



**Government of the Republic of Macedonia  
MINISTRY OF JUSTICE**

**MONITORING REPORT ON THE IMPLEMENTATION OF THE PROJECTS  
IN THE JUDICIARY  
10/2006-10/2007**

**October, 2007**

I. EUROPEAN COMMISSION/EUROPEAN AGENCY FOR RECONSTRUCTION (EAR) .....	5
PRESENT PROJECTS:.....	5
Completed activities:.....	9
FINISHED PROJECTS .....	12
II. WORLD BANK .....	16
III. ORGANIZATION FOR SECURITY AND CO-OPERATION IN EUROPE (OSCE) .....	18
PRESENT PROJECTS:.....	18
FINISHED PROJECTS: .....	27
IV. UNITED STATES EMBASSY IN SKOPJE/ US DEPARTMENT OF JUSTICE - OVERSEAS PROSECUTORIAL DEVELOPMENT, ASSISTANCE AND TRAINING PROGRAMMEE (OPDAT).....	29
Implemented activities in the framework of trainings/workshops/seminars:.....	30
V. INTERNATIONAL FINANCIAL CORPORATION (IFC) .....	32
Trainings: .....	33
Publications:.....	34
Planned activities: .....	34
VI. UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT (USAID) .....	34
Project's Major Accomplishments .....	38
Court Administration and Management:.....	38

## **Introduction**

*The coordination of foreign assistance presents an organized approach for approximation of the foreign assistance (grants, loans, technical assistance and humanitarian aid) with the government priorities as well as the development needs of the country carried in systematic form in order to increase the overall results of the assistance.*

*The National system for coordination of foreign assistance is structured in hierarchical way with the Deputy-President of the Government authorized for European integration as National Coordinator for foreign assistance and a structure composed of Committee of ministers for coordination of foreign assistance (CMCFA), Coordinative-technical group of the CMCFA and the Sector for coordination of foreign assistance within the Secretariat for European affairs. The Coordinative-technical group is upgraded with General Meeting of the State Secretaries where all the priority need are discussed and determined between representatives of all relevant sectors of the Government.*

*The efforts of the beneficiary countries of the assistance delivered by the donator community for increasing the effectiveness of the foreign aid are managed in accordance with the goals, as defined in the so called Declaration of Paris from 2005:*

- *National property of the development agenda through formulation of certain policies, strategies and coordination of processes;*
- *Coherence of the foreign aid with the national strategic documents, systems and procedures;*
- *Harmonization of the various donator procedures for programming, utilization and monitoring;*
- *Management oriented towards goals achievement;*
- *Joined responsibility and reporting duties of all governmental institutions, including the Assembly, private sector and the civil society.*

*The judiciary reform process, evidently and in significant proportion assisted by foreign donations ( World Bank, IFC, USAID, EC Delegation/EAR-CARDS and IPA, OSCE, DOJ OPDAT/US Embassy, Council of Europe etc.) has to be founded on the priory mentioned principles in order to achieve continuous and evident progress in the realization of the concrete priorities and activities trough efficient utilization of the resources.*

*In addition mechanisms for monitoring and evaluation in the form of regular Coordination meetings and Semi-annual monitoring reports on the projects implemented in the judiciary were developed.*

*The coordination of foreign assistance is not a process of control and centralized decision making.*

***Interaction and cooperation by all parties is indispensable.***

## ***I. EUROPEAN COMMISSION/EUROPEAN AGENCY FOR RECONSTRUCTION (EAR)***

### **PRESENT PROJECTS:**

**Project name: Fight against organized crime and corruption Unit**  
**Programme: CARDS 2005**  
**Type of support: Twinning**  
**Beneficiary: Public Prosecution of the republic of Macedonia/Unit for prosecuting perpetrators of crimes in the area of organized crime and corruption**  
**Budget: 1,500,000 EUR**  
**Period: (12.2006-12.2008)**

The general objective of the project is to contribute to the effectiveness of the fight against organised crime and corruption through capacity building of the Department for prosecuting perpetrators of criminal acts from the area of organised crime and corruption within the office of the Public Prosecutor.

In accordance with the twinning work plan the following mandatory results are being defined:

1. Specialised Unit for the Fight against Organised Crime and Corruption is operational, and
2. Strengthening of the Legislative Framework

Within the above mandatory results, the twinning initiative is to achieve:

- Adequate utilization of the novel competencies and responsibilities emerging from the legislation thus referred to the investigation and accusation in the area of organized crime and corruption;
- To enhance the capacity of the Public prosecution in order to assure effective implementation of the new law on Public Prosecution and the Law on criminal procedure;

- Establishment of operational Unit for prosecuting organized crime and corruption;

Initially the project delivers comprehensive support for building the capacity of the special unit for fight against organized crime and corruption established within the Public prosecution.

Accordingly, the assistance will be allocated within period of two years and all relevant institutions in the Republic of Macedonia shall be included. It will be implemented in twinning partnership with the Italian Prosecution and services.

The activities of the project incorporate: technical assistance for establishment of new Unit for prosecution in the area of organized crime and corruption according to the Action Plan for the Public prosecution of the Government; training for the public prosecutors, their deputies and the administration in caring their duties and responsibilities provided with in the new law; as well as technical advices for proposing the remained Law on Public prosecutors salaries and the establishment of new financing system of the Public prosecution.

The project activities will be developed in the following directions:

Current legislation and state analysis;

Specialized training for:

- Organized crime-structure and networks,
- Corruption-concepts and definitions,
- Economic and financial crime,
- Child pornography,
- Human trafficking,
- Weapon trade,
- Court medicine and forensics,
- Investigative data basis,
- International legal cooperation,
- Language training,

In the framework of the project internship of the macedonian public prosecutors in the national anti-mafia unit in Italy is anticipated.

Certain part of the activities are implemented by date:

- On 23.01.2007 the first meeting of the Managing Committee of the project was held;
- Contact's network was designed;
- Training of the public prosecutors on english language was carried;
- Preparation of needs assesment phase;
- Establishing and equipping the office of the project within the Public prosecution of the Republic of Macedonia;
- Provision of Meeting room, and the Academy made it's premises available for trainings organized in the framework of the project.

**Project name: Provision of vehicles for the Public Prosecutor's Office**

**Programme: CARDS 2005**

**Type of support: Supply**

**Beneficiary: Public Prosecution of the Republic of Macedonia/Unit for prosecuting perpetrators of crimes in the area of organized crime and corruption**

**Budget: 100,000 EUR**

**Period: (2007-2008)**

The equipment is to enable the Public Prosecutors' Office, in particular the Specialised Unit for fight against organised crime and corruption to follow pre-investigations, to collect statements from suspects or witnesses and to attend investigations or trials throughout the country. The European standards call for full independence of the Public Prosecutor's Office, efficient and effective exercise of the rule of law in cases of organised crime. The basic nation-wide competence of the Specialised Unit implies frequent necessity to move (often with short notice) to courts, police offices or crime scenes.

**Project name: Technical assistance for support to the creation of the training institute (phase 2)**

**Programme: CARDS 2004**

**Type of support: Service/EU MS advisory support**

**Beneficiary: Academy for training of judges and prosecutors**

**Budget: 1,100,000 EUR**

**Period: ongoing (2006-2008)**

The project presents continuation of CARDS 2001 and it is directed towards determining the education of judges mechanism by enhancing the institutional framework and the legal status of the Judicial Institute i.e. the Academy. The activities of the project are organized in three components:

Component 1: Preparation of sub-laws and amendments to other laws related to training in the judiciary;

Component 2: Trainings development and implementation;

Component 3: Building of the institute capacities.

With CARDS 2004 all activities for the statute and other sub-laws related to the Institute are completed. Namely, The statute and other sub-laws have to anticipate training of judges and prosecutors in order to provide professional cadres, efficient and independent with role consistent to the European and International standards. This is how are being regulated: the establishment and functioning of the Programme Council, usage of the institute facilities and the financial resources, organizational structure and description of the working positions of the employees in the Institute, the criteria for selection and remuneration of the trainers, candidates reward, criteria related to the appointment of the commission responsible for carrying the enrollment exam and the commission for the final exam, the mentoring, the approved expenses made by the employees and the Managing board members, the relations between Court Council, Public Prosecutors Council, and the institute are consistent with the European Charter on the status of judges, etc.



### **Completed activities:**

In the framework of Component 1-Preparation of sub-laws and amendments to other laws related to the training in the judiciary, following texts were prepared and submitted to the Academy:

- Initial training bylaw;
- Qualification exam bylaw;
- Enrollment exam bylaw.

For the reason of better creation of the bylaws form within the project framework, for the objectives of the Academy, comparative examples were provided from the Portuguese exams (in english) as well as from the existing rules and provisions for Training Programmes. Moreover, it was proposed to the Academy to codify the legislation related to the internal operations of the Academy into single document consisting all adopted bylaws, segmentating into separate chapters. This will assure clearer picture and more simple search form of the information needed.

The project team prepared and submitted to the Academy Draft-Programme for initial training, for continuing professional education of judges and prosecutors with less than three years of working experience, for training of the administrative personnel within the courts and the public prosecutions, for training of the expert servants within the courts and the public prosecution, for preparatory guidelines for the representatives of the minorities in the republic of Macedonia as well as for training the trainers. All programmes reflect the European perspectives and respect the applicative European standards.

In the framework of Component 2- Training development and implementation, the following activities were organized:

- EU Law Seminar, 14-16 February 2007;
- International Humanitarian Law, 18-19 February 2007;
- EU Law Seminar, 21-23 February 2007;

- International Humanitarian Law, 26-28 February 2007;
- Train the trainers Seminar, 12 March 2007;
- Training of the members of the committees in order to accede the Academy under same conditions;
- EU Law Seminar, 28-29 May 2007;

Within the framework of Component 3-building of the Institute capacities, the consultant will help with the building of the Institute capacities through:

- Development of Strategy for budget management;
- Needs assessment practice for the infrastructure, furniture, equipment, IT;
- Design and implementation of efficiency evaluation of the Institute after 9 months and 18 months functioning;
- Design and implementation of IT system (Internet) in the Institute;
- Unit for legal research and documentation, as well as library;
- Organizing at least two study visits (one each year of the project timeline) for the key employees in the Institute, to other relevant Centers for education of judges in Europe

In order to make initial needs assessment regarding the needs of the Academy for development of library, as well as for the reason to make initial proposal to develop this component, the project paid one project expert ten days visit in the country. The expert for the library joined the project team and made general assessment of the situation as a prerequisite for development of the referent tasks.

**Project name: Technical Assistance to the penitentiary reform**

**Programme: CARDS 2006**

**Beneficiary: Ministry of Justice/Directorate for execution of sanctions/Penitentiary institutions**

**Type of support: MS advisory support (400,000 Eur) + works (1,900,000 Eur)**

**Budget: 2,300,000**

### **Period: ongoing (2006-2008)**

The general objective of the CARDS 2006 is to support the implementation of the reform of the judicial system through the reform of the penitentiary system and approximation with the EU standards and best practices for improvement of the efficiency and the quality of the penitentiary services respecting the fundamental rights and International standards. Main beneficiaries of the project are the Ministry of Justice and the various penitentiary institutions in the country. It is anticipated for the advisory services and the training to be implemented throughout a grant agreement with the Council of Europe investing €100.000. According to the project action description there are several specifically defined objectives:

- To contribute into better strategic and technical understanding of the process of reform of the penitentiary system through evaluation of the present state by the parties;
- To contribute into planning of the jointly agreed activities for reform of the penitentiary system through a transparent process and planning by the parties;
- To contribute into better understanding of the standards and best practices of EU related to the penitentiary system reform;
- To improve the efficiency of the penitentiary system through improvement of the legal and organizational framework as well as development of the organizational and personnel capacities.

Particular contracts for infrastructure improvement have been launched in certain Penitentiaries:

-Contract for adaptation of the Prison-Prilep (Punishment-correction house) into juvenile prison. This activity will include: heating system upgrade, posement of safety railings, finishing the reparations of the railing wall, showers and bathrooms, sports area, new septical pit, electric instalation, bads and locks. (760,000,00 EUR)

-Contract for adaptation of the Prison-Stip into penitentiary (Punishment-correction house). Following activities shall be implemented: upgrade of the heating system, waste system and water system, construction of railing wall, reconstruction of closed unit, construction of ambulance unit, new aggregate. (633,169,00 EUR)

Contract for supply of the Prison-Idrisovo with new boiler, new bakery, new laundry and refurbishment of the existing kitchen into female unit of the prison (206,659,00 EUR)

The total cost valued for implementation of these activities amounts 1,600,728,00 EUR.

### **FINISHED PROJECTS**

**Project name: Further development of administrative and processing capacities of the judiciary**

**Programme: CARDS 2003**

**Beneficiary: Ministry of Justice**

**Budget: 2,500,000 EUR**

**Period: finished (2006-2007)**

The general objective of the project was to support the public administration reform through particular support of the process of introduction of IT technology into the judiciary thus contributing toward achieving more efficient justice system. It presents continuous upgrade and functional completion of the PHARE 2000 Project, aimed to set-up the process of computerization in the judiciary bodies in the Republic of Macedonia.

€300.000 for refurbishment works and equipment have been invested in the IT Centre for the Judiciary for Video Surveillance System; Telephone and IT Support Equipment and Office Furniture Equipment. The idea behind was to merge all data from the courts, prisons and public prosecutor's offices in the

country in this Centre thus reducing the disorganization problems. The establishment of this Centre has been put within the national legal framework under the new Law on Courts that has been adopted in 2006 and is in force as of 01 January 2007, and also under the National Strategy for Information and Communication Technology setting the priorities of the Ministry of Justice and the entire Judiciary for the period 2007-2010. The IT Centre has been officially opened on 27 March 2007. As of 01 May 2007, this Centre has been staffed with 12 IT persons, whereas the current 2 IT staff in the Ministry's IT Department have been transferred therein.

Having identified the necessity the Macedonian Judiciary to go on with working with automatic applications, the €1 million technical assistance component targeted the development of Legal Data Base Information System (LDBIS) and the upgrading of the Judicial Information System (JIS). The particular support to the Macedonian judiciary to handle criminal and civil cases in a more efficient way than before has been led by the strategy to implement useful applications which produce a lot of output and give a lot of profit. Further developing and implementation of automated applications within the judiciary must lead to abolishing the manual administration, thus reducing the backlog of cases. The upgraded JIS applications have been handed over to the Public Prosecutor Office Skopje, Directorate for Prison Administration – Skopje and Idrizovo prisons and the Court Council within the period November 2006 – February 2007. Further to this exercise, the Supreme Court has provided its consent to host the main LDBIS, whereas a mirror LDBIS is to be installed in the IT Centre for the Judiciary. The Ministry of Justice has reconfirmed its commitment to put into life the LDBIS with assistance from other donors, given the project closure on 15 March 2007. On the occasion of the IT centre opening, the source codes for both the LDBIS and the JIS application have been handed over from the Agency to the Ministry of Justice.

Under the €1 million hardware investment the Ministry of Justice and the judiciary institutions throughout the country, have been put together under a single optical net WAN Connection ITVPN, and have been supplied with 10

servers and 500 desktop PCs with TFT monitors; and 24 notebook PCs, 240 local printers and 50 network printers. 9 out of the 10 servers are located in the IT Centre for the Judiciary to support the WAN, which is the first ever established on the Balkans that covers the country's territory in overall.

As part of the EU support to the 2003 National Action Plan for Fight against Organised Crime, in particular its "Regional Justice Co-operation" measure, €200.000 worth funding for videoconferencing and security surveillance equipment were provided. This equipment contributes to the conversion of Basic Court Skopje 1, the biggest court in the country, into a court dealing solely with criminal cases and becoming a modernised court in line with the EU and international best standards and practices providing the necessary protection for witnesses and bringing perpetrators to the justice. This effort helps implementing the 2004 Law on witness protection and will foster regional co-operation as essential element in fighting organised crime and corruption.

**Project name: CARDS 2003 Regional "Establishment of independent, reliable and functioning judiciary and enhancing the judicial cooperation between the Western Balcan countries"**

**Beneficiary: Ministry of justice/judicial institutions**

**Budget: 5,000,000 EUR**

**Period: finished (2004-2007)**

This project provided support to the Western balcan countries in the judiciary reform key areas in particular, development of the judiciary, approximation of the legislation, application of the europen satandards, defining regional priorities and promotion of the reginal cooperation. The project incorporate many countries in the region organized in Conzortium composed of representatives from the Ministries of Justice from Austria, Bulgaria, Germany, Italy, Romania, Slovenia and the Council of Europe.

The project was relized trough four modules managed by different partner:

Module 1-Independent judiciary (Bulgaria);

Module 2-Reliable and functioning judiciary (Germany);

Module 3-International and European Judicial Cooperation (Slovenia);

Module 4-Introduction of the EC Law and the EU judicial system.

Many activities were implemented in the framework of each module, in particular: trainings, regional round tables, workshops, study visits and expert missions with representatives from the Ministries of Justice, judges, prosecutors, attorneys, notaries and parliamentarians from the Parliaments of the Western Balkan countries. Large number of topics were treated starting with the judiciary reform, organization of justice, judges and prosecutors liability, court budget, management, service of documents, enforcement system, public procurements, commercial law and environmental protection law, forms of International judicial cooperation, European legislation and standards, by using practical approach.

The project followed the implementation of the Strategy for reform of the judiciary of the Republic of Macedonia 2004 from the very beginning. It delivered assistance in drafting the reform laws, particularly: the Constitution Amendments, Law on courts, Law on Court Council, etc.

Through different expert missions and training the project supported the establishment of the Unit for prosecuting perpetrators of crimes in the area of organized crime and corruption. Evident rise of the public awareness was noted between the representatives of the target groups on International and EC legislation as well as on the different judicial systems and practices. Furthermore, close cooperation between the peer institutions from the WB countries and the partner consortium countries was initiated on regional level.

On 20-22 March Final Conference was organized where the effect, the regional phenomena and the results achieved with the project were presented as well as guidelines for future measures and activities were proposed. Additionally, the regional activities for fight against organized crime and corruption were emphasized.

The Final Report is to be issued together with the activities review recommendations for future activities in the respective areas will be noted.

Within the framework of the project web page <http://www.cards2003judiciary.com> consisting all the relevant information was designed.

## ***II. WORLD BANK***

**Project name: Legal and judicial implementation and institutional support**

**Beneficiary: Ministry of justice/judicial institutions**

**Budget: 12.000.000 EUR (loan with 16% national co-financing).**

**Period: ongoing (2006-2011)**

The project objective is to contribute into improvement of the judicial efficiency and effectiveness as a prerequisite for establishment of safe business climate in the Republic of Macedonia, by improvement of the Ministries and the courts capacities for systematic implementation of the reforms in the area of the judiciary and judicial independence, as well as improvement of the courts infrastructure.

The project is structured in three Components:

- Component 1: Support for the implementation of the new Law on Judicial Council of the Republic of Macedonia as well as improving the quality of judicial management, implementation of the new Bankruptcy Law and the new Law on Administrative Disputes and Administrative Inspections, by strengthening the capacities of the key institutions ;
- Component 2: Improving court infrastructure by providing support for the construction of new court building and reconstruction and renovation of the courts with extended competencies in the Republic of Macedonia;
- Component 3: Enhancement of Judicial Information Technology Systems in order improving the collection and analysis of statistical and other information on the management and functioning of the legal system.

Within the first component two local consultants for training in the area of bankruptcy and bankruptcy procedure is re-opened till 12<sup>th</sup> January, thus signing of the contract for the bankruptcy consultant is anticipated . With regard to the sub-component for improving the performances of the State Administrative Inspectorate it is expected signing of the contract with the consultancy company for conducting the advanced training in administrative law intended for all the employees of the SAI. In September 2007 training on



management within the Inspectorate was carried, in the framework of the Annual Conference of the European group for public administration. The Judicial Council representatives have had a study tour in Ljubljana in terms of gaining comparative experience from their Slovenian counterparts. At the moment ToR for Need Assessment is under preparation.

Within the second component after the selection of Construction Company for refurbishment and expansion of the working premises of the Judicial Council, it is expected by the end of the month. The projects and monitoring of the construction work for refurbishment of the Basic Courts in four appellate areas-Skopje, Stip, Bitola and Gostivar, are expected at the end of January 2008. The furniture and ICT equipment are being provided for the Administrative Court, as well as for the expansion of the Judicial Council. In regard to the new court building, after completion of feasibility study, the decision is expected on which solution from feasibility study is the most suitable and shall respond to the needs of the judiciary.

Within the third component training for IT was successfully realized and certificates were issued to the employees of the State Administrative Inspectorate and in December 2007 new advanced IT training for the same beneficiaries has began. All of the ICT equipment is delivered to the Inspectorate and the Ministry of Justice. The procurement of hardware was provided for the Supreme Court of the Republic of Macedonia, and at present the Bank has approved for procurement of hardware for the court in-take offices.

### **Planned activities:**

In the framework of the first component selection of two local consultants for training in the area of bankruptcy and bankruptcy procedure is expected in January 2008, as well as the signing the contract on the side of the international bankruptcy consultant. As regarding the Inspectorate Contract with the selected company for training of the employees have to be signed.

Within the second component involving the refurbishment and adaptation of the Court Council premises the finalization is expected as well as the signing of the contract for procurement of furniture for the said premises. After the selection of the construction company, the procedure for writing projects and the construction work for refurbishment of the Basic Courts in four appellate areas-Skopje, Stip, Bitola and Gostivar, has begun and in January 2008 the delivery of final projects is expected. With regard to the Court building change of the Urban Plan in accordance with the feasibility study is underway.

Within the third component preparation of ToR and qualifications for company are planned for filing the LDBIS. In addition, adopted IT Strategy and its implementation is being provided for the following period.

### **III. ORGANIZATION FOR SECURITY AND CO-OPERATION IN EUROPE (OSCE)**

#### **PRESENT PROJECTS:**

**Project name: Further development of the Strategy for reform of the judicial system**

**Beneficiary: Ministry of Justice**

**Budget: 17, 498, 25 EUR**

**Period: ongoing (09/2007-2008)**

The general objective of the project is to justify and support further reforms within the judiciary, in particular segments that will be identified as priority, thus contributing to the improvement of the overall functioning of the judiciary. For the purpose of developing a follow-up of the National Strategy for Judicial Reform, the Ministry of Justice will organize several events where the future of the country's judicial system will be discussed and the general needs for reform will be determined. After Draft initial Strategic Document for 2007-2010 it will be submitted to the MoJ for a final make-over and revision. Additionally, the MoJ will organize two more public debates on the Draft Document where the opportunity for comments and remarks by relevant judicial stakeholders will be provided.

The project is composed of three components:

- Component 1: Planning of the future directions of the judicial system reform;
- Component 2: Drafting Strategic Document founded on the proposed-recommendations at the meetings organized in the framework of the first component;
- Component 3: Public Debate for the Draft-Strategic Document by all relevant stakeholders.

IT is expected for the current problems and shortcomings of the judiciary, in particular on the issue of practical implementation of material and procedural laws and providing options for their resolution are to be identified. Furthermore, establishment of the necessary development modules for future strategic measures regarding the judiciary reform is expected. Lastly, after submission of the Strategic Document for opinion to the Government it is to be adopted by the Council for reform of the judiciary and then officially presented to the Government.

Within the framework of the project two round tables were organized so far: "Completion of the reform in the judiciary and approximation of the civil legislation with the European standards" 04.10.2007 in Skopje; and "Increasing the efficiency and strengthening the institutional capacities of the judicial institutions" 05.10.2007 in Skopje.

Following the round tables on 22-24 November, 18 experts relevant in the field of judiciary met and developed a draft guidelines for follow-up reform activities in the abovementioned areas. The guidelines are to be developed into a strategic document that should incorporate two annexes: The Criminal Reform Strategy and The IT Implementation Strategy.

**Project name: Juvenile Justice – from Paper to Practice**

**Beneficiary: Council for the Prevention of Juvenile Delinquency**

**Budget: 16, 042, 33 EUR**

**Period: ongoing (05/2007-12/2007)**

The project is co-funded by OSCE and UNICEF and is aiming to provide technical assistance for the improvement of the juvenile justice system as foreseen in the NJRS in coordination with other international organisations active in this area.

The Council for Prevention of Juvenile Delinquency as the Implementing Partner shall organize six seminars on different topics for different groups of relevant judicial stakeholders dealing with juveniles in conflict with the law. The project is targeting: juvenile judges, prosecutors, attorneys, social

workers, police inspectors, etc. The project also foresees realization of 5 informal forums/gatherings of local stakeholders (representatives of local institutions handling juveniles). Nevertheless, following activities were implemented so far:

- CPJD Juvenile Justice – Preparing individual programmes for re-socialization of Juveniles (TBC), 28-30 September, completed
  - CPJD JJ training for employees in correctional-educational institutions, 02-04 November
- CPJD Juvenile Justice - Sentencing Juveniles,
- 3day seminar, 01-02 December

**Project name: IHL/War Crimes Training Programme**

**Beneficiary: Academy for Training of Judges and Public Prosecutors/OSCE**

**Budget: 83, 928, 00 EUR (excluding ExB and OPDAT contributions)**

**Period: ongoing**

The project is designed to improve the quality of justice in conducting war crimes cases focusing thereby on the appropriate implementation of international standards, as well as to assist the national authorities in preparation and training of the judges and prosecutors in respect of the upcoming 4 cases that will be sent back from the ICTY.

The Training Programme includes 3 separate study visits to ICTY for judges and prosecutors as well as a series of local trainings on specific issues of war crimes proceedings (forms of criminal liability, evidentiary issues, case management, investigation techniques, etc.). The project is implemented in co-operation with Academy for Training of Judges and Prosecutors, Ministry of Justice, OPDAT and the ICTY.

IHL/War crimes Training Programme in cooperation with the Academy for Training of Judges and Prosecutors, MoJ, OPDAT and ICTY carried various trainings in regard to cases returning from ICTY.

In the period from July until today, OSCE/RoL/Judicial Reform in cooperation with different partners supported the following activities:

- Study visit to ICTY for supreme and appellate level judges and prosecutors  
(29 Oct – 2 Nov 2007);
- Specifics on IHL – training for judges and prosecutors (20-21 Sep 2007);
- IHL training for legal assistants and court administration staff (28-29 Sep 2007);
- IHL training on investigation techniques for prosecutors and Mol (6-7 July 2007);
- Training for defence lawyers on the unique aspects of the ICTY procedure and IHL, 25 October 2007, FON University, lectured by defence lawyer Michael Karnavas.

Next trainings:

- Amnesties in IHL context to be held 4-5 December;
- IHL training for lay judges to be held 7 Dec 2007

**Project name: Criminal Legislation Workshops and Conferences 2007**

**Beneficiary: Association for Criminal Law and Criminology of Macedonia**

**Budget: 15, 068, 73 EUR**

**Period: ongoing**

The project encompasses several planned workshops and roundtables with focus on the criminal legislation and its further development referring mainly to the Criminal Procedure Code (CPC) and Ministry of justice's Strategy for reform in the criminal legislation. The events will tackle especially the investigation procedure re-shifting from investigative judges to prosecutors, plea bargaining, mediation and alternative sentencing and special investigative measures. It will also encompass a training program for the newly established organized crime departments within the courts throughout the country in cooperation with the Academy for training of judges and prosecutors.

The purpose of the roundtables and workshops will foremost be to raise the issues of concern within the current criminal legislation and its implementation and to propose solutions for its overcoming. This will require scrutiny to both the currently enforced legislation as well as the draft changes in this respect in process of preparation by the Government and the Ministry of justice. The reached conclusions to each particular issue of concern will be further sublimed and submitted to all the relevant institutions and state bodies to be taken into consideration for their inclusion in the overall criminal legislative reform process.

**Project name: Trainings and Workshops for Defence Lawyers**

**Beneficiary: Macedonian Bar Association**

**Budget: 27, 451, 67 EUR**

**Period: ongoing**

The Project encompasses two thematic trainings for purposes of continuous lawyer's education and a package of three legislative workshops in line with lawyer's active participation in current legislative changes in the Law on Criminal Procedure.

The thematic trainings will give practical approach to the implementation of International Fair Trial Standards and International Humanitarian Law, as well as useful elaboration on how to challenge the evidences brought out by usage of Special Investigative Measures during the investigation (surveillance, wiretapping, etc).

The legislative workshops will offer the floor for the defence lawyers throughout the country to discuss changes and additions to the current Law on criminal procedure. The final comments that will arise at these workshops, together with the comments and suggestions that MBA will receive by all other lawyers not participating at the workshops, will be submitted to the Ministry of justice for their further consideration in preparation of the draft text of the law.

Implemented activities:

- Three MBA's workshops on CPC changes were held in Skopje, Stip and Bitola;
- Training for defence lawyers on the unique aspects of the ICTY procedure and IHL, was held on 25 October 2007, FON University, lectured by defence lawyer Michael Karnavas.

**Project name: Internal Quality Review and Auditing of Judges' Performance**

**Beneficiary: Macedonian Judges' Association**

**Бюџет: 28,895,23 EUR**

**Period: ongoing**

The project aims to lay down the foundations of a new model and mechanisms for internal quality review of judges. To achieve this goal, an assessment of the national legal framework and practices in place, and a comparative research and study will be conducted, which will not only reflect the current situation in Macedonia and the EU member states, but will also suggest solutions best suitable for the country. Both national and international experts will be involved in this comprehensive and analytical research, which will be followed by drafting of a so-called "Initial Concept Paper" to offer directions and recommendations on the future model of internal quality review and auditing of judges' performance in the Macedonian context.

The Initial Concept Paper will be widely disseminated to all the judges, followed by discussion forums throughout the country for the purposes of acquiring their feedback on the proposed solutions. Based on the comments and feedback received a consolidated version of the Initial Concept Paper will be produced, including an Action Plan for future steps, measures and resources needed for a new legislative and regulatory framework for quality review system of judges.

In the past few months MJA in cooperation with RJC conducted a transparent and open process of discussion among all judges in regards of the future

modality of evaluation and audit of judges' performance. A Draft Rulebook was prepared, published in the Judicial Newsletter, disseminated to judges for comments and 3 discussion forums in the appellate court regions were conducted during November.

Next activity:

- Final round table in Skopje with participation of international experts from Slovenia, Austria and Germany to be held on 7 Dec 2007.

**Project name: Continuing Legal Education for the Macedonian Young Lawyers**

**Beneficiary: Macedonian Young Lawyers Association**

**Budget: 43, 260, 48 EUR**

**Period: ongoing**

The continuing cooperation between MYLA and OSCE is planned to be a comprehensive project that is going to cover several activities and events. The project is going to be implemented through 3 different activities, with each activity covering different topic of continuing legal education of young lawyers and attorneys. Continuing project is planned to begin on 01 May and end by 31 December 2007 and it will be structured in two modules:

1. Skills training for young lawyers;
2. Building capacities for young lawyers.

In the framework of the first module "*Skills training*" – two rounds of five trainings (10 in total) involving over 40 lawyers on: ethics for lawyers, interview techniques for clients, defence strategy, examination of witnesses, fact investigation, negotiation techniques, expert testimonies, motion practice, plea bargaining, alternative sentencing, are to be held from June – December 2007.



Additionally in the second module “*Building capacities*” – trainings on juvenile justice, combating trafficking in human beings, anti-corruption (3 training sessions per each topic) shall be held from October – December 2007.

**Project name: The Role of Public Prosecutor during Investigation**

**Beneficiary: Public Prosecutor’s Association**

**Budget: 22,426.36 EUR**

**Period: ongoing**

The Association of Public Prosecutors of the Republic of Macedonia, through this project and with the support of OSCE/Rule of Law Department, is planning to conduct a comprehensive analysis and to organize a debate with regard to the issue of investigation and the role of the public prosecutor, and based on the results of such analysis and debate, to design a concept and initiate changes and amendments of the current Law on Criminal Procedure, or possibly, an initiative for enactment of new Law on Criminal Procedure.

The project includes two study visits in countries with relevant practical experience in the subject matter, as well as few round tables where the prosecutors and investigative judges, as well as representatives from relevant institutions/organizations can discuss and present their views and suggestions in regards to the foreseen novelties and the possible concept for transfer of the investigation within the competences of the prosecutors. Once when the Draft Initiative is finalized it will be submitted to the Ministry of Justice for future steps. The Ministry of Justice through its representatives also is included in the project implementation.

In the past few months PPA conducted a transparent and open process of discussion among the prosecutors, investigative judges and representatives from Mol in regards to the future modality of transferring the investigation within the competences of the prosecutors. The project team (prosecutors, investigative judge and MoJ representative) in Sep 2007 visited the BiH Prosecutor’s Office in order to exchange practical experience. In addition 3

round tables in Skopje, Bitola and Stip were conducted and an Initial Concept Paper was drafted.

Next activity:

Publication of the Initial Concept Paper in the Prosecutorial Newsletter, dissemination to prosecutors and investigative and criminal judges for comments.

Final round table in Skopje with participation of regional experts from BiH to be held on 29 Dec 2007.

**Project name: Strategic Planning Workshops for Judicial Reform  
Implementing Partners**

**Beneficiary: MCIC**

**Budget: N/A**

**Period: ongoing**

In the light of the recommendations of the assessments conducted by the MCIC, this project is designed to provide assistance to the members of the management and executive boards of the MJA, the PPA, and MYLA in revising the missions of their organizations, drafting apposite strategic plans, conducting service portfolio analysis, and addressing their financial sustainability.

MCIC, the Mission's official Capacity Building Service Provider, will engage specialists from their own pool of experts in accordance with the Capacity Building Service Provider Window Contract to work as consultants for the period 15 May – 30 September 2007. MCIC will undertake the responsibility to implement and consult the selected OSCE implementing partners – professional organisations and NGO by creating tailor made workshops and consultancies for drafting strategic plans with each of the three selected organisations.

## **FINISHED PROJECTS:**

**Project name: Introduction of juvenile justice**

**Beneficiary: Ministry of justice**

**Budget: 1, 315, 33 EUR**

**Period: finished**

The OSCE provided assistance to the Ministry of Justice to organize four round tables – public debates - on the Draft Law on Juvenile Justice. The project was also supported by UNICEF and OPDAT. The four events took place at different locations in the country, one in each appellate region. Representatives from all relevant state bodies, NGOs and other institutions that are a part of the Juvenile Justice System attended and gave their contribution to the final Draft of the Law. Most of the comments and suggestions to the Draft were taken into consideration by the MoJ Drafting Committee and many were implemented in the Final Draft Law on Juvenile Justice. The activities were implemented during March 2007 on four different locations, covering all Appellate areas in the Republic of Macedonia:

- Public debate for representatives from the Appellate court Bitola-09.03.2007 in Mavrovo, supported by UNICEF;
- Public debate for representatives from the Appellate court Stip-20.03.2007 in Stip, supported by OSCE Mission;
- Public debate for representatives from the Appellate court Skopje-27.03.2007 in Skopje, supported by OPDAT;

Each one of the organized public debates included 30-35 participants, representing relevant stakeholders, state institutions and other organizations- that are part of the Macedonian system for juvenile justice. In particular, participants form the Ministry of Justice, Ministry for labor and social policy, judges, prosecutors, lawyers, police inspectors, social workers, local-self government as well as representatives form the Non-governmental organizations.

These events were moderated by representatives of the Ministry of Justice and members of the working group for the initial text of the Draft Law on juvenile justice. The debates resulted with concrete conclusions and comments on the text summarized and thus implemented within the final version of the Draft Law on juvenile justice. The Law on juvenile justice was adopted on 12 July 2007 and published in the official gazette of the Republic of Macedonia N. 87/2007

**Project name: Donor coordination meeting on technical level**

**Beneficiary: Ministry of Justice**

**Budget: 22, 159, 00 MKD**

**Period: finished**

Following the completion of all activities anticipated within the framework of the project for Introduction of juvenile justice, considering the extra budget left, the Ministry of justice asked support from the OSCE Mission in organizing a Donor coordination meeting on technical level (Follow up). The meeting was held on 13 April 2007 in the premises of the British Council.

At the meeting alongside the representatives from the Ministry of Justice, representatives from the Secretariat for European Affairs and OSCE Mission and 23 representatives of the International bilateral and multilateral donors (Embassies, Agencies, Organizations, etc.) actively supporting the process of reform of the Maceodnian judiciary were present. The idea was to introduce enhanced coordination and cooperation among donators and beneficiaries trying sutably to utilize the aid and to optimize the judicial reform results.

OSCE and MoJ agreed to transfer the mandate for organizing JRIG (Judicial Reform Information Group) to the Ministry. In this regard OSCE will provide logistical support in organizing these meetings every three months, in the future.

#### **IV. UNITED STATES EMBASSY IN SKOPJE/ US DEPARTMENT OF JUSTICE - OVERSEAS PROSECUTORIAL DEVELOPMENT, ASSISTANCE AND TRAINING PROGRAMMEE (OPDAT)**

OPDAT's mission is to strengthen the rule of law in the Republic of Macedonia by assisting different sectors of the Macedonian criminal justice system, mostly prosecutors, judiciary and various law enforcement agencies and to reform, develop and sustain effective criminal justice institutions to provide for greater protection from lawlessness and support for basic human rights. The main focus of the OPDAT Macedonia Program is enhancing the professional skills of the Macedonian criminal justice officials to fight trafficking in persons, narcotics, money laundering and asset forfeiture, corruption, organized crime, financial crime, corporate criminal liability, ICTY related crimes, case management trial advocacy skills, plea bargaining and legislation drafting. Since it was established up-to-date, OPDAT has provided for over 1200 specialized training programs in Macedonia and regionally for over 3.0002500 criminal justice officers/officials and provided numerous legal commentaries on pending legislation, such as the new Criminal Codes, the Law on the Public Prosecutor's Office, Law on Witness Protection, Law on Electronic Surveillance, the new Constitutional Amendments etc. The program is being implemented in partnership with Republic of Macedonia's top-level criminal justice officials, such as the Chief Public Prosecutor's Office, the Minister of Justice, the Association of the Public Prosecutors, the Judges' Association, the Academy for Initial and Continuous Education of Judges and Prosecutors and the Association for Criminal Law and Criminology and in close coordination and cooperation with the OSCE Rule of Law Department and the Center for Continuous Education.

DOJ OPDAT 2007 technical assistance activities were focused in five main areas:

- Drafting and Implementing Amendments to the Constitution, Crimes Code, and the Code of Criminal Procedure;
- Enhance the Capacities of the Macedonian Justice Sector to Investigate and Prosecute Transnational Organized Crime and Corruption;

- Improve the Capacity of Macedonian Criminal Justice Sector to Combat Trafficking in Persons;
- Enhance the Professional Trial Advocacy Skills of the Prosecutors' Office to Prosecute Serious Crimes;
- Strengthen the Capacity of the Macedonian Criminal Justice Sector in the Area of International Humanitarian Law;

Since its inception to-date, the direct technical assistance delivered by OPDAT to the Macedonian criminal justice sector has amounted to \$ 2,173,000 (\$ 2, 2 million). The 2007 budgets for the continuation of the technical assistance will amount to \$ 300,000.

**Implemented activities in the framework of trainings/workshops/seminars:**

- International Fair Trial Standards Workshop – Building the Capacity of the Macedonian Judiciary to Try Crimes against International Humanitarian Law and Other Serious Crimes (October 2006);
- Securing the Chain of Evidence, Contemporary Methods of Forensic Analysis and Evaluation of Different Types of Expertise in Criminal Cases (October 2006);
- Good Practices and Lessons Learned in Applying the Special Investigative Measures (October 2006);
- International Fair Trial Standards Workshop – Witness Security Issues in War Crimes and Other Serious Crimes Cases (November 2006);
- Trilateral Human Trafficking/Migrant Smuggling Conference (November 2006);
- Money Laundering and Asset Forfeiture (December 2006);
- Juvenile Justice Code Reform (December 2006);
- International Fair Trial Standards in Complex and Organized Crime Cases (December 2006);
- Round Table on the Status of the Public Prosecutors Law on Public Prosecutors Office and Law on the Council of Public Prosecutors (December 2006);

- International Cooperation in Criminal Matters and the Role of SECI/SEEPAG, EUROJUST, EUROPOL and the European Judicial Network (January 2007);
- Harmonization of National Laws and Jurisprudence with International Conventions and the EU Acquis"- Prof. Kirk Junker (February-March 2007);
- Round Table on the Draft Law on Juvenile Justice (March 2007);
- International Humanitarian Law (March 2007);
- Trans-border Law Enforcement Cooperation: Trafficking in Persons, Illegal Migration (April 2007);
- Round Table on Trafficking in Persons Related Amendments to the Macedonian Crimes Code (April 2007);
- United States-based Study Program on Organized Crime and War Crimes (April 2007);
- War Crimes: Victim/Witness Support Services: Successes and Challenges in Regional Cooperation (April 2007);
- International Humanitarian Law Training Series: Round Table for Judges on Evidentiary and Related IHL issues
- Two Legal Study Visits to the International Tribunal for Former Yugoslavia, The Hague, Netherlands (May 2007);
- Enforcement of International Criminal Law (May 2007);
- Round Table on Draft Laws on Public Prosecution's Office of the Republic of Macedonia and Council of Public Prosecutors (May 2007);
- The Status of Public Prosecutors pursuant to the Draft Law on Public Prosecution Office and the Draft Law on the Council of Public Prosecutors of the Republic of Macedonia (June 2007);
- Workshop Series on Implementation Assessment and Amendments to Criminal Legislation: "Problems in the Application of Special Investigative Measures" (June 2007);
- International Humanitarian Law Training Series: Round Table for Prosecutors on Evidentiary and Related IHL issues (June 2007);
- International Humanitarian Law Training Series: Investigators' Training (July 2007);
- International Humanitarian Law Training Series: Specifics of International Humanitarian Law (September 2007);

- Criminal Legislation Reform Strategy and Good Practices and Lessons Learned from the Criminal Procedure Code Implementation (September 2007);
- International Humanitarian Law Training Series: IHL Training for Legal Assistants and Administration Staff (September 2007);
- Increasing the Efficiency and Capacity of Judicial Institutions (October 2007);
- Third Study Visit to the ICTY (October-November 2007)

## ***V. INTERNATIONAL FINANCIAL CORPORATION (IFC)***

**Project name: Alternative dispute resolution-Mediation**

**Beneficiary: Ministry of Justice/judicial institutions**

**Budget: 2,500.000,00 USD regional/ 400.000,00 national, so far (financed by the Government of the Kingdom of Netherlands)**

**Period: ongoing (07/2005 – 10/2008)**

The general objective of the project is to support the process of establishment of a functional out-of-court resolution system as part of the Strategy for reform of the judiciary 2004, by introducing the mediation as a way of alternative dispute resolution.

Within the period September 2006-September 2007, many activities were implemented, in particular:

- Support for the establishment of the Mediators Chamber;
- Memorandum for cooperation with the Economic Chamber of the Republic of Macedonia was signed;
- Memorandum for cooperation with the Mediators Chamber of the Republic of Macedonia was signed;
- Memorandum for cooperation with the Attorneys Chamber of the Republic of Macedonia was signed;



- Cooperation with the Academy for training of judges and prosecutors and their deputies;
- Cooperation with the Basic Court Skopje 2-Pilot court of the project;
- Cooperation with the Municipality of Aerodrom;
- Cooperation with the Association of Economic Chambers;
- Opening of pilot Center for Mediation (The Center is connected with the Mediators Chamber office)
- Names Directory of the Mediators was created;
- List of requested mediations was done;
- First mediations were completed;

### **Trainings:**

- Training on selection of mediation cases for the judges of the Basic court Skopje 2-30 judges;
- Two Seminars were organized for the companies-members of the economic Chamber on “Financial benefices of the mediation”-35 participants;
- Seminar was organized for the companies from Skopje on “Financial benefices of the mediation”-30 participants;
- Seminar was organized for the companies located in the municipality of Aerodrom on “Financial benefices of the mediation”-20 participants;
- Training for journalist was carried: Mediation and the media-8 participants;
- Training on mediation for representatives of government institutions was carried-15 participants;
- Study visit was organized in the Ministry of Justice of the Republic of Serbia, Courts in Belgrade and the Mediation Center in Belgrade-5 participants;
- Coordinated Training of trainers was carried in Slovenia, for 5 trainers for mediation, within the CARDS 2003 regional Project;
- Basic training for mediation was carried in June-Support to the Mediators chamber-26 participants;
- Basic training for mediation was carried in June-Support to the Mediators chamber-12 participants;

**Publications:**

- Brochures on mediation;
- Almanac on mediation (in English and Macedonian)

**Planned activities:**

- Signing Memorandum for cooperation with the Association of Economic Chambers;
- Organizing Seminars for the members of the Association of Economic Chambers on “Financial Benefices from the mediation”;
- Opening info-desk in the Basic court Skopje 2;
- Publication of brochures for the companies and the parties in the courts on “Benefices of the mediation”;
- Beginning of the Pilot Basic court Skopje 2-attempt for decreasing the workload of the court from the pending and new cases trough mediation;
- Support to the Mediators Chambers by Training the trainers for mediation (members –mediators); and
- Support to the Mediators Chamber for promotion activities.

***VI. UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT (USAID)***

**Name of the project: Judicial Reform Implementation Project**

**Beneficiary: Macedonian judiciary**

**Budget: \$5,998,309 USD**

**Status: ongoing (10.09.2007- 15.07.2010)**

The Judicial Reform Implementation Project (JRIP) will provide technical expertise, training, and material assistance to the Ministry of Justice, the Administrative Office of the Court Budget Council, the Academy for Training of Judges and Public Prosecutors, the Supreme Court and subordinate courts in

Macedonia to: 1) develop the judiciary into a stronger, more effective and independent branch of government; 2) increase citizen trust in, and respect for, the judicial system by strengthening the capacity of the judiciary to operate in a more transparent, effective, and accountable manner; 3) improve functioning of the courts through the timely and effective implementation of structural changes in the judiciary and through the introduction of modern court administration practices and procedures; and 4) strengthen capacity of individuals and organizations within the judiciary to formulate and implement changes in court organization, practices and performance. The implementer of the JRIP is DPK Consulting.

The Project will support the implementation of new reforms by:

- 1) implementing changes in the structure and operations of the judiciary mandated by recent changes in legislation, including the Law on Courts, the Law on Judicial Council, the Court Book of Procedures, and other Laws or sub-regulations that may be enacted;
- 2) formulating and implementing further changes in the current framework of laws necessary to increase the independence of the judiciary and to rationalize, streamline and speed up the process of adjudicating civil and criminal cases;
- 3) increasing the capacity of the Academy for Training of Judges and Public Prosecutors to effectively provide entry-level, career and continuing legal education for both judicial and non-judicial staff in the Macedonian courts; and increase the capacity of the Academy to become technically, managerially, and financially self-sufficient.

The Project will support the improvement of court practices and material resources by:

- 1) increasing the capacity for court administration and management within the judiciary by supporting the development of the Administrative Office of the Court Budget Council into an effective, high performing body capable of overseeing the administration of the entire court system at the national level, and by strengthening court administrative and management capabilities at the appellate and basic court levels, and effectively linking together court administrators at all of these levels;
- 2) improving caseload processing and reduce backlogs by assisting in the dissemination of best practices already utilized by the courts, by supporting the development and implementation of a case management system in the courts, and by identifying and addressing additional structural and technical impediments which are hindering speedy resolution of cases;
- 3) increasing the capacity of court presidents, judges, and court staff to effectively formulate and carry out organizational and procedural reforms, improve administration and management of their courts, develop and implement better case management practices, and improve the quality of judicial decision-making; and
- 4) supporting efforts to enhance automation within the judiciary through the provision of equipment and materials where necessary to enhance efficiency and increase the ability of courts to deliver legal services.

### **Finished projects**

**Name of the project: Macedonia Court Modernization Project**

**Beneficiary: Judiciary, governmental and non-governmental institutions**

**Budget: 13,319,592 USD**

**Status: completed (27.09.2002-30.09.2007)**

Since September 2002, USAID has funded the Macedonia Court Modernization Project (MCMP) for an initial period of three years to strengthen the judiciary, one of the fundamental pillars in a society governed by the rule of law. The implementer of this five year project was DPK Consulting.

The main goals of the project were:

- To develop the Macedonian Judiciary into a stronger, more effective and independent branch of government;
- To enable the Macedonian Judiciary to resolve legal disputes in a timely, consistent and legally-correct manner, and to reduce case backlogs;
- To assist the Macedonian Judiciary to function in a more transparent, open, responsive and accountable manner and
- To help the Macedonian Judiciary develop the capacity and mechanisms for improving court organization, administration, management, training technology and performance over time to meet the needs of Macedonians for timely and consistent protection of their political and economic rights.

To meet these objectives the MCMP consisted of three components:

- **Legislative Reform:** MCMP provided legislative reform assistance to improve the overall functioning of the judiciary and the procedures under which courts operate to allow Macedonia to meet its goal of harmonization with European Union standards.
- **Court Administration and Management:** The Project introduced new and more effective administrative methodologies to improve the efficiency of the courts, help reduce case backlogs, and increase case disposition rates. The ten pilot courts that MCMP worked with showcase how courts can function with improved procedures, facilities, and integrated information technology solutions.

- **Judicial Branch Training:** MCMP provided support for the development of a comprehensive educational program for judges and court personnel, and to improve the skills of those involved in judicial branch education.

### **Project's Major Accomplishments**

**Legislative Reform:** In accordance with the Memorandum of Understanding signed with the Ministry of Justice in 2003, USAID provides support to the Ministry to realize its legislative agenda relating to the reform of the judiciary. The assistance consists of engaging international and national experts to review existing legislation and provide comments and recommendations for changes; providing comparative materials from both the U.S. and European experience; assisting with drafting text; supporting public discussions of the legislation; and supporting the implementation of the laws once passed. Since 2003, CMP has provided support for the Law on Independent Court Budget, Civil Procedure Law, Law on Enforcement, Constitutional Amendments, Law on Courts, and Law on Judicial Council.

### **Court Administration and Management:**

(1) **Establishment of an Administrative Office:** Significant technical assistance for the implementation of the Independent Court Budget Law relating to the Administrative Office of the Court Budget Council, its process, procedures, and operations for the establishment of a unified court budget system was provided by the Project. The assistance consisted of development of the organizational structure, core functions and staffing of the Administrative Office, identifying budget management capabilities, determining training needs, and provision of trainings and study tours for members of the Court Budget Council, Administrative Office, court presidents and accountants. As part of the assistance, a software application and hardware was provided to all 32 court budget users and the Administrative Office to automate the budget management system of the courts.

(2) Pilot Court Program: MCMP worked with ten pilot courts to implement various interventions designed to improve the efficiency and transparency of the courts. These are the basic courts of Struga, Ohrid, Bitola, Prilep, Gostivar, Tetovo, Skopje II, Kriva Palanka, Kocani and Stip. The major areas of cooperation with the pilot courts included:

- Reduction of case backlog: In the period of November 2003 – June 2007 the backlog of civil cases older than 3 years was reduced by 57.6% and of cases older than 1 year by 38.3% in the Project's pilot courts;
- Public Access and Public Confidence: Bi-annually MCMP and the pilot courts conduct user satisfaction surveys to identify weak areas in the performance of the courts and to work on improving services in those areas. Since October 2003 the overall satisfaction with the performance of the pilot courts has reached the level of 78%, an increase of more than 22% since the start of the project.
- Court Facility Improvements: The Project has upgraded court facilities and infrastructure of the Macedonian court system in the amount of \$2.8 million. This included court facility renovations, furnishing of intake centers, courtrooms, judges cabinets, court security equipment and IT equipment.

Judicial Branch Training: The MCMP also worked on increasing the capacity of judges and other legal professionals to more effectively perform their functions and to implement anticipated changes in the legal institutions and processes. The Project organized and supported training courses for 5,519 judges, court secretaries and other legal professionals on various topics. In addition, for the first time in Macedonia the MCMP organized trainings for court staff. The Project trained 2,916 administrative staff from all level courts on case flow management, customer service, time management, court security, and ethics.