



Republic of North Macedonia  
Academy for judges and public prosecutors

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Pavel Shatev

# REPORT

on the work of the academy for judges and public prosecutors  
“Pavel Shatev” for 2019



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## I INTRODUCTORY REMARKS – Address by the Academy Director

Dear all,

2019 was the year when the Academy for Judges and Public Prosecutors "Pavel Shatev" (hereinafter referred to as the Academy) faced with many challenges. The judiciary reform process implies persistent work, wherein the Academy for Judges and Public Prosecutors plays a significant role, primarily for the purpose of meeting the needs of regular hiring of the staff needed in the



judiciary and the public prosecution, as well as realization of qualitative and continuous training of judges and public prosecutors and the other staff in the judiciary. In the course of 2019, the Academy realized all of its planned activities which reflect our vision and mission i.e. create professional, independent and European profiles of the holders of most prestigious capacities in the country – judge and public prosecutor. We strengthened the efficiency of the judiciary system by conducting trainings with regards to the numerous amendments to, and novelties in, the laws, by enhancing the judicial practice and increasing our knowledge

about new and current topics via educational events, and at the same time we worked on recruiting the most qualitative staff by implementing one comprehensive and exceptionally complex process of selection of the future participants in the initial training in the Academy.

The Academy implemented all activities under its competence referred to in Chapter 23. Justice and internal affairs are part of our priorities, and therefore, in cooperation with our numerous partners and supporters, many trainings, seminars, round tables, trainings of the lecturers and advices on basic and advanced level were held for the purpose of strengthening the educational staff, with special focus put on ethical principles and conduct of the judges, public prosecutors, judiciary and public prosecution office, for the purpose of strengthening the integrity and earning the trust of the public via transparent and accountable work.

In 2019 we have awarded certificates to 37 candidates who successfully finished the Initial Training Programme of the Academy, and we believe that they will face the professional challenges in a professional and ethical manner and practice law and justice in the courts and public prosecutions where they will be elected, with the hope that they will give their personal contribution about the perception of judiciary in the next Progress Report of the European Commission for Republic of North Macedonia.

The greatest challenge our institution faced with in the course of 2019 was the implementation of all phases of the entrance examination for initial training of the new generation which should consist of 60 participants. For the first time, the response to the announcement was unexpectedly high. Over 670 applicants were in the competition to be among the best and get enrolled in the Academy for Judges and Public Prosecutors. The Professional Service of the Academy, the Commission competent for entrance examination and the Management Board had an exceptionally difficult and hard work, and the result from that work is the successfully realized, legally defined dynamics which was prepared even before knowing the number of registered candidates.



Pursuant to the instructions and recommendations of the European Commission, contained in almost all Reports on the Progress of Republic of North Macedonia and referring to the judiciary system, it was emphasized that spatial and staff equipping is needed in the Academy. For the purpose of professional and efficient fulfilment of such requirements, within the "Improving Transparency, Legal Certainty and Efficiency of the Judiciary in Republic of North Macedonia" Project funded by the Government of the United Kingdom and supported by the British Embassy in Skopje and the Centre for Legal Research and Analysis the Academy prepared Functional Analysis in order to show the current image about the functioning of the Academy, i.e. emphasize its essential tasks and goals, as well as the problems that appear in the course of their fulfilment.

In order to meet the needs of the judiciary, become aware of their points of view, and at the same time strengthen the Academy efficiency, comprehensive research and analysis was conducted in cooperation with the OSCE Mission to Skopje about the current systematic positioning of the institution and its role in training the judicial staff, whose results will serve as guidelines for the Academy in the forthcoming period and as a strategy in the future. The Academy will invest all of its potential in the realization of the requirements and needs deriving from such Analysis.

International cooperation is of great importance for the Academy. The support provided by our foreign partners for realization of the reform goals, as well as the promotion and enhancement of the judicial system and its values continues in 2019, and at the same time, the partnership was strengthened with the institutions for training of the countries from the region and Europe in the part referring to implementation of training modules presenting training priorities, via active participation and networking in the Regional Cooperation Council (RCC), via participation in the activities of the international bodies and organizations of the European Union, in the Council of Europe and beyond, in the European Judicial Training Network (EJTN), in the International Judicial Training Network (IJTN) and in many others, thus providing comparable information and translation of documents which significantly contributed to the strengthening of the judiciary quality and efficiency.

## II LEGISLATIVE FRAMEWORK

In 2019, new draft law on the Academy for Judges and Public Prosecutors, which is now in assembly procedure, was prepared by the workgroup within the Ministry of Justice, where prof. Dr. Natasha Gaber Damjanovska, Academy Director, was an active member, which is expected to eliminate all identified disadvantages in the practice while implementing the previous legal decisions, for the purpose of promoting the Academy work, so that it can ensure more efficient and independent judiciary.

## III ACTIVITIES OF THE ACADEMY BODIES

### WORK OF THE ACADEMY MANAGEMENT BOARD

In the course of 2019, the Academy Management Board held 15 meetings, which addressed important issues within the scope of the competences of the Management Board. The Management



Board renewed the list of lecturers by announcing call in accordance with the latest law amendments in 2018 and adopted completely new list of lecturers.

The Management Board established Commission for audit of the conducted examinations in the Academy and, whenever needed, elected new members/deputy members of the Commission for entrance examination and in the Commission for final examination in the places of the members/deputy members whose mandate in the Commission expired due to particular reasons.

The Management Board, at the proposal of the Programme Council, established General Programme for Continuous Training, Specialized Programme for Voluntary Continuous Training, Specialized Programme for Training of Lay Judges, Programme for Final Examination in the Initial Training, Programme for Entrance Examination in the Academy.

With regards to the bylaws, the Management Board adopted: Statutory resolution amending the Statute of the Academy for Judges and Public Prosecutors "Pavel Shatev", Rulebook amending the Rulebook on taking entrance examination in the Academy and Rulebook amending the Rulebook on fees and the Rulebook on the internal organization and job systematization.

The Academy Management Board adopted all acts within the legally determined period stipulated by law.

Upon the submitted decisions by the Judicial Council of Republic of North Macedonia and the Council of Public Prosecutors for vacant job positions for judges and public prosecutors, the Management Board adopted resolution on public announcement for 60 (sixty) participants in the initial training in the Academy, and in line with its competence acted upon the complaint procedure upon the decisions made by the Commission for Entrance Examination and upon the decisions of the Commission for Final Examination.

The Management Board was regularly informed by the Director on all current activities within the Academy activity, whereby it contemplated multiple important issues for efficient functioning of the Academy and made conclusions and decisions from the domain of its competence.

### **WORK OF THE ACADEMY PROGRAMME COUNCIL**

In the course of 2019, the Programme Council, acting within its legal competence, held sessions chaired by the Academy Director on regular basis, whereby the following draft-programmes were established: General Programme for Continuous Training, Specialized Programme for Voluntary Continuous Training, Specialized Programme for Training of Lay Judges, Programme for Final Examination in the Initial Training, Programme for Entrance Examination in the Academy. The Programme Council discussed numerous issues related to the quality of the trainings.

Apart from the regular sessions, the Programme Council also held work meetings where it verified the entire questions base for the needs of the entrance and final examination.

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

The Academy Director submitted the Academy Work Programme for 2019 within the foreseen deadline together with the planned activities and it was adopted by the Academy Management Board. The activities included in the Programme were completely realized by the Academy expert office in coordination with the Academy Director. Namely, the Academy Director realized numerous work meetings, consultations, round tables, trainings and conferences organized in cooperation with national and foreign/international relevant institutions and projects attended, addressed, educated and presented by national and international experts.





Other additional activities that appeared as a result of the successful international cooperation with series of foreign partners and projects were also realized.

The Director actively participated in all work activities related to the realization of the "Action Plan of the Government of the Republic of North Macedonia" prepared on the basis of the List of Urgent Reform Priorities (according to the so-called "Reinhard Priebe Report"). According to that Plan, in relation to the Academy, realization of several activities was planned 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, including exchange of experience and comparative practice, through organizing study visits of the European Court of Human Rights in Strasbourg. The Director was member of the workgroup responsible for drafting the new Law on the Academy which is in assembly procedure, and the Director is also a member of the Commissions for admission and selection of documents for notaries public and law enforcers.

At the invitation of the State Commission for Prevention of Corruption and with regards to the fulfilment of the already commenced activity for preparation of the National Strategy for Prevention of Corruption and Conflict of Interests 2020-2024 according to the determined activities and deadlines, in the course of 2019 the Academy representatives participated in two workshops on the topic "Preparation the National Strategy for Prevention of Corruption and Conflict of Interests 2020-2024". The Academy representatives were part of the workgroup for the "Judiciary" department and contributed to more successful work related to the identification of the risky points of corruption and conflict of interests in the society and the specific risks in the area/department they work in.

The Director, apart from performing the regular working tasks within the scope of Academy activities, actively participated as member in the workgroups for Chapter 23 – Judiciary and Fundamental Rights and Anticorruption Policy (coordinator - Ministry of Justice) and in the workgroup for Chapter 3.7 Intellectual Property from the National Programme for Adoption of the Acquis Communautaire (NPAA).

## IV WORK AND ACTIVITIES OF THE EXPERT OFFICE

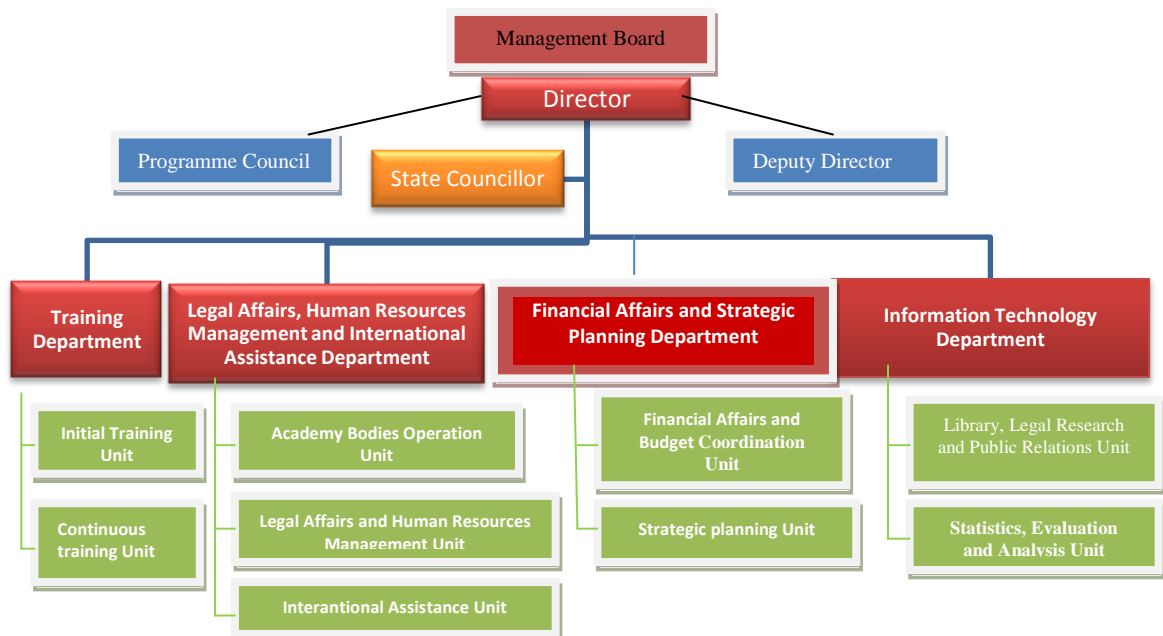
In the course of 2019 the Academy Expert Office professionally performed all activities and tasks, thus contributing to the achievement of the foreseen objectives in all segments of its operation and the institutional strengthening within the overall judicial system. The expert office performed all working tasks in a timely and qualitative 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 labour relations, administrative officials, public procurement, preparation and implementation of the budget and realization of the priority activity of the Academy – conducting the initial and continuous training, were carried out within the determined deadlines. Apart from conducting the comprehensive entrance examination, the expert office successfully realized all current working obligations.



## V HUMAN RESOURCES

Functional analysis was prepared for the needs of the Academy, within the “Improving Transparency, Legal Certainty and Efficiency of the Judiciary in Republic of North Macedonia” Project funded by the Government of the United Kingdom and supported by the British Embassy in Skopje and the Centre for Legal Research and Analysis, with the purpose to present the Academy functioning i.e. its essential tasks and goals, as well as the issues deriving from their fulfilment. In other words, the functional analysis serves as a tool for managing the changes within the Academy. It is clear that the Academy must reform from the aspect of its legal structure and internal processes. The Strategy for Judiciary Department Reform (2017-2022) supports such notion. The disclosure and thorough elaboration of each particular Academy issue with the analysis also paves the way for the forthcoming reforms i.e. ensures their proper construction and implementation. The former negative practice in the country will be thus avoided – implementation of reforms without proper research and contrary to the notions of the legal science and practice. Taking the aforementioned into consideration, the analysis is focused on: (1) Academy organization, its status, relation with regards to other state and public bodies and the manner in which its management is being regulated; (2) the manner in which the initial and continuous trainings are being organized and the legal framework in that regard; (3) the adequacy of Academy budget in general and the issue whether its resources are properly allocated; (4) Academy administrative staff (human resources); (5) its remaining resources (spatial conditions and technical equipping) and the extent to which the latest information and communication technologies (ICT) are being used; and (6) results from the work of particular organizational units.

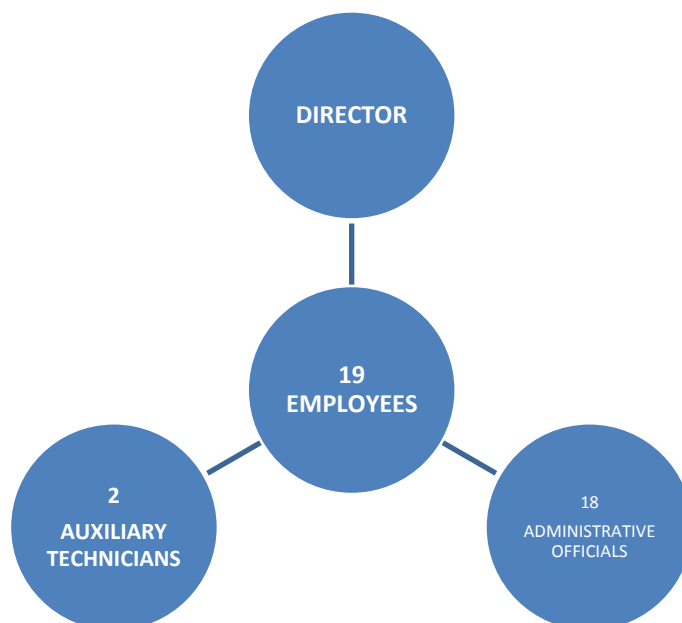
New acts on the Academy internal organization and job systematization were adopted from the functional analysis guidelines, whereby new organizational chart was established:





In 2019, the total number of employees in the Academy for Judges and Public Prosecutors was 20 persons, of whom:

- 18 administrative officials; and
- 2 auxiliary technicians.



In the course of 2019, funds were approved for filling in 5 job positions for indefinite time period as follows: councillor supporting the work of the Academy bodies; councillor for legal research and public relations; junior associate for database maintenance; associate for conducting criminal matter trainings and associate for financial operations and accounting. Out of the planned 5 job positions, 3 job positions were occupied throughout 2019 as follows: councillor supporting the work of the Academy bodies; councillor for legal research and public relations; junior associate for database maintenance, whereby employment procedure was initiated for 2 vacant job positions.

In the course of 2019, apart from the aforementioned employees, 37 participants in initial training within the VI generation of initial training were employed. The employment of the participants is based on a definite time period, which lasts until the completion of the initial training and the election of the candidate for a judge in Primary Court or for a public prosecutor in the Primary Public Prosecutor's Office. In November and December 2019, 15 participants in the initial training were elected for the position public prosecutors and 1 participant for judge, and thus their employment in the Academy was ended. For the remaining 21 (twenty one) participants the election for the position judge i.e. public prosecutor will take place in 2020, and after such election their employment in the Academy will end.

According to the findings from the functional analysis conducted in the Academy, only 36% of the job positions are occupied, which is the total of 50 job positions foreseen in the Rulebook on job systematization. There is a lack of administrative officials from the lower levels and there are also two entire departments without managers. One of such departments is the key department for Academy work - Training Department. Out of total 7 units in the Academy, only one has its own manager.

The Academy occupies three separate parts of the same building having three different entrances. The Academy space is in the amount of total 609 m<sup>2</sup> and is owned by the Academy. Even of each square meter would be used as office space, in the event when all job positions are occupied, there would still be a lack of space for the employees in the Academy. Only two premises





in AJPP are suitably structured and equipped for holding trainings. The bigger premise can gather maximum 36 persons - participants in the training in a particular moment (according to its design).

New premises are needed for the purpose of ensuring uninterrupted training of the generations of candidates consisting of larger number of participants, as well as efficient performance of the working tasks by the Academy employees. Such goal is also specified in the Strategy for Judiciary Department Reform (2017-2022) and the deadline for realization thereof expired in the Action Plan.

## VI INITIAL TRAINING

### PRACTICAL TRAINING

In the course of 2019, 37 participants in the initial training in the Academy for Judges and Public Prosecutors attended the practical part of the training, which was realized in accordance with the Rulebook on Initial Training, the Practical Training Programme and the Schedule for Conducting Practical Training.

After the completion of the practical training on 21 June 2019, and based on the reports on the final grade from the practical training, ranking of points from the practical part of the initial training was published on 27 June 2019.

The final examination for the sixth generation of participants in the initial training was conducted in the course of July and August 2019, and it was successfully passed by all 37 participants.

After publishing the final rankings of candidates for judges and public prosecutors on 3 September 2019 and submitting thereof to the Judicial Council of RNM (hereinafter referred to as JCRNM) and to the Council of Public Prosecutors of RNM (hereinafter referred to as CPPRNM), the candidates passed the exam by practicing the judge i.e. public prosecutor function in the courts i.e. public prosecutor's offices where the practical training was conducted. The practice is conducted in accordance with the Rulebook and the Programme for practicing judge/public prosecutor function until the election of candidates for judges i.e. public prosecutors.

Upon the announcements of the Council of Public Prosecutors of RNM published in November and December 2019, all candidates for public prosecutors from the VI generation were elected as public prosecutors as follows: 8 in the Primary Public Prosecutor's Office Skopje, 1 in the Primary Public Prosecutor's Office Gostivar, 2 in the Primary Public Prosecutor's Office Bitola, 2 in the Primary Public Prosecutor's Office Kavadarci, 1 in the Primary Public Prosecutor's Office Kocani and 1 in the Primary Public Prosecutor's Office Stip. Apart from the candidates for public prosecutors, 1 candidate was elected as judge in the Administrative Court.

**In October 2019 the Academy awarded certificates to 37 candidates for judges and public prosecutors who have successfully completed the Initial Training Programme of the Academy.**



### **SEVENTH GENERATION OF PARTICIPANTS IN THE INITIAL TRAINING 2019/2021 – 60 participants**

On 9 May 2019, the Academy Management Board posted public announcement for admission of 60 participants of the VII generation in initial training. 643 out of total 673 applicants met the formal conditions and took the exam for knowledge of one of the three most used languages in the European Union. The exam, taken for the first time after the law modifications, was passed by 509 candidates who continued in the next phase of the entrance examination i.e. qualification test which was passed by 405 candidates. Psychological test followed after the qualification test, which was passed by 348 candidates and right after integrity test was conducted which was passed by 332 candidates. After conducting all of the aforementioned tests, an exam followed consisting of written part, passed by 329 candidates and verbal part, passed by 302 candidates. After the exam the Commission for entrance examination determined the preliminary list of grades of the candidates from the conducted written and verbal part of the entrance examination. The candidates submitted 138 complaints regarding the published grades and 89 complaints against the decisions of the Commission for entrance examination to the Academy Management Board. The administrative procedure was completed in 2019 and the administrative-legal procedure will commence in 2020, upon which the Commission for entrance examination will publish the final rankings of candidates in the initial training in accordance with Article 89 of the Law on the Academy for Judges and Public Prosecutors.

## **VII CONTINUOUS TRAINING**

The continuous training of judges and public prosecutors was realized in accordance with the General Programme for Continuous Training of Judges and Public Prosecutors for 2019/2020 and the 2019 Training Catalogue.

Trainings on the amendments to the national legislation, the international legislation and the legislation of the European Union, for the judicial practice, as well as 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 of trainings were held in Skopje, and a smaller number of them, which is determined depending on the

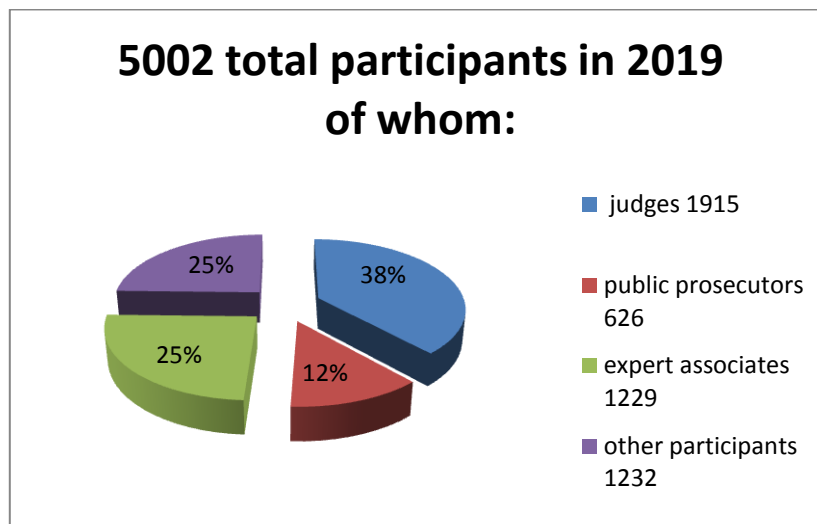


needs of the target group for which they are organized, were conducted in the Court of Appeals Bitola, the Primary Court Gostivar and the Court of Appeals Stip. Apart from judges and public prosecutors, the trainings included participants and lecturers from various institutions affected by the topic being elaborated. 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 act in a uniform manner.

### **NUMBER OF TRAININGS IN 2019**

In the period from 1 January 2019 to 31 December 2019, the Academy organized a total of 222 trainings attended by 5002 participants, out of whom 1915 were judges, 626 public prosecutors, 1229 expert associates from the courts and prosecutor's offices and 1232 were other participants - representatives from other relevant institutions, organizations, the non-governmental sector, etc., invited by the Academy and working in areas related to the content of the training.

### **STRUCTURE OF THE TARGET GROUPS**

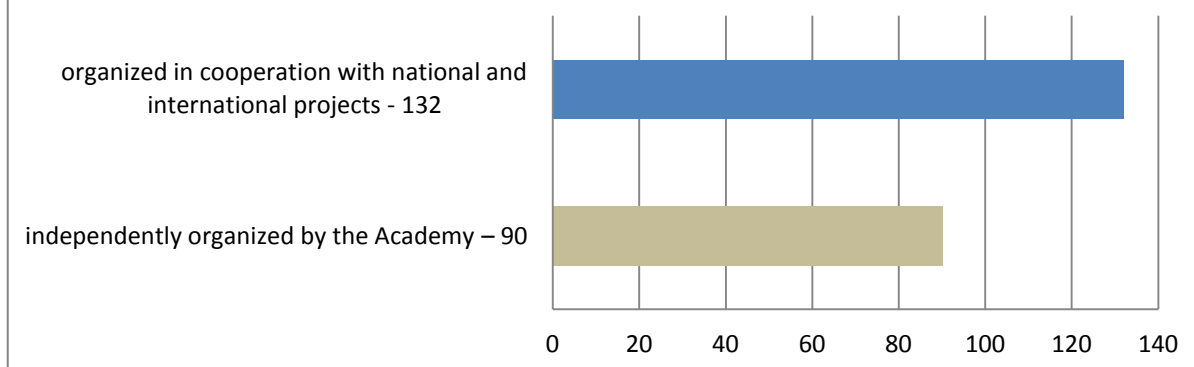


### **ORGANIZATION OF THE TRAININGS**

Out of total 222 realized trainings in the reporting period, 90 trainings were independently organized by the Academy, while 129 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.

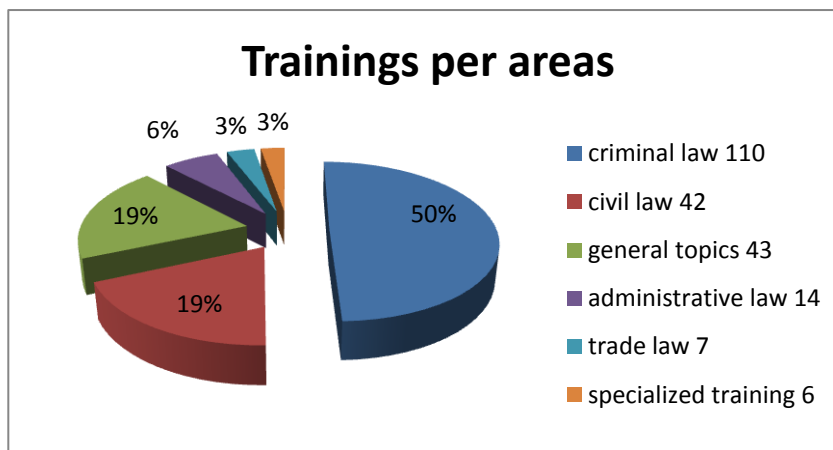


## Organization of trainings in 2019 222 trainings total



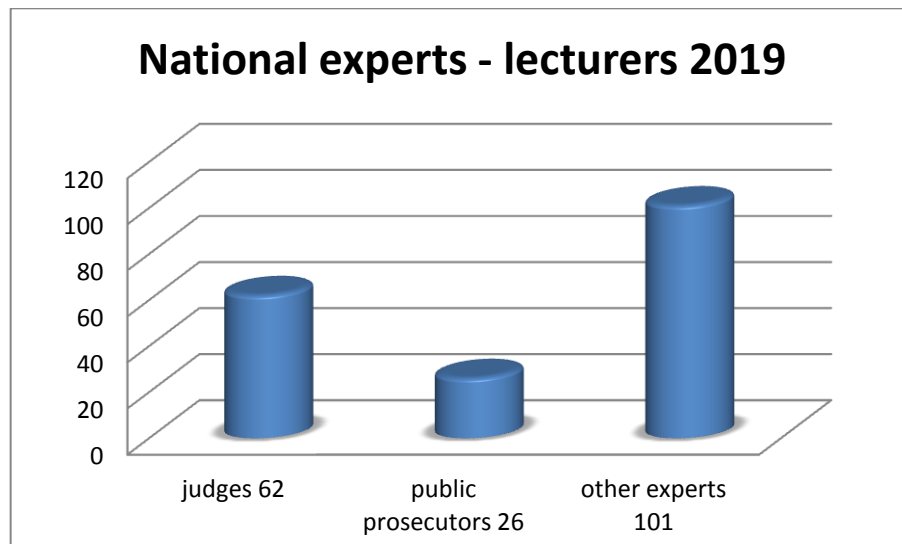
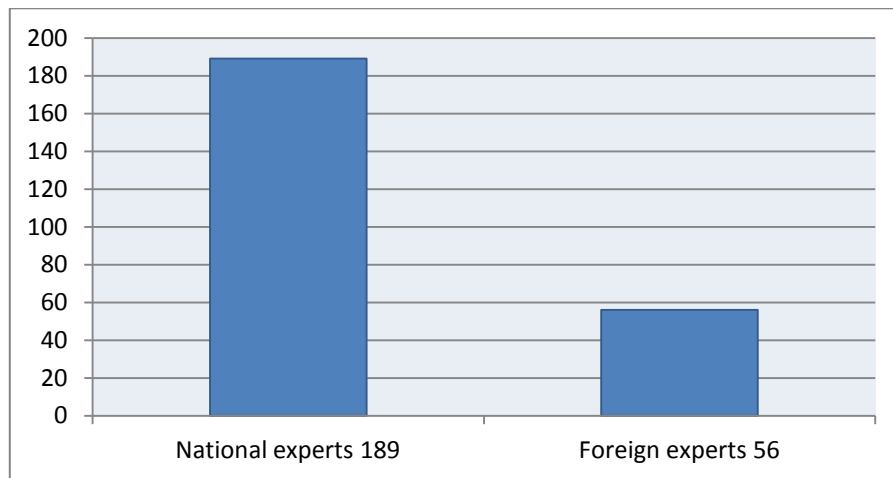
### CONTENTS OF THE TRAININGS

Out of the realized trainings in the reporting period, 42 or 19% of the total number of trainings were from the area of civil law, 110 or 50% of the total number of trainings were from the area of criminal law, 14 or 6% of the total number of trainings were from the area of administrative law, 7 or 3% of the total number of trainings were from the area of trade law, 43 or 19% of the total number of trainings were dedicated to general topics, 6 or 3% of the total number were specialized trainings. Graphically presented, the structure of the trainings looks as follows:





Total of 245 lecturers were engaged in the course of 2019, of whom 189 national experts and 56 foreign experts.

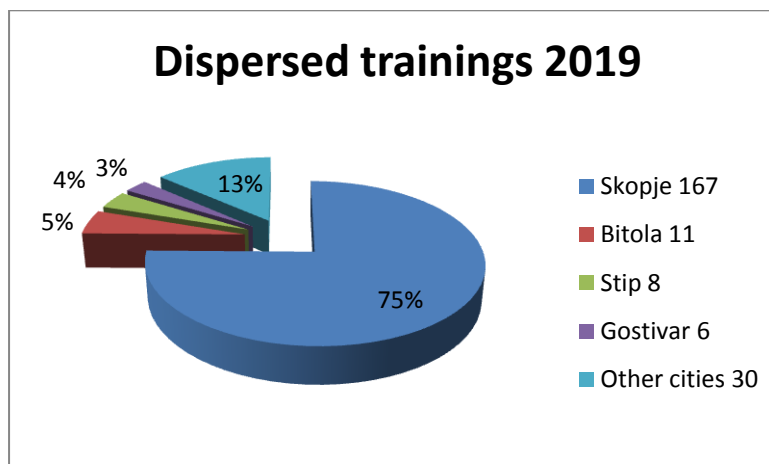


In addition to the lecturers who are on the list of Academy lecturers, the Academy also hires temporary lecturers - experts from relevant ministries, offices, administrations and from other state bodies, institutions and organizations, experts from the non-governmental sector, retired judges, professors, assistants, lawyers, notaries public, law enforcers, 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, 167 were held in Skopje, 11 in Bitola, 8 in Stip, 6 in Gostivar, while the other 30 trainings were held in other cities and places throughout the Republic.



The Academy within the Catalogue intended for continuous training of judges and public prosecutors, officials in courts and public prosecutor's offices for 2019, has successfully conducted series of trainings intended for application of the process laws, such as:

1. **Law on Civil Procedure** – the total of 7 consultations were realized, organized by the Academy, dedicated to current topics referred to in the Law on Civil Procedure in the period from 1 January 2019 until 31 December 2019. They were attended by the total of 164 participants of whom: 134 judges, 16 judicial associates, 8 participants from the initial training of the Academy and 6 representatives from other institutions.
2. **Law on Criminal Procedure** – the total of 25 trainings referring to the Law on Criminal Procedure were held in the course of 2019. They were attended by 613 participants, of whom 203 judges, 180 public prosecutors, 83 expert associates and 147 representatives of institutions. Part of the trainings are organized by the Academy and part of them are organized in cooperation with projects with which the Academy cooperates (US Embassy, OPDATE Programme, Council of Europe, OSCE, IRZ, TAIEX, Public Prosecutor's Office of RNM, Association of Judges of RNM).

Trainings for judges from the Senior Administrative Court and the Administrative Court were conducted in the current year, whereby topics of interest for the administrative judiciary and general topics intended for the judges from all courts in the country were elaborated. The total of 14 trainings intended for judges and expert associates from the Senior Administrative Court and the Administrative Court were realized. 4 trainings were independently organized by the Academy, 3 were organized in cooperation with the British Embassy, 5 trainings in cooperation with the Ministry of Information Society and Administration (hereinafter referred to as MISA) and the Ministry of Justice (hereinafter referred to as MJ), 1 training in cooperation with the Bureau for Representation of the Republic of North Macedonia before the European Court of Human Rights (hereinafter referred to as ECHR) and 1 training in cooperation with UNHCR. The trainings were attended by the total of 373 participants, of whom 141 judges, 52 expert associates and 180 representatives from competent institutions. In cooperation with EASO about the topic – asylum, participation of 3 judges from the Senior Administrative Court and the Administrative Court was organized on a regional seminar for asylum in Belgrade – R. Serbia, focused on information from the countries of origin of the persons seeking asylum.

Two consultations on topics referring to intellectual property rights were intended for judges



from civil departments and judges from misdemeanour departments from all appellate regions, in accordance with the obligations deriving from Chapter 23.

The Academy also continued with the realization of trainings dedicated to corruption and conflict of interests. Consultation was organized within the successful cooperation with Kosovo Democratic Institute and Transparency International Macedonia on the topic: Investigation and prosecution of corruption in Albania, North Macedonia and Kosovo.

In 2019, in accordance with GRECO recommendations for promotion of preventive mechanisms against corruption, in the part referring to trainings the Academy organized the total of 4 trainings attended by: 17 judges, 8 public prosecutors, 25 officials in public prosecutor's offices, 26 judicial officials and 19 lay judges. Two of these trainings were realized in cooperation with IRZ.

Within the cooperation between the Academy and the Council of Europe multiple trainings were organized related to the European Convention on Human Rights, regarding Articles 3, 5, 6 and 10 thereof. The total of 4 trainings were organized within Horizontal Facility Programme; one training intended for judges and expert associates from civil departments from all appellate regions was realized within the JUFREX Project encompassing six locations from the Balkan region and in cooperation with the Council of Europe referring to the freedom of expression referred to in Article 10 of ECHR on topics related to freedom of expression and defamation, as well as hate speech. These trainings were attended by 28 judges, 29 public prosecutors, 8 officials in courts and public prosecutor's offices, 8 lawyers, 17 participants in the initial training in the Academy, 6 representatives of the Ombudsman, 19 representatives of the Ministry of Interior (hereinafter referred to as MoI), 4 representatives of the Bureau for Representation of the Republic of North Macedonia before the European Court of Human Rights, 1 representative from the Public Revenue Office (hereinafter referred to as PRO), 2 representatives from the Financial Police Office, 1 representative from EU Delegation in Skopje, 2 representatives of OSCE, 2 representatives of the Academy, 40 other representatives or the total of 167 participants.

In the course of 2019, 6 trainings dedicated to EU Acquis were held and attended by 131 participants (judges, public prosecutors and expert associates).

In the current 2019, the Academy continued with the already established practice for realization of specialized trainings for presidents of courts and public prosecutors at the public prosecutor's office, as well as for members of the Judicial Council of Republic of North Macedonia and the Council of Public Prosecutors of Republic of North Macedonia, and 5 educational events were held in the reporting period which were attended by the total of 86 participants.

According to its basic activity, including trainings intended for officials in courts and public prosecutor's offices, expert office in courts and public prosecutor's offices, head officials and expert administrative workers, the total of 22 trainings were held in the Academy throughout 2019 for officials in courts and public prosecutor's office, which were attended by 595 participants, of whom 487 are court officials and 108 officials in public prosecutor's office.

Fulfilling the legal obligation, in accordance with Article 42 paragraph 4 of the Law on Courts, lay judges must attend specialized trainings organized by the Academy. The Academy, in the period from 1 January 2019 until 31 December 2019, organized 1 two-day training attended by 19 lay judges from the Primary Court Skopje I Skopje, and after the completion of the training the lay judges obtained certificates for successfully completed training prepared by the Academy.

Realized trainings for officials in courts and public prosecutor's offices.





## VIII COOPERATION WITH NATIONAL BODIES, ORGANIZATIONS AND INSTITUTIONS AND FOREIGN PARTNERS AND PROJECTS - INTERNATIONAL COOPERATION

In the course of 2019, the Academy cooperated with the following national institutions and organizations: Association of Judges of RNM; Centre for Legal Research and Analysis (CLRA); Primary Public Prosecutor's Office for Prosecution of Organized Crime and Corruption; Council for Prevention of Juvenile Delinquency; Chamber of Insolvency Trustees; Public Prosecutor's Office of RNM; Judicial Council of RNM; Ministry of Information Society and Administration; Ministry of Justice; Bureau for Representation of the Republic of North Macedonia before the European Court of Human Rights; Human Rights Institute; Association of Journalists of Macedonia; Ministry of Labour and Social Policy; Association for Emancipation, Solidarity and Equality of Women (ESE); Helsinki Committee for Human Rights; Secretariat of Energy Community; Association for Criminal Law and Criminology of RNM and UNHCR.

Several trainings were organized with the **Association of Judges of RNM** and with foreign partners included in the realization.

- The following trainings were held with the financial support provided by OPDAT Programme of the US Embassy: "Decisions upon appeal in criminal procedure: exchange of practical experiences", "Courtroom and case management", "Challenges and practices in the second instance".
- The following trainings were held with the financial support provided by OSCE: "Custody and other measures ensuring presence of the accused: challenges during practical application", "Main hearing focused on evidence procedure and reasons for postponement of the main hearing", "Practical challenges in the shortened procedure".
- The following trainings were held with the financial support provided by the US Embassy: "Courtroom and case management", "Criminal prosecution and judgment of acts preventing justice".

2 trainings were held with the **Centre for Legal Research and Analysis (CLRA)** on the topic "Consistent application of national and international judicial practice via practical examples from the region", 2 trainings for lecturers on the topic "Legal arguments, structure and explanation of judgements", 2 trainings on the topic "Work meeting of the Courts of Appeals and the Supreme Court of RNM (hereinafter referred to as SCRNM) for harmonization of judicial practice", "Consistency of national judicial practice and application of ECHR decisions", "Sharing experiences from the Slovene model for equal judicial practice and discussion about the consistency of ECHR decisions".

12 trainings were held with the **Primary Public Prosecutor's Office for Prosecution of Organized Crime and Corruption** on the topic "Cooperation between the Public Prosecutor's Office and Investigation Bodies" and 2 trainings on the topic "Conducting control and supervision of OTA in accordance with the Law on Interception of Communications".

Training was held with the **Council for Prevention of Juvenile Delinquency** on the topic "Justice for children from the aspect of counterterrorism" financially supported by the US Embassy.



4 consultations were held with the **Chamber of Insolvency Trustees** on the topic "Current legal issues and open problems appearing in the practical application of the Insolvency Law".

2 trainings were held with the **Public Prosecutor's Office of RNM and the Judicial Council of RNM** on the topic "Public relations" financially supported by OSCE.

5 trainings were held with the **Ministry of Information Society and Administration and the Ministry of Justice** for implementation of the Law on General Administrative Procedure and the Law on Administrative Disputes.

Training on the topic "Denationalization" was held with the **Bureau for Representation of the Republic of North Macedonia before the European Court of Human Rights**. Consultation was held with the **Council of Europe** on the topic "Article 11 with reference to Article 9 of ECHR in the context of execution of 4 ECHR judgements against the state wherein violation was established due to non-registration of religious associations".

2 consultations were held with the **Human Rights Institute** on the topic "Responsibility, effectiveness and transparency in the judiciary".

2 trainings were held with the **Association of Journalists of Macedonia**, and in cooperation with OSCE, on the topic "Judicial practice and safety of journalists and media workers".

Expert debate was held with the **Ministry of Labour and Social Policy** about the draft Law Preventing and Protecting Women from Violence and Domestic Violence. Public debate was also held, together with the Human Rights Institute, about the conducted analysis of the Law on Protection from Harassment at the Workplace.

Forum was held with the **Association for Emancipation, Solidarity and Equality of Women (ESE)** on the topic "Possibilities for improvement of the civil-legal and criminal-legal system for protection of domestic violence victims".

Consultation was held with the **Helsinki Committee for Human Rights** on the topic "Strengthening mechanisms for protection from hate speech".

Consultation was held with the **Secretariat of Energy Community** about the Law in the Energy Community.

Consultation was held with the **Association for Criminal Law and Criminology of RNM and UNHCR**, together with the Centre for Strategic Research at MASA and the US Embassy, on the topic "Experiences and practical aspects of financial investigations and application of the measure - confiscation of property and property benefits".

"Law and practice in refugee protection for 2019" workshop was held with **UNHCR**.

#### **FOREIGN PARTNERS AND PROJECTS WITH WHICH THE ACADEMY COOPERATED IN THE COURSE OF 2019**

The successful cooperation of many years with the foreign partners and projects continued with the same intensity in 2019 with: IOM, US Embassy, Council of Europe, UNODC, British Embassy, OSCE, iPROCEED, DCAF, IRZ, Albanian Legal and Territorial Research Institute, SYRACUSE, TAIEX, AIRE, EIPA, ICITAP, FLOROZON, ATA, whereby numerous trainings were organized thanks to their financial and technical support. In that regard, with:

#### **US Embassy in the Republic of North Macedonia**

In the course of 2019, the Academy, in cooperation with and financially supported by the US Embassy in Skopje, realized 16 trainings, of which 8 trainings were realized in cooperation with the OPDAT Programme. The trainings elaborated the following topics:



- "Terrorism"
- "Justice for children from the aspect of counterterrorism"
- "Criminal prosecution and judgement of acts preventing justice"
- "Terrorist attack scene investigation"
- "Experiences and practical aspects of financial investigations and application of the measure confiscation of property and property benefits".

❖ **US Embassy OPDAT Programme**

- 3 trainings on the topic: "Cross-examination, truth instigator"
- 2 trainings on the topic: "Decisions upon appeal in criminal procedure: exchange of practical experiences"
- 1 training on the topic: "Courtroom and case management"
- 1 training on the topic: "Strategy for the main hearing: The art of effective representation"
- 1 training on the topic: "Challenges and practices in second instance"
- 1 training on the topic: "Investigations and prosecution of criminal acts involving crime victims"
- 2 trainings on the topic: "Examination techniques: best practices examination practices in investigation procedure"
- 1 training on the topic: "Rights of victims in criminal procedure in ECHR practice".

❖ **US Embassy ICITAP Programme**

"Partnership for Education" Programme initiated by the US Government and the Government of Republic of Croatia is being successfully implemented since 2013 and continues in 2019 as well, by conducting trainings for professionals from law enforcement bodies. The leading partners of the Programme for 2019 were the Ministry of Internal Affairs of Croatia and the US Embassy in Zagreb/ICITAP. The leading partners of the Programme for 2019 will be the Ministry of Internal Affairs of Croatia and the US Embassy in Zagreb/ICITAP. The initiative for training proposed by the Croatian police experts was supported by ICITAP Programme at the US Justice Department and was implemented in cooperation with the Academy in the period May - December 2019. In the specified period were realized eight training modules total.

Module 1 – Investigations in complex cases

Module 2 – Investigations of human trafficking and smuggling of migrants

Module 3 – Computer crime "dark net" investigations

Module 4 – Financial investigations

Module 5 – Corruption investigations

Module 6 – Simulation exercises

Module 7 – Training for senior management staff

Module 8 – Development of the instructors

Participation of public prosecutors was ensured, in cooperation with ICITAP, on two regional trainings on the topic "Advanced skills for conducting interview, examination, holding and presenting a case (narcotics related investigations)".

**United Nations**





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

- 2 trainings were organized on the topic “Financial investigations” attended by total 50 participants (4 expert officials, 10 officials from MoI and 36 representatives from other institutions).

**UNHCR - United Nations High Commissioner for Refugees**

- “Law and practice in the protection of refugees for 2019” attended by 22 participants (8 judges and 14 representatives from other institutions).

**IOM – International Organization for Migration of the United Nations**

- “Human trafficking and smuggling of migrants” – 8 trainings were held attended by 189 participants (24 judges, 35 public prosecutors, 79 expert officials and 51 representatives from other institutions).

**OSCE Mission to Skopje**

OSCE Mission to Skopje is one of the strongest supporters of the work of the Academy and the judiciary system in our country. The total of 20 educational events was realized in cooperation with OSCE Mission. The topics covered at these events are as follows:

- “Standards set with the Istanbul Convention” with 2 two-day trainings attended by 37 participants (15 judges, 13 public prosecutors and 9 other representatives).
- “Techniques and methods for conversation with minors and victims of sexual exploitation” – two-day training attended by 22 participants (7 public prosecutors and 15 MoI representatives).
- Forum for discussion: “Misdemeanour sanctions in cases of discrimination”, “Harmonization of the Law on Prevention and Protection from Discrimination and the Law on Misdemeanours” – 2 trainings attended by 46 participants (14 judges, 6 expert officials, 11 lawyers and 15 other representatives).
- “Prosecution of terrorism related cases” – two-day training attended by 34 participants (9 public prosecutors, 9 expert officials, 14 from MoI and 2 from Financial Police).
- “Skills for legal writing and legal arguments of court decisions” – 1 two-day training of instructors attended by 21 participants (judges).
- “Public relations” – 2 trainings attended by 30 participants (14 judges, 11 public prosecutors and 5 expert officials).

OSCE Mission in Skopje and the OSCE Office for Democratic Institutions and Human Rights (ODIHR), within the RANST Programme intended for public prosecutors and designed to improve the prosecutors’ action towards the hate crime, realized two training throughout the current 2019: the first training was intended for the hate crime lecturers and was attended by 12 public prosecutors and the second training was intended for the public prosecutors from all appellate regions and was attended by total 11 public prosecutors. The realization of this Programme is within the signed Memorandum between the Academy, OSCE Mission in Skopje and the Public Prosecutor’s Office of Republic of North Macedonia.



- Judicial practice and safety of journalists and media workers – 1 training attended by 21 participants (4 judges, 3 public prosecutors, 2 officials and 12 other).
- The main hearing focused on evidence procedure and reasons for postponement of the main hearing - 1 training attended by 21 participants - judges.
- "Specific aspects of criminal procedure" – three-day training attended by 23 participants (12 judges and 11 public prosecutors).
- "Practical challenges in the shortened procedure" – debate with 44 participants (27 judges, 7 officials, 4 AJPP representatives, 6 other).
- "News in the Criminal Code with regards to the non-punishment provision with regard to victims of trafficking" – 2 two-day trainings attended by 53 participants (6 judges, 6 public prosecutors, 6 from MoI and 35 other).
- "Safety of journalists and media workers and limitation of freedom of expression" – two-day training attended by 10 participants (5 judges, 4 public prosecutors and 1 participant from the initial training).
- "Law on Prevention and Protection from Discrimination" – 1 training attended by 17 participants (5 judges, 8 lawyers and 4 other).
- "Role of legal professions in the opening of Chapters 23 and 24 of the EU ACQUIS" – 1 training attended by 15 participants (8 judges, 3 public prosecutors, 3 expert officials and 1 participant in the initial training)

Analysis of the current system positioning of the institution and its role in the training of the staff in the judiciary was prepared in cooperation with OSCE Mission to Skopje. The answers provided in the analysis with regards to the establishing of the Academy are mainly affirmative and positive – "AJPP is absolutely needed and justified its existence". The Academy is deemed to be an excellent institutional response to the previous situations when judges were elected without having any experience at court or having any other relevant education. "The Academy should exist because: it gives the opportunity to all candidates who did not have the chance to be included in the judicial bodies to gain knowledge through the Academy; the training allows the candidates to attend lectures from instructors on different positions- judges, public prosecutors, university professors, lawyers, etc., thus enabling the candidates to analyse and interpret law and legal principles from different angles and share the practical knowledge from its work". The participants in the initial training so far specify that the training is especially important for the reform process, since the election of future judges and public prosecutors is done strictly through this institution, from among the candidates in the initial training, via complex process of entrance examination which is expected to eliminate party-political or other influences in the course of election of the future participants.

With regards to the Programme and the method of its implementation the respondents stated that the Academy ensured overall preparation of the future judges and public prosecutors, as well as exchange of opinions and experiences between the current judges and public prosecutors and continuous development thereof. The respondents deem that the intensity of lectures provide the right focus to the future profession; the good thing is that the range of areas for which education is being conducted is quite wide; their staff quality is significantly improved, since they have access to experienced lecturers who can answer even the most complex questions and expert dilemmas; the practical training allows the candidates to gain knowledge which cannot be otherwise obtained; the education also encompasses professional ethics and responsibility.



“Many respondents deem that the conditions for entry in the initial training should be more strict, i.e. high grade average to be required during the studies as in the previous period (comment specified by several respondents), as well as knowledge of foreign language (minimum B2 level)”.

From the provided answers it can be concluded that the mentor work system has the highest grade by the participants in the initial trainings in the Academy for Judges and Public Prosecutors.

*Several key points reflecting the future steps of the Academy are included in the following conclusions from the summed answers:*

- High majority of approximately 88% of the respondents deem that the Academy should exist, of whom 66% deem that it was established and opened on time.
- Once again approximately 80% of the respondents are satisfied from the quality of staff coming from the Academy.
- The respondents requested audit of the criteria for entrance examination in the Academy, i.e. the criteria should be higher and special criteria are needed for admission of participants from expert associates from courts and public prosecutor's offices; excellent knowledge of foreign language to be required, as well as advanced integrity check; election of new participants should be done per appellate regions.
- Continuous training to be promoted with mandatory suggestions at the end of each year from every appellate region; the lecturers to be elected according to their competence and quality.
- More practice and trial simulations to be provided.
- Better staff equipping of the Academy is needed.
- Better spatial options (new building) for the Academy are needed.

### **Embassy of France in the Republic of North Macedonia**

In the period from 3 February 2019 until 22 February 2019, the Academy for Judges and Public Prosecutors “Pavel Shatev” enabled realization of years of service of Alice Proy, candidate from National Magistrates School - EHM, Bordeaux – Republic of France, by continuing the former practice in the part referring to candidate exchange from the initial training between EHM and the Academy.

At the beginning of 2020, the Academy shall once again host and ensure realization of years of service for one candidate from EHM in duration of three weeks, and during that period the EHM candidate will have the opportunity to get introduced with the judicial system of Republic of North Macedonia.

Realization of classes for learning the French language - A2 advanced level commenced in the Academy premises as of 1 April 2019 for participants in the initial training, judges and public prosecutors who have already attended the course.

### **Council of Europe**

11 trainings were realized in cooperation with the Council of Europe, of which 6 trainings with the Council of Europe, 2 trainings within the HELP Programme, 2 trainings in cooperation with FLOROZON and 1 training in cooperation with the EU Energy Community, as follows:

- 3 trainings on the topic: “Presentation of the newly established mechanism for external control of the police operation” attended by the total of 110 participants, of whom 10 judges, 25 public prosecutors, 6 lawyers, 19 MoI representatives, 1 representative from the



Bureau for Representation of the Republic of North Macedonia before the European Court of Human Rights, 1 representative from EU Delegation, 6 representatives of the Ombudsman, 2 representative of OSCE Mission to Skopje and 40 representatives from other relevant institutions.

- 1 training on the topic: "Freedom of expression (Article 10 of ECHR) and defamation" attended by 24 participants, of whom 14 judges, 6 officials in courts and public prosecutor's offices, 1 lawyer and 3 representatives from the Bureau for Representation of the Republic of North Macedonia before the European Court of Human Rights.
- 1 training on the topic: "Conducting effective financial investigations, confiscation of illegal property and acting upon the request for indemnification of human trafficking victims" attended by the total of 33 participants, of whom 4 judges, 4 public prosecutors, 2 officials in courts and public prosecutor's offices, 2 representatives from the Academy for Judges and Public Prosecutors, 1 lawyer, 1 representative from the Public Revenue Office, 2 representatives from the Financial Police and 17 candidates in the initial training.
- 1 training on the topic: "Article 11 with reference to Article 9 of ECHR in the context of executing 4 ECHR judgements against the state where violation is established due to non-registration of religious associations" attended by the total of 11 participants, of whom 4 judges, 5 officials in courts and public prosecutor's offices and 2 other representatives from other relevant institutions.

#### ❖ HELP Programme

"HELP in the Western Balkans" Project (HELP in the Western Balkans), funded by the Human Rights Trust Fund, within the HELP Programme of the Council of Europe for education for human rights of legal professionals. 2 trainings were realized within this Project attended by total 60 participants, of whom 23 judges, 5 public prosecutors, 14 officials in courts and public prosecutor's offices, 17 candidates in the initial training and 1 lawyer on the following topics:

- Training of instructors for the HELP Programme
- Explanation of judgments in criminal cases.

#### ❖ AIRE-Centre in London and Regional Anti-Corruption Initiative (RAI)

In 2019, participation at regional conference on the topic "Property confiscation" was realized, within the cooperation with AIRE-Centre in London and the Regional Anti-Corruption Initiative (RAI) which is successfully implemented for several years, organized in cooperation with the Regional Anti-Corruption Initiative (RAI), the Government of Great Britain and Konrad Adenauer Foundation, and also attended by the Academy Director, as well as the training on topic "Confiscation of property benefits", organized in Montenegro in May 2019, attended by 1 public prosecutor and 1 judge. Donation of publications was sent to the Academy, prepared within the two-year project "Strengthening anti-corruption in South Eastern Europe by promoting measures for confiscation of property benefits", funded by the Government of Great Britain. The Project was implemented by AIRE-Centre in London and the Regional Anti-Corruption Initiative (RAI). The topic "Confiscation of property benefits" was elaborated in the instructions, whose goal is to support and encourage public prosecutors, judges and practitioners from the Western Balkans





region working in the area of confiscation of property benefits and implement the existing legislation for property confiscation, tools and mechanisms in practice.

❖ **FLOROZON**

The Academy, in cooperation with the Centre for Environmental Democracy – Florozon, organized training on the topic “Law on Environmental Protection” which presented an opportunity for thorough direction of the strategies and methods for using administrative and judicial procedures and other methods for issues from the environmental area, under the third pillar of the Aarhus Convention and national legislation by using national, regional, as well as other relevant case studies in order to illustrate the most complex issues related to the access to justice in the environmental area.

Training on the topic “Free legal assistance” was organized within this cooperation.

❖ **EU Energy Community**

The first seminar intended for national judges and dedicated to the law of Energy Community in the Region was organized by the Academy, in cooperation with the Energy Community. The seminar was organized by the Academy for Judges and Public Prosecutors, in cooperation with the Secretariat of the Energy Community. The seminar was attended by representatives of the judicial academies from Serbia, Montenegro, Georgia, Moldova, Kosovo and Albania, as well as by the President of the Administrative Court, President of the Energy Regulatory Commission, President of the Commission for Competition, judges from the Constitutional Court, judges from the Senior Administrative Court and from the Administrative Court, judges from the Court of Appeals Skopje, judges from the Primary Court Skopje 2 Skopje, lawyers, professors from law faculties in the country, as well as representatives from other relevant institutions. The purpose of the seminar was to raise the awareness and knowledge of judiciary about the Energy Community and the contractual obligations for our country and the EU/Energy Community rules in the area of energy, environment and beyond.



**TAIEX Instrument for Technical Assistance and Information Exchange at the European Commission of the European Union**

The Academy for Judges and Public Prosecutors and TAIEX Instrument for Technical Assistance and Information Exchange at the European Commission of the European Union are





partners for many years and successfully participate in the promotion of judiciary in the Republic of North Macedonia by organizing educational events focused mainly on topics from EU Acquis, such as:

- "ECHR judicial practice in relation with the right to surrogacy"
- "European Consumer Law"
- "Rules of evidence with special accent to the techniques for evidence in adversary procedure (direct and cross examination)".

#### **DCAF Programme**

3 trainings were organized, 2 of which on the topic "Communication between representatives of executive and judicial authority about the request and authorization for communication interception in RNM" and 1 training on the topic "Gender representation in security", within DCAF Programme for reforms in the security-intelligence offices in Republic of North Macedonia which commenced in 2017 for supporting the efforts for national reform for development of responsibility in the security-intelligence department in line with the European standards and good practices, whose purpose is to strengthen the judicial capacity and expertise in the authorization and supervision of the need of special investigation measures (SIM) for gathering information by the security-intelligence offices.

DCAF Programme for reforms in the security-intelligence offices in Republic of North Macedonia in cooperation with the Academy, as one of the project partners, implemented "Instruction for Conducting Communication Interception Measures" Project. The Project goal is to strengthen the capacity of the courts and public prosecutor's offices and expertise in the authorization and supervision of the use of special investigation measures for gathering information by security-intelligence offices. After one year, such cooperation resulted in issuing Instruction which offers practical review of the principles and existing standards which would be used by the legal professionals with regards to the request, authorization and supervision of communication interception. The contents of the Instruction, through analysis of the international standard and ECHR judicial practice, offer clear and practical guidelines for the judges and public prosecutors in conducting such measures, as well as the ways of collecting evidence and considering the authorizations in the process.

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

The Academy was included in the cooperation with the Joint Project between the European Union and the Council of Europe – iPROCEEDS on capacity building for combating crime via the Internet, with duration period of 48 months, i.e. as of January 2016 until December 2019. Representatives from relevant institutions in Republic of North Macedonia were appointed as Project members, who became part of the group who worked throughout the Project on the process for implementation on national level. The team consisted of representatives from the following institutions: the Academy, Ministry of Interior, Ministry of Justice, Ministry of Finance, Public Prosecutor's Office Skopje and the Financial Intelligence Office. Considering the fact that the team members from Republic of North Macedonia come from different institutions, the Council of Europe was asked to appoint the team leader, whereby the representative from the Ministry of Interior was elected as such. The purpose of such cooperation is to strengthen the capacities of the



competent institutions in identifying, researching, reducing and confiscating property benefits, acquired via cybercrime as well as prevention of money laundering on the Internet. The Academy and the relevant institutions from our country were supported by iPROCEEDS and the Council of Europe in the past period via participation of our representatives on many events organized within the Project. In October 2019, trained representatives from Republic of North Macedonia in the capacity of national instructors conducted training at national level, supported by international experts hired by the Council of Europe. The team of instructors from Republic of North Macedonia consisted of representatives working on cases related to cybercrime and financial investigations of online criminal procedures by the Ministry of Interior, the Financial Intelligence Office, public prosecutors and judges.

#### **European Centre for Judges and Lawyers, European Institute for Public Administration - EIPA**

In the period from 1 January 2019 until 31 December 2019, in cooperation with the European Centre for Judges and Lawyers and the European Institute for Public Administration – EIPA, lectures were held on the following topics:

- “Rights in regular judicial procedure and the Charter of Fundamental Rights of the European Union” attended by the total of 7 participants, of whom 2 judges, 3 public prosecutors, 5 expert associates and 7 lawyers.
- “EU data protection in the law enforcement area” attended by the total of 20 participants, of whom 3 judges, 2 public prosecutors, 10 expert associates and 5 representatives from the Ministry of Defence.
- “Mediation and arbitration methods” attended by the total of 14 participants, of whom 9 judges and 5 expert associates.

Three seminar visits were organized within EIPA “Open Seminar Facility” Catalogue, which were held in Luxemburg and attended by 3 judges and 1 public prosecutor, while within the cooperation of the Academy with EIPA, the Academy Director participated on international conference in Luxemburg dedicated to development of leader capacities of persons on managerial positions in judicial institutions.

#### **German Foundation for International Legal Cooperation - IRZ**

Within the reporting period, the Academy, in cooperation with the German Foundation for International Legal Cooperation – IRZ, with which the Academy maintains a fruitful cooperation of many years, and thanks to its financial support realized the following activities:

- 2 trainings on the topic: “Civil-legal responsibility of the lawyers from the aspect of German judicial and prosecutorial practice” intended for judges from the civil departments, candidates from the initial training, court officials, lawyers and representatives from the Ministry of Justice, attended by 48 participants, of whom 7 judges, 21 candidates from the initial training, 6 court officials, 9 lawyers and 5 representatives from the Ministry of Justice.
- 2 trainings on the topic: “Application of the Law on Protection from Harassment at the Workplace – Mobbing and the Law on Prevention and Protection from Discrimination” intended for judges from the civil departments and court officials acting upon work disputes



from all appellate regions, attended by the total of 45 participants, of whom 8 judges, 8 candidates from the initial training and 29 officials in courts and public prosecutor's offices.

- 1 training on the topic: "The role of presidents of courts in court management" and "Management and organization of the work of judges and employees" intended for presidents of courts and members of the Judicial Council of the Republic of North Macedonia, attended by the total of 21 participants, of whom 15 judges, 4 court officials and 2 other participants from relevant institutions.
- 1 training on the topic: "The role of public prosecutors from public prosecutor's offices in the public prosecutor's office management" and "Management and organization of the work of public prosecutors and employees" intended for public prosecutors from the public prosecutor's offices and for the members of the Council of Public Prosecutors of Republic of North Macedonia, attended by the total of 19 participants, of whom 17 public prosecutors and 2 court officials.
- 1 training on the topic: "Application of the Code of Ethics for officials in courts and public prosecutor's offices" intended for presidents of courts, members of the Judicial Council of Republic of North Macedonia, public prosecutors from public prosecutor's offices and members of the Council of Public Prosecutors of Republic of North Macedonia, attended by the total of 28 participants, of whom 16 presidents of courts, 8 public prosecutors from public prosecutor's offices and 1 member of the Judicial Council and 1 member of the Council of Public Prosecutors and 2 other participants from the relevant institutions.

In the period 10-16 November 2019, the candidates from the VI generation in the initial training visited Bonn – Germany within this Twinning Project, where they got introduced with the German legal system. The training was attended by the total of 12 candidates, of whom 6 candidates for judges and 6 candidates for public prosecutors.

In the period 5-15 November 2019, one judge participated on the Fourth Multilateral Hospitality Programme for **judges working on civil and trade cases** speaking the English language, held by IRZ in cooperation with the German Association of Judges and the Ministries of Justice of the federal states.

#### ❖ **TWINNING Project of EU/German Foundation for International Legal Cooperation – IRZ and the Academy for Judges and Public Prosecutors**

The general goal of the Twinning Project funded and supported by the European Union is to strengthen the penitentiary system and probation service in Republic of North Macedonia, improve the efficiency and functioning of the penitentiary system and develop efficient and sustainable probation service by fully respecting the rights and dignity of persons deprived of liberty and persons on probation for the purpose of their successful resocialization in the community. The Project consists of two components: advanced functioning and management of the penitentiary system in order to ensure full protection of human rights in accordance with the international standards in the treatment of prisoners; and developed probation service for the purpose of more successful performance of the alternative measures and probation activities pursuant to the law. The Project supports the implementation of the National Strategy for Development of Penitentiary System and the Strategy for Development of Probation Service. The Academy, within the Twinning



Project and in cooperation with the German Foundation for International Legal Cooperation – IRZ, the Centre for International Legal Cooperation – CILC and the Sanction Enforcement Office at the Ministry of Justice, organized the total of 7 trainings dedicated to probation, as follows:

- 4 trainings within the Twinning Project “Strengthening of the penitentiary system and probation service” on the topic: “Probation as important step ahead in terms of the rule of law” intended for judges, public prosecutors, probation officers, officials in courts and public prosecutor’s offices, as well as for representatives from other relevant institutions, attended by the total of 110 participants, of whom 18 judges, 7 public prosecutors, 27 court officials, 8 representatives from MoI, 6 representatives from the Sanction Enforcement Office and 44 probation officers from all appellate regions.
- 3 trainings within the Twinning Project “Strengthening of the penitentiary system and probation service” on the topic: “Development of probation and creating network of factors for support thereof – Parole and managing the transition from prison environment into the community” intended for judges, public prosecutors, probation officers, officials in courts and public prosecutor’s offices, as well as for representatives from other relevant institutions, attended by the total of 94 participants, of whom 15 judges, 7 public prosecutors, 11 court officials, 3 lawyers, 1 representative from MoI, 6 representatives from the Sanction Enforcement Office and 51 probation officers from all appellate regions.

**❖ Twinning Project of EU/German Foundation for International Legal Cooperation – IRZ/Primary Public Prosecutor’s Office for prosecution of organized crime and corruption and the Academy for Judges and Public Prosecutors**

The Academy for Judges and Public Prosecutors “Pavel Shatev”, in cooperation with the German Foundation for International Legal Cooperation (IRZ) and the Primary Public Prosecutor’s Office for prosecution of organized crime and corruption within the Twinning Project (MK 14 JH 03 18 TWL) titled: “Strengthening capacities of authorized bodies fighting crime” referring to the Special Investigation Measures, realized **14 trainings** attended by the total of **152 participants** in the period from 1 January 2019 until 31 December 2019.

- 2 round tables were held within the Twinning Project “Strengthening capacities of authorized bodies fighting crime” in cooperation with the Primary Public Prosecutor’s Office for prosecution of organized crime and corruption and the German Foundation for International Legal Cooperation – IRZ on the topic: “Cooperation between the public prosecutor's office and the investigation bodies” intended for public prosecutors from all appellate regions and participants from other relevant institutions, attended by the total of 32 participants, of whom 12 public prosecutors, 14 officials in the public prosecutor’s offices, 2 MoI representatives, 2 representatives from the Financial Police and 2 representatives from the Customs Administration.
- 12 trainings were held in cooperation with the Primary Public Prosecutor’s Office for prosecution of organized crime and corruption and the German Foundation for International Legal Cooperation – IRZ within the Twinning Project “Strengthening capacities of authorized bodies fighting crime” - OTA control and supervision pursuant to the Law on Communication Interception on the topic: “Conducting special investigation measures”



attended by the total of 107 participants, of whom 52 public prosecutors, 32 officials in public prosecutor's offices, 10 MoI representatives, 3 representatives from Financial Police and 10 representatives from the Customs Administration.

### **European Judicial Training Network (EJTN)**

The European Judicial Training Network (EJTN) is the main platform and promoter for training and exchange of knowledge for European judiciary. EJTN represents the interests of over 120,000 European judges, prosecutors and judicial instructors throughout Europe.

The cooperation between the Academy for Judges and Public Prosecutors "Pavel Shatev" and the European Judicial Training Network (EJTN) started back in 2007 when the Academy acquired the status of supervisor. As of that moment, the Academy was involved in all activities and programmes of EJTN. The first two years of Academy participation did not cause any financial implications; however, EJTN decided afterwards that only EU Member States can participate in such way.

In 2008, the Academy was included in the Exchange Programme, whereby the total of 6 participants consisting of 2 judges, 1 public prosecutor, 2 candidates from the first generation of initial training and 1 educator were sent in several European countries. Within the Exchange Programme the Academy was also the host of total 6 participants (judges, prosecutors and educators) from Belgium, Latvia, Spain and Estonia.

The Academy offered its trainings included in the EJTN Training Catalogue for 2009 with an invitation for participation sent to the judges and public prosecutors from the European countries.

In 2010, exchange of educators and candidates from the initial training was realized between the Academy and the French National School for the Judiciary (ENM) with EJTN support, which is still one of the more significant partners of the Academy. The Academy, thanks to such support, was the host of French delegation consisting of 1 educator and 3 candidates from ENM, Bordeaux, France, while in September 2010 delegation from Republic of North Macedonia consisting of 1 educator and 3 candidates visited the French National School for the Judiciary (ENM). Such way of knowledge exchange transformed into traditional connection that still exists. What is important to mention is that this delegation from our country also participated in so-called European Week where, apart from the host, Republic of France, delegations from 11 Member States and EU membership candidates participated, where they presented their training schools and participated in trial simulation.

In 2010, as part of EJTN Programme for exchange of judges, public prosecutors and educators, the total of nine representatives from the judiciary of Republic of North Macedonia participated in the knowledge exchange in the training institutions of other EU Member States (Estonia, Italy, Slovenia, Poland, Netherlands, Portugal and Croatia). The Academy was also the host of total 11 judges and public prosecutors from other countries (Romania, Poland, Austria, Slovenia, Norway, Netherlands, Italy and Finland). One judge from Republic of North Macedonia participated on a training dedicated to legal English language which was held in Rome, Italy as part of the activities published in EJTN Training Catalogue. In 2010, EJTN in cooperation with the





Centre for Judicial Studies in Portugal and the French National School for the Judiciary (ENM) organized THEMIS 2010 contest in the initial training where the Academy participated with its team of three candidates from the third generation of the initial training and one educator.

Academy representative, Information Technology Expert, is member of EJTJN information technologies workgroup and actively participates in the work of this body.

In 2011 within the Exchange Programme, the Academy was granted with the right to participate in the exchange of supreme court studies.

The Academy participated on the 11., 12. and 13. EJTJN General Assembly and in 2013 the Academy also participated in EJTJN Plenary Session.

Apart from being financially unable to support the participation of judges and public prosecutors in EJTJN activities and programmes, the Academy did not terminate the cooperation and participation in trainings co-organized by EJTJN. In the course of 2015, the Academy intensively worked on being once again involved with all of its activities and programmes, whereby judges and public prosecutors participated in two week programmes for exchange, participation in study visits in ECHR and ECJ, as well as multiple-month visits in ECHR.

In the course of 2018, the Academy for Judges and Public Prosecutors was once again involved in the activities of the European Judicial Training Network (EJTJN), whereby the judges and the public prosecutors attended events organized by EJTJN. Such EJTJN events include trainings from criminal, civil, administrative area, as well as trainings related to international law and human rights.

In 2019, 17 representatives from the judiciary of Republic of North Macedonia, including participants in the initial training, Academy lecturers, as well as representatives of the Judicial Council of Republic of North Macedonia, visited several European countries within EJTJN Exchange Programme.

EJTJN develops standards for trainings, coordinates exchange of judiciary training programme, distributes training expertise and promotes cooperation between the institutions about EU judiciary training.

EJTJN areas of interest include EU, civil law, criminal law, trade law and human rights, linguistics and social affairs training.

Exchange programme activities are divided into:

- Short-term exchange: general trainings, specialized trainings, bilateral exchange, exchange of presidents of courts and heads of public prosecutor's offices and exchange of instructors.
- Long-term exchange: study visits of ECHR and ECJ as important European institutions in Brussels and The Hague.

Apart from THEMISS and Summer School, EJTJN also has AIAKOS Programme intended for participants in the initial training, as well as judges and public prosecutors, up to 7 years with the opportunity to be introduced with the judiciary systems of other countries and enrich their knowledge about the European legislation and European institutions.

What is worth mentioning is that this year the Academy will also receive the new EJTJN Catalogue for trainings, as well as call for participation in the Exchange Programme. They will be

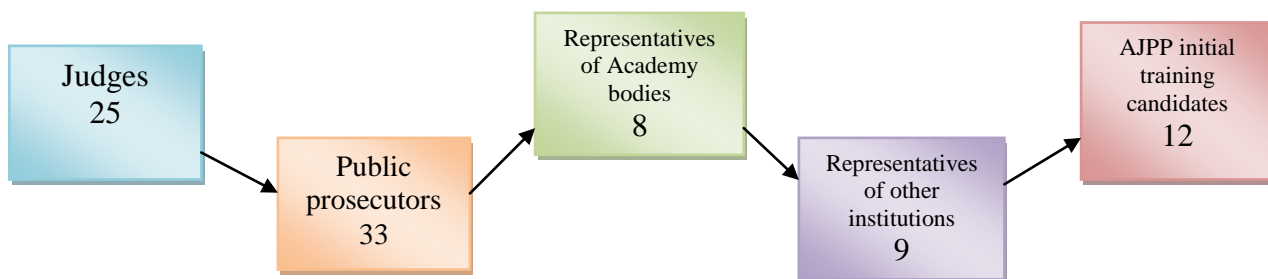


posted on the Academy website and the judges and public prosecutors from our country will have the opportunity to apply for trainings of their interest.

## STUDY VISITS

In 2019, the Academy for Judges and Public Prosecutors, in cooperation with foreign partners and projects, enthusiastic supporters of the Academy work, succeeded to organize 31 study visits attended by the total of 87 participants, of whom 25 judges, 33 public prosecutors, 8 representative of the Academy bodies and 9 representatives of other relevant institutions, as well as the total of 12 candidates from the VI generation in the Academy initial training.

### 31 total realized study visits



## IX INFORMATION TECHNOLOGY

The fast access to information and the global development of information technology imposed the need of keeping the pace with innovations and the possibilities for their implementation for the purpose of upgrade and promotion of the Academy computer system. In 2019, the Academy continued to develop the operation of the existing software for creating efficient computer system which will primarily serve for easier management of the internal process and activities of the Academy and, at the same time, will ensure the necessary functionality for easy and simple everyday maintenance and update of the contents at the Internet-location, as well as easy connection with other internal software systems.

New backup server was procured in 2019 whose main goal was to ensure better protection from loss of Academy data. The Academy, within the successfully established cooperation with the Council of Europe, received donation of 2 servers (Server Rack UPS G-Tec AP160N 6K), 50 personal computers (PC UPS RIELLO VST 1100), 1 projector (Projection Screen VEGA EL W 240), 2 interactive whiteboards (Interactive whiteboards TG Commerce Vision 90"), 2 audio mixers (Audio mixer Behringer X2222USB), 1 interpretation equipment (interpretation equipment Okayo interpretation system) and 2 server air conditioners (server room air conditioning unit daikin fixb50c).

In 2019, the Academy for Judges and Public Prosecutors, financially supported by the Embassy of the United States of America in Republic of North Macedonia, created new and modern website which increased the transparency of the Academy work. The Academy, within this



cooperation and according to its mission and vision, started to upgrade and develop E-learning platform.

## **X LIBRARY**

The Academy library is the source of many legal texts used by all of our users. The Academy possesses small, but rich library fund and it strives to increase such fund.

In fact, the Academy continuously enriches the library contents via private funds and donations. Among the great number of national authors, many titles from foreign distinguished authors can be also found in the library.

In 2019, the library, with the assistance with the German Foundation for International Legal Cooperation (IRZ), was supplemented with 10 new titles dedicated to EU Acquis.

At the moment, the Academy still faces with the problem related to spatial capacities, it has no study hall or any interior premises accordingly arranged in order to ensure easier access to the library fund, which is voluminous and significant for the Academy users.



## XI BUDGET AND PUBLIC PROCUREMENT

Budget in the amount of MKD 70,283,000.00 was approved to the Academy for 2019.  
From the beginning of 2019 until 31 December 2019 inclusive, the Academy realized the total of MKD 46,237,833.00 from its budget.

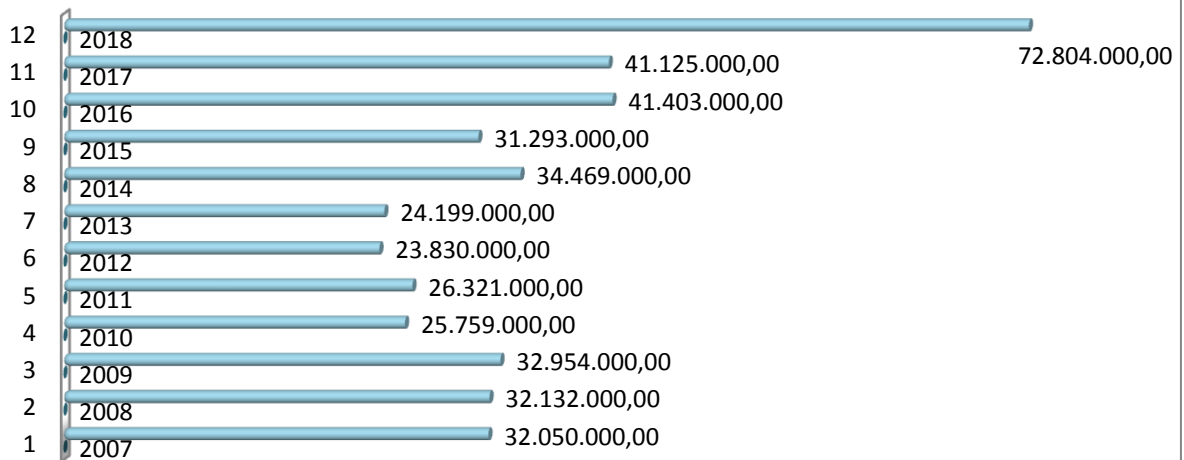
### ➤ **BUDGET**

Budget in the amount of MKD 70,283,000.00 was approved to the Academy for 2019.  
From the beginning of 2019 until 31 December 2019 inclusive, the Academy realized the total of MKD 46,237,833.00 from its budget.

<b>2019</b>	<b>Approved budget 70.283.000,00</b>
401 Basic salaries	35.626.000,00
402 Contributions	13.357.000,00
420 Travel and daily expenses	2.115.000,00
421 Utility services	3.000.000,00
423 Materials and petty inventory	1.300.000,00
424 Repairs and maintenance	832.000,00
425 Contractual services	10.453.000,00
426 Other current expenses	1.000.000,00
480 Equipment purchase	1.000.000,00
486 Vehicle purchase	1.600.000,00

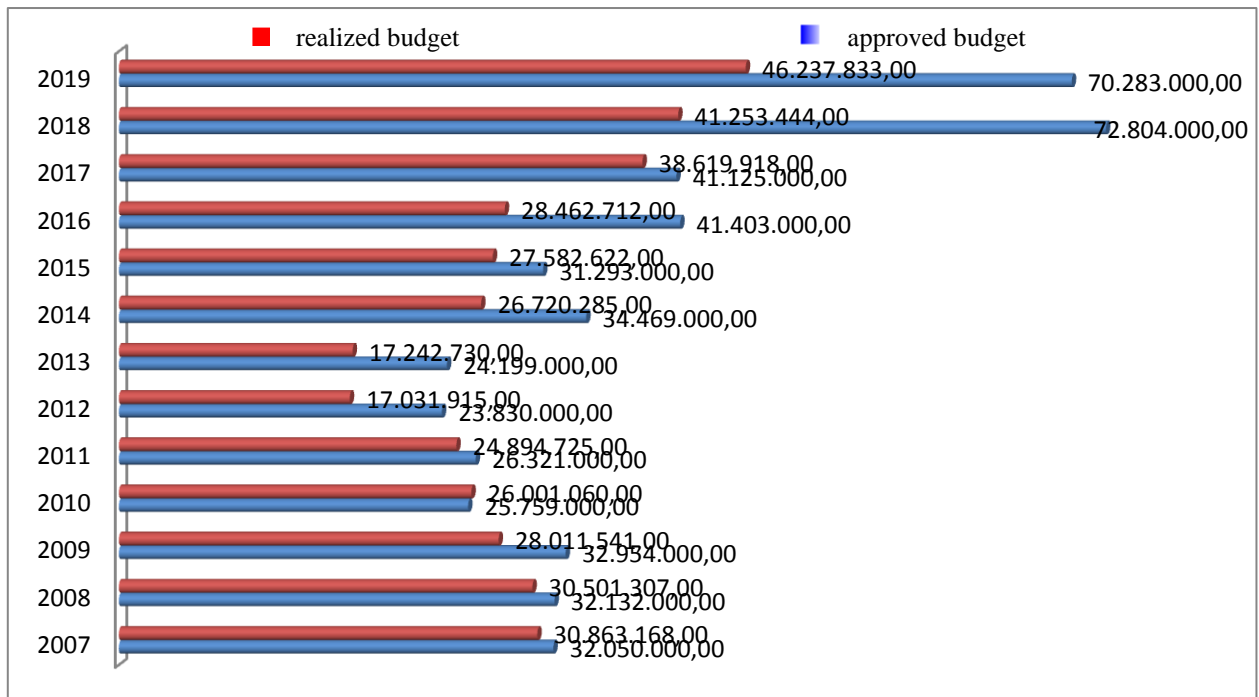


### Budget of the Academy for Judges and Public Prosecutors per years



The budget for 2019 amounts 70,283,000.00.

### Display of the Academy budget for the period 2007 - 2019







➤ **PUBLIC PROCUREMENT**

In the course of 2019, the Academy realized the total of 13 public procurement procedures in accordance with the adopted Public Procurement Plan for 2019.

According to the Public Procurement Plan for 2019, the following public procurement procedures were conducted:

	Procurement subject	Contract duration	Procedure type	Value of concluded Contract w/o VAT
1.	Beverages and sweeteners	1 year	Low value procedure	248.074,00
2.	Hygiene and technical maintenance	1 year	Low value procedure	610.248,00
3.	Interpreting	1 year	Low value procedure	300.000,00
4.	Office materials	1 year	Low value procedure	284.129,74
5.	Copying materials	1 year	Low value procedure	400.000,00
6.	Hygiene items	1 year	Low value procedure	225.149,10
7.	Written translation	1 year	Low value procedure	400.000,00
8.	Reservation and procurement of airline tickets	1 year	Low value procedure	300.000,00
9.	Catering services	1 year	Low value procedure	400.000,00
10.	Passenger motor vehicle	Until the expiry of the guarantee	Simplified open procedure	1.307.800,00
11.	10 air conditioners	Until the expiry of the guarantee	Low value procedure	165.000,00
12.	Motor vehicle fuel	1 year	Low value procedure	250.000,00
13.	Road transport of people	1 year	Low value procedure	400.000,00

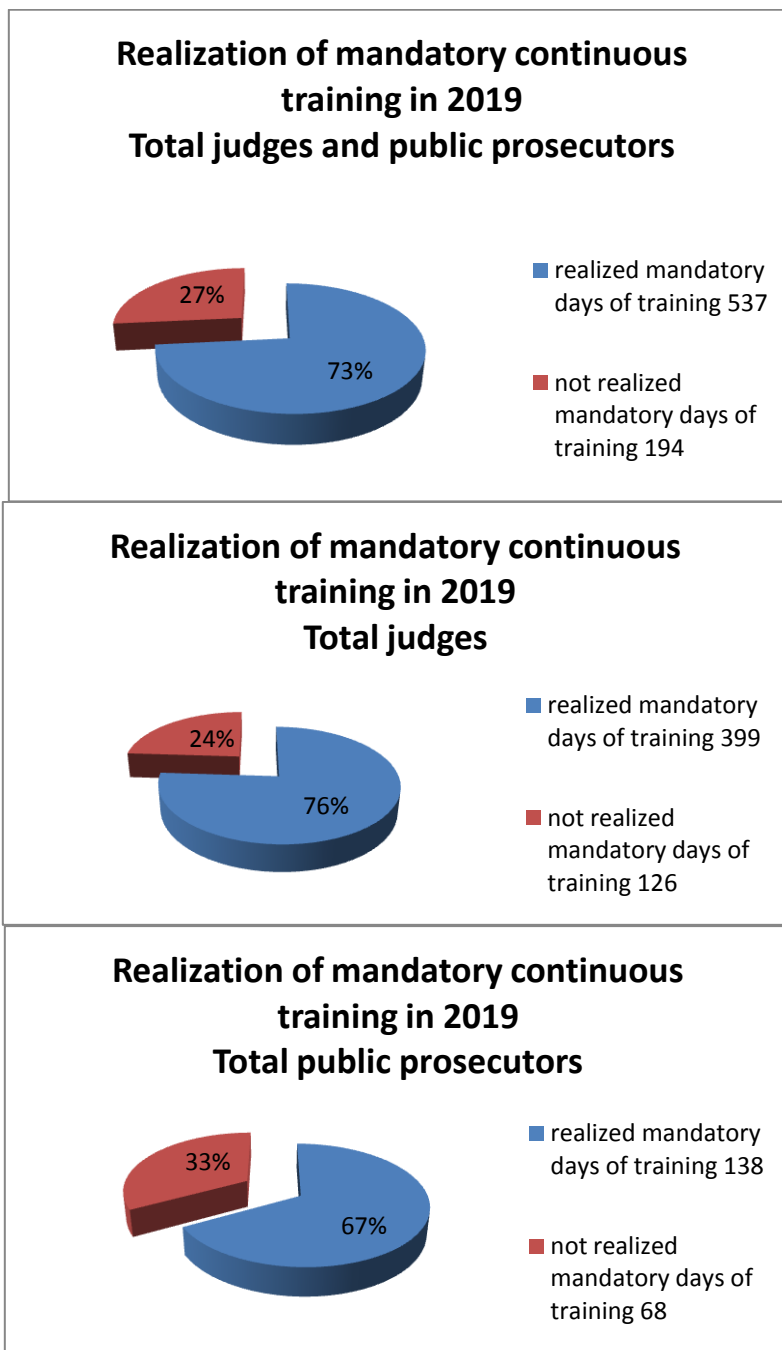
## XII STATISTICS

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 are obtained from the electronic data system of the Judicial Council of RNM, linked with the of the Academy database.

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





### XIII EVALUATION

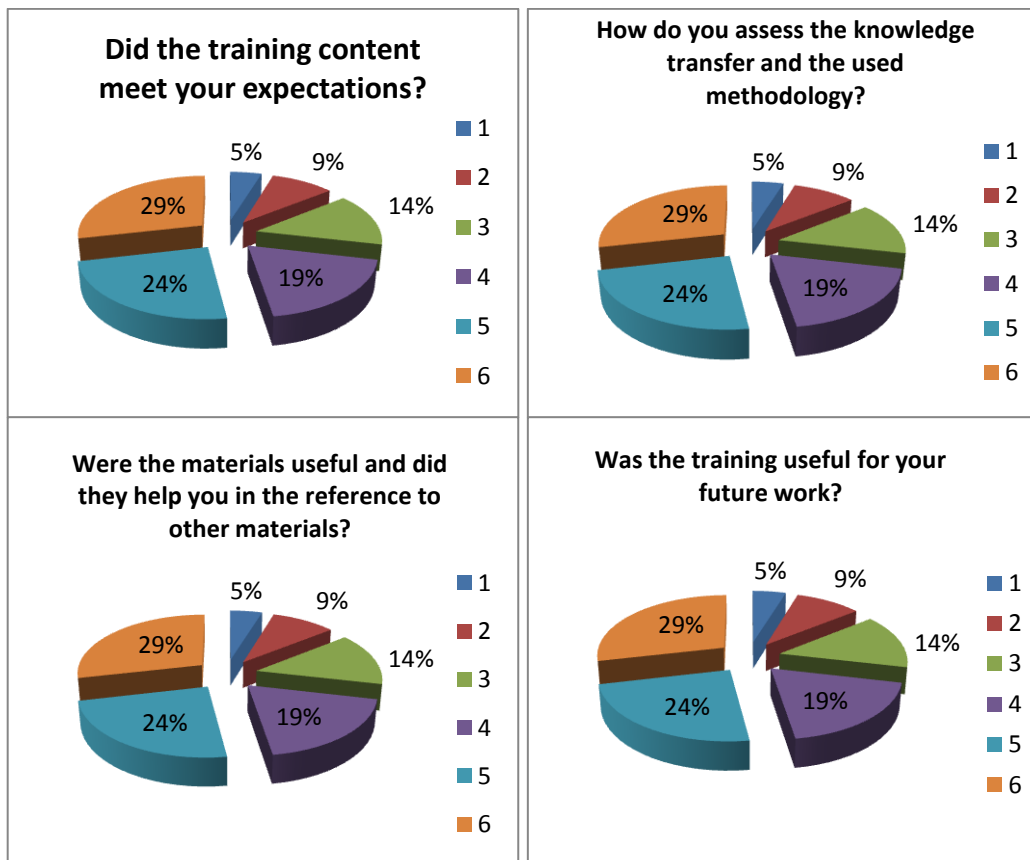
The Academy measures the satisfaction of the target groups from the conducted trainings by distributing questionnaires at each training. By filling in the questionnaires the participants evaluate the contents and goal of the training, lecturers, training materials, program successfulness, and they can also give their own proposals and comments in the part intended for such purpose.

The grades of the closed questions are given on a scale from 1 to 6, whereby 1 is deemed the lowest grade expressing complete dissatisfaction and 6 is the highest grade expressing complete satisfaction.

The obtained data are of significant importance for the Academy, which uses them for the purpose of continuous improvement of the training organization, selection of topics for which there is a great interest, selection of lecturers who were evaluated by the participants with highest grades, all for the purpose to deliver trainings to the target groups which will meet their needs in a qualitative manner.

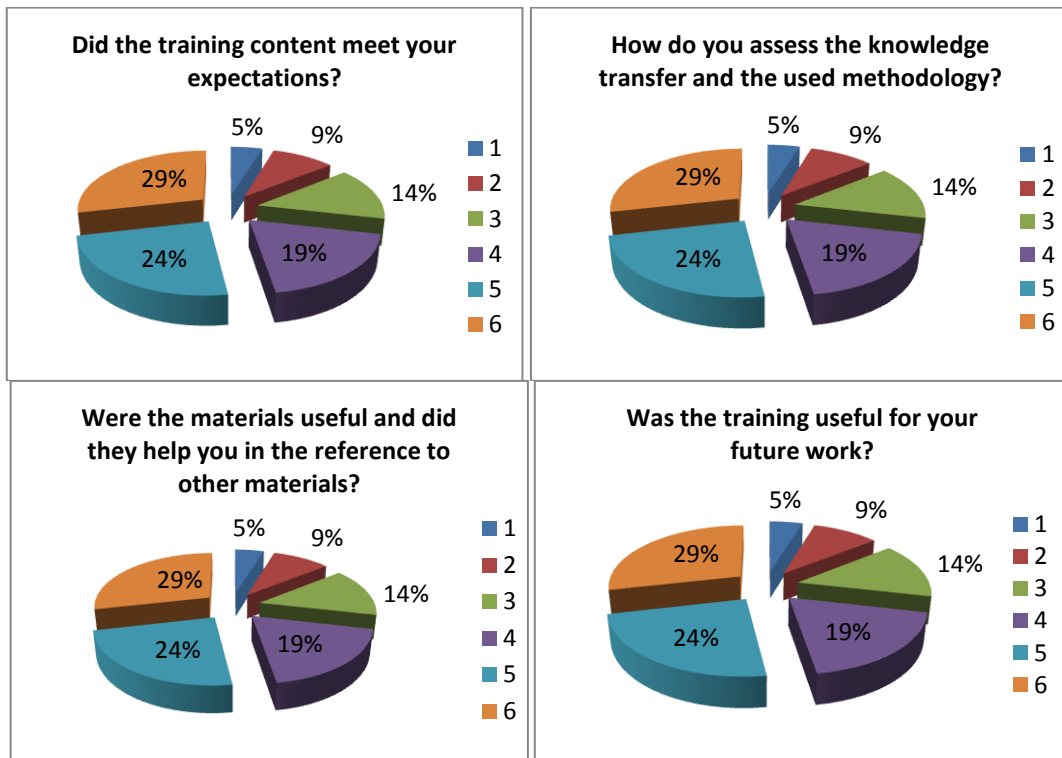
The participants' satisfaction from the trainings is presented below:

Assessments from the questionnaires for judges and public prosecutors

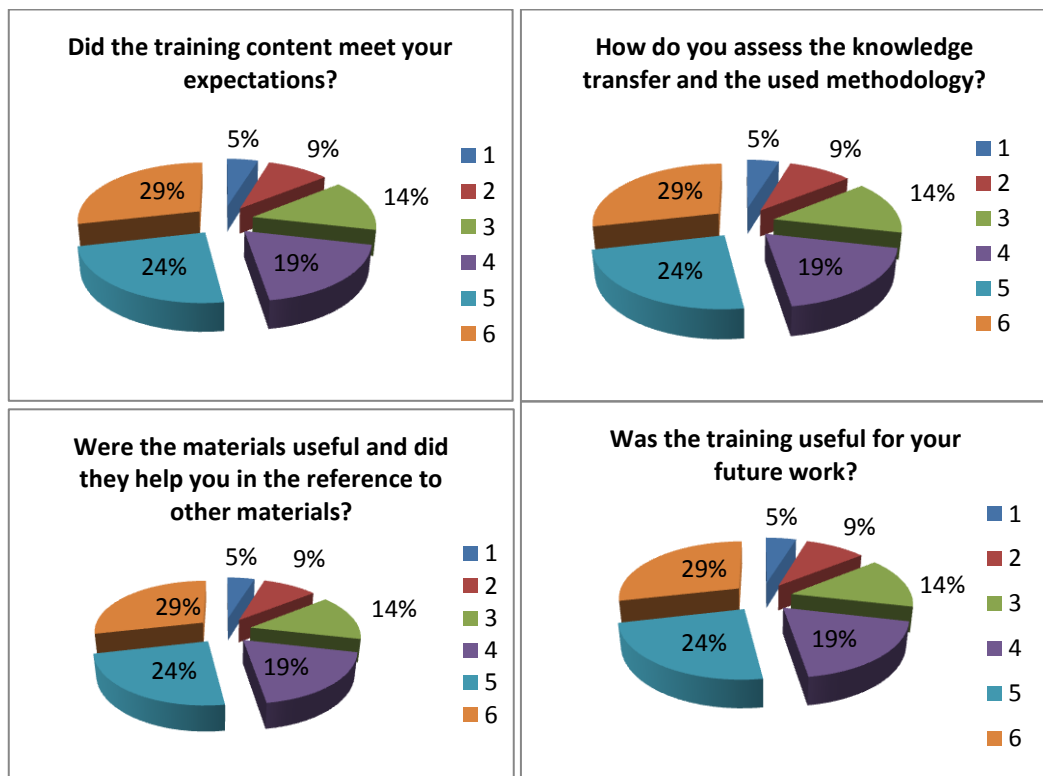




Assessments from the questionnaires for the expert office



Assessments from the questionnaires for lay judges





## IV WORK TRANSPARENCY

The Academy ensures transparency in its work via regular information sharing about its activities, by posting them on its Internet page [www.jpacademy.gov.mk](http://www.jpacademy.gov.mk), by posting information on the bulletin board, as well as publishing the adopted acts in the "Official Gazette of Republic of North Macedonia".

The new Academy website, developed with the assistance and financial support of the Embassy of the United States of America in Republic of North Macedonia became functional in 2019, for the purpose of ensuring more available information to the public and easier access to all relevant documents reflecting the Academy work.

Academy for Judges and Public Prosecutors  
"Pavel Shatev"  
President of the Management Board,  
Sasho Rajchev