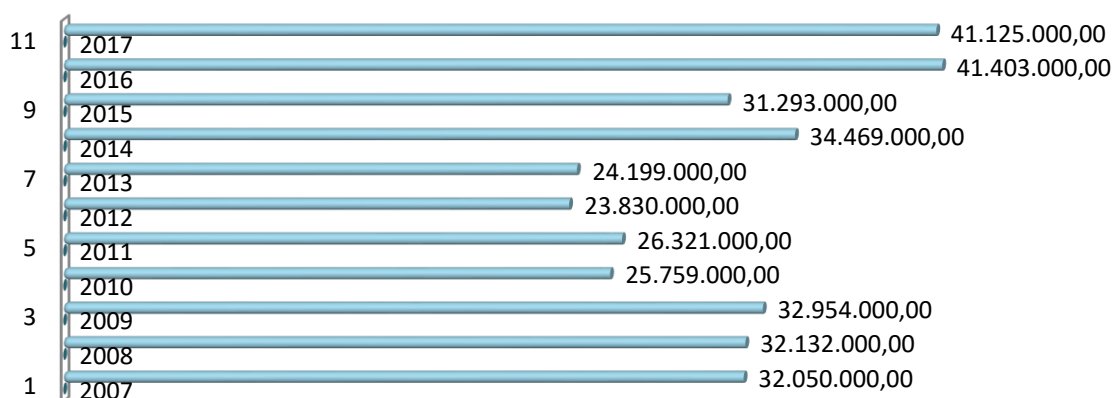
### ➤ BUDGET

The Academy was approved a budget in the amount of 41,125,000.00 MKD for 2017.

From the beginning of 2017 until December 31, 2017, this date included, the Academy has realized 38,619,918.00 MKD from its budget.

2017	Approved budget 41,125,000.00
401 Basic salaries	20,120,000.00
402 Contributions	7,443,000.00
420 Travel and daily expenses	300,000.00
421 Utility services	2,362,000.00
423 Materials and petty inventory	800,000.00
424 Repairs and maintenance	850,000.00
425 Contracting services	8,250,00.00
426 Other current expenses	1,000,000.00

### Budget of the Academy for Judges and Public Prosecutors Pavel Shatev by year





➤ **PUBLIC PROCUREMENT**

In the course of 2017, the Academy realized 16 public procurement procedures, all of which were conducted through a Bidding procedure in accordance with the adopted Public Procurement Plan for 2017.

According to the Plan, the following public procurement procedures were conducted:

1. Services for road transport of people;
2. Services for systematic examinations of employees;
3. Services for certification of the quality management system in accordance with the requirements of the international standard ISO 9001;
4. Catering services;
5. Services for hygiene and technical maintenance in the premises of the Academy for Judges and Public Prosecutors Pavel Shatev;
6. Office supplies;
7. Hygiene products;
8. Translation services;
9. Interpretation services;
10. Chiller with a nominal cooling capacity of minimum 32 kw;
11. Copying services;
12. Food products and beverages;
13. Services for air transport of people;
14. Hotel accommodation services;
15. Services for maintenance of the heating and cooling system;
16. Publishing and printing services.

### **XIII STATISTICS**

The software system for process management, which the Academy implemented in 2011, is the basic database for judges and public prosecutors, which the Academy uses in its work. The regular update of the data in the database is of crucial importance for the functioning of the Academy, especially in the area of prediction and planning of the required number of trainings, by areas, in order to enable all target groups to meet the mandatory number of days of training for the current year.

Regarding the status of the judges and all changes related to their position, the data is obtained from the electronic data system of the Judicial Council of the Republic of Macedonia, with which the database of the Academy is linked.

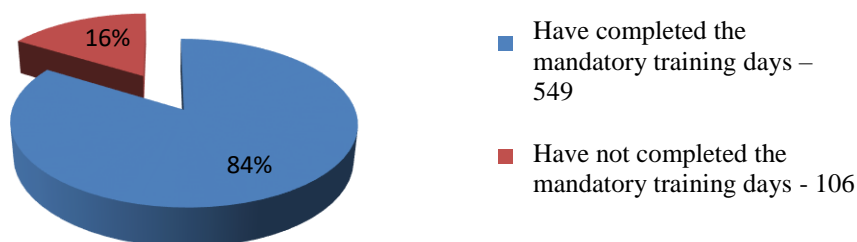




Regarding the status of the public prosecutors, the data on the public prosecutors was obtained from the Council of Public Prosecutors of the Republic of Macedonia and they are entered into the database of the Academy.

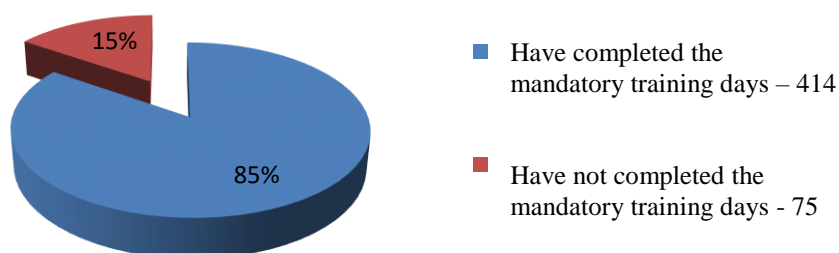
**Completion of the mandatory continuous training in  
2017**

**Total number of judges and public prosecutors**



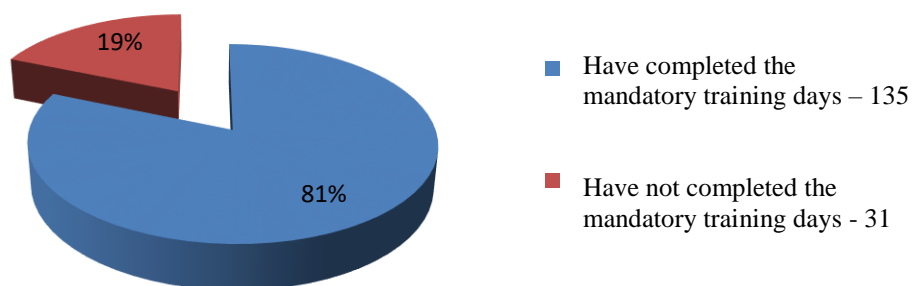
**Completion of the mandatory continuous training in  
2017**

**Total number of judges**



**Completion of the mandatory continuous training in 2017**

**Total number of public prosecutors**





## XIV EVALUATION

In the course of 2017, the Academy, for the needs of the continuous professional development, prepared a new questionnaire, which widely assesses: the content and purpose of the training, the lecturers, the training materials, the success of the program, and there is also a part for suggestions and comments.

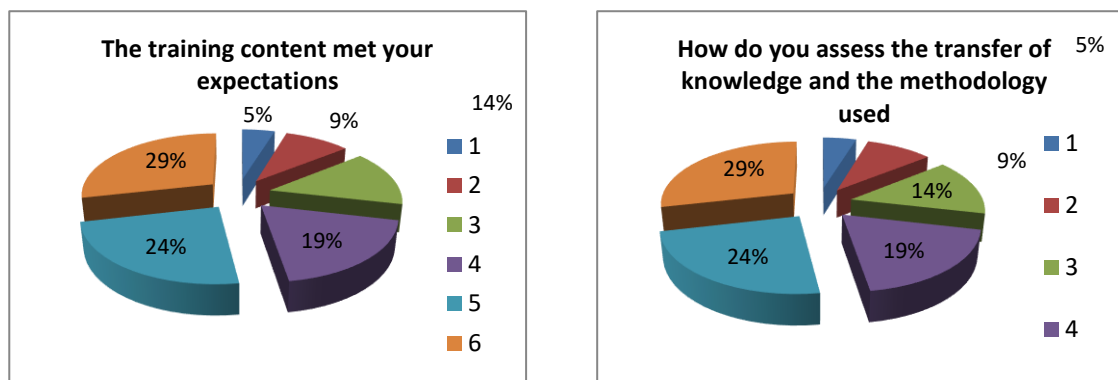
The preparation of the questionnaire was the final result of the project for the development of a new methodology for evaluation of the trainings. The Academy started this project in 2015, in cooperation with the IPA Project 2010 "Further support for independent, responsible, expert and efficient judiciary and improvement of the probation service and alternative measures". For the purpose of implementing this methodology, d-r Rainer Hornung, Deputy Public Prosecutor in the Public Prosecutor's Office of Lörrach, Germany and former director of the German Academy for Judges and Public Prosecutors was hired.

The project started with a 3-day working visit of d-r Hornung of the Republic of Macedonia, and two more visits followed in the course of the following year. During these visits, he held working meetings with representatives of the Ministry of Justice, the Judicial Council of the Republic of Macedonia, the Council of Public Prosecutors of the Republic of Macedonia, the members of the Management Board, the Program Council, lecturers, mentors, judges who attended initial training in the Academy and with the Director and the professional service of the Academy, in order to obtain information on the implementation of the events by the Academy.

Finally, a Report was prepared with recommendations for developing mechanisms for qualitative evaluation of the trainings. One of them was the preparation of a comprehensive questionnaire, which still remains a part of the working material for each training.

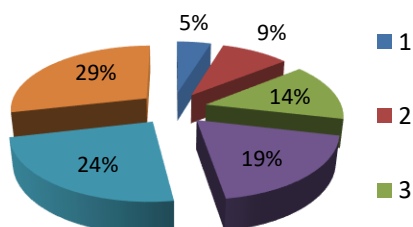
A review of the satisfaction of the participants of the trainings is given below

Assessments from the questionnaires for judges and public prosecutors

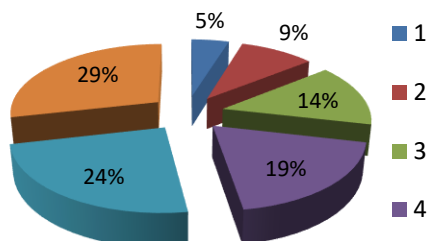




Were the materials useful and did they help reference you to other materials

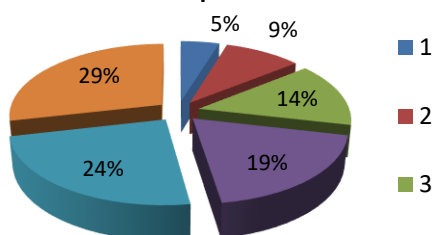


Is the training useful for your future work

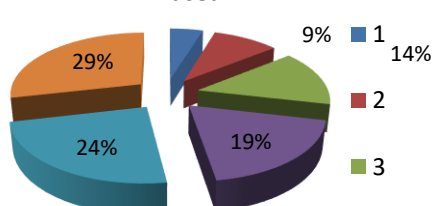


Assessments from the questionnaires for the professional service

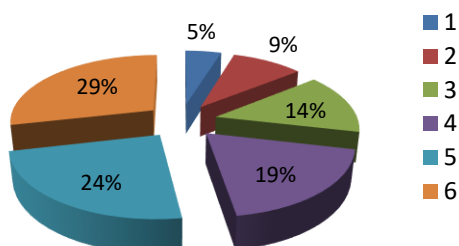
The training content met your expectations



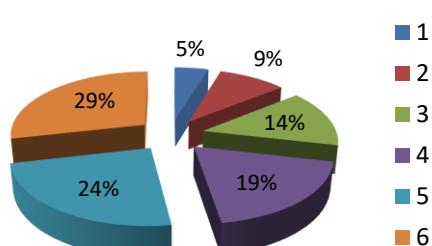
How do you assess the transfer of knowledge and the methodology used



Were the materials useful and did they help reference you to other materials



Is the training useful for your future work



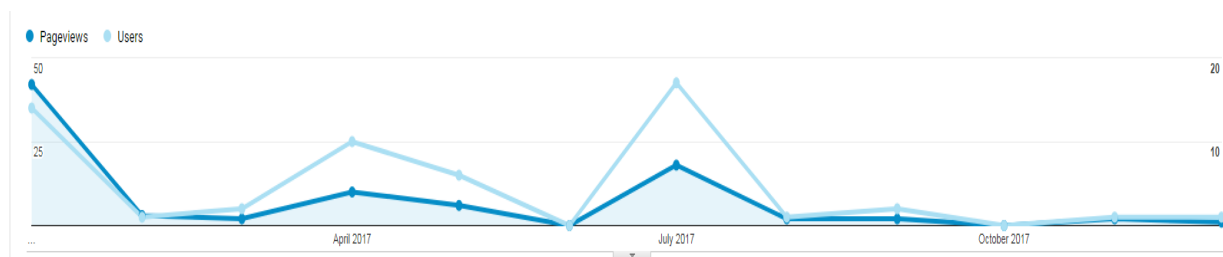


## XV WORK TRANSPARENCY

The Academy provides regular, public and transparent information on its activities through its website [www.jpacademy.gov.mk](http://www.jpacademy.gov.mk), the bulletin board, as well as with the publication of the adopted acts in the "Official Gazette of the Republic of Macedonia".

The Academy, in order to timely inform on all its relevant activities, published more than 270 posts (texts and links) on its website in 2017.

The interest of the important bodies of the Council of Europe and the EU shown through the publication of articles, links, etc. on the activities implemented by Academy are likewise a proof of the high reputation of the Academy beyond the state borders.



The Academy for Judges and Public Prosecutors provides regular public and transparent information on its activities through the website [www.jpacademy.gov.mk](http://www.jpacademy.gov.mk), the bulletin board and the publication of the adopted acts, in the "Official Gazette of the Republic of Macedonia". Most of the information on the work of the Academy is published on the Academy's website, such as: acts, organizational structure and organizational composition, training programs, training calendars, while for the more important events it organizes, it delivers press reports to the media in the Republic of Macedonia, publishes interviews and the like.

Academy for Judges and Public Prosecutors  
"Pavel Shatev"  
President of the Management Board,  
Liljana Spasoska