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Council of Europe Co-Operation Programme to strengthen the Rule of Law

**1st meeting of the Bureau of the European Network for the Exchange of Information
between Persons and Entities responsible for the Training of Judges and Public
Prosecutors**

(LISBON NETWORK)

(Web site of the Lisbon Network: www.coe.int/lisbon-network)

Palais de l'Europe (Room 7) Strasbourg, 16 (10h00) – 17 (13h00) December 2004

**QUESTIONNAIRE "A" ON THE STRUCTURAL AND FUNCTIONAL
FEATURES OF TRAINING INSTITUTIONS OF JUDGES AND
PROSECUTORS**

*Prepared and adopted by the Bureau of the Lisbon Network at its first meeting
(Palais de l'Europe, Strasbourg, 16- 17 December 2004)*

Questionnaire “A” on the structural and functional features of training institutions of judges and prosecutors¹

I. What is (are) the name (s) of the training institution (s) of judges and prosecutors in your country?

Center for Continuing Education of the Macedonian Judges Association (CCE/MJA)

Please indicate whether the training of judges and that of prosecutors takes place or not within the same training institution; does (do) the training institution(s) of judges /prosecutors ensure both initial and in-service training?

The Center for Continuing Education was established within the Macedonian Judges Association in March 1999, thus providing continuing (in-service) training for the sitting judges. Taking into account that the CCE/MJA is going to become a National School for Judges and Prosecutors, as provided for in the Strategy for Reforms of the Judiciary adopted by the Government of the Republic of Macedonia, over the course of the past three years, the CCE/MJA has been include public prosecutors in its training activities, whenever there is criminal law related topic.

At the moment there is no requirement for initial training. However, the CCE/MJA provides orientation training for new elected judges and prosecutors.

It is envisioned that the National School for Judges and Prosecutors will provide both initial and in-service training.

National and decentralised training?

The training is centralized. However, the CCE/MJA provides training on a regional level including three district appellate courts.

This year, the CCE/MJA started with organizing workshops for harmonization of judicial practice of the three appellate courts.

II. For each training institution, please indicate:

a) the number of full- time trainers

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b) the number of occasional trainers

15

c) the number of administrative and managerial staff

One Executive Director and 6 administrative staff

¹ Members of the Lisbon Network are invited to send their replies to the Secretariat by E-mail (valerie.schaeffer@coe.int) for 31 March 2005 at the latest.

d) the origin of funding

The CCE/MJA is funded by the foreign donors organizations: USAID, Foundation Open Society Institute (SOROS); OSCE; Council of Europe and others. Since last year, the CCE/MJA is receiving funds from the Independent Court Budget.

e) the link with the Ministry of Justice, the High Council of Magistrates, etc.

Although the CCE/MJA is founded within the Macedonian Judges Association, the Ministry of Justice and the Republic Judicial Council are represented at the CCE/MJA Board, each of them with one representative. The Supreme Court of the Republic of Macedonia and the Macedonian Judges Association have their representatives at the CCE Board as well. The MJA President sits ex officio.

The CCE/MJA works and cooperates close with the Ministry of Justice, the Republic Judicial Council and the Supreme Court of the Republic of Macedonia.

f) taking into account, in particular, item f) above, if it should be considered as an autonomous/independent training institution

Yes, it can be considered that the CCE/MJA is autonomous in its functioning.

g) the links between the training institutions if there are more than one (co-operation, coordination, subordination, etc...);

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III. What are the procedure and the criteria for the appointment of managerial staff and instructors of the training institution (s)? Are the criteria for the appointment of the trainers identical for a) full-time, part-time and occasional trainers? b) trainers responsible for initial training and those responsible for in-service training?

The CCE/MJA has pool of occasional trainers from the judiciary (judges from the Supreme Court of the Republic of Macedonia, from the appellate and basic courts, and prosecutors), who attended the train the trainers program.

The CCE/MJA Board appoints the trainers.

IV. What is the proportion of judges and prosecutors who are full-time / part-time instructors and/or members of the management?

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V. If persons other than judges or prosecutors fulfil the task of trainers, what are their original profession? Please also give details on their proportion;

- Depending on the topic of the training, sometimes there is a need for experts out of the judiciary to be invited, like professors from the university, commercial experts, law enforcement agents, etc.

VI. Are retired judges and prosecutors or other retired law practitioners invited to act as trainers or members of the management?

-Yes, retired judges are included as trainers and they are included in the management at the CCE Board, as project managers of certain activities, etc.

VII. What choice has been done between full-time instructors, part-time instructors or occasional instructors that furthermore have judicial functions?

Not applicable.

VIII. If judges or prosecutors are part-time or occasional trainers, is the burden of their work within their jurisdiction alleviated?

No.

IX. Please specify the modalities of the training of trainers who perform their training mission –full-time or part-time- within the framework of the training institution(s) or in Courts (content, educational methods, duration, periodicity, etc...);² Is training of trainers compulsory?

Several training sessions were organized by CCE/MJA. They included the following topics: Adults Education Principles; Adults Learning Styles; Implications for Teaching; Variety of Instructional Methods; Handout Materials and Visual aids; Planning Process; Needs Assessment Learning; Objectives; Planning Committee and Faculty; Active involvement strategies; Evaluations; Planning and Preparing the outline of the presentations; Delivering and critique of the presentations.

The training of trainers is not compulsory by law, but many of the current CCE/MJA trainers have attended such program.

X. Please specify what initiatives are taken to assure vicinity between trainers and trainees at regional and local level as well as to develop communication (including through the Internet);

The question is not clear.

XI. Please specify what initiatives are taken to assure participation of the training institution in international co-operation in the field of training (exchanges between training institutions, periodicity of these exchanges, organisation of / participation. in international seminars, co-operation with International Organisations / Institutions (Council of Europe, the European Commission, etc...)).

The CCE/MJA is having active international cooperation, facilitating participation of Macedonian judges and prosecutors at many regional and international training opportunities organized abroad.

The CCE/MJA has also hosted regional meetings in Macedonia.

² See the conclusions of the meeting of the Lisbon Network held in Budapest, 25-26 October 1999, on the theme "The training of trainers".

The CCE/MJA has hosted and organized three regional conferences under the Stability Pact: “The Second Multilateral Exchange of Experience For Trainers of Judges” with participation of 14 countries; “Fundamental Principles of a Fair Trial and Issues relating to the Independence of the Judiciary”, with participation of 9 countries; “Fight against Organized Crime, Active and Passive Corruption and Money Laundering”, with participation of 5 countries.

Also, the Round Table on: “The Future Institutional Development of CCE/MJA and its Upgrading into a National Institution Responsible for Training of Judges, Prosecutors and Other Employees within the Judiciary of the Republic of Macedonia” was with regional character, with representatives from training centers from 7 countries.

The cooperation with the Council of Europe is ongoing and in the past six years the CCE/MJA organized 10 workshops on different articles of the ECHR. The CCE/MJA contributes in dissemination of the brochures European Court of Human Rights practice.

The CCE/MJA cooperates in the Regional CARDS 2001 and 2003 program, as well as in the other EU programs in Macedonia.