



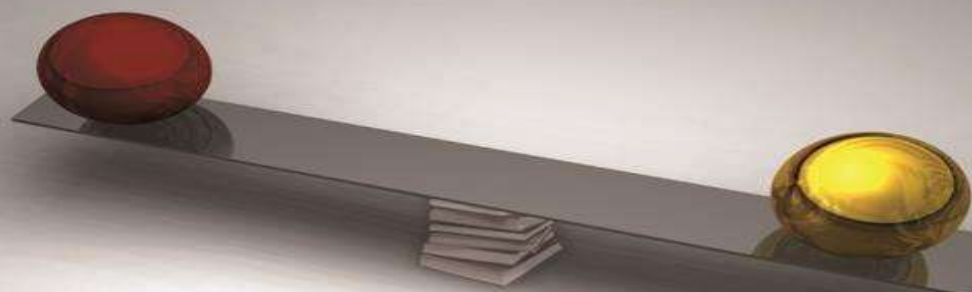
2014

REPORT

ON THE WORK OF THE PAVEL SHATEV ACADEMY FOR JUDGES AND PUBLIC PROSECUTORS
FOR 2014



РЕПУБЛИКА МАКЕДОНИЈА
АКАДЕМИЈА ЗА СУДИИ И ЈАВНИ
ОБВИНИТЕЛИ



REPUBLIC OF MACEDONIA
ACADEMY FOR JUDGES AND PUBLIC
PROSECUTORS



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January 2014, Pavel Shatev Academy for Judges and Public Prosecutors
www.jpacademy.gov.mk



I INTRODUCTORY REMARKS

The Pavel Shatev Academy for Judges and Public Prosecutors (hereinafter the Academy) continues to play a central part in the professional training and improvement of the expertise of judges and public prosecutors in order to promote the independence, expertise, and competence of the judiciary in Republic of Macedonia. This is also confirmed by EC in the last Progress Report of Republic of Macedonia for 2013.

The most significant event in 2014, as an acknowledgement of our present work and achievements in the field of professional training of the judiciary, was the fact that the Academy was given, and is proud to bear, the name of a well-known activist, revolutionist, Doctor of Law and the first Minister of Justice in post-war Macedonia, Pavel Shatev.

In 2014 the Academy continued to successfully meet its foreseen activities according to its vision and mission, in terms of improving the training standards, in line with the modern principles and standards of the European training institutions and the newest documents of the international institutions related to trainings in the judiciary.

The Academy fully implemented Work Programme for 2014 as well as the legal competencies regarding the initial and the continuous training for judges, public prosecutors, and other target groups, through full realization of the Annual Catalogues for 2014 on training of judges, public prosecutors and judiciary and prosecution administration as well as the plan for national and international cooperation through implementation of numerous projects.

At the same time the Academy continued strengthening the partnership with the training institutions from the countries of the region and Europe in the area of implementation of the training modules which are the training priorities, and continues with realization of another significant activity, and that is translation and publishing of the rulings of the European Court of Human Rights as well as other relevant international documents, then issuing publications and brochures which are a significant source of knowledge and building of the lifetime learning process. Also, by being a continuous member in the activities of the international bodies and organisations of the European Union and the Council of Europe such as EJTJ, Council of Europe's GRECO Committee, Consultative Council of European Judges (CCJE), European Commission for the Efficiency of Justice (CEPEJ) and many others, the Academy provides comparative information and documents which ensure qualitative and efficient judiciary but also an opportunity to promote the judicial system of Republic of Macedonia.

II LEGISLATIVE FRAMEWORK

The Law on Academy for Judges and Public Prosecutors (Official Gazette of the Republic of Macedonia No. 88/2010, 166/2012 and 26/2013) regulates the operation of the Academy as a public institution for admission and professional development of candidates for



judges and public prosecutors, continuous training and enhancement of the expertise of judges and public prosecutors, continuous training and professional services in the judiciary and public prosecutor's offices, training of entities and individuals involved in the enforcement of laws from the area of the judiciary, for performing analytical activities in the area of judicial theory and practical work as well as operation of bodies responsible for management and funding of the Academy.

The Statute of the Academy for Judges and Public Prosecutors (Official Gazette of Republic of Macedonia No. 12/2011, 20/2011, 50/2012 and 74/2014) and relevant bylaws regulate in detail the internal organisation and manner of operation of all segments of Academy's activity.

III ACTIVITIES OF THE ACADEMY'S BODIES

1. WORK OF THE MANAGEMENT BOARD OF THE ACADEMY

At the beginning of 2014, the institutions included in the Management Board of the Academy appointed 9 new members of the Management Board due to expiration of the term of office of the appointed members. The new composition of the Management Board in the course of 2014 held 10 sessions during which important issues regarding the competencies of the Management were reviewed and in this sense, at the proposal of the Director, the Management Board adopted amendments of a number of bylaws – rulebooks which regulate in more detail certain segments of the working of the Academy, and at the proposal of the Academy Programme Council, the Management Board determined a new Programme on Initial Training – practical work and general programmes on continuous training of judges and public prosecutors as well as of court and public prosecution employees for the period of 2015 and 2016.

In the first half of May 2014, the Management Board adopted a Statute amending the Statute of the Academy for Judges and Public Prosecutors (Official Gazette of Republic of Macedonia No. 76/2014) with which the Academy was given the name of the remarkable Macedonian activist, prominent attorney-at-law, devoted revolutionary, first Doctor of Law, and first Minister of Justice in the Government of Federative Republic of Macedonia, Pavel Shatev.

The Management Board of the Academy adopted the Report on the Work of the Academy for 2013, final statement for 2013, Operational Programme for 2014, adopted the Public Procurement Plan for 2014, enlarged the established list of lecturers at the Academy and established a new one of mentors for conducting practical work in 2014-2015 for the fifth generation of participants in the initial training, and other bylaws, rulebooks and programmes previously adopted by the Programme Council.



In the course of 2014, the Management Board followed the situation regarding the admission of an extra number of participants from the fifth generation of participants in the initial training at the Academy and was regularly informed about the activities initiated by the Academy Director in terms of attracting qualified candidates as well as about the current activities related to the activity and the work of the Academy on the grounds of which the Management Board reached conclusions and decisions concerning the domain of its competencies, considered offers for projects and gave directions for cooperation with related institutions, organisations and associations from the country and abroad

2. WORK OF THE PROGRAMME COUNCIL OF THE ACADEMY

As an expert body of the Academy, the Program Council, acting within its competencies as stipulated in the Law and the Statute of the Academy, held a total of two meetings chaired by the Academy Director where provided guidelines and the following proposals:

- Draft of the Admission Exam for 2014;
- Draft – Programme on Initial Training – practical work at the Academy;
- Draft of the General Program on Continuous Training of Judges and Public Prosecutors for 2015-2016;
- Draft of the General Program on Continuous Training of Judges and Public Prosecutors for 2015-2016;
- Draft of the General Program on Continuous Training of Prosecution Officers.

The Program Council continuously works on upgrading and promoting the training programs, teaching methodologies and techniques in cooperation with the lecturers, mentors, the Academy Director and Professional Service in accordance with the Law on Academy for Judges and Public Prosecutors.

The General Programme on Continuous Trainings of Judges and Public Prosecutors for the period of 2015-2016 was prepared on the grounds of a wide consultation with representatives of the highest judicial institutions with the purpose of selecting topics that will match the current needs of the judges and public prosecutors, whereas the General Programmes for Court and Public Prosecution Officers were prepared on the basis of a consultation with relevant representatives of the judicial and the public prosecution service. For the first time, the proposed topics of the judges and public prosecutors were approved by the Court Council and the Council of Public Prosecutors of Republic of Macedonia as well as by the courts and higher instance prosecutions with the aim of successful detecting of the training topics, which match the needs of the judges and public prosecutors as well as the needs of the judiciary.

In the new Programme on Initial Training – Practical Work for 2014-2015, on the grounds of which the fifth generation of participants in initial training are trained, the duration and the content of the practical work are defined separately and differently for the participants who chose to be judges (total of 5 participants), i.e. the participants who chose to be public prosecutors (total of 8 participants).



3. WORK AND ACTIVITIES OF THE DIRECTOR OF THE ACADEMY

The Programme on the Work of the Director, adopted by the Management Board of the Academy, was fully carried out in cooperation with the professional services. As part of the regular work activities, within series of consultations, round tables, trainings, and conferences which were organised in the period from January to December 2014, in cooperation with domestic and foreign/international relevant institutions and projects, at which national and foreign experts took part and presented, the Director had a total of 44 welcomed and thematic speeches.

In the capacity of a lecturer, the Academy Director addressed several current topics about certain novelties in the legislation of Republic of Macedonia concerning the new Law on Criminal Procedure (LCP), corruption, conflict of interests, court practice of the European Court of Human Rights, with a special review of certain articles of the European Convention on Human Rights, ethics and Code of Ethics, anticorruption measures, freedom of speech, hate crime, domestic violence etc. The Director also promoted several publications, manuals, collection of documents and translations of rulings of ECHR in cooperation with UNDP and UN Woman, OSCE and CCJE as well as of the Regional database of court practice of the European Court of Human Rights, in the languages of the countries from the region, relevant for the countries of South-East Europe, supported by the AIRE Centre from London.

Within the USAID Project on Strengthening of the Judiciary a Strategic Plan for 2015-2017 was developed for the Academy with the aim of strengthening the Academy's institutional capacities, in whose development the Academy Director actively participated.

In order to actively promote the Academy and the professions of judge and public prosecutor in Republic of Macedonia, the Academy Director presented the Programme on Initial Training and the conditions for enrolling at the Academy within the Access to the Judicial Professions Conference, which was held in Belgrade, and she also took part in the Plenary Session of EJTN where it is an observer since 2007.

Memoranda signed in the course of 2014:

- In the course of 2014 the Director of the Pavel Shatev Academy for Judges and Public Prosecutors signed a Memorandum of Cooperation with the Notary Chamber of Republic of Macedonia, Chamber of Forced Collection Officers of Republic of Macedonia, Agency for Financial Support of Agriculture and Rural Development as well as with Ss. Cyril and Methodius University in Skopje – Blaze Koneski Faculty of Philology, and Goce Delchev University in Shtip.

The memoranda were signed with the aim of deepening the mutual cooperation with the mentioned institutions in terms of professional development of the judges, public prosecutors, notaries, forced collection officers and other target groups through joint coordinated striving towards meeting the common goals.



The Academy Director Mrs. Arnaudovska, in the capacity of Head of the Delegation of Republic of Macedonia to the GRECO Committee and within the regular work activities attended 63-66 of the plenary meetings of the GRECO Committee within the Council of Europe and in cooperation with all relevant institutions, especially the Ministry of Justice of Republic of Macedonia, the judiciary, and the State Commission for Prevention of Corruption (SCPC), realised the activities with the purpose of implementation of the tasks given to the Republic of Macedonia in the fourth evaluation round of GRECO.

Namely, with the aim of greater promotion of the work of the GRECO Committee, and in order to fight effectively against corruption in the country, the Academy Director, Mrs. Arnaudovska, held a series of lectures at conferences organised by the Academy, and also in SCPC, the Assembly the Republic of Macedonia, where she presented all current information regarding this topic, and at the same time, part of the more significant documents which arose from the meetings of GRECO were translated into Macedonian and published on the Academy's web-site.

Moreover, in the period from 7th to 10th November 2014, she participated in the evaluation of the progress of Montenegro within the fourth evaluation round, regarding the judges, as part of the evaluation team.

CCJE - Consultative Council of European Judges within the Council of Europe

The Academy Director, Mrs. Arnaudovska, as a member of the working group of CCJE, in 2014 proposed active participation in the work of this body of CoE. Namely, in September 2014, with a financial support of the OSCE Mission in Skopje, in the presence of the president of CCJE, the judge Bart van Lierop from the Netherlands, the third volume of a publication named *International Documents for Independent and Effective Judiciary* was published and promoted in Skopje, which is a sequel to the previous two volumes from the same publication and which contains opinions of CCJE, referent documents and relevant court practice of the European Court of Human Rights, translated in Macedonian.

The Academy Director, due to greater transparency in the work of the Academy, had a total of eight interviews regarding the reporting period, two of which with MIA, concerning the implemented activities of the Academy and the content of the Annual Report, a joint interview for Deutche Welle with Marin Marcela PhD, president of the GRECO Committee on Anti-Corruption Progress of Macedonia, and interviews with 24 Vesti, The Voice of America, the daily newspaper Dnevnik, the Akademik web portal, and with the regular MIA reporter from the Council of Europe, Mr. Toni Glamchevski.

Within her competencies, the Director issued numerous decisions in the course of 2014 in line with the Law on Academy for Judges and Public Prosecutors, Law on Public Procurements, Law on Labour Relations, Law on Civil Servants, Law on Enforcement of the Budget of Republic of Macedonia, Law on Payment Operations, Law on Accounting for Budgets and Budget Users, Decree on Office and Archive Operations as well as other decisions arising from the need to ensure smooth implementation of the activity of the Academy.



Pursuant to the Law on Civil Servants the Academy Director also evaluated the work of the civil servants, which is done at every six months or twice a year in accordance with the amendments of the Law.

IV WORK AND ACTIVITIES OF THE PROFESSIONAL SERVICE

In the course of 2014, the Professional Office of the Academy carried out all its activities and tasks required for smooth functioning of the Academy, and thus they made a significant contribution to the attainment of all planned and set objectives in all segments of the operation of the Academy and to its institutional strengthening in terms of proposing and implementation of all programmes, supporting the performance of the duties of the Academy bodies and agencies, supporting the lecturers and mentors as the main actors in the educational process, organizing study visits and trainings abroad, as well as supporting the organization of welcoming foreign delegations in the Academy. The Service also completed all obligations and priorities arising from the regulations on employment relations, public procurements, the budget, as well as on other activities facilitating the improvement of the work of the Academy in timely fashion. By being present and actively participating in the creation and realisation of the trainings, through direct contact with the lecturers, mentors, and participants in the trainings, the employees at the Professional Service acquire information and knowledge about the benefits from the trainings and increasingly take on the significant role of proposers and creators of the programmes for future trainings.

PROFESSIONAL DEVELOPMENT AND TRAININGS

In order to ensure the professional development and the expert and effective work, and in line with the Annual Programme of the Academy for Training of Civil Servants, in the course of 2014 the employees attended several trainings for civil servants on Managing with Human Resources as a Vital Function of the Strategic Planning, Introduction to the New Laws on Public Administration, Managing the Budget and Finances, Basics of the European Union, Administrative Working, and Introduction to E-Government, organised by the Ministry of Information Society and Administration.

Within the Available Administration for Handicapped Persons Project, the head of the Department of Financial Affairs participated in the daylong training on Code of Conduct towards People with Disabilities, organised by the Ministry of Labour and Social Policy in cooperation with the Institute of Social Affairs, and a 5-day training on exercising the Law on Public Procurements, organised by the Bureau of Public Procurements, regarding the people appointed by the institutions with the aim of getting a license for authorised person for public procurement, and she also participated in several trainings on accounting and financial working.

Besides this, a representative of the Professional Service and member of Working Group for Chapter 23 of NPAA – Judiciary and Fundamental Rights took part in the workshop for preparing a bilateral screening on the subject of judiciary organised by the Ministry of Justice in cooperation with the association *Zenit and Konrad Adenauer* and in two workshops



for preparing reports within the working group, organised by the Secretariat for European Affairs and GIZ.

Through the project for continuing the activities within the Sustainable EU Learning and Training System Project, a representative of the Professional Service took part in the study visit to Berlin, second module of the training titled Justice and Internal Affairs – Judiciary.

PARTICIPATION OF THE PROFESSIONAL SERVICE IN VARIOUS BODIES AND GROUPS

The employees in the Professional Service of the Academy, besides performing the regular tasks within the scope and activities of the Academy, were authorized by the Director to take active part as members of Working Group for Chapter 23 of NPAA – Judiciary and Fundamental Rights (coordinator – the Ministry of Justice) and Working Group for Chapter 3.7 of NPAA – Right to Intellectual Property (coordinator – the State Office of Industrial Property).

Within the project for preparing a Strategy with Action Plan for a reform in the bar exam, which is conducted with the support of the European Commission, the Minister of Justice of Republic of Macedonia formed 7 thematic working groups, in 4 of which there are representatives from the Academy. The Academy Director is a member of the working groups in terms of judiciary and penalty legal system, the Head of the Administrative Sector is a member of the working group for sector policies and implementation of the EU Law, while 1 representative from the Professional Service (information technologist) and 1 Academy IT lecturer are members of the working group for IT and E-Justice.

Also, the Minister of Justice informed the working group about the preparation of the amendments to package laws on judiciary, in which the Academy Director and the Head of the Administrative Sector were included as members.

V HUMAN RESOURCES

In 2014, 16 civil servants and 2 workers were hired in the Academy, besides the director, one person engaged in a project and three (3) interns.

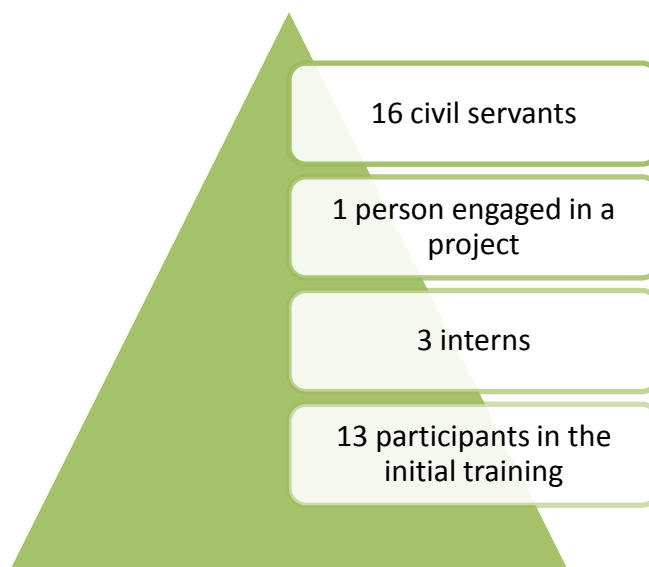
13 participants From the fifth generation in the initial training for 2013/2015 are employed at fixed-term by the Academy for the period of conducting the Initial Training, as well as for the period after finishing the Initial training until the selection of the candidate for judge or public prosecutor, a judge in Basic Court i.e. a public prosecutor in the Public Prosecution.

In 2014 the Academy realized the procedure for employment of 1 worker for the job position of:

- Head of Department of Administrative Affairs



Graphic display of the structure of employees in the Academy:



VI INITIAL TRAINING

Fifth generation participants in the initial training 2013/2015 – total of 13 participants

❖ Theoretical education

The theoretical education for the fifth generation participants in the initial training began on December 11, 2013.

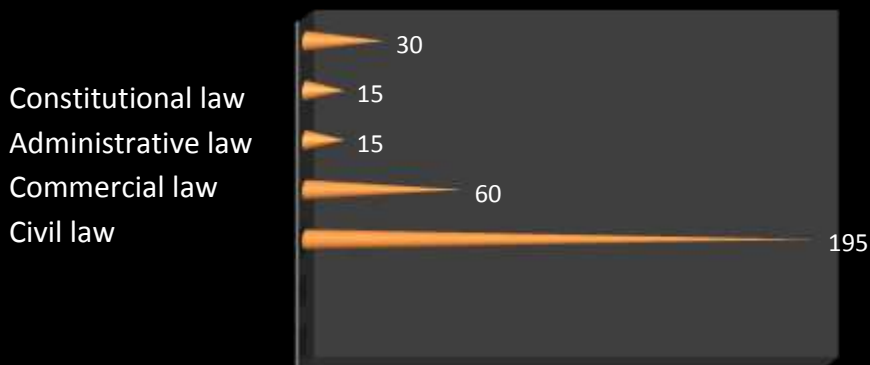
In accordance with the Programme on Initial Training – The theoretical lectures were divided into three modules which cover different units of subjects.

The initial training programme – theoretical education is fully realized.

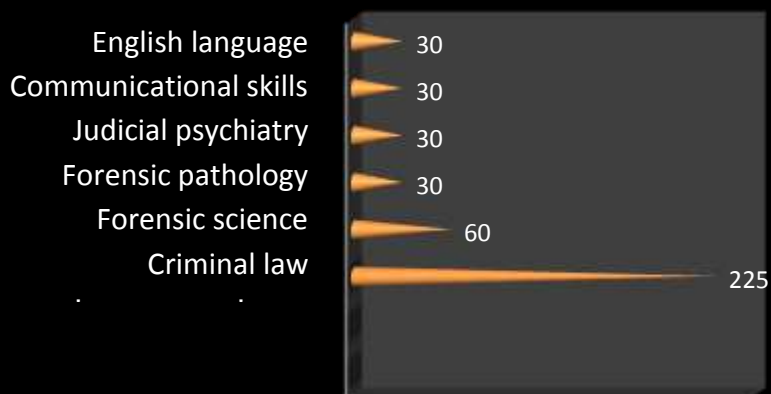
Number of lessons per module:



Module 1



MODULE 2



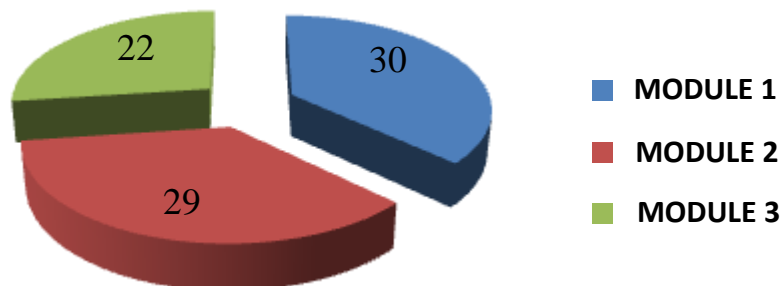
MODULE 3





81 lecturers were engaged for the realization of the lessons:

LECTURERS IN THE INITIAL TRAINING



After the completion of each module the participants in the initial training took an exam to check their acquired knowledge. According to the results of all tests final rankings was prepared for the success of the participants in the initial training in view of the theoretical part, after which a selection of the participants was conducted, for five (5) judges and 8 (eight) public prosecutor places. In accordance with this, the selection of the participants in the initial training was followed by specialized practical education.

Practical education

The practical classes started on September 15, 2014 and will run until November 15, 2015, after which the participants will take the final exam.

Before the beginning of the practical education, the participants in the initial training, as well as representatives of the institutions represented in the Management Board and the Professional Service of the Academy, led by the Director of the Academy, Aneta Arnaudovska in September 2014 officially visited the Judicial Academy of Republic of Turkey, as a result of the Memorandum of Cooperation signed between the two academies in 2011.

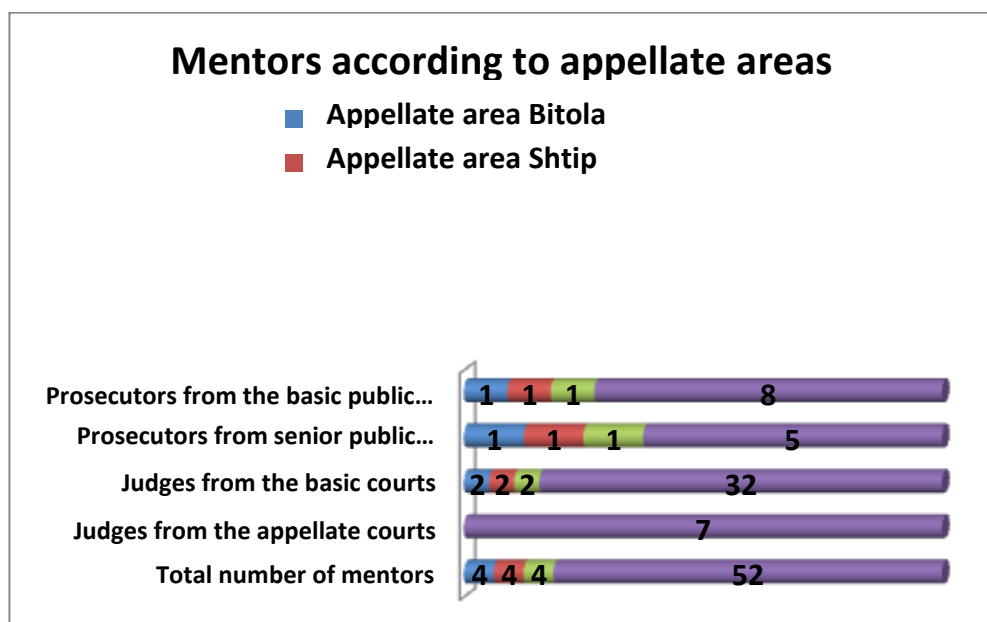
The purpose of this visit was the participants in the initial training to become familiar with the judicial system of Republic of Turkey and especially with the work and organization of the Judicial Academy of Republic of Turkey.

New Rulebook on Initial Training – Practical Education was adopted in order the practical part to be carried out (Official Gazette No. 136/2014) and a Programme on Initial Training - Practical Education (No. 02-364/6 dated 5.09.2014). According to the selection of the participants in the initial training, five of them started their training in the courts in Skopje and



Veles, and eight in the public prosecution offices in Skopje, Strumica, Bitola and Gostivar, according to their place of residence.

For the realization of the practical education a total of 64 mentors were engaged, 7 of which were judges from appellate courts, 38 from the basic courts, 8 public prosecutors from the senior public prosecutions and 11 public prosecutors from the basic public prosecution.



According to the Programme on Initial Training - Practical Education , the mentorship for the participants assigned to judges takes place in the following manner:

- 10 months in the basic courts (5 in the civil area and 5 in the criminal area)
- 3 months in the appellate courts (1.5 months in the civil area and 1.5 months in the criminal area)
- 1 month in the public prosecution offices.

The mentorship for the participants assigned to public prosecutors is conducted in the following manner:

- 10 months in the basic public prosecutions,
- 1 month in senior public prosecutions,
- 2 months in the basic courts (one month in the civil area and 1 month in the criminal area)
- 1 month in the Ministry of Interior (police).

The practical education is carried out through the following methods and techniques:

- Presence at court hearings lead by the mentor or another judge;
- Preparing draft court decisions, draft charges and other procedural acts;



- Presence at interrogation of suspects and witnesses at the public prosecutor's office and the main hearing;
- Presence at investigations undertaken by the public prosecutor and undertaking investigative activities under the supervision of the mentor – public prosecutor;
- Presence when the judge is undertaking the competences for a previous procedure;
- Presence when the judge/council is reaching a decision to investigate a charge;
- Presence and participation in settlements;
- Participation in simulated trials;
- Participation in study tours and trainings abroad.

In accordance with the Rulebook on Practical Education, the participants in the initial training during the practical classes have some mandatory activities which are evaluated and some which are not evaluated. The mandatory assessment activities include preparation of civil and criminal verdicts, indictments, draft agreements and decisions to dismiss criminal charges, as well as implementation of simulated trials in the roles of civil and criminal judge and public prosecutor.

Within the long standing successfully established cooperation of the Academy for Judges and Public Prosecutors with the National Magistrates School - EHM, Bordeaux, France, and the Embassy of France in Republic of Macedonia, representatives of the 5th generation, participants in the initial training at the Academy, led by mentor of the practical education attended the European week of Initial Training, which was held in Bordeaux, France from December 1 to 5, 2014.

At the same time, the preparations for the admission of the sixth generation of the Academy candidates began in 2014. Therefore, during the 2014, 32 lecturers of the Academy selected by the Management Board, worked on preparing a database of 2000 questions and 500 case studies for the admission exam, which will be implemented during the 2015 for admission of new participants. The questions and the case studies prepared by the designated lecturers of the Academy are subject to verification by the Commission for Verification of Question and Case Studies for the Admission Exam at the Academy.

VII CONTINUOUS TRAINING

The continuous training of the judges and the public prosecutors was held in accordance with the General Program on Continuous Training of the Judges and Public Prosecutors and the Annual Catalogue of Activities for 2014 which was fully performed.

The trainings were focused on the most important fields of the law, such as the amendments of the domestic legislation, the international legislation and the legislation of the European Union and the case law, as well as trainings for complementary skills and specialized training for newly elected judges and public prosecutors, in accordance with specially



designed program for training. A special accent was placed on the trainings in the fields and subjects which are provided in the National Program on Adopting the Law of the European Union (NPAA), especially trainings in the following fields: trainings for amendments of the Law on Litigation, Criminal Code and the new Law on Criminal Procedure, trainings for fight against the organized crime, the corruption and the financial criminal, ethics and clash of interests, application of the European Convention for Human Rights, especially Article 10, separate fields of the law of EU etc.

The major part of the trainings conducted by the Academy were multidisciplinary, with interdisciplinary structure of the lecturers and participants.

This year, a special attention was paid to improvement of the quality of the trainings through pointing out the practical aspect of the lectures, improvement of the teaching materials, and with greater inclusion of the judges and prosecutors of the higher instances.

NUMBER OF TRAININGS IN 2014

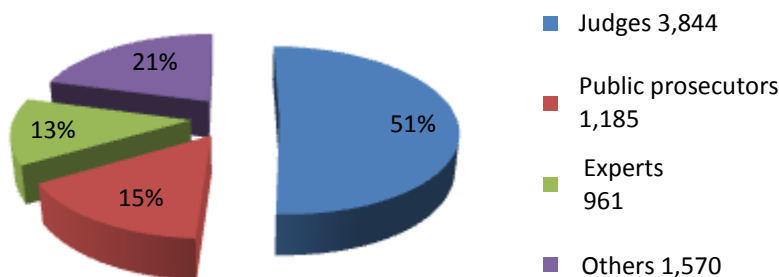
In the period from January 1, 2014 to December 31, 2014 in organization of the Academy were realized a total number of 280 trainings with participation of 7560 participants, 3844 from which were judges, 1185 public prosecutors, 961 expert collaborators from the courts and prosecutions and 1570 other participants - representatives from other relevant institutions, organization, non-governmental sector etc. invited by the Academy, and working in fields related with the content of the training.





STRUCTURE OF THE TARGET GROUPS

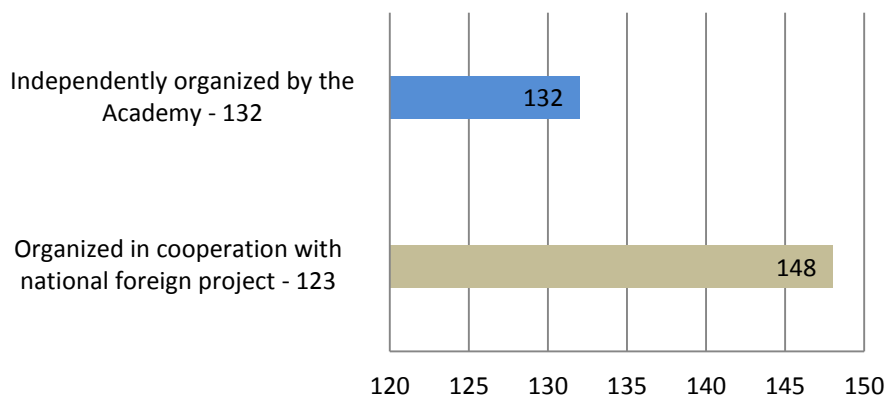
In 2014 there was a total number of 7560 participants:



ORGANIZATION OF THE TRAININGS

From the total of 280 realized trainings in the reported period, 132 were independently organized by the Academy, while 148 of the trainings were organized by the Academy in collaboration and partially or fully co-funded of other domestic and foreign projects, associations, organizations and institutions.

Organization of the trainings in 2014 **Total number of 280 training**



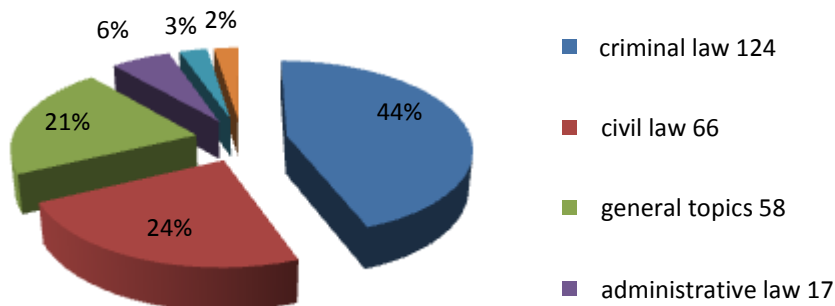
CONTENT OF THE TRAININGS

From the total number of the realized trainings in the reported period, 69 are from the field of the civil law, 117 from the field of the criminal law, 4 from the field of the international law, 9 from the field of the law of EU, 13 from the field of the administrative law and 50 trainings were dedicated to general topics. Graphically shown, the structure of the trainings

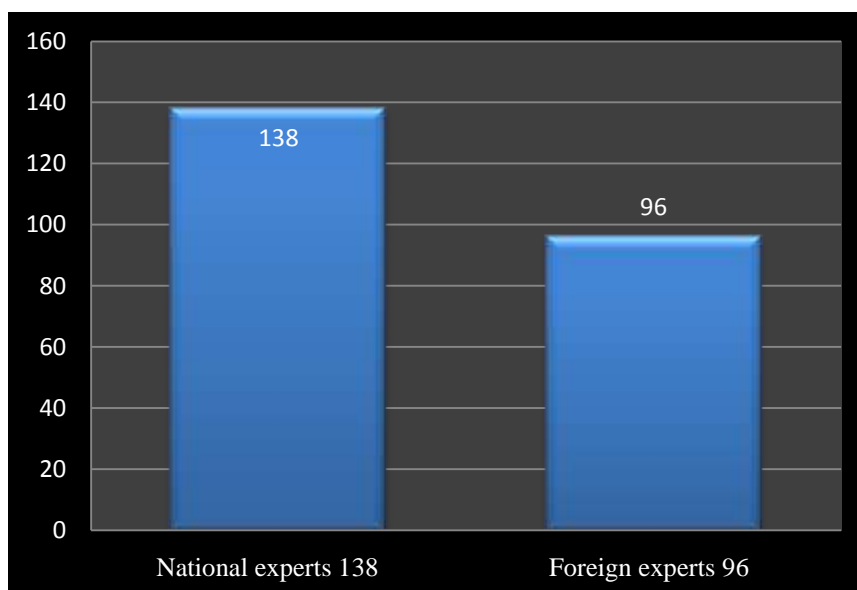


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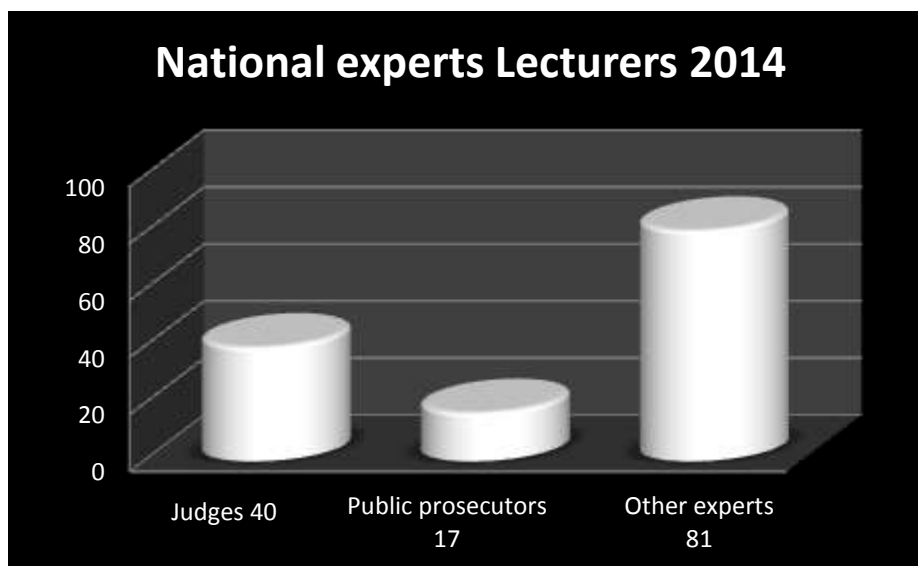
Trainings according to fields



Total number of 234 lecturers, 138 of which were national experts and 96 foreign experts were engaged during 2014.



From the domestic experts who during 2014 participated in the capacity of lecturers, 40 are judges, 17 are public prosecutors and 81 are other experts, in accordance with the fields covered with the trainings.



The engagement of experts of the highest level – judges and public prosecutors from other countries of the higher instances, judges of the supreme courts, the constitutional courts, the state public prosecutions, professors, judges of the European Court of Human Rights, and other top experts has continued in 2014.

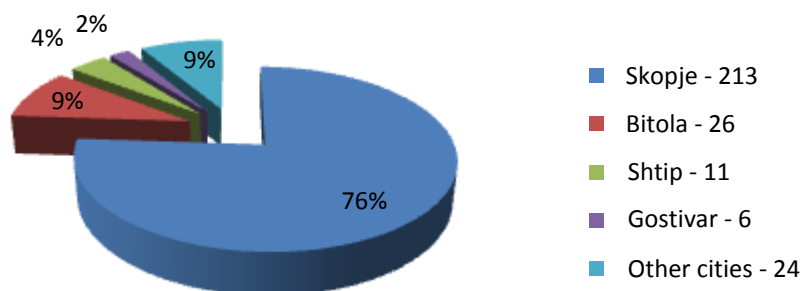
Besides the lecturers of the Academy who are on the list of regular lecturers, the Academy has engaged temporary lecturers - experts from the appropriate ministries, offices, authorities and other public bodies, institutions and organizations especially from those which are partners of the Academy and are fulfilling the obligations for trainings in accordance with NPAA, experts of the non-governmental sector, retired judges, professors, assistants, lawyers, notaries, executives, experts, psychiatrists, and many others, from the profile necessary for the specific training.

The Academy since the very beginning has developed a system of decentralized training, which is widely supported from all of the target groups in the regions through the system of engaging persons for contact for the trainings and attendance at the trainings by one employee from the expert service of the Academy.

From the total number of trainings that were realized during the reporting period, 213 were held in Skopje, 26 in Bitola, 11 in Shtip, 6 trainings in Gostivar, while the rest 24 trainings were held in other cities and places in Republic of Macedonia.



Dispersed trainings



CONTINUOUS TRAINING ON APPLICATION OF PROCEDURAL LAWS

➤ LAW ON LITIGATION

Trainings for implementation of the Law on Litigation for the jurors and the court officers were organized during 2014, while for the judges from the civil departments of the courts in collaboration with TAIEX was realized a workshop on the topic “The Litigation in Accordance with the National Legislation of the Member Countries of EU”. For the judges from the civil departments was also held a counseling on the subject “Legal Interest for Submission of Declaratory Action”.

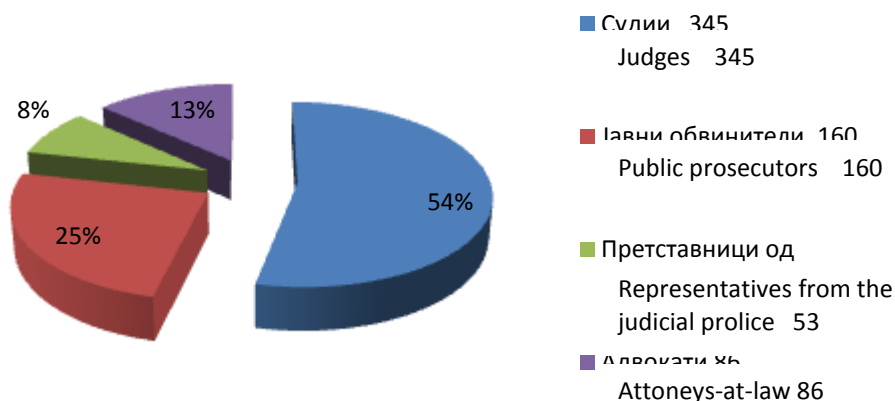
➤ LAW ON CRIMINAL PROCEDURE

The Academy, in collaboration and with financial support from the Mission of OSCE in Skopje and the Legal office of INL at the Embassy of USA in RM, and during 2014 completely realized the Program of Activities for Application of the new Law on Criminal Procedure, which entered into force on 1.12. 2014.

In accordance with the Program on Implementation of the Trainings for the new LCP during 2014 total number of 24 advanced trainings were realized, on which attended a total number of 656 participants, from which 345 judges, 160 prosecutors, 53 representatives of the judicial police and 86 lawyers with 4 advanced modules.



Participants in the training for the new Law on Criminal Procedure



The data obtained from the evaluations are showing existence of pleasure of the participants of the trainings from the duration of the trainings, the selection of the topics and the usefulness for the participants, and especially the lecturers were graded positively, in regards to what grades are given for: Clarity in the presentations, understandability of the instructions for tasks, the use of visual methods, the use of practical examples, interaction with the participants, overall a great concept of lecturing.

From all of the conducted evaluations of the finished trainings for LCP in the past years, and in accordance with the requests of the participants, as necessary and essential imposed the organization of trainings for the new LCP also in 2015. The basis for determining of the topics and the sub-topics of the future trainings, given that the new law is already applied, are the popular questions of practical application, which were exposed in detail on the round table “Practical Implementation of LCP”, held on October 15, 2014.

➤ **SPECIALIZED MODULE OF TRAINING – FOR THE ADMINISTRATIVE COURT AND THE HIGHER ADMINISTRATIVE COURT**

Also in 2014 the Academy has continued with the implementation of the Strategy for training of the Administrative court which arose from the IPA – projects “Support for more efficient, effective and modern work and functioning of the Administrative court” which adjusted the program with the current needs of the judges and the expert service of the Administrative Court and the Higher Administrative Court. In addition, independently or in collaboration with domestic and foreign partners (Commission for protection of the competition, Public Procurement Bureau, Public Revenue Office, Customs administration of RM, UNHCR, Embassy of France in Republic of Macedonia) were organized a total number of 16 specialized trainings for the judges and the expert court officials in the Administrative and the Higher Administrative Court, which were thematically dedicated to the news or the application of certain laws within the scope of the authorities of the administrative judiciary (such as the Law on Public Procurement, the Law of Real Estate Cadastre, the Construction



Law and the Law on Illegally Constructed Buildings, the electoral legislation, etc.), and also were covered topics from the field of the intellectual property rights, the right to asylum, the tax and customs law, the EU law and other topics of interest to the administrative courts.

➤ **TRAININGS ON THE RIGHT OF INTELLECTUAL PROPERTY**

During 2014, the Academy in accordance with the obligations from the National Program for Adoption of the EU Law (NPAA), has continued with the continuous education of the judges and public prosecutors from the field of the intellectual property in order through further raising awareness for the significance of the rights of intellectual property and consistent application of the regulations of this field, to provide efficient prosecution of the violators of the rights of intellectual property, as well as efficient judicial protection.

In that context, the Academy independently or in collaboration with state authorities and institutions included in the system of protection of the rights of intellectual property organized 6 trainings dedicated to different aspects of the protection of the rights of intellectual property, on which participated a total number of 170 participants from the judiciary of Republic of Macedonia, 129 from which were judges, 23 public prosecutors and 18 expert collaborators from the courts and public prosecutions, and one training was organized in collaboration with tendency in 2015 to continue the collaboration on the field of trainings from the area of intellectual property.

➤ **TRAININGS ON STANDARDS FOR DEALING WITH CHILDREN VICTIMS OF VIOLENCE**

During 2014, the Academy, independently and in collaboration with the Ministry of Labor and Social Protection and UNICEF has organized 14 trainings on the topic: “Standards for acting with children victims of violence/techniques for interviewing (questioning) of children-victims and witnesses of violence” and “Questioning children in a court procedure” These trainings were held in all of the appellate districts and their goal was an introduction with the legislation and exchange of experiences related to the current case law, forensic and psychological aspects for the witnessing of the children in a court procedure, general directions for questioning, and phases of the interview, as well as standards for acting with children in a court procedure, the psychological aspects of the participation of children in a court procedure, the psychological aspects of participation of children in court procedures and creating an appropriate environment and conditions for acting with the children.

➤ **TRAININGS ON BRIBERY, CONFISCATION AND FIGHT AGAINST CORRUPTION**

During 2014, the Academy independently and in collaboration with other relevant institutions, organizations and projects, organized several trainings from this field, 2 of which on the topic “Confiscation of property and property gains, unfounded enrichment, responsibility of the legal entities and the combat against corruption, economic criminal and money laundering”, 1 training on the topic “Bribery, illegal possession” and 1 conference on



the topic “Combat against corruption” on which participated judges, public prosecutors and representatives from the Agency for Handling Confiscated Property, the Public Revenue Office and advocacy.

➤ **TRAININGS ON ETHICS AND FIGHT AGAINST CORRUPTION AND CONFLICT OF INTERESTS**

- Following the recommendations of GRECO (Group of States against Corruption) in terms of the fourth circle of evaluation referring to the parliamentarians, judges and prosecutors, 2 trainings for the court and prosecutor officials and 1 training for the jury-judges, on subjects related with ethics, ethical behavior, prevention of conflict of interests and anti-corruption measures, or prevention of corruption and combat against the corruption such as:
 - 1 training for judges from the crime departments and prosecutors on the topic “Prevention and combat against corruption, conflict of interests” on which participated 26 participants from each appellation district.
 - 1 training for judges and public prosecutors on the subject “Ethics in the judiciary” on which participated 19 participants from each appellation district;
 - 2 trainings for officials on the subject “Conflict of interests/Anti-corruption, 2 trainings for officials on the subject "Conflict of interests/Anti-corruption measures/Ethics and ethical codex" on which participated 33 court and prosecution officials;
 - 1 training for the jury-judges on the topic “Conflict of interest/Anti-Corruption measures/Ethics and ethical codex” on which participated 24 jury-judges.

➤ **TRAININGS DEDICATED TO CERTAIN ARTICLES OF THE EUROPEAN CONVENTION FOR HUMAN RIGHTS**

Trainings for application of Article 10 of ECHR – freedom of expression

Due to appropriate application of the standards of the European Court for Human Rights in the cases of civil liability for defamation and insult, during 2014 the Academy organized specialized trainings for 50 judges from the civil departments of the courts authorized to act upon the subjects of this field. Within this specialized training, during 2014, 8 trainings were conducted as mandatory trainings for the stated target group, 4 of which were independently organized by the Academy, 2 in collaboration with the European Council, while 1 was in collaboration with the French Judicial Academy and besides the judges who are acting upon the appropriate subjects, was attended by journalists and lawyers, and 1 in collaboration with AJM on which besides the judges, attended court associates and journalists.



Besides the mentioned 8 trainings, the Academy in collaboration with the Council of Europe has realized Regional Conference on the subject “Article 10 of ECHR and the regional experiences” with 96 participants from the country and the region.

The publishing of the translated verdicts of ECHR from this field on the web-page of the Ministry of Justice and the Academy is in line of approaching of the practice of ECHR to the judges having authority to act in the appropriate subjects and it will also contribute to proper application of the new Law on Civil Liability for Insult and Defamation.

Trainings on Article 3 and Article 5 of ECHR

For application of Article 3 and Article 5 of ECHR were organized trainings for the public prosecutors and judges from the criminal departments of the courts on the following topics: “Article 3 of ECHR with accent on the positive obligations of the country” and “The measure of custody in accordance with ECHR (Article 5)”.

Training on Article 6 of ECHR

For application of Article 6 of ECHR was organized a training on the topic “Article 6 of ECHR from the aspect of the legal safety – equalization of the court practice” aimed for the judges of the civil departments for trade disputes.

Other trainings for ECHP

In collaboration with the Council of Europe, the Macedonian Young Lawyers Association and the Bureau of advocacy of Republic of Macedonia at ECHR, was organized a counseling on the topic “The right to leave the country in the context of the European convention for human rights (Article 2.2 from the Protocol 4, Article 13 and 14 from ECHR)” aimed for the judges of the Administrative Court, the Higher Administrative court and the Basic Court – Skopje 2.

➤ SPECIALIZED TRAINING FOR THE NEWLY ELECTED JUDGES AND PUBLIC PROSECUTORS

Within the Specialized Program on Training of Newly Elected Judges and Public Prosecutors, during 2014 were conducted: 1 two-day training for module criminal law on the subject “Managing a main hearing and writing decisions and accusations” and 1 two-day training in accordance with the module general subjects, as well as 1 training for newly-elected public prosecutors and prosecutors with service up to 3 years on the topic “Governing with the skills for conducting criminal procedure with integrity in the service” (in collaboration with the USA Embassy – Project INL).

Besides that were also conducted 2 two-day trainings for writing verdicts with focus on the rationale of the verdict, one of which was for the civil judges with service up to 5 years, and the other for the criminal judges with service up to 5 years..



➤ **SPECIALIZED TRAINING FOR PRESIDENTS OF COURTS**

Within the Specialized program for training for presidents of courts during 2014, in organization of the Academy, were conducted four trainings on the following topics: “Application on the court rules of procedure”; “Communication skills, public relations”; “The documents of SEREJ for managing the time in the court procedures/Comparative practice” and “Practical implementation on the Law on Execution” with participation of presidents of all of the appellation districts..

➤ **TRAININGS FOR TRAINERS**

During 2014 was organized one tri-day training for trainers which was realized by the Academy in collaboration with the Mission of OSCE in Skopje. The topic of the training was “**Handling a hate crime**” and as such, the training was aimed for the regular lecturers in initial and continued training of the Academy for Judges and Public Prosecutors.

➤ **JURORS**

Fulfilling the legal obligation in accordance with Article 42 of the Law on Courts as well as in accordance with the GRECO recommendations in the 4 round of assessment, the jury-judges have to attend to a specialized training organized by the Academy.

The Pavel Shatev Academy for Judges and Public Prosecutors in the period from 1 January to 31 December 2014 organized 11 trainings for the jury-judges, on the following topics:

1. **Conflict of interests/Anti-corruption measures/Ethics and ethical codex”,** 1 training with participation of a total number of 24 jury-judges from the appellation district Skopje, 14 of which were from the Basic Court Skopje 1 and 10 jury-judges from the Basic Court Skopje 2.
2. **“Implementation of the new LCP”** were held 5 trainings with participation of a total number of 116 jury-judges, 52 of which were from the appellation district Skopje, 17 jury judges of the appellation district Bitola, 36 jury-judges of the appellation district Shtip and 19 jury-judges of the appellation district Gostivar.
3. **“Implementation of the LCP”** were held 5 trainings with participation of a total number of 122 jury-judges, 51 of which were from the appellation district Skopje, 28 jury judges of the appellation district Bitola, 20 jury-judges of the appellation district Shtip and 24 jury-judges of the appellation district Gostivar.

➤ **TRAINING OF THE COURT AND PROSECUTION OFFICERS**

- During 2014 the Pavel Shatev Academy of Judges and Public Prosecutors has continued with the expert improvement of the court and prosecution officials (in accordance with Article 68 and 69 of the Law for the Academy for Judges and Public Prosecutors) having their own significant contribution in the successful work of the courts and public prosecutions.



- The trainings for the court and prosecution officials covered different target groups such as: the expert service in the courts and the prosecutions, managing officials and expert-administrative officials as well as the judicial police.
- In accordance with the Program and the Catalogue for training of the court and prosecution officials, in 2014 were conducted a total number of 23 trainings on the following topics:
 - Concept of anti-discrimination,
 - Application of the Law on the Management of Case Flows in Courts,
 - The work of the court officials (in accordance with the Court Rules of Procedure, Official Gazette of RM 66/2013,
 - The Job of the working bodies for the Law on the Management of Case Flows in Courts,
 - Rights and obligations of the court officials in accordance with the Law on Court Service and the Law on Labor Relations,
 - Application of the Law on Court Service
 - Conflict of interests/Anti-corruption measures/Ethic and ethical codex,
 - Preparation of reports through the program AKMIS – practice and flaws
 - Submission of court letters in accordance with the Law on Litigation and the Law on Criminal Procedure with practical examples,
 - Communication with clients, work of the public relations office, anonymization of the decisions,
 - Acting upon complaints and suggestions
 - Charging court tax and performance of sanctions in accordance with the Court Rules of Procedures and the Law on Court Taxes
 - Acting of the court officials in the application of the material and procedural law,
 - Managing in accordance with the Law on Court Service,
 - Material, financial and office work
 - Execution of inventory and preparation of inventory lists.

➤ **NUMBER OF PERFORMED TRAININGS FOR THE COURT AND PROSECUTION OFFICERS
IN 2014**

In the period from January 1 to December 31, 2014 in organization of the Pavel Shatev Academy of Judges and Public Prosecutors were performed a total number of 23 trainings for the court and prosecution officials, with participation of 594 participants, in close collaboration with the Association of court administration and the Council of the court service.



The Academy in 2015 will continue organizing seminars and trainings which are important for the administration, in order to increase the quality of the work of the court and the prosecution service.

➤ JUDICIAL POLICE

In the period from January 1 to December 31, 2014 in organization of the Academy for Judges and Public Prosecutors "Pavel Shatev" was realized one training for the judicial police, with participation of a total number of 17 participants from the appellation district Skopje on the subject:

1. **"Regulations in accordance which are working the judicial police officers with special review of working with clients".**

VIII COLLABORATION WITH DOMESTIC AUTHORITIES, ORGANIZATIONS AND INSTITUTIONS

The collaboration with domestic authorities, institutions, organizations and associations that was established by the Academy at the outset of its work continued unabated in 2014. The Academy continued its successful collaboration with the institutions represented in the Management Board: Ministry of Justice, Secretariat for European Affair, Ministry of Interior as well as the other ministries, national authorities and institutions, faculties of law, Bar Association of Republic of Macedonia, Notary Chamber, NGO sector.

ACADEMY'S COLLABORATION WITH PROJECTS DURING 2014

The established collaboration continued with the foreign projects which provided technical and financial support for numerous workshops, round tables, seminars, study visits:

- EIPA
- US Embassy in Republic of Macedonia - INL
- USAID, Project on Strengthening of the Judiciary
- British Embassy
- The instrument for technical assistance and information exchange in the European Commission – TAIEX
- German Society for International Cooperation – GIZ
- Monitoring OSCE Mission in Skopje – Rule of Law Department



- Centre for International Legal Cooperation (CILC) from the Kingdom of Netherlands
- Embassy of Republic of France and Judicial Academy of France
- British Council
- German Foundation for International Legal Cooperation – IRZ
- Council of Europe
- ABA ROLI
- UNHCR
- Council of Europe
- IPA
- VINPRO

❖ **BRITISH COUNCIL**

Within the collaboration with the British Council and supported by the Judicial Council of Republic of Macedonia and Council of Public Prosecutors of Republic of Macedonia, the Academy conducted a pre-testing for evaluation of knowledge of English language for the judges and public prosecutors from all appellate areas. Five groups were formed due to increased interest and the testing was held in Skopje, Bitola and Shtip with over 77 judges and public prosecutors with preliminary knowledge taking the exam. The evaluation of the pre-testing will serve as an assessment for the need of creating modules for electronic courses for advancing the level in English language thus facilitating the process of acquiring internationally recognized certificates, in accordance with the Law on Courts.

❖ **MONITORING OSCE MISSION IN SKOPJE – DEPARTMENT ON RULE OF LAW**

As in previous years, the Academy continued its collaboration with OSCE Mission in Skopje in 2014 while working on two portfolios: one for anti-discrimination legislation and the concept of equality, and the other for hate crimes.

Four legal seminars with over 100 participants (civil judges, attorneys-at-law, representatives from the Commission for Protection and Preventing Discrimination) were organized within the framework of collaboration in the field of protection and preventing discrimination. The topics involved the direct discrimination as the most common form in our society, the indirect discrimination, the burden of proving and the judicial practice of the European Court of Human Rights in Strasbourg and the Court of Justice of EU in Luxembourg. Working on a pre-prepared case of direct discrimination in labor relations, a group of experts and educators at the Academy developed a Practical Guide including templates for lawsuit, response to a lawsuit, first instance ruling, appeal, response to appeal and second instance ruling. Given the positive results of the activities and the development of the domestic judicial practice, the collaboration for 2015 is already planned and generally agreed on.

Regarding the collaboration in terms of a hate crime four separate trainings were organized for criminal judges and prosecutors for each appellate area: one training course for Skopje and Gostivar held in Mavrovo, one training course for Bitola held in Bitola, one training course for Shtip held in Strumica. 80 participants attended the courses. This project was rated as a very important for raising awareness of this negative social phenomenon and was



supported by the Macedonian Academy of Science and Arts for the celebration of November 16 as an International Day of Tolerance.

In 2015 the Academy and the OSCE Mission will resume their collaboration on trainings in the field of hate crime, with special focus on the amendments of Article 39 paragraph 5 of the Criminal Code of Republic of Macedonia and its proper application by the public prosecutors and judges in the criminal proceedings.

❖ **AMERICAN BAR ASSOCIATION RULE OF LAW INITIATIVE (ABA ROLI)**

In collaboration with and financially supported by the American Bar Association for the Rule of law (ABA ROLI) and in collaboration with Bar Association of Republic of Macedonia, during 2014 the Academy organized 4 workshops in the form of simulated trial for the new Criminal Procedure Law. They were attended by 37 participants: judges working on criminal matters, public prosecutors and attorneys-at-law who analyzed all aspects and practical skills related to the new Criminal Procedure Law through exercises.

❖ **COUNCIL OF EUROPE**

In 2014 the Academy continued its successful and continuous collaboration with the Council of Europe, established since 2007.

This time the main subject for organizing classical training and conferences was Article 10 of the European Convention and the freedom of speech. We would like to emphasize that it was the first time for the Academy to organize and establish blended training on anti-discrimination and the concept of equality. This activity was organized in collaboration with the HELP Programme of the Council of Europe and included several separate events: training of national mentor (tutor) for this type of learning held in February in Strasbourg, promotional event for the local judges held on March 31 at the Academy in the presence of representatives of the Council of Europe, participation in an international conference dedicated to the HELP Program of Council of Europe held on June 16 in Strasbourg, preparation of the module for blended learning and taking an exam for trainer certification for this kind of training held in November 2014. Twenty local participants attended as part of this activity, ten of which applied for this computer based training for anti-discrimination legislation. This activity is still in progress and will remain so in 2015 when a visit by the managers of the HELP Program of the Council of Europe is planned.

As for the activities related to Article 10 of ECHR, they were organized and conducted with the regional office of the Council of Europe in Belgrade, during which two 2-day trainings were held for judges working on this matter and with lecturers hired by the Council of Europe. The final part of this collaboration was the organizing of the regional conference held from 4 to 6 of December in Skopje with 96 participants, 46 of which were judges, representatives of the countries in the region.

❖ **STRENGTHENING OF THE CAPACITIES OF THE BODIES FOR ENFORCING THE LAW ON PROPER TREATMENT OF DETAINED AND CONVICTED PERSONS – ARTICLE 2,3 AND 5 of ECHR**



During 2014 the Academy established a successful collaboration with the Office of the Council of Europe in Skopje within the two-year project Strengthening of the Capacities of the Bodies for Enforcing of the Law on Proper Treatment of Detained and Convicted Persons which consists of two components separately focusing on the issues relating to the police and prisons and aimed at the development of the capacities for ensuring professionalism by the police force, guaranteeing fundamental rights through efficient and responsible regulatory and operational framework and strengthening the organizational and management capacity of the penitentiary system in the country for the purpose of securing a full protection of the human rights while treating the detainees and prisoners.

Within this collaboration there were eight events of which 6 were counseling and 2 round tables attended by over 70 participants (judges, prosecutors and attorney-at-law) proposed by the Academy. The topics were Strengthening of the Coordination in the Fight against Impunity related with Allegations for Violations of Human Rights and Improper Police Action, Improving of the Treatment of People who have Limited Freedom of Movement, The role of the Prison Inspectorate and Strengthening of the Coordination between the Internal and External Inspection Bodies for Correctional Institutions as well as Presenting the National Strategy on Development of the Penitentiary System and its Action Plan.

❖ **UNICEF**

In collaboration with the Office of UNICEF in Skopje in 2014 the Academy conducted a project for strengthening of the capacity and skills of domestic judges and public prosecutors in the field of hearing of children in court proceedings. As a part of this project four 2-day trainings between June 26 and July 5 were organized with more than 80 participants. All trainings were held in Bitola during which the participants had the opportunity to visit the special room for hearing of children in court proceedings located in IAO-Bitola, equipped with the support of UNICEF which meets all standards provided by the new Law on Justice for Children and the international conventions regulating this matter.

Although achieved in a short period, this project was rated as highly useful by the attendees who come in contact with minor participants in a court proceeding. The project was a sequel of the successful cooperation that the Academy has established with the Office of UNICEF in Skopje in 2008.

❖ **UNDP**

During 2014 and within the project Prevention of Domestic Violence through Competent National Institutions and Transparent and Responsible Judiciary 2012-2014 implemented in collaboration with UNDP and funded by Kingdom of the Netherlands, there were four counseling sessions, one for each appellate area on the topic "Strengthening of the National Capacities for Prevention against Domestic Violence". A total of 126 judges and public prosecutors were trained, all of which work on domestic violence cases of a civil and a criminal nature. As a result of the counseling sessions, the lecturers at the Academy prepared a Handbook which will serve as a guide for the judges and prosecutors dealing with domestic violence.



Also a round table within this collaboration was organized for the practitioners immediately after the adoption of the new Law on Prevention and Protection against Domestic Violence.

❖ **INL PROGRAM (BUREAU OF INTERNATIONAL NARCOTICS AND LAW ENFORCEMENT AFFAIRS) OF THE USA EMBASSY IN REPUBLIC OF MACEDONIA**

In 2014 the Legal Office of US Embassy INL in Skopje continued to support events related with reforms in the criminal law legislation. The support was especially significant in the field of trainings and the following events were held within this collaboration:

- The experience of the US with the penalty reform and benefits for Republic of Macedonia
- Application of the new LCP, workshop organized within the programme for collaboration between the judges in Republic of Macedonia and US
- Conference on fight against corruption: judicial ethics, prevention and prosecution of corruption
- Alternatives to imprisonment: community service and other alternative measures
- Possessing skills for leading criminal proceedings with an integrity in the profession

As a part of this collaboration there was a visit to Republic of Macedonia by judges-mentors from the USA who observed the application of the new accusatory criminal proceeding (LCP). During this visit they had meetings with the judges from Macedonia. Judges and public prosecutors from the Republic of Macedonia had the opportunity to attend the regional conference for judiciary held in Dubrovnik on topic Skill of Conducting Court Proceedings.

❖ **COLLABORATION WITH USAID**

Within the Program on Continuous Training of Judges and in collaboration with the USAID Project, a specialized workshop on topic Writing Court Rulings was organized for the judges in the civil department.

The USAID Project on Strengthening of the Judiciary supported the activity for preparation of a Strategic Plan of the Academy, for which three-day workshop and one-day meetings were held with the representatives from the consulting firm hired by them and the professional service of the Academy.

❖ **GERMAN FOUNDATION FOR INTERNATIONAL LEGAL COOPERATION - IRZ**

Within the reporting period, the Academy in collaboration with the German foundation for international legal cooperation – IRZ with which the Academy has a long and productive cooperation, organized the following events: Promotion of Handbook for Article 5 of ECHR and of Report from the Researching of Positive Obligations in Accordance to Article 10 of EHCR, translated to Macedonian and funded by IRZ. During 2014 two counseling sessions on the topic The Influence of European law on the National Legislation, comparative experiences and Evaluation of Judges and Public Prosecutors were organized as a part this collaboration. All of events were attended by over 150 participants from among the judges,



public prosecutors, attorneys-at-law, representatives of the ministries and other institutions that come in contact with the issues which were subject to the aforementioned trainings.

❖ **WITNESS PROTECTION IN THE FIGHT AGAINST ORGANIZED CRIME AND CORRUPTION (WINPRO II)**

Collaboration in criminal justice: Witness Protection in the Fight against Organized Crime and Corruption (WINPRO II), a project funded by 2012 IPA Multi Programme. Participating countries are: Albania, Bosnia and Herzegovina, Croatia, Kosovo, Montenegro, Macedonia and Serbia. There are 4 types of activities conducted within this project: Balkan network of departments for witness protection and international cooperation; legislation related issues, judiciary and prosecution; organizational development and training; and inter-institutional collaboration.

During 2014 and within the collaboration with the WINPRO Project, the Academy conducted a course for assessing a client which was attended by 4 public prosecutors from Macedonia and public prosecutors from Serbia. The workshop titled Witness Protection was attended by 17 judges and public prosecutors. The training for risk assessment was attended by 6 public prosecutors along with prosecutors from Bosnia and Herzegovina. The training for assessing a client was attended by 4 public prosecutors and police officers for investigating. These trainings will continue in 2015.

❖ **EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT**

In 2014 a project was realized in collaboration with and entirely funded by the European Bank for Reconstruction and Development. The project aimed at basic accounting skills for bankruptcy judges and consisted of activities for preparation and realization of two trainings for bankruptcy judges held in Ohrid and Bitola with a total of 55 participants. It is worth noting that, given the specificity of the subject, the Academy together with the office of KPMG in Skopje organizes meetings for assessment of the needs and detection of weakest points in reading financial statements by bankruptcy judges. The meetings were a basis for designing of a two-day agenda for these trainings. The topics were fully elaborated and presented by economic experts working in KPMG. Besides these two classical trainings, as a final activity of this project e-learning module for learning for the bankruptcy judges will be promoted in February 2015 and it will be available on the web-site of the Pavel Shatev Academy for Judges and Public Prosecutors.

❖ **REGIONAL IPA 2010-PROJECT ON FIGHT AGAINST ORGANIZED CRIME AND CORRUPTION: STRENGTHENING THE PUBLIC PROSECUTOR'S NETWORK**

Within the collaboration of the Academy with the regional IPA 2010-project Fighting against Organized Crime and Corruption: Strengthening the Public Prosecutor's Network, a two-day regional conference was held in 2014 with 60 attendees – judges, public prosecutors and inspectors who work on this kind of investigations on a daily basis. The subject was: **Money Laundering and Corruption related Investigations** and the following topics were elaborated: treaties, conventions on money laundering in Europe and beyond, FATF and MONEYVAL and their reports, international legal cooperation, development in international law, strategies for investigation and prosecution of complex financial cases.



The aim of this training was to enhance the interpretation of treaties and conventions during international investigations and trials for the purpose of acquiring evidence and confiscating criminal property, transferring the knowledge of money laundering on an international scale, exploring strategies at the disposal of the police and public prosecutors during the investigation and trial, as well as exchanging experience and techniques among the participants in the region.

IX INTERNATIONAL COOPERATION

❖ STUDY VISITS

The participation of judges, public prosecutors, candidates for judges and public prosecutors, representatives of the bodies and Professional Service of the Academy, Judicial Council and the Council of Public Prosecutors of Republic of Macedonia in study visits, international trainings, internships, meetings, workshops and conferences abroad is continued.

During 2014 the Academy had a total of 26 study visits abroad with 57 participants:

Study visits in 2014



➤ TRAININGS IN COLLABORATION WITH THE TAIEX INSTRUMENT FOR TECHNICAL ASSISTANCE AND INFORMATION EXCHANGE IN THE EUROPEAN COMMISSION OF THE EUROPEAN UNION

The collaboration of the Academy with the TAIEX Instrument for Technical Assistance and Information Exchange in the European Commission of the European Union continued in 2014. With the financial support of the TAIEX a total of 6 events were realized in 2014 and on the following subjects:



- International collaboration in civil and commercial disputes.
- Justice and forensic medicine.
- Litigation under national legislation of EU member-states.
- Criminal-legal instruments in EU (focusing on confiscation and accountability of legal entities) – 3 workshops were held on the subject, organized in collaboration with IPA funded Project on Support in the Implementation of Reforms in the Criminal System, component 2.

Seven applications for technical assistance for organizing certain events were filed by the Academy during 2014.

➤ **INTERNATIONAL COLLABORATION WITH THE FRENCH EMBASSY AND THE ACTIVITIES FOR 2014 IN ACCORDANCE WITH THE SIGNED 3-YEAR MEMORANDUM OF COOPERATION**

The promotion of the French-Macedonian collaboration in the field of training of judges and public prosecutors and in the direction of extending the already established collaboration between the Academy for Judges and Public Prosecutors, the French Embassy in Republic of Macedonia and the National Magistrates School (ENM) Bordeaux-France in the field of initial training and continuous training, was continued successfully in 2014 by organizing trainings and counseling sessions,, medium study visit for young judges and prosecutors in the European Court for Human Rights in Strasbourg, visits to the Academy by candidates in the Judicial Academy of France as part of the activities conducted in accordance with the signed Memorandum of Cooperation between the Academy and the French Embassy in Republic of Macedonia.

An important benefit that continued in 2014 was the opportunity to learn the French language. The realization of this activity started in 2012 when the Academy formed three groups of participants for the beginner's level and one for advanced level.

In 2014 the Academy organized two trainings according to the signed Memorandum, one of which was intended for the employees of the Academy on the subject Designing of the Judicial Training Centre and one training for the trainers and mentors dedicated to the new teaching methodologies, as well as 3 counseling sessions dedicated to Freedom of Expression and Financial investigations. In 2014 the Academy yet again hosted a candidate-trainee from the Judicial Academy of France.

Between the 16 and 22 of November 2014, the Academy hosted four-member delegation from France as a part of the study exchange between the two judicial academies.

An exceptionally important activity was performed as a part of this collaboration and that is a one-month internship in the European Court for Human Rights in Strasbourg to which a judge from the candidates of the Academy was sent. From the judge's experience was concluded that this kind of internship is essential for adequate consideration of the judicial practice of the European Court, therefore the Academy will make efforts such visits to be realized.

In the beginning of 2015 three more counseling sessions will be held and from January 26 to February 13, 2015 as part of this collaboration. The Academy will provide an internship for a candidate from the Judicial Academy of France ENM Bordeaux.



➤ **EUROPEAN CENTRE FOR JUDGES AND LAWYERS, EUROPEAN INSTITUTE OF PUBLIC ADMINISTRATION – EIPA**

In collaboration with the European Centre for Judges and Lawyers, European Institute of Public Administration – EIPA, 3 workshops were held in 2014 on the following subjects:

- European court proceedings (Alternative solution of disputes)
- Family law in EU
- Harmonization and implementation of EU law

Within the collaboration with the European Centre for Judges and Lawyers, European Institute of Public Administration – EIPA Luxemburg, of particular importance is the nomination of 2 participants by the Academy for the Catalogue of Activities by EUPA, open for participation by other countries. There is an ongoing preparation for a long-term project with EIPA for a special module for EU law and judicial administration trainings.

➤ **TURKISH JUDICIAL ACADEMY**

As a result of the Memorandum of Cooperation signed between the academies in 2011 for the purpose of exchanging experience, mentors and educators as well as improving of teaching techniques, two mutual visits by the judicial academies in Republic of Macedonia and Turkey were made in 2014.

In June 2014 the Academy for Judges and Public Prosecutors hosted Turkish Judicial Academy represented by the Chairman of the Academy Jilmas Akchil and members of the Supreme Court of Turkey, judges, senior officials of the State Council and members of the judicial academy. During this visit a special attention was paid to the teaching techniques used by the Turkish Judicial Academy, their initial training and the way of entering the profession by the future judges and prosecutors in the judicial profession, as well as the achievements in the field of computer technology, as Turkey is particularly advanced in the process of computerization of the judiciary.

A detailed working plan for 2015 was prepared with the Turkish Judicial Academy.

X COMPUTER SYSTEM

In 2014 the Academy continued the upgrading of the existing software for the aim of creating a efficient computer system that will serve primarily for eased management of the internal processes and activities of the Academy, along with providing the necessary functionality for easy and simple daily maintenance and update of the contents on the web site, as well as an easy connection with the other internal software systems.

Following the modern technological and teaching methods to ensure a successful Programme on Initial Training, the Academy introduced a new method in 2014 for conducting



the admission exam which will provide independence, objectivity and transparency. The exam will be conducted electronically in examination room, specially equipped with technical and computer equipment, internet connection and recording equipment. The examination will be recorded and broadcasted live on the web-site of the Academy for Judges and Public Prosecutors. The electronic system also contains a publicly available database of at least 2000 questions and is designed to generate a different test for each of the candidates.

XI LIBRARY

For the needs of its users, the library changed its internal software solution and provided a simpler, faster and easier access to the library collection by changing the interface thus changing and increasing the offered services. Despite the manual handling of the publications which are part of the library collection, a more user friendly and better organized library collection was achieved. In any case, the library of the Academy will continue the upgrading and improving under the pressure of modern library trends.

The library participates in and is a part of all the events essential for its operation and the end users.

In this regard, the library carried on the continuous enrichment of the library collection with legal writings, domestic and foreign legal literature and professional magazines, thus offering a wide range of legal writings and links of database published on the web site of The Academy.

The library enriched the library collection with a few more new publications in which preparation, promotion and distribution actively participated:

- A publication titled “Application of EU law by the Courts of the SSE Countries Candidates for Membership in EU”, promoted by the Academy in collaboration with the German Foundation for International Legal Cooperation (IRZ);
- The translation of “Guide on Article 5 – a right to Liberty and Security” and Research Report: Positive obligations on member States under Article 10 to protect journalists and prevent impunity” – promoted in collaboration with the German Foundation for International Legal Cooperation (IRZ);
- Handbook for training professionals dealing with domestic violence cases and violence against children – issued by the Academy with the support of UN Development Program (UNDP) within the Project on Preventing Domestic Violence through Competent National Institutions and Responsible and Transparent Judiciary 2012-2014 conducted along with UN Woman and the Ministry of Labor and Social Policy, financially supported by the Government of the Kingdom of the Netherlands.
- Promotion of Collection of International Documents for Independent and Efficient Judiciary – Volume 3, supported by the OSCE Mission in Skopje.

Following the state efforts for a successful harmonization of national legislation with the EU legislation and the international standards and their proper implementation by the national legal practitioners, especially when it comes to the European Convention on Human



rights and the judicial practice of the European Court for Human Rights, the Academy in collaboration with AIRE Centre from London is promoting the Regional database of judicial practice of the European Court for Human Rights, relevant to the SSE countries and with over 1000 posted court rulings translated to the languages of the region. The database provides a simple use and access to the jurisprudence of ECHR via brief representations of the cases and offers options for searching by Article of the European Convention on Human Rights, by a particular common situations, keywords and concepts connected to the given Article, as well as option for advanced search. The links for access to the database are posted on the web site of The Academy.

In order to achieve greater transparency and greater access to as much information as possible in the field of law, throughout the year on its web-site the Academy published the bulletins of the International Anti-Corruption Academy – IACA, as well as other relevant writings sent to the Academy by experts and practitioners of law with whom the Academy established a excellent collaboration. As part of the collaboration with the Advisory Council of European Judges in the Council of Europe – CCJE and the European Commission for the Efficiency of Justice, all the relevant documents adopted by these bodies and translated to Macedonian were continuously published on the web-site of THE Academy.

The Academy continued to publish useful links on its website, by which the experts in Macedonia may gain access to as many as possible documents, materials, publications and writings in the field of law.

For the purpose of familiarizing the experts with the work of Committee GRECO of the Council of Europe and the work of the head of delegation, all of the activities of the head of the delegation of Republic of Macedonia in GRECO and relevant documents adopted by this body are regularly published on the web-site of the Academy in a file titled “GRECO”. A significant part of these documents is translated and published in Macedonian.

XII BUDGET AND PUBLIC PROCUREMENTS

➤ BUDGET

The Academy's budget for 2014 was set to 34,946,000.00 MKD.

During 2014 the rebalanced budget of the Academy for Judges and Public Prosecutors was shortened for 4,477,000.00 MKD.

Since the start of 2014 and ending with December 31, 2014 the Academy had spent 26,720,285.00 MKD of its budget.

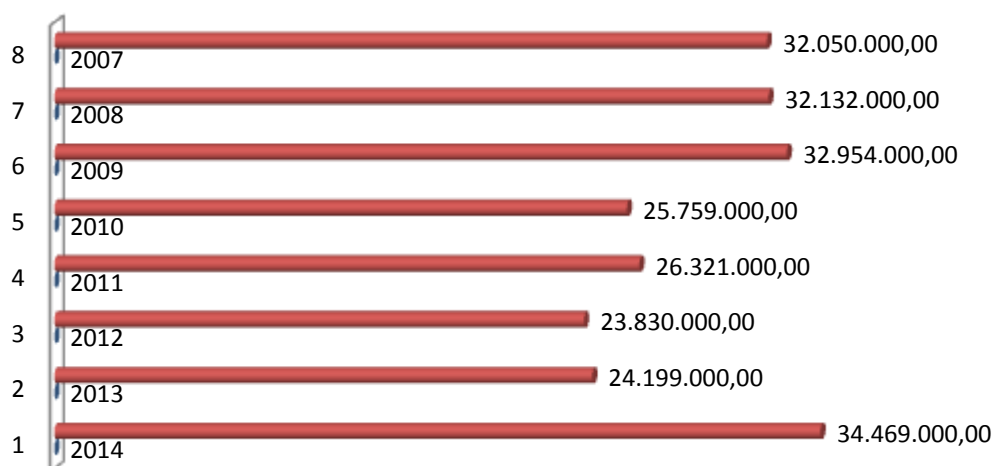
2014	Budget set 34,946,000.00	Rebalanced Budget 30.469.000,00
401 Basic salaries	15,507,000.00	14,419,000.00
402 Contributions	6,389,000.00	5,000,000.00



420 Travel and living expenses	200,000.00	200,000.00
421 Utility services	2,700,000.00	2,000,000.00
423 Materials and inventory	1,000,000.00	800,000.00
424 Repairs and maintenance	450,000.00	350,000.00
425 Contractual services	7,450,000.00	6,600,000.00
426 Other current expenses	1,000,000.00	900,000.00
480 Buying equipment	250,000.00	200,000.00



Budget of the Academy for Judges and Public Prosecutors (by years)





➤ **PUBLIC PROCUREMENT**

During 2014 the Academy realized 23 public procurements:

- Procedure for requesting and receiving offers – 21 procedures;
- Procedure with negotiation without prior announcement for bids – 2 procedures.

According to the Annual Work Programme for 2014 by the State Audit Office, the State Audit Office performed an audit on the efficiency and effectiveness of the system for financial management and control and internal revision, and was concluded that the Academy had taken the measures, policies and specific activities for adopting sub law and internal acts, implementation of the procedures for financial management, control and internal audit.

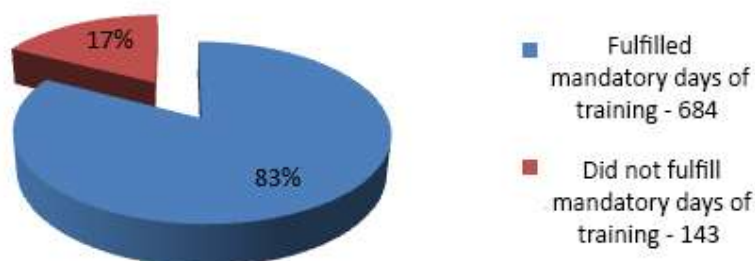
XIII STATISTICS

The software system for managing processes, implemented by the Academy during 2011, is a main database for the judges and public prosecutors and it is used by the Academy in its work. The regular updates in the database are crucial for the performance of the Academy, especially in the area of predicting and planning the total amount of trainings by fields, for the aim of providing the mandatory days of training for all the target groups in the current year.

Regarding the status of the judges and all the changes related to their position, the data is received from the electronic system of data of the Judicial Council of RM which is connected to the database of the Academy.

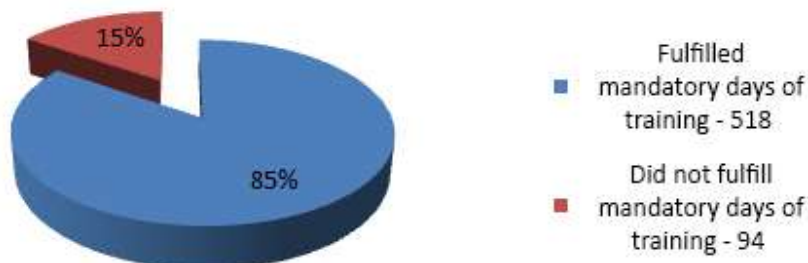
Regarding the status of the public prosecutors, in the Council of Public Prosecutors of RM there is no database that would be of any use to the Academy. Because of this in 2014 the Academy started a process for acquiring data for the public prosecutors. Upon the acquiring, the requested data will be stored by the professional service in the database of The Academy.

Fulfillment of the mandatory continuous training in 2014
Total number of judges and public prosecutors

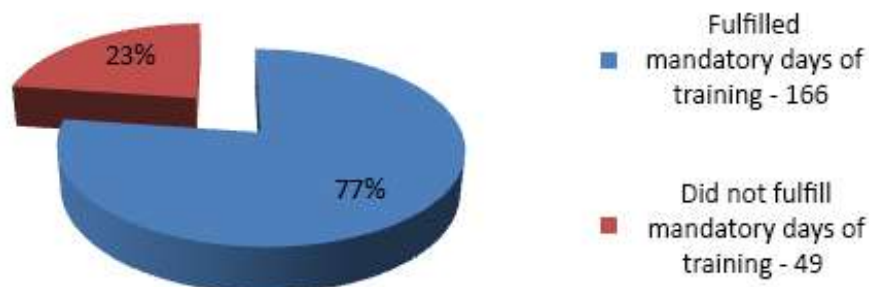




Fulfillment of the mandatory continuous training in 2014
Total number of judges



Fulfillment of the mandatory continuous training in 2014
Total number of public prosecutors



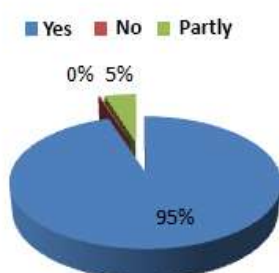
XIV EVALUATION

The questionnaires for the assessment of each event organized within the continuous training are one of the means by which the Academy can get information on the success of the event. These questionnaires provide data on the success of the program, the success of the event and the quality of the lecturer's presentation. With their filling the Academy is able to determine the effects of the counseling and to influence the improving of the classes. Information for the needs of the target groups is also obtained.

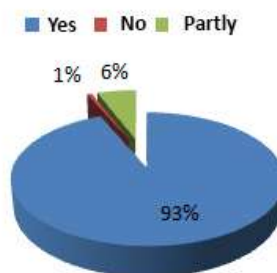
The obtained data shows the exceptionally high level of satisfaction among the participants in the trainings, satisfaction with the method of training, the selection of topics and their benefit to the participants, the selection of speakers and their methods. This kind of data is an additional incentive for the Academy to continue towards constant improvement of the trainings in order to maintain quality.



Was the program well structured?



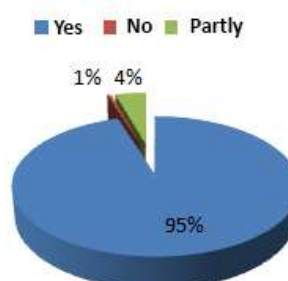
Will the program assist in widening your knowledge?



Please assess the presentation of the speakers



Are you satisfied with the organization of the training?



XV TRANSPARENCY OF PERFORMANCE

Aiming at more successful and more transparent performance, as well as a timely announcement of all significant activities, the Academy published over 370 posts (texts and links) on its website during 2014 and in collaboration with MIA – Macedonian News Agency over 36 events were covered. The events were attended by foreign and domestic legal experts, national and international practitioners of law, as well as senior officials of the diplomatic corps in Republic of Macedonia. Besides MIA, some of the events were covered by several print and electronic media from Republic of Macedonia.

Especially important is the publishing of some of the realized activities on the web site of the Advisory Council of European Judges in the Council of Europe – CCJE, which indicates of the Academy's big efforts for promoting the judicial system of Republic of Macedonia and itself abroad.

According to statistics in 2014 the visits to the web site were increased and 70,000 hits and 200,000 opened posts were registered this year, which speaks of the Academy's regular updating of the web site, thus increasing the citizen's interest in the performance and role of The Academy.



The Academy for judges and public prosecutors provides regular public and transparent informing on its activities through its website www.ipacademy.gov.mk, notice board and by publishing its acts in Official Gazette of Republic of Macedonia. Most of the information about the work of the Academy is published on its web-site, such as: acts, organizational structure, programs for training, calendars for training, and for the more significant organized events it submits press reports to the media in Republic of Macedonia, as well as interviews and etc.

