TWINNING FINAL REPORT

(Reporting period: 20 December 2005 to 30 July 2007)

Education and Training of Prosecutors
TWINNING FINAL REPORT

European Commission

TWINNING PROJECT FINAL REPORT

- **Project title:** Education and training of Prosecutors
- **Partners:** National School for Magistrates (E.N.M.) + ACOJURIS (France)
  Judicial Training Centre (CEJ- Spain)
  Judicial Academy + General Attorney Office (Croatia)
- **Date:** 31 July 2007
## Section 1: Project Data

<table>
<thead>
<tr>
<th>Twinning contract number</th>
<th>No CR 03.04/01/01 HR 03- IB- JH- 02</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project title</td>
<td>Education and training of Prosecutors</td>
</tr>
<tr>
<td>Budget</td>
<td>1.000.000 € : 800.000 € = project implementation + 200.000 € = equipment of 2 Regional Training Centres</td>
</tr>
<tr>
<td>Twinning partners</td>
<td>France: National School for Magistrates (ENM) + Acojuris Spain: Judicial Training Centre (CEJ) Croatia: Judicial Academy + General Attorney Office</td>
</tr>
<tr>
<td>MS Project Leader</td>
<td>Ms Sylvie PETIT-LECLAIR</td>
</tr>
<tr>
<td>MS Junior Project Leader</td>
<td>Ms Elena DOMINGUEZ-PECO</td>
</tr>
<tr>
<td>MS RTA</td>
<td>Mr Michel IOGNA-PRAT</td>
</tr>
<tr>
<td>BC Project Leader</td>
<td>Ms Stefica STAZNIK</td>
</tr>
<tr>
<td>Number of reports and Steering Committee meetings</td>
<td>6</td>
</tr>
<tr>
<td>Number of reports and PIU meetings</td>
<td>13</td>
</tr>
<tr>
<td>Period covered by the report</td>
<td>20 December 2006 to 30 June 2007</td>
</tr>
<tr>
<td>Duration of the project</td>
<td>18 + 2 months</td>
</tr>
</tbody>
</table>
Section 2 : Content

2A – EXECUTIVE SUMMARY

2B – BACKGROUND

2C – IMPLEMENTATION PROCESS

2D – ACHIEVEMENT OF MANDATORY RESULTS

2E – IMPACT

2F – FOLLOW-UP AND SUSTAINABILITY

2G – CONCLUSIONS

2H – FINAL RECOMMENDATIONS

2I - ANNEXES
Through the CARDS Programme, the European Commission has launched two projects aiming at establishing the Judicial Academy as the relevant training institution for the judiciary and developing self-sustainable training delivery systems for judges and prosecutors. The CARDS 2001 project, implemented by ICON Germany, firstly established the institutional structure of the Academy and secondly developed a training methodology, named Court Integrated Training System, tested on judges.

The purpose of the CARDS 2003 project was twofold. On the one hand to reinforce the institutional structure of the Judicial Academy and to integrate the General Attorney staff into it. On the other hand to develop a self-sustainable training delivery system for prosecutors within the Judicial Academy including programme design, curricula development, training of trainers and delivery of courses, seminars, study tours.

All objectives assigned to the project were achieved. The institutional architecture of the Judicial Academy was finalised with the establishment and functioning, during the project implementation phase, of the Advisory Board and the programming Council, the General Attorney services being fully participating into these instances. A self-sustainable training delivery system for prosecutors was set out. 49 prosecutors were trained as trainers, 10 curricula including 27 training modules were developed, 10 training manuals were published and 627 prosecutors attended 36 seminars/workshops.

At the end of the project implementation, the Judicial Academy has at its disposal qualified staff for training purposes, developed curricula and training manuals but more importantly the necessary know-how to train additional trainers and develop new curricula.
(a) Starting point

Before 1999, there were no professional training institution in Croatia for judges and prosecutors and other staff of the judiciary. On 7th November 2002, the government of Croatia published an Action Plan for the reform of the judiciary having as first objective the improvement and acceleration of judicial procedures. The plan considered education of judges and prosecutors as being of utmost importance especially in a moment when a large number of new laws and regulations is being adopted to harmonize the Croatian judicial system with European legal standards. That is why the Ministry of Justice decided to restructure the existing training centre into a Judicial Academy, an institution within the Ministry with its own budget and staff. In that context, the European Commission, through the CARDS Programme for Croatia, decided to launch two projects aiming on the one hand to assist the Academy in institution building and on the other to set up self-sustainable delivery training systems for judges and prosecutors. The 2001 CARDS project on “reform of the judiciary and support to the Judicial Academy of Croatia”, implemented by ICON Germany, was more specifically dedicated on the Judicial Academy institution building process and to the training of judges. The project was implemented from February 2004 till October 2005.

The project team deployed all the necessary efforts to build the institutional structure of the Judicial Academy but failed due to a lack of willingness to decide from the Minister of Justice. The outcome of the project was the establishment within the Academy of a working structure and a concept of Court Integrated Training System. It is a decentralised system based on the Judicial Academy as its focal point and a network of regional training centres affiliated to County Courts. During the project implementation phase two regional training centres were established in Zagreb and Rijeka.

Within this system the project proposed that tasks and functions should be distributed as follows:

- The Judicial Academy has the coordinating and supervisory role, designs programmes and curricula, is responsible for the development of training modules; prepares the tutors (training of trainers).
- Regional Training Centres identify tutors among judges and prosecutors from the respective region and organise the training to be delivered by tutors in workshops for no more than 15 to 20 participants.
- Members of law faculties and/or other qualified legal experts in close cooperation with practitioners (judges, prosecutors) design, on behalf of the Judicial Academy, training modules and elaborate for each module a package of training material to be used by the tutors in the Regional Training Centres.

This decentralised system was supposed to be cost effective, to better take into account training needs of the different regions, and to ensure a larger participation of professionals (judges and prosecutors) to the seminars.

The project team was not able to solve the relationship between the regional training centres and the Judicial Academy through a regulation. In the practice, the tutors
continue to be selected and trained by the Judicial Academy, the regional training centres being only places for training delivery without any income on the content and organisation of the training workshops. It should be noted that the regional training centres are under the supervision of a judge designated by the President of the regional Court but as to date the Judicial Academy has not been in a position to recruit administrative staff members for the existing centres.

The present CARDS project was conceived as a continuation of the previous one. Accordingly, it was assigned the task to complete the Judicial Academy institution building process aiming at integrating the prosecution service and to establish a self sustainable training system for prosecutors, based on the court integrated training system.

However it should be noted that the 2001 CARDS was a technical assistance project while the 2003 CARDS was a twinning project. In the later the beneficiary country was supposed to be more closely associated to the project implementation and to provide resources to this end, especially in term of legal expertise.

(b) Objectives

Taking into account the results of the CARDS 2001 project, the present project was assigned the following objectives:

- **Overall objective**: to improve the level of competence of the Ministry of Justice staff, judges, prosecutors and other Court personnel.
- **Specific objectives**: (a) to support the integration of the project within the current institutional structure of the Judicial Academy and its regional centres, strengthening the managerial capacities of the General Attorney Office representative and administrative staff; (b) to develop a self-sustainable training delivery system for prosecutors including programme design, curricula development, ToT and carry out training courses, workshops, seminars and study visits.
A. Developments outside the project

(1) Key developments in the relevant policy area during the project implementation

(a) During the project implementation process the law on the Prosecutors (No NN 20/2007 of 21 January 2007) was amended. The amendments adopted by the Parliament contain regulations about prosecutor education and establish the framework about training.

Article 30 (a) creates an internal audit section within the General Attorney Office being responsible, inter alia, for in service training of prosecutors. This section is supposed to link with the Judicial Academy for training programming and implementation.

Article 65, dealing more specifically with evaluation in the section related to appointment and termination of office, foresees that prosecutors will also been evaluated according to their “capacity and willingness to acquire new professional skills, their active and successful participation in in-service training programmes and the publication of scientific or practical articles as well as their participation in scientific or technical seminars”.

Article 77 establishes the rules regarding attendance of training workshops for prosecutors at the municipal and regional levels. The three basic rules are as follows: “1. Municipal and Regional Prosecutors as well as their deputies must attend in service training seminars and to attend training workshops organised by the Judicial Academy. They may attend other training events.

2. Deputy prosecutors must accept to participate as trainers or as trainees in programmes organised by the Judicial Academy.

3. The Minister of Justice, with the opinion of the General Attorney, may establish a regulation making compulsory for Deputy prosecutors to attend in-service training programmes organised by the Judicial Academy and defining their format, training methods as well as the evaluation system.”

There is now within the Prosecution service a well established training framework. Participation for in-service training remains optional but may be used as an incentive as it will be taken into account in the prosecutor evaluation and career development process, among others for promotion.

It also establishes that education is principally organised by the Judicial Academy being then considered as the primary training education institution for prosecutors.

(b) The establishment of the various elements of the Judicial Academy was one of the objectives of the previous 2001 CARDS project “Reform of the judiciary – Support to the Judicial Academy of Croatia”. The Advisory Board as well as the legal status of the Regional Training Centres were supposed to be completed at the end of the project in October 2005. Consequently the 2003 CARDS project “Education and
training of prosecutors” was supposed to include the General Attorney Office in that architecture in establishing an institutional link with the Judicial Academy. When the project started in January 2006, the objective assigned to the previous CARDS project was not achieved and consequently the institutional building component of the project had to be reoriented in order to take into account the need to establish the Advisory Board as well as to precise the relationship between the Judicial Academy and the Regional Training Centres. E.U. experts assigned to this task suggested ways to establish an Advisory Board and a Programming Committee and insisted on a clarification concerning the relationship between the Judicial Academy and the Regional Training Centres.

In the course of the project the Minister of Justice adopted three by-laws:
- On the Advisory Board of the Judicial Academy (28/11/2006)
- On the Programming Committee of the Judicial Academy (1/3/2007)
- On the Regional Training Centres of the Judicial Academy (20/04/2006)
(See texts as annex No 2 to 4)

At the end of the project the Judicial Academy institution building process was completed and the various entities are operational. The Judicial Academy has now a strong link with the General Attorney Office at three levels, through the Advisory Board, the Programming Committee and with a staff member being employed in one of the departments, and has then the capacity to develop a long and short term in-service training strategy for judges and prosecutors.

(2) External problems which were threatening the project

Within the 2001 CARDS project, the Judicial Academy organisational structure was established and approved consisting of three main sectors:
- The office of the Director,
- The Research and development sector,
- The Implementation sector.
(See regulation of the government of Croatia No NN 187/04 as annex No 5)

At the end of the project in October 2005, the Judicial Academy staff consisted of 12 employees, 3 in the Director’s office, 3 in the research and development sector and 6 in the implementation sector. Out of the 12 employees, 4 were on temporary contract (apprentice or temporary service agreement).

As of July 2007, the J.A. staff consists of 16 employees, 3 in the Director’s office, 4 in the research and development sector and 9 in the implementation sector. Out of the 16 employees, 7 are on temporary contract (3 apprentices and 4 temporary service agreement) It should also be noted that, within the period October 2005 – July 2007, 5 employees were replaced, mainly employees on temporary service contracts. The Deputy Director/Head of the research and development sector resigned in December 2006 and has not yet been replaced.

The following problems should been highlighted:
- The recourse to temporary service agreement to employ staff members imply a quick turn over being detrimental to the functioning of the Judicial Academy. After having been trained and while being operational, staff members under temporary service agreement have to leave as contracts can not be renewed according to law.
• All departments in the two main sectors were never filled with the appropriate number of staff members.
• After more than six months the position of Head of research and development sector has not been filled, following the resignation of the incumbent in December 2006.

Consequently, the Judicial Academy is in a difficult position not only to develop the number of training activities expected by the members of the judiciary but also to maintain an acceptable level of regular activities due to the lack of staff. For the first semester of 2007, most of the employees were involved in activities organised in the framework of the present CARDS project but nevertheless the Judicial Academy has been able to set up other activities of a more limited scope as it would have been possible in a normal situation.

In addition to the lack of staff members, the Judicial Academy is also confronted to a lack of financial resources. With the exception of the part of the budget dedicated to the payment of rent to the owner (Inzenjerski biro) which has increased with the rent of new premises in 2006, the budget did not increase and to some extent diminished as it can be seen in the chart below.

<table>
<thead>
<tr>
<th></th>
<th>2006</th>
<th>2007</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Rent of premises</td>
<td>Salaries</td>
<td>Budget for activities</td>
</tr>
<tr>
<td>2006</td>
<td>900,000,00 HRK</td>
<td>331,000,00 HRK</td>
<td>1,979,000,00 HRK</td>
</tr>
<tr>
<td></td>
<td>121,622 €</td>
<td>44,730 €</td>
<td>267,432 €</td>
</tr>
<tr>
<td>2007</td>
<td>1,200,000,00 HRK</td>
<td>288,888,00 HRK</td>
<td>1,622,000,00 HRK</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>219,189 €</td>
</tr>
</tbody>
</table>

(Salaries only relate to staff members recruited under Temporary Service Agreement 5 in 2006 and 4 in 2007. Permanent staff members are covered either by the budget of the Ministry of Justice or budget of Courts or Prosecutor offices. Budget for activities covers all the functioning costs of the Judicial Academy.)

B. Project developments

(a) Institutional reinforcement of the Judicial Academy

As stated above, the institutional reinforcement of the Judicial Academy was completed in the course of the project with the establishment of the Advisory Board and the Programming Committee. The status of the 4 Regional Training Centres was also completed through a by-law. (See developments infra)

(b) Establishment of an in-service training system for prosecutors

As foreseen in the work plan, all the components of the project were implemented successfully:
• A training Need Analysis was conducted at the initial phase of the project to gather the training expectations of the prosecutors. Based on this analysis,
9 subjects were selected for curricula development. *(See outcome of the TNA as annex No 6)*

- 49 prosecutors were selected as trainers and underwent a training of trainers for a period of 5 days 
  \((3 + 2)\) *(See list of trainers as annex No 6)*
- 9 curricula and 27 training modules were developed according to the subjects selected and 10 teaching kits were published, 9 on the developed curricula and training modules and 1 on training of trainers.
- 36 seminars were organised moderated by Croatian trainers and 627 prosecutors attended these seminars.

**Problems encountered**

At the request of the General Attorney Office and the Judicial Academy, the project team was requested to change the implementation order of the activities, starting first with the training of trainers instead of the development of curricula and the preparation of teaching material. This change implied some difficulties in mobilizing E.U. experts as their schedule had to be changed. The project team had to identify new experts on due time.

The time frame for some activities had to be changed, e.g. for the training of trainers. 5 seminars of 5 days each were foreseen in the work plan. As it was difficult to mobilise the selected Croatian trainers for 5 days it was then necessary to multiply the number of seminars and to organise 5 sessions of 3 days from March to May 2006 and 5 sessions of 2 days in November 2006.

Similarly the number of participants to the seminars (ToT) was not stable for the entire session as some of them, especially from small Prosecution offices were not able to be free for three consecutive days. This situation made difficult the work of the E.U. experts who had to adapt.

Notwithstanding these problems the project implementation was smooth and proved to be finally successful.

**C. Project visibility**

The project has taken care of the following visibility guidelines. The E.U. logo was prominently displayed on all official reports and project documents as well as on all public relation tools, like press releases and business cards.

The project has organised 4 visibility events:

- A kick off meeting (30/03/2006) to introduce the project objectives to the prosecutors, to the judiciary at large and to the press.
- A round table on “*the European Convention on Human Rights and its impact on the daily work of prosecutors and judges*”, held on 18/09/2006 in Zagreb. The purpose of the round table was to increase awareness among professionals of the judiciary about the importance of the Convention being directly applicable internally and which should influence their practice. E.U experts participated in the round table which was covered by the press.
- A round table on “*Appointment to, promotion, training, discipline and responsibility, termination of office*”, held on 16 May 2007 in Karlovac. The
The purpose of the round table was to open a debate between professionals on key questions linked to the independence of the judiciary and to provide information on the existing situation in E.U. Member States. A comparative analysis of existing High Judicial Councils in Europe published by the French High Judicial Council was made available for participants and distributed at large as well as papers on the situation in Croatia. E.U. experts participated in the round table which was covered by the press.

- A closing ceremony was organised on 5 July 2007 to present the project results. A Cooperation agreement was signed between the Judicial Academy and the Spanish Centre for Judicial Studies. A similar agreement was signed on 13 July 2007 between the Judicial Academy and the French National School for Magistrates.

The project has published 2 leaflets in English and Croatian, one at the occasion of the kick off meeting to introduce the objectives of the project and one at the occasion of the closing ceremony to present the results of the project. At the occasion of the second round table, a CD Rom has been produced with the papers submitted during the round table as well as documents on the subject. All teaching manuals prepared in the course of the project were also made available to the members of the judiciary during the second round table and the closing ceremony. The Judicial Academy has prepared, with the support of the Ministry of Justice spoke person, press releases for the four events.

Press coverage was rather poor for the kick off meeting and the first round table. On the contrary, press coverage was satisfactory for the second round table and the closing ceremony. The outcome of the first round table was rather unsatisfactory due to some factors: the number of prosecutors attending the round table was too low, one of the speakers did not attend due to unexpected professional commitment. Similarly, the General Attorney did not attend. The EC Delegation and the project team as a failure considered this event.

On the contrary, the second round table was successful, 62 participants attended it and the discussion was lively making obvious that the issues discussed were of key interest for members of the judiciary. Participants (See conclusions as annex No 8) adopted conclusions.

<table>
<thead>
<tr>
<th>2D - ACHIEVEMENT OF MANDATORY RESULTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>The agreed work plan contained two mandatory results which were achieved during the project implementation phase.</td>
</tr>
</tbody>
</table>

(a) Institution building:
At the end of the project, the General Attorney’s Office representative and administrative staff should be fully integrated into the Judicial Academy and fully operational.

The General Attorney is now part of the Judicial Academy by being represented into its main instances, the Advisory Board and the Programming Council. In addition, he is represented on a day to day basis by a prosecutor having been seconded from the
Zagreb County Prosecutor Office to be head of the sector for research and development.

On December 2006, the Ministry of Justice established officially the Judicial Academy Advisory Board consisting of:

- The President of the Supreme Court, chairperson,
- The General attorney, vice chairperson,
- The President of the High Council for judges,
- The President of the High Council for Prosecutors,
- The President of the Parliament Judicial Committee,
- The representative of the Judicial Academy.

The role and competences of the board are as follows:

- Approves the in-service strategy of the Judicial Academy,
- Adopts the three year working plan and the annual programme,
- Evaluates plan and programme implemented in the preceding period,
- Provides recommendations for further institutional developments of the Judicial Academy,
- Provides opinions on the acts related to the Judicial Academy,
- Provides opinions on the programming organs of the Academy.

In addition to the Board a Programming Committee has been established consisting of 10 judges (including 1 judge from the Administrative Court, 1 from the High Misdemeanour Court and 1 from the High Commercial Court) and 7 prosecutors, the Deputy President of the Supreme Court being the chairperson and one Deputy General Attorney being the vice chairperson (see organisational chart of the Judicial Academy infra). The Secretariat of the Programming Council being entrusted to the Head of Research and development Sector of the Judicial Academy. Pending his replacement the position is filled by a junior assistant of the relevant sector. The role and competences of the Programming Committee consist in preparing the three year working plan, the annual training programmes for judges and prosecutors to be submitted to the Advisory Board and to launch regular training need analysis aiming at adjusting plan and programmes.

In January 2006, a prosecutor was seconded from the Zagreb County Prosecutor Office to the Judicial Academy as head of department for research and development (see organization chart) with the responsibility to implement the present CARDS project on behalf of the General Attorney Office and to supervise further training programmes for prosecutors. The present incumbent, Ms Dubravka Turkalj-Dragosavac played a very active and important role in implementing the project by ensuring an active participation of prosecutors. She has established a strong coordination link between the General Attorney Office and regional and municipal offices.

With these developments, the General Attorney participation in the various instances of the Judicial Academy, policy and working levels, is fully operational and therefore guarantees that prosecutor training needs will be taken into account and satisfied.
<table>
<thead>
<tr>
<th>Director's cabinet</th>
<th>Function</th>
<th>Name of incumbent</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Director</td>
<td>Ms Stefica Staznik</td>
</tr>
<tr>
<td></td>
<td>Head of director’s cabinet</td>
<td>Ms Nella Popovic</td>
</tr>
<tr>
<td></td>
<td>Secretary</td>
<td>Ms Ruzica Mestrovic</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sector for research and development</th>
<th>Function</th>
<th>Name of incumbent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Head of sector</td>
<td>Vacant</td>
<td></td>
</tr>
<tr>
<td>Head of department (prosecutors)</td>
<td>Ms Dubravka Turkalj-</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Dragosavac</td>
<td></td>
</tr>
<tr>
<td>Head of department (apprentices)</td>
<td>Ms Iris Govic</td>
<td></td>
</tr>
<tr>
<td>Junior Assistant</td>
<td>Ms Natasa Belamaric</td>
<td></td>
</tr>
<tr>
<td>Apprentice</td>
<td>Ms Anela Bubalovic</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sector for implementation</th>
<th>Function</th>
<th>Name of incumbent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Head of sector</td>
<td>Ms Maja Fuchs</td>
<td></td>
</tr>
<tr>
<td>Head of department (training)</td>
<td>Ms Visnja Marinovic</td>
<td></td>
</tr>
<tr>
<td>Junior Assistant</td>
<td>Mr Sandi Valentinc</td>
<td></td>
</tr>
<tr>
<td>Apprentice</td>
<td>Ms Ines Babaja</td>
<td></td>
</tr>
<tr>
<td>Apprentice</td>
<td>Mr Slobodan Calic</td>
<td></td>
</tr>
<tr>
<td>Temporary service Agreement</td>
<td>Mr Sasa Les</td>
<td></td>
</tr>
<tr>
<td>Temporary Service Agreement</td>
<td>Ms Mirna Vuk</td>
<td></td>
</tr>
<tr>
<td>Temporary Service Agreement</td>
<td>Ms Ivana Djumovic</td>
<td></td>
</tr>
<tr>
<td>Temporary Service Agreement</td>
<td>Ms Ana Dezmar</td>
<td></td>
</tr>
</tbody>
</table>

| Number of employees | 16                          |

It should be noted that out of the 16 staff employed by the Judicial Academy, 8 are not permanent staff members, 4 being on temporary service agreement 4 being apprentices.
(b) Training of prosecutors:

The project aimed at developing and implementing a self-sustainable training delivery system for prosecutors resulting in an increased level of competency/capacity of prosecutors.

This phase of the project was developed at four different levels:

- Training need analysis (TNA) to identify topics of concern to prosecutors,
- Selection of trainers and training of trainers,
- Development of curricula according to results of training need analysis and preparation of training manuals,
- Delivery of courses by trainers, based on curricula developed.

The TNA was launched during the inception period of the project and allowed to identify 8 topics prosecutors wanted to be developed into curricula:

- Human rights,
- Introduction to E.U. law,
- Mutual assistance in Europe on criminal matters,
- Mutual assistance in Europe on civil and commercial matters,
- Ethics and deontology,
- Management issues,
- Enforcement of property rights,
- Fight against organised crime.

In addition to these subjects, the project team was asked by the General Attorney Office to add a curriculum on the fight against terrorism.

Then 49 prosecutors were selected within the 4 regional training Centres (Zagreb, Rijeka, Osijek and Split) by the General Attorney to become trainers. They all attended train the trainers seminars organised at the regional level from March to May 2006 and November 2006.

From June to November 2006, E.U. and Croatian experts met in order to develop the agreed curricula and prepare the teaching material. Out of the 9 subjects, 27 training modules were developed and 10 teaching manuals printed. The 27 training modules were conceived to be available in different versions (one-day – one day and a half – 2-day seminars).

Finally, the Croatian trainers have led workshops organised in the four Regional Training Centres and based on the curricula developed. 36 seminars were organised in the first semester of 2007 and 627 prosecutors were trained accordingly.

The Judicial Academy has now at its disposal the appropriate methodology to develop training curricula and teaching manuals as well as qualified staff members and trainers to implement training programmes.

2E – IMPACT

The impact of the project can be seen at three different levels:

- Firstly, the project contributed in inserting the Judicial Academy in the European Judicial Training Network (EJTN) based in Brussels and gathering
all the European training institutions. Through the good offices of the project team the director of the Judicial Academy was invited in October 2006 at the EJTN General Assembly in Helsinki (Finland). Further to this meeting the Judicial Academy submitted its application for being admitted as observer. The Judicial Academy has now the observer status within the network, participates in all meetings and is able to benefit of all the network activities. By being an observer in the network the Judicial Academy has the capacity and the means to develop links and activities with similar institutions in Europe. Similarly, the Judicial Academy has signed two specific cooperation agreements with the French National School for Magistrates and the Spanish Centre for Judicial Studies which should allow in the near future joint training activities.

- Secondly, the project contributed in finalizing the institutional structure of the Judicial Academy by stressing the need for the establishment of an Advisory Board and a Programming Committee. These two entities were established through by-laws from the Minister of Justice and are now fully operational. It should also be highlighted that through the project, the General attorney Office has been fully inserted into the Judicial Academy structure (Advisory Board + Programming Committee + Research and development department).

- Thirdly, the project contributed to further develop training skills within the Judicial Academy. The prosecutor seconded to the Judicial Academy from the Zagreb Regional Prosecutor Office has been able to acquire, during the project implementation, the appropriate skills to develop training programmes, curricula, teaching manuals and is now fully operational. The incumbent has shown a strong interest in training activities which should be fruitful for the future. Similarly, a group of 46 prosecutors were trained as trainers during the project implementation, have shown a strong interest in training activities and proved to have the required capacities to implement in the future training programmes. Some of them were very active in the development of curricula and the preparation of teaching material. It should also be noted that during the last phase of the project, trainees proved to be very interested by the training programmes developed and have shown a strong willingness to participate in further training activities. The project also developed curricula and teaching material which could continue to be used by the Academy for future training activities.

2F - FOLLOW-UP AND SUSTAINABILITY

(a) The institutional structure of the Judicial Academy has been completed through the project and is now operational. The Advisory Board has already met several times and adopted a set of recommendations. It should now design the Judicial Academy policy and establish
training priorities on long and mid term. It should take the lead on all issues related to the training of the judiciary (judges, prosecutors, apprentices and other court staff) and adopt a pro-active attitude in the functioning of the Judicial Academy. The Advisory Board should be perceived as being the leading force. One of the main objectives of the Advisory Board in a near future should be to prepare a legal status of the Judicial Academy aiming at defining its role and competences as the only training institution for the judiciary. A single legal document related to the Judicial Academy should be adopted compiling and completing the four ones. Actually, regulation NN/87/04 establishing the Judicial Academy as a department of the Ministry of Justice only describes the structure of the institution and enumerates its areas of competence. A more detailed legal document should go in-depth into the functioning of the Judicial Academy. It should aim at defining and positioning the academy vis a vis the Supreme Court and the General Attorney Office as it relates to education of the members of the judiciary. It should also describe the relationship, role and competences of the Judicial Academy various organs. This document should also formulate a clear long-term policy of secondment from Courts and Prosecutor Offices to the Judicial Academy to fill positions in its various departments. A complete set of post descriptions should be established to assign areas of competence of staff members, describe lines of responsibility and authority, and create an adequate interactivity between the various departments.

(b) The results of the project should be further developed. Trainers should undergo additional training of trainers to ensure they acquire the most appropriate training methods. The Training of trainers workshops organised through the project should be considered as the basis and selected trainers as well as newly recruited ones should undergo additional training of trainers to complete their education and ensure they have acquired all the necessary skills. In the course of the implementation project, especially during the last phase “delivery of courses”, it was obvious that some trainers need to get more used with modern interactive training methods and to be familiarized with the use of technical equipment (e.g. power point presentation, use of stickers in the initial phase of seminars…). Similarly curricula developed should be up-dated as some subjects are in constant evolution (e.g. mutual assistance in Europe on criminal matters, mutual assistance in Europe on civil and commercial matters, human rights in line with the jurisprudence of the European Court on Human Rights.). Accordingly, the teaching manuals developed in the course of the project should be up-dated.

(c) As it relates to the Judicial Academy, the position of the head of department (prosecutors) should be clarified in terms of competences and responsibilities. His/her position towards the section in the General Attorney Office dealing with education as well as municipal and regional prosecutor offices should be defined more clearly. The incumbent should be given a clear responsibility concerning training issues for prosecutors. A well defined and clear post description should be elaborated.

As sustainability is concerned, further developments and results will depend on the means to be provided to the Judicial Staff in terms of staff and budget. In the present situation with a limited number of staff, especially with a too high ratio of non permanent staff members, the Judicial Academy is not in a position to develop to the expected level. There is a risk in the near future that the existing resources will be mobilized for the implementation of new projects (e.g. PHARE 2005 Education of
apprentices) and will not be in a position to update and develop as expected the outcomes of the two CARDS projects. Similarly, to allow the Judicial Academy to grow-up to the expected level and to develop on a regular basis training activities its budget should be significantly increased.

As it relates to the regional training centres there is still need for improvement. If they have been officially established through a by-law of the Minister of Justice, their role and competences are still unclear. Are they recognized a certain level of autonomy as it was foreseen within the conclusions of the 2001 CARDS project or do they act as external sectors of the Judicial Academy without any degree of autonomy? This issue should be solved with the adoption of a legal status of the Judicial Academy where the role and competences of the regional training centres will be addressed. Similarly, if it is expected to get the regional training centres working properly, there is a need to recruit administrative staff to administer them. For the time being they consist of rooms made available for training activities but not existing as lively training centres. The question of their location should also be highlighted. The regional training centre in Rijeka is located in the premises of the County Court which is also used for other purposes. In Zagreb there is no specific room, the press centre being used for training activities. The training centre in Split is under refurbishment and should be operational in 2008. For the time being training activities are organised in the premises of the municipal Court in Solin which can not be considered as a regional training centre as such, equipment allocated by the European Union through the project being still in a store room in Split. Only the training centre in Osijek, located in the premises of the County Court is fully operational.

2G - CONCLUSIONS

Overall assessment of the project implementation

From the early beginning of the project implementation, the project team received full support from the Judicial Academy. Adequate premises as well as the necessary equipment (computers, telephone lines, fax) were available upon arrival.

It took some time for the staff of the Judicial Academy to adjust, as it was the first twinning project it had to implement. Contrary to the previous CARDS project (technical assistance) having at its disposal a larger staff, the present project consisting of the Resident Twinning Adviser and his assistant had to rely on the various Academy departments for implementation. It was then necessary to make clear to what extent the Judicial Academy various departments should be involved into the practical project implementation. For example it appeared rapidly that the head of department (prosecutors) requested to take part in the academy regular activities could not devote sufficient time to the implementation project. Consequently it was decided that she should be involved full time in it with one assistant. This decision proved at a later stage to be a key factor for the success of the project implementation. Similarly a discussion took place on the order of implementation of the project components. The General Attorney Office and the Judicial Academy suggested starting with the training of trainers instead of the development of curricula and preparation of teaching material. Notwithstanding the difficulties resulting from this modification of the work plan, the French National School for Magistrates and the
Spanish Centre for Judicial Studies were in a position to mobilize timely the experts on due time.

It should be noted that the General Attorney Office encountered some difficulty in appreciating the level of availability of prosecutors to participate into the various project activities (training of trainer workshops, preparation of curricula and teaching material). Consequently, some participants could not attend the entire seminars/workshops due to other professional commitments. E.U. expert had then to adjust to ensure proper and adequate training sequences.

It should be highlighted that the participation of the prosecutors in the various phases of the project implementation was exceptional. Firstly, some of the prosecutors selected as trainers were invited to participate to the discussions with E.U and Croatian experts on the development of curricula and preparation of teaching material. The purpose of such participation was to ensure that the curriculum and teaching material prepared would meet prosecutor expectations. They were very active in that phase and their contributions proved to be a key element in the quality of the documents prepared and in the success of the project. Secondly, when the content of the modules and teaching material were finalized by the E.U and Croatian experts, they participated into discussions on the way to develop these modules into courses to be delivered (preparation of sequences of the courses, preparation of power point presentations). Thirdly, they delivered the courses with a high sense of professionalism, devoting some time in preparing their presentations and the pedagogic methods to be used. Some of them proved to have appropriate teaching skills and even to have the capacity to deliver training of trainers at a later stage.

It should also be noted that E.U. and Croatian experts involved in the various phases of the project have produced high quality documents. Some of the training modules as well as teaching material are exceptional (e.g. Human rights, mutual assistance in Europe on criminal matters, mutual assistance in Europe on civil and commercial matters). The Judicial Academy has at its disposal excellent working tools that should be used for the future with the necessary up dating.

**Conclusion**

The project implementation has been successful thanks to the support of all the parties involved. The concerned sectors of the Judicial Academy (research and development + implementation) were very active and supportive. The Head of research department (prosecutors) and the Head of the implementation sector took the lead in the implementation of the last phase of the project and made it successful. The implementation sector provided timely all the necessary support for the organisation of seminars, media/visibility events in a smooth and very professional way notwithstanding the difficulties due to the lack of staff.

It should be noted that the Judicial Academy and the trainers appropriated themselves the last phase of the project, deployed many efforts to organise the delivery of courses and made it very successful. They have demonstrated their capacity to plan, prepare, organise, and deliver training activities. With some adjustments, they have now the full capacity to act on their own.

The representative of the General Attorney Office was also very supportive providing on due time the proper information and opinions to facilitate the project implementation. The E.C delegation task manager (JHA) was also extremely supportive and provided to the Judicial Academy and the project team the necessary guidance to implement properly and timely the various phases of the project.
The final recommendations will be listed according to the various components of the project.

(a) Institutional reinforcement of the Judicial Academy

- The architecture of the Judicial Academy, with the establishment of the Advisory Board and the Programming Committee, was completed. However some important issues remain pending. Firstly there is an urgent need to clarify the legal status of the Judicial Academy as the main training institution for the judiciary. According to the laws on judges and prosecutors, the responsibility for training belongs to the President of the Supreme Court and the General Attorney and the Regional Training Centres. The purpose of such status would be to clearly define the area of competence of the Judicial Academy in that context. It should also facilitate its tasks in preparing the in-service training strategy, the three year working programme as well as the annual working programme. It will also facilitate the evaluation of financial resources and staff members needed by the academy to achieve its objectives.

- 5 Regional Training Centres were established through a by-law of the government of the Republic of Croatia. The role and competences of RTCs are defined but have not been implemented so far due mainly to the lack of staff to administer the regional centres. Consequently some activities are not implemented (administration of the library, up-dating data bank, taking care of technical and logistical aspects of training activities, implementation and follow-up of training activities) which then constitute an additional burden for the limited staff of the Judicial Academy. Members of the judiciary, mainly judges at the level of the County Courts, were appointed by County Courts Presidents as responsible of the regional training centres. But so far their responsibilities are not clearly defined. For example it is essential to define how they should assess training need analysis in their respective region, evaluate the financial resources needed for implementing the activities in a given field, specific to the region. As suggested by the previous CARDS project it is necessary either to adopt amendments to the above mentioned by-law to clarify this issue or a memorandum of understanding to be signed by the Judicial Academy and concerned County Courts Presidents.

- Proper and adequate premises should be allocated to the Regional Training Centres in Zagreb and Split. If the lack of proper premises did not prevent the Judicial Academy to organise training activities in these two regions, the present situation prevents any development of the regional centres as expected with a library and the adequate equipment for training activities.

(b) Training Need Analysis
Two training need analysis were conducted in the course of the 2001 and 2003 CARDS projects with the same methodology. Staff members from the Judicial Academy were closely associated to them (preparation and dissemination of questionnaires, analysis of answers, preparation of reports). The Judicial Academy has the proper know how to prepare, disseminate and analyse new questionnaires. But so far there is no new TNA for judges and under preparation. This is an essential tool to be able to design a short, mid and long term training strategy as well as to prepare adequate in-service annual training programmes meeting the interest of professionals concerned. Therefore it is absolutely essential for the Judicial Academy to launch as shortly as possible a TNA for judges and prosecutors. Such TNA should be conducted on an annual basis.

(c) Training of trainers

- 49 prosecutors were trained as trainers and 30 of them acted as trainers in the course of the last phase of the project (delivery of courses). The education provided to them through the training of trainers workshops should be considered as a minimum due the length of time devoted to this activity (5 days). It is therefore highly recommended to complete their education in modern and inter-active training methods and to repeat it on a regular basis, once a year, to ensure they maintain the level of competence required and acquire new skills.
- Some of the selected trainers proved to be particularly qualified for this position. They should then be provided the necessary skills to conduct under the auspices of the Judicial Academy training of trainer workshops.
- It is also essential to identify new candidates to be train as trainers. Out of the 49 prosecutors already trained it is obvious that in a near future some of them will have to be replaced as they will not be interested any more or will be out of office. In doing so the Judicial Academy will maintain the adequate number of trainers to implement a normal flow of training activities.
- The teaching kit published on the training of trainers and available in Croatian language should be developed, up-dated on a regular basis and include developments/examples specific to the Croatian judiciary.

(d) Development of curricula and preparation of teaching material

- Through the project 9 curricula and 27 training modules were prepared and 9 teaching kits were published accordingly. The Judicial Academy has at its disposal training tools of high quality. Some of the subjects are constantly evolving for various reasons, especially mutual assistance in Europe on civil and commercial matters due to further discussions between E.U. Member States, mutual assistance in Europe on criminal matters, human rights due to the development of the ECHR jurisprudence. Consequently it is essential for the research and development department of the Judicial Academy to constantly up-date these curricula and manuals. Otherwise, the outcome of the project would be ruined and the utility of the prepared curricula and manuals would be wasted.
- The content of some curricula and teaching manuals largely refers to E.U. Member States practice (e.g. ethics and deontology). It is suggested that the
research and development department of the Judicial Academy should up-
date these documents and insert more references and examples from the
Croatian practice (e.g. from the practice of the High Judicial Councils for
judges and prosecutors).

(e) Delivery of courses

- The annual programme of training activities should be prepared enough in
advance and be made available to judges and prosecutors at the latest during
the last term of each year. Proposed activities should be presented as a
catalogue (paper and electronic form) with a proper description of each
proposed training activity (content of the seminar, name and quality of trainers,
time frame, place and date of the seminar). A form, to be forwarded to the
appropriate RTC or returned to the Judicial Academy, should be inserted
allowing interested judges and prosecutors to express their interest and to
register for specific training activities. By planning training activities quite in
advance will allow professionals interested in participating to include these
training activities into their own work schedules.
- Being registered for training activities, judges and prosecutors should be
bound to attend the entire seminar. Partial attendance should lead to the no
delivery of certificate and repeated absences should disqualify the concerned
judges or prosecutors in participating in further training activities.
- The size of the training centres should be taken into account to decide on the
number of participants. The training centre in Rijeka fits for around 10 to 12
participants if working groups are planned in the course of the seminar.
Training centre in Osijek fits for a number of participants limited to 15 for the
same reason.

(f) Management issues

- The lack of permanent staff in the Judicial Academy constitutes an
impediment for its further development. As stated by the previous CARDS
project, 18 permanent staff members (either under permanent contract with
the Ministry of Justice or seconded by Courts or Prosecution offices) are
needed to fill all the positions and to implement the training activities.
Consequently this issue should be taken into account very seriously by the
Ministry of Justice, particularly in view of the adhesion process where the
reform of justice is considered as a key issue. It could be understood that the
financial resources of the Ministry of Justice are not unlimited. Accordingly
financial resources allocated to the Judicial Academy should be reconsidered.
The amount devoted to the rent should be reduced and less costly premises
should be found and the difference allocated to the recruitment of permanent
staff or increasing of activities. The recruitment of permanent staff members
will also limit the existing turn over being detrimental to the sustainability of
projects already implemented. Some of the staff members having been trained
through the previous 2001 CARDS project or the British project “Capacity
building support to the Judicial Academy” are no longer on board and
consequently the investment is wasted.
- The previous CARDS project as well as peer review reports highlighted that in
the present situation the Director of the Judicial Academy, while being a hard
worker, full of energy and dedicated to her job, should not occupy at the same time two full time jobs. It was suggested that the present incumbent should be offered the choice between the two positions. This issue remains pending. It is essential to solve it, particularly in a situation where the position of deputy director of the Judicial Academy is vacant for more than six months. The position of Head of the research and development sector of the Judicial Academy should be filled urgently to relieve the director of day to day activities, pending a decision on the director’s position.

- All positions foreseen in the various sectors and departments of the Judicial Academy should be supported by job descriptions highlighting in a clear and detailed way tasks and responsibilities of each staff member as well as the education and working experience required to fill the position. It should also highlight the hierarchical line.

- As it relates to human resources, the Judicial Academy should adopt modern human resources management methods and promote teamwork. Job descriptions should be designed accordingly. Concerning more specifically judges or prosecutors seconded to the Judicial Academy, it is essential to find ways to maximise their knowledge and experience acquired in previous judicial activities, to give them independence to develop training programmes and activities according to their experience and not to insert them artificially into an administrative and hierarchical structure.

- Concerning more precisely the position of head of research and development department (prosecutors), it is essential that the present incumbent, Ms D. Turkalj-Dragosavac, should continue to occupy her position within the Judicial Academy in order to benefit of the experience acquired while implementing the present project and to facilitate the further development of training activities. It is essential for the sustainability of the project. A comprehensive job description should be established for this position including the coordinating role to be played by the incumbent between the Judicial Academy, the General Attorney Office and regional and municipal prosecutor offices. By acting as coordinator, the incumbent should have the possibility to liaise directly with prosecutor offices in the entire country and inform the section dealing with training within the General Attorney Office and the High Judicial Councils for judges and prosecutors. This working method was used during the project implementation and proved to be extremely useful.
List of annexes

- 1. Overview of mandatory results achieved
- 2. Amendments on the law on prosecutors
- 3. By-laws establishing the Judicial Academy Advisory Board and Programming Committee
- 4. By-law on the Judicial Academy Regional Training Centres
- 5. Regulation NN 187/04 on the establishment of the Judicial Academy
- 6. List of prosecutors selected as trainers
- 7. Outcome of the Training Need Analysis
- 8. Conclusions of the 2nd round table
- 9. Project Monitoring Sheet
# Annex 1

## Overview of mandatory results achieved

<table>
<thead>
<tr>
<th>Component</th>
<th>Activity</th>
<th>Expected mandatory results</th>
<th>Deadline</th>
<th>Delay (+/- months)</th>
<th>Expected benchmark</th>
<th>Self-assessment *</th>
</tr>
</thead>
<tbody>
<tr>
<td>Training needs analysis</td>
<td>1. Establishment of a questionnaire to be distributed to prosecutors + interviews 2. Analysis outcomes of questionnaires + interviews 3. Submission of report on training needs + preparation for training strategy and programming for JA</td>
<td>List of 24 legal subjects selected</td>
<td>17 to 21 January 2007</td>
<td>No delay</td>
<td>JA training strategy + List of legal subjects finalized and ready for presentation during 2 media events 2 leaflets were produces</td>
<td>VG</td>
</tr>
<tr>
<td>Development of courses and preparation of</td>
<td>1. Selection of subjects, compilation of</td>
<td>1. Training modules according to</td>
<td>From July to November 2006</td>
<td>No delay</td>
<td>9 subjects developed in 27 training</td>
<td>VG</td>
</tr>
<tr>
<td>Teaching Material</td>
<td>Literature, selection of casework 2. preparation of teaching material</td>
<td>Subjects selected through TNA 2. Teaching material prepared</td>
<td>Modules</td>
<td>10 teaching kits were produced</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-------------------</td>
<td>---------------------------------------------------------------</td>
<td>------------------------------------------------</td>
<td>--------</td>
<td>-----------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Training of trainers</td>
<td>Organisation of 5 ToT workshops for the selected trainers in 4 RTCs</td>
<td>Selected group of trainers operational</td>
<td>From March to May 2006 and November 2006</td>
<td>No delay</td>
<td>G</td>
<td></td>
</tr>
<tr>
<td>Delivery of courses</td>
<td>Organisation of 36 seminars (1 day and half) developing 27 training modules</td>
<td>36 courses delivered (9 in each RTC) attended by 627 prosecutors</td>
<td>From January to end of June 2007</td>
<td>No delay</td>
<td>List of courses, participants and trainers available</td>
<td>VG</td>
</tr>
</tbody>
</table>

* VG = very good, G = Good, S = Satisfactory, U = Unsatisfactory
Annex 2

POLICY DEVELOPMENTS

Amendments to the law on prosecutors

26 January 2007

HRVATSKI SABOR

Na temelju članka 88. Ustava Republike Hrvatske, donosim

ODLUKU

O PROGLAŠENJU ZAKONA O IZMJENAMA I DOPUNAMA ZAKONA O DRŽAVNOM ODVJETNIŠTVU


Article 30.a

(1) For the purpose of supervising the operation of state attorney’s offices, reviewing the overall operation of branch offices, keeping monthly and yearly statistics and providing professional training for state attorneys, deputy state attorneys, advisors, trainees and other civil servants and employees, the Department for Internal Control shall be established in the State Attorney’s Office of the Republic of Croatia.

(2) For the purpose of directing international cooperation, providing legal aid and working in the bodies of the Council of Europe as well as in regional associations and state attorneys’ networks, the Department for International Legal Aid and Cooperation shall be established in the State Attorney’s Office of the Republic of Croatia.

(3) Issues pertaining to the operation of the Department for Internal Control and the Department for International Legal Aid and Cooperation shall be regulated under the Ordinance on internal operation.

Article 65

(1) In the performance of their duties, state attorneys and deputy state attorneys shall be evaluated according to the following criteria:

1. Demonstrated diligence in resolving assigned cases in comparison to the average results of county and municipal state attorney’s offices in the previous evaluation year,
2. use of legal remedies,
3. demonstrated professional expertise and work results,
4. quality of work and ability to express oneself in verbal and written form,
5. observance of terms in the course of the proceedings,
6. ability and demonstrated readiness to learn and acquire new knowledge, actively participate as well as on the basis of success accomplished in professional training programmes, published scientific and expert papers, participation in practical teaching of legal subjects and other relevant scientific and expert conferences

7. cooperation and relations with other employees,

8. Ability to perform administrative duties and state attorney’s duties if assigned to such a position.

(2) The State Attorney General of the Republic of Croatia shall determine by virtue of a special instruction the rules on keeping records on the work of state attorneys and deputy state attorneys, the evaluation procedure, method of application of evaluation criteria and grade range, submission of complaints against the grade received and the complaint procedure as well as other issues of significance for evaluation.

(3) The average work results of county and municipal state attorney’s offices shall be determined by the State Attorney General by 1 March of the current year at the latest for the previous year and shall notify all state attorney’s offices thereof.

Article 77

(1) County state attorneys, municipal state attorneys and deputy state attorneys shall continuously enrol in professional training and participate in educational and training programmes of the Judicial Academy and may also participate in other forms of education and professional training.

(2) Deputy state attorneys shall answer to invitations from the Judicial Academy to participate as lecturers or attendants in professional training programmes.

(3) The Minister of Justice is hereby authorised to issue an ordinance, upon previously obtaining the opinion of the State Attorney General, thereby prescribing the obligation of deputy state attorneys to attend professional training at the Judicial Academy as well as the type, method, duration and evaluation of the training.

(4) The state attorney or deputy state attorney may write expert or scientific papers, participate in expert or scientific conference, draft legislative acts and participate in other similar activities.

Annex 3
By-laws establishing the Judicial Academy Advisory Council and Programming Committee

Zagreb, 28 November 2006.

Pursuant to Article 38 of the Act on the State Administration System (Official Gazette, 190/03 - consolidated text), the Minister of Justice adopts the following

DECISION

on the establishment of the Advisory Council of the Judicial Academy of the Ministry of Justice

ADVISORY COUNCIL OF THE JUDICIAL ACADEMY

I

The Advisory Council of the Judicial Academy of the Ministry of Justice is hereby established (hereinafter: the Judicial Academy) to ensure support and professional advisement to the highest representatives of the judicial system and academic community involved in the process of developing the judicial system and ensuring the rule of law of the Republic of Croatia.

II

The Advisory Council’s members are:

- Branko Hrvatin, President of the Supreme Court of the Republic of Croatia – President
- Mladen Bajić, Public Prosecutor of the Republic of Croatia
- Ivan Mikšić, President of the High Judicial Council
- Josip Ćule, President of the State Prosecutorial Council
- Emil Tomljanović, President of the Parliamentary committee on the Judiciary
- Prof. Jakša Barbić, Croatian Academy of Sciences and Arts, HAZU

III

The Advisory Council of the Judicial Academy shall perform the following activities:

- Adopt the strategy of the professional training in the judiciary
- Approve the annual plan and programme of activities of the Programming Council of the Judicial Academy
- Give opinion on the training implementation for period past
• Give the initiative for further institutional development of the Judicial Academy
• Ensure support and advise the Judicial Academy on the activities in its fields of competence

IV

The Advisory Council’s members participate in its work as independent experts, while doing so promoting the profession.

V

The Judicial Academy will provide the organizational and administrative support to the Advisory Council work.

VI

This Decision shall enter into force on the 1 December 2006.

Zagreb, 1 March 2007.
Pursuant to Article 38 of the Act on the State Administration System (Official Gazette, 190/03 - consolidated text), the Minister of Justice adopts the following

**DECISION**

on the establishment of the Programming Council of the Judicial Academy of the Ministry of Justice

**PROGRAMMING COUNCIL OF THE JUDICIAL ACADEMY**

I

The Programming Council of the Judicial Academy of the Ministry of Justice is hereby established (hereinafter: the Judicial Academy) for the active participation of experts and representatives of all Judicial Academy target groups in the elaboration of the training programme and evaluation of its quality.

II

The Programming Council of the Judicial Academy shall consist of permanent and associate members.

Permanent Council’s members are:

- Two representatives of the Supreme Court of the Republic of Croatia (for civil and criminal divisions)
- Coordinators of Five Regional Training Centres of the Judicial Academy (one Judge and one Prosecutor per Regional Centre)
- Representative of the High Commercial Court of the Republic of Croatia
- Representative of the High Misdemeanour Court of the Republic of Croatia
- Representative of the Administrative Court
- Head of independent section for strategic development of the Ministry of Justice, ex officio
- Judicial Academy’s Head of the Research and Development Section

Associate members of the Programming Council shall be proposed by the Judicial Academy subject to the approval of the permanent members of the Judicial Academy. Associate members shall be selected from within the ranks of eminent judicial experts, scientists and professional associations and other institutions active in lifelong training in the Republic of Croatia.

The President of the Programming Council is the representative of the Supreme Court of the Republic of Croatia, the Secretary of the Programming Council is the Head of the Research and Development Section of the Judicial Academy.

The mandate of permanent members of the Programming Council is three years.
The mandate of associate members of the Programming Council is three years at the most.

III

The Programming Council of the Judicial Academy shall perform the following activities:

- Analyse training needs in the judicial field and based on analyses, decide on a draft plan and programme of activities of the Judicial Academy.
- Analyse reports on the implementation of the training programme and submit a proposal for its improvement.
- Propose professional ad hoc bodies for the implementation of particular projects of the Judicial Academy.
- Contribute to overall advancement of professional in-service training through the Judicial Academy.

IV

The Programming Council shall meet as a rule at least four times a year, in the first and third trimester, in the premises of the Judicial Academy.

The Programming Council shall work in plenary session and where necessary, in committees for certain specific themes.

V

The list of permanent members of the Programming Council of the Judicial Academy in the Annex is an integral part of this Decision.

VI

This Decision shall enter into force on the day of its adoption.

APPENDIX
To the Decision establishing the Programming Council of the Judicial Academy of the Minister of Justice

PERMANENT MEMBERS OF THE PROGRAMMING COUNCIL OF THE JUDICIAL ACADEMY (ALPHABETICALLY)

1. Marina Dujmović Vuković, Head of Independent Department for Strategic Development of the Ministry of Justice
2. Božo Gagro, Judge from the Administrative Court of the Republic of Croatia
3. Ana Garačić, Judge from the Supreme Court of the Republic of Croatia and President of the Programming Council
4. Ljiljana Hrastinski Jurčec, Judge from the High Commercial Court
5. Zlata Hrvoj-Šipek, Deputy of the Public Prosecutor of the Republic of Croatia
6. Darko Karlović, Deputy County Prosecutor of Rijeka
7. Dragan Katić, Judge from the County Court of Rijeka
8. Ljiljana Levatić-Ussoković, Judge from the County Court of Varaždin
9. Jakob Miletić, Judge from the Supreme Court of the Republic of Croatia
10. Dragan Novosel, Deputy of the Public Prosecutor of the Republic of Croatia
11. Lendi Pezzi, Deputy County Prosecutor of Split
12. Zoran Potočki, President of the High Misdemeanour Court of the Republic of Croatia
13. Đuro Sessa, Judge from the County Court of Zagreb
14. Ljiljana Stipišić, Judge from the County Court of Split
15. Bisera Šmer-Bajt, Deputy County Prosecutor of Varaždin
16. Zorko Tomić, Deputy County Prosecutor of Osijek
17. Dubravka Vučetić, Judge from the County Court of Osijek
18. Dubravka Vukmanović, Deputy County Prosecutor of Zagreb

Annex 4

By-law on the Judicial Academy Regional Training Centres

**Regulation on amendments to the by-law on the internal structure of the Ministry of Justice**


**UREDBU**

**O IZMJENAMA I DOPUNAMA UREDBE O UNUTARNJEM USTROJSTVU MINISTARSTVA PRAVOSUDA“**

**Article 13**

In article 134, 2 new paragraphs are added and numbered 2 and 3:
The regional centres of Zagreb, Osijek, Varazdin, Rijeka and Split are the sections within the department of implementation in charge of professional training and implement the following activities:

- Analyse training needs in their area,
- Proposing programmes and training activities in a given field,
- Implementation and follow-up of professional training activities, information to the department for implementation,
- Preparation of budget proposal,
- Administration of the library,
- Up-dating the data bank,
- Taking care of all technical and logistical aspects of the training activities,
- Caring out of any other tasks as required by the Head of Sector.

The Judicial Academy regional centres are established at the level of the County Courts of Zagreb, Osijek, Varazdin, Rijeka and Split. The Zagreb regional centre is competent for the
County Courts of Karlovac, Sisak, Velika Gorica and Zagreb. The Osijek regional centre is competent for the County Courts of Pozega, Slavonski Brod, Vukovar, Virotivica and Osijek. The Varazdin regional centre is competent for the County Courts of Bjelovar, Koprivnica, Cakovec, Zlatar and Varazdin. The Rijeka regional centre is competent for the County Courts of Gospic, Pula and Rijeka. The Split regional centre is competent for the County Courts of Dubrovnik, Sibenik, Zadar and Split.

Annex 5

Regulation NN 187/04 on the establishment of the Judicial Academy
GOVERNMENT OF THE REPUBLIC OF CROATIA

Pursuant to art 60 item 1 and 2 of the Law on the State Administration System (Narodne novine, no. 75/93, 48/99, 15/2000, 127/2000, 59/2001 and 199/2003), in the sitting of the Government of the Republic of Croatia, on 23 December 2004, following Regulation was adopted:

REGULATION

ON AMENDMENTS OF THE

REGULATION OF INNER STRUCTURE OF THE MINISTRY OF JUSTICE

In the Chapter II, the Item 11 Judicial Academy has been changed as well as titles above the articles and the articles 130 to 135 as follows:

11. JUDICIAL ACADEMY

Art. 130

Judicial Academy will be organised as an institute within the Ministry.

Judicial Academy is headed by the Director in the position of Assistant Minister.

Art. 131

Judicial Academy performs in-service professional training of judges and other magistrates, advisors as well as court and prosecutor apprentices in judicial bodies, cooperates with courts, law faculties, professional organizations and bodies of the Republic of Croatia in preparation and implementation of the program of professional training, and cooperates with international institutions and bodies in the field of permanent professional training, ensures the conditions of permanent professional training and performs also other activities connected to the professional training within judicial bodies of the Republic of Croatia.

The sectors organised within the Judicial Academy in order to perform the task, are:

a) Research and Development Sector
   a.1) Division for Research and Planning
   a.2) Division for Preparation of Training programme
   a.3) Division for Court and Prosecutor Apprentices

b) Sector for Implementation of Professional Training
   b.1) Division for Implementation of Professional Training
b.2) Division for Production of Teaching Manuals, information and documentation activities

b) Research and Development Sector

Art. 131a.

The Research and Development Sector performs legal and expert tasks related to preparation and organisation of permanent professional training of magistrates, advisors, as well as court and prosecutor apprentices, organises other forms of professional training of judges and other magistrates and civil servants within the judicial bodies, and performs any other task at the request of the Director.

Three divisions are organised within the Sector:

a.1) Division for Research and Planning
a.2) Division for Preparation of Training programmes
a.3) Division for Court and Prosecutor Apprentices

a.1) Division for Research and Planning

Art. 131b.

The Division for Research and Planning conducts a continuous training needs analysis for the magistrates and court officials for systematic and, if necessary for ad hoc, trainings, prepares trainers to communicate their knowledge through standard pedagogical and didactical methods, and performs other task at the request of the Head of Sector.

a.2) Division for Preparation of Training Programme

Art. 131c.

The Division for Preparation of Training Programme conceives and develops instruments (curricula, teachings materials, etc.) of standardized professional training within the Court Integrated Training System, conceives and provides courses of special (ad hoc) training programs for special target groups. The Division designs a periodical of the Judicial Academy, conceives also other publications and documents of the Judicial Academy, and performs other task at the request of the Head of Sector.

a.3) Division for Court and Prosecutor Apprentices

Art. 132

The Division for Court and Prosecutor Apprentices is responsible for the development of the Court Integrated Training System for Court and Prosecutor Apprentices, and performs other task at the request of the Head of Sector.
b) Sector for Implementation of Professional Training

Art. 133

The Sector for Implementation of Professional Training is responsible for the technical implementation of training activities for judges, prosecutors and court apprentices, other judicial officials and civil servants within the judicial bodies as well as for the management and provision of information and the organisation of examination procedure, and performs other task at the request of the Head of Sector.

Two divisions are organised within the Sector:

b.1) Division for Implementation of Professional Training

b.2) Division for Elaboration of Training Materials, as well as Information and Documentation Activities

b.1) Division for Implementation of Professional Training

Art. 134

The Division for Implementation of Professional Training performs the technical support for the implementation of professional training and organises all events. It supports the Regional Training Offices by giving assistance in preparatory and administrative tasks, coordinates the activities of the regional offices, and manages the administration of external human resources of the Judicial Academy. The Division is responsible for the implementation of the Court Integrated Training System for Court and Prosecutor Apprentices, and performs other task at the request of the Head of Sector.

b.2) Division for Production of Training Material and Information and Documentation Activities

Art. 135

The Division for Production of Teaching Material and Information and Documentation Activities is in charge of production of teaching and other materials that serve for various activities of the Judicial Academy. It runs a library and the Information and Documentation Centre, and performs other task at the request of the Head of Sector.

Annex 6

List of prosecutors selected as trainers
List of Prosecutors / Deputies Prosecutors selected as trainers:

Training Center in Osijek:
1. Željko Krpan, Deputy County Prosecutor in Osijek
2. Zvonko Kuharić, Deputy County Prosecutor in Osijek
3. Dražen Križevac, Deputy County Prosecutor in Osijek
4. Zvonko Vrban, Deputy County Prosecutor in Osijek
5. Miroslav Kraljević, Deputy County Prosecutor in Osijek
6. Zorko Tomić, Deputy County Prosecutor in Osijek
7. Davor Petričević, County Prosecutor in Osijek
8. Božidar Piljić, County Prosecutor in Vukovar
9. Emil Mitrovski, Deputy County Prosecutor in Vukovar
10. Mirela Šmital, Deputy County Prosecutor in Slavonski Brod

Training Center in Rijeka:
11. Ivanka Vidović Vinketa, Deputy County Prosecutor in Rijeka
12. Igor Bijelić, Deputy County Prosecutor in Rijeka
13. Darko Karlović, Deputy County Prosecutor in Rijeka
14. Tatjana Ćarapić, Deputy County Prosecutor in Rijeka
15. Stela Pezić Mišović, Deputy County Prosecutor in Rijeka
16. Mate Župić, Deputy County Prosecutor in Rijeka
17. Sajonara Čulina, USKOK Rijeka
18. Josip Miletić, Deputy County Prosecutor in Pula
19. Mirjana Zenzerović, Deputy County Prosecutor in Pula

Training Center of Split:
20. Živana Marušić, Deputy County Prosecutor in Split
21. Michele Squicimarro, Deputy County Prosecutor in Split
22. Žarko Štrbac, Deputy County Prosecutor in Split
23. Marina Matušan, Deputy County Prosecutor in Split
24. Lendi Pezzi, Deputy County Prosecutor in Split
25. Darja Mrduljaš-Pevan, Deputy County Prosecutor in Split
26. Ivan Galović, County Prosecutor of Zadar
27. Slobodan Denona, Deputy County Prosecutor in Zadar
28. Vlatko Cibilić, Deputy County Prosecutor in Dubrovnik

Training Center of Zagreb: (2 workshops)
29. Dragan Novosel, Deputy of the State Prosecutor of the Republic of Croatia
30. Josip Čule, Deputy of the State Prosecutor of the Republic of Croatia
31. Milojko Vučković, Deputy of the State Prosecutor of the Republic of Croatia
32. Lazo Pajić, Deputy of the State Prosecutor of the Republic of Croatia
33. Zlata Hrvoj Šipek, Deputy of the State Prosecutor of the Republic of Croatia
34. Snježana Frković, Deputy of the State Prosecutor of the Republic of Croatia
35. Ivan Kani, Deputy of the State Prosecutor of the Republic of Croatia
36. Verica Orešić-Cvitan, Deputy County Prosecutor in Zagreb, criminal department
37. Ines Horvat-Jelenić, Deputy County Prosecutor in Zagreb, criminal department
38. Željka Šaškor, Deputy County Prosecutor in Zagreb, civil and administrative department
39. Mladen Crnjaković, Deputy County Prosecutor in Zagreb, civil and administrative department
40. Biserka Šmer-Bajt, Deputy County Prosecutor in Varaždinu, criminal department
41. Ljubica Fiškuš-Šumonja, County Prosecutor in Karlovac
42. Zdravko Car, Deputy County Prosecutor in Karlovac
43. Dražen Diklić, Deputy County Prosecutor in Velika Gorica
44. Stipe Vrdoljak, County Prosecutor in Sisak
45. Jasminka Đak Horvatić, Deputy Head of USKOK
46. Marinka Orlić, Deputy of the State Prosecutor of the Republic of Croatia
47. Jadranko Jug, Deputy of the State Prosecutor of the Republic of Croatia
48. Jozo Jurčević, Deputy of the State Prosecutor of the Republic of Croatia
49. Drago Marincel, Deputy of the State Prosecutor of the Republic of Croatia

**Annex 7**

**Outcome of the Training Need Analysis**
Analysis of questionnaires on training needs

1. 568 have been forwarded to all prosecutors in Croatia. 309 questionnaires were returned to the Judicial Academy (54%) which constitutes a rather deceiving return rate.

The repartition of questionnaires/answers is as follows:

- 375 questionnaires were sent to Prosecutor Municipal Offices and 229 were returned. Level of answers is 61%.
- 155 questionnaires were sent to Prosecutor County Offices and 67 were returned. Level of answers is 43%.
- 25 questionnaires were sent to the General Attorney Office and 9 were returned. Level of answers is 36%.
- 13 were sent to USKOK and 4 were returned. Level of answers is 30%.

(See questionnaire as annex 1)

The best rate of answers comes from Municipal offices (61%) and County Offices (43%). From the General Attorney Office and USKOK only one prosecutor out of three has returned the questionnaire.

2. Among the prosecutors having returned the questionnaire 240 (77,66%) are competent in criminal matters and 69 (22,34%) in civil law matters. This repartition will have an influence on the level of interest expressed on the list of legal subjects selected by the project, as it will be seen below.

3. It is interesting to note that, among prosecutors having returned their questionnaires, 68% have a length of service comprised between 10 years and more than 15 years (10 to 15 years = 22,97% - + 15 years = 45,30 %). The vast majority of prosecutors must then be considered as experienced and it should be reflected in the content of curricula to be developed.

4. The majority of prosecutors (50,80%) expressed a preference for training workshops lasting one day. The second preference (30,10%) is for half-day training workshops. Only 19,10% are interested in two day training workshops. This repartition is linked to the level of work and the limited number of staff available in Prosecutors ‘Offices and consequently the
difficulty to make some of them available for training purposes. It should then be taken into account when programming activities to make sure that as many prosecutors as possible may participate.

5. It is also interesting to note that the need for training is rather high. The majority of prosecutors (45,64%) expect training activities six times a year and 17,15% once a month. The Judicial Academy in programming activities must take into account this level of expectation.

6. A list of legal subjects to be developed was established by experts who undertook the training needs analysis. This list was submitted to prosecutors in the questionnaire and they were asked to rate all subjects from 1 (high interest) to 5 (low interest). In analysing the answers and for the sake of clarity it has decided to regroup the answers into three categories:

- 1 and 2 = High interest
- 3 and 4 = medium interest
- 5 = low interest

Among the 8 legal subjects selected, prosecutors expressed a strong interest for the management issues (82%) and ethics-deontology (64%). As expected subjects linked to criminal matters have the preference: fight against organised crime = 71%, mutual assistance in criminal matters = 56%. Reflecting the concern of the judiciary 57% of the prosecutors expressed a high interest for property rights enforcement. Then 53% expressed a high interest in human rights. Surprisingly only 45% expressed a high interest in E.U. law and 37% for mutual assistance in civil and commercial matters.

7. A short list of non-legal subjects (4) was also submitted within the questionnaire and prosecutors were asked to rate the subjects in the same way as for legal subjects (from 1 to 5). The same method was used to analyse the answers. It is interesting to note that prosecutors' expectations for technical matters related to their practice is rather high. 68% expressed a high interest for training activities in psychology; 67% for training activities in forensic and 66% for computer education. These expectations should be taken into account very seriously as they expressed a strong willingness to increase their competences and efficiency. The Judicial Academy should then include such matters into its programmes.

8. Prosecutors were also asked to indicate legal subjects they would like being developed in training activities. These answers were more difficult to analyse, as they are so
different from each other. Nevertheless, it is possible to note some group of subjects mentioned regularly. Among the answers received, two main trends can be drawn:

1. In civil law, the topics that interest the most the Deputy Prosecutors are:
   - Property law (real estate rights, title deed, land registry, registration, state property)
   - Law on obligations (compensation, especially when the complaint is lodged against the State; contract law).

2. In criminal law, the topics that interest the most the Deputy Prosecutors are:
   - Criminology
   - Economic and financial crimes
   - Juvenile delinquency
   - Domestic violence.

<table>
<thead>
<tr>
<th>Number of questionnaires forwarded</th>
<th>568</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of questionnaires returned</td>
<td>309 (54%)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Field of competence</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Criminal law</td>
<td>240 (77,66%)</td>
</tr>
<tr>
<td>Civil law</td>
<td>69 (22,33%)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Length of service in Prosecutor’s office</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>- 5 years</td>
<td>17 (5,50%)</td>
</tr>
<tr>
<td>5 to 10 years</td>
<td>81 (26,21%)</td>
</tr>
<tr>
<td>10 to 15 years</td>
<td>71 (22,97%)</td>
</tr>
<tr>
<td>+ 15 years</td>
<td>140 (45,30%)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Expected length of workshops</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>½ day</td>
<td>93 (30,10%)</td>
</tr>
<tr>
<td>1 day</td>
<td>157 (50,80%)</td>
</tr>
<tr>
<td>2 days</td>
<td>59 (19,10%)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Workshops during week-ends</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>101 (32,68%)</td>
</tr>
<tr>
<td>No</td>
<td>208 (67,32%)</td>
</tr>
<tr>
<td>Expected number of workshops per year</td>
<td></td>
</tr>
<tr>
<td>--------------------------------------</td>
<td>-------</td>
</tr>
<tr>
<td>Once a year</td>
<td>71 (22.98%)</td>
</tr>
<tr>
<td>6 times a year</td>
<td>141 (45.64%)</td>
</tr>
<tr>
<td>Once a month</td>
<td>53 (17.15%)</td>
</tr>
<tr>
<td>Other</td>
<td>44 (14.23%)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Level of interest in subjects selected</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Introduction to E.U. law</td>
<td></td>
</tr>
<tr>
<td>low</td>
<td>42 (15%)</td>
</tr>
<tr>
<td>medium</td>
<td>113 (40%)</td>
</tr>
<tr>
<td>high</td>
<td>125 (45%)</td>
</tr>
<tr>
<td>Human rights</td>
<td></td>
</tr>
<tr>
<td>low</td>
<td>17 (6%)</td>
</tr>
<tr>
<td>medium</td>
<td>117 (41%)</td>
</tr>
<tr>
<td>high</td>
<td>149 (53%)</td>
</tr>
<tr>
<td>Fight against organised crime</td>
<td></td>
</tr>
<tr>
<td>low</td>
<td>31 (12%)</td>
</tr>
<tr>
<td>medium</td>
<td>46 (17%)</td>
</tr>
<tr>
<td>high</td>
<td>192 (71%)</td>
</tr>
<tr>
<td>Mutual assistance in E.U. on criminal matters</td>
<td></td>
</tr>
<tr>
<td>low</td>
<td>38 (14%)</td>
</tr>
<tr>
<td>medium</td>
<td>81 (30%)</td>
</tr>
<tr>
<td>high</td>
<td>151 (56%)</td>
</tr>
<tr>
<td>Mutual assistance in E.U. on civil and commercial matters</td>
<td></td>
</tr>
<tr>
<td>low</td>
<td>78 (29%)</td>
</tr>
<tr>
<td>medium</td>
<td>90 (34%)</td>
</tr>
<tr>
<td>high</td>
<td>98 (37%)</td>
</tr>
<tr>
<td>Ethics and deontology</td>
<td></td>
</tr>
<tr>
<td>low</td>
<td>16 (6%)</td>
</tr>
<tr>
<td>medium</td>
<td>79 (30%)</td>
</tr>
<tr>
<td>high</td>
<td>172 (64%)</td>
</tr>
<tr>
<td>Management issues</td>
<td></td>
</tr>
<tr>
<td>low</td>
<td>22 (8%)</td>
</tr>
<tr>
<td>medium</td>
<td>29 (10%)</td>
</tr>
<tr>
<td>high</td>
<td>229 (82%)</td>
</tr>
<tr>
<td>Property rights enforcement</td>
<td></td>
</tr>
<tr>
<td>low</td>
<td>22 (8%)</td>
</tr>
<tr>
<td>medium</td>
<td>93 (35%)</td>
</tr>
<tr>
<td>high</td>
<td>152 (57%)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Level of interest in non legal</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>matters</td>
<td>Accounting</td>
</tr>
<tr>
<td>-------------</td>
<td>------------</td>
</tr>
<tr>
<td>low</td>
<td>99 (38%)</td>
</tr>
<tr>
<td>medium</td>
<td>71 (28%)</td>
</tr>
<tr>
<td>high</td>
<td>88 (34%)</td>
</tr>
</tbody>
</table>
Q. 2 : Field of competence

- Civil law: 23%
- Criminal law: 77%

Q. 3 : Age distribution

- 35 to 50 years: 60%
- 25 to 35 years: 18%
- 50 and more: 22%

Q. 4 : Length of experience

- Under 5 years: 6%
- 5 to 10 years: 26%
- 10 to 15 years: 23%
- 15 years and more: 45%
Q. 7: Participation in training workshops

- Up to 6 times a year: 46%
- Once a year: 23%
- Once a month: 17%
- Others: 14%

Q. 8: Length of workshops

- 1 day: 51%
- 1/2 day: 30%
- 2 days: 19%

Q. 9: Workshops during week-ends

- Yes: 33%
- No: 67%
Q. 10: Opinion on subjects listed -

1. Introduction to E.U. law
   - High: 45%
   - Medium: 40%
   - Low: 15%

2. Human rights
   - High: 55%
   - Medium: 41%
   - Low: 6%

3. Fight against organized crime
   - High: 71%
   - Medium: 17%
   - Low: 12%

4. Mutual assistance in E.U. on criminal matters
   - High: 56%
   - Medium: 30%
   - Low: 14%

5. Mutual assistance in E.U. on civil and commercial matters
   - High: 37%
   - Medium: 34%
   - Low: 29%

6. Ethics and deontology
   - High: 65%
   - Medium: 30%
   - Low: 6%

7. Management issues
   - High: 82%
   - Medium: 10%
   - Low: 8%

8. Property rights enforcement in E.U.
   - High: 57%
   - Medium: 35%
   - Low: 8%
Opinion on subjects listed - Non-leg

1. Accounting
- High: 34%
- Medium: 28%
- Low: 38%

2. Psychology
- High: 68%
- Medium: 22%
- Low: 10%

3. Forensic
- High: 66%
- Medium: 20%
- Low: 6%

4. Computer
- High: 66%
- Medium: 27%
- Low: 7%
Annex 8

Conclusions of the 2\textsuperscript{nd} round table

ROUND TABLE

“Appointment to and Termination of Office, Career Development, Independence and Responsibility of Prosecutors and Judges”


Conclusions and recommendations

1. The constitutional and legislative frame of Judges and Prosecutors nomination in the Republic of Croatia, is in accordance with the principles of nomination, promoting, termination of office and disciplinary applied to European magistrates.

2. The current competences of the High Judicial Council and the State Prosecutorial Council should be maintain;

3. Judges and Prosecutor’s system of nomination and promoting should be improved on following fields:
   a. Selection, length, and follow-up of apprentices and advisers’ activities;
   b. Specialised training for apprentices and magistrates newly nominated;
   c. Standardisation of magistrates ‘Councils’ (for ex. by adopting inner regulation on the council’s procedures of working);
   d. Allow to magistrates long life training during the entire carrier;
   e. The statute of advisers and other judicial staff with special competences should be regulated by a Court Law or by a special Law;
   f. The initial training for apprentices and advisers should consist of specialised training and training on deontology;
   g. Consider higher authority of judicial bodies in the elaboration of the budget intend for financing justice with the purpose to reinforce the independence in judiciary.
<table>
<thead>
<tr>
<th>Component 1</th>
<th>Results</th>
<th>Activities</th>
<th>Working days planned E.U. Experts</th>
<th>Working days consumed E.U. Experts</th>
<th>Rest</th>
<th>Performance indicators</th>
<th>Time frame / Deadline</th>
<th>Location</th>
<th>Name of E.U. Experts</th>
<th>Name of Croatian Experts</th>
<th>Completion</th>
<th>Explanation for deviation from work plan</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>2006</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>1.1. J.A. Institutional reinforcement</strong></td>
<td></td>
<td>(1) legal framework for the J.A.</td>
<td>20</td>
<td>9,5</td>
<td>10,5</td>
<td>Mission Report delivered</td>
<td>2 to 10.03.2006</td>
<td>Zagreb and Rijeka</td>
<td>Ms M.L. Cavrois (France) and Mr J. Pintos-Ager (Spain)</td>
<td>Yes</td>
<td>N/R</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>(2) Reinforcement of the J.A. structure by establishing: + Advisory Board + Programme Committee</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>Draft law on the J.A. legal status or amendments to existing laws available</td>
<td>Up to June 2007</td>
<td></td>
<td></td>
<td>Yes</td>
<td>N/R</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>(3) 2 new RTCs</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>By law published in the Official Gazette</td>
<td>Up to December 2006</td>
<td>RTA</td>
<td></td>
<td>Partly Osijek TRC operational</td>
<td>N/R</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>(4) Reinforcement J.A. library/website/archive system</td>
<td>10</td>
<td>0</td>
<td>10</td>
<td>Teaching material archive system + documentation available on line; Website updated</td>
<td>December 2006</td>
<td>Zagreb</td>
<td>Mr P. Petriat (France) + 2 ENM staff members from Doc. Centre</td>
<td>No</td>
<td>Reallocation of working days Experts in first mission obliged to focus on unexpected items</td>
<td></td>
</tr>
<tr>
<td><strong>1.2. Study visits</strong></td>
<td></td>
<td>Acquisition of knowledge on the functioning of E.U. Members States Training centres + References for developing standard and specialised training in Croatia</td>
<td></td>
<td></td>
<td></td>
<td>Report drafted by participants</td>
<td>2 to 8. 06.2006</td>
<td>Bordeaux and Paris</td>
<td></td>
<td>N/R</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>1. Study visit to France</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>Idem</td>
<td>26 to 30.06.2006</td>
<td>(Madrid + La Coruña)</td>
<td></td>
<td>N/R</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>2. Study visit to Spain</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>Idem</td>
<td>26 to 30.06.2006</td>
<td>(Madrid + La Coruña)</td>
<td></td>
<td>N/R</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td><strong>1.3. Visibility/media events</strong></td>
<td></td>
<td>+ Organisation of 2 visibility/media events + Production of leaflets on the project + Up-date J.A. website</td>
<td></td>
<td></td>
<td></td>
<td>+ Press coverage</td>
<td>30.03.2006</td>
<td>Zagreb</td>
<td>Mr F. Feltz (France) Mr A. Rallo Lombarte (Spain) Mr Y. Bot, J.C. Magendie (France) and Mr D. Novosel</td>
<td>Yes</td>
<td>N/R</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>+ Launch Conference</td>
<td>10</td>
<td>5</td>
<td>5</td>
<td>+ Press coverage</td>
<td>30.03.2006</td>
<td>Zagreb</td>
<td>Mr F. Feltz (France) Mr A. Rallo Lombarte (Spain) Mr Y. Bot, J.C. Magendie (France) and Mr D. Novosel</td>
<td>Yes</td>
<td>N/R</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>+ Round table (1°)</td>
<td>10</td>
<td>5</td>
<td>0</td>
<td>+ Press coverage</td>
<td>18.09.2006</td>
<td></td>
<td>Mr D. Novosel</td>
<td>Yes</td>
<td>N/R</td>
<td></td>
</tr>
<tr>
<td>Component 2</td>
<td>2.1. Training Needs analysis</td>
<td>2.2. Training of trainers</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Round table (2nd)</td>
<td>+ List of 24 legal subjects approved on Croatian and E.U. Law</td>
<td>Training the 42 future Croatian trainers</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Closing Conference</td>
<td>+ Selection of a group of 42 Croatian Trainers</td>
<td>+ 5 train the trainers workshops</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>+ Publication of leaflets/brochures</td>
<td>+ Questionnaires forwarded to all prosecutors</td>
<td>+ 3 additional 2 days workshops</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>+ Up-dating website</td>
<td>+ Selected interviews by E.U. experts</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>+ Experts mission report</td>
<td>10</td>
<td>7</td>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>+ Analysis of returned questionnaires</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>+ Experts mission reports and report to SC</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>+ Evaluation sheets from participants</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>+ Teaching material prepared by experts</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>+ 5 train the trainers workshops</td>
<td>50</td>
<td>34,5</td>
<td>15,5</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>+ 3 additional 2 days workshops</td>
<td>10</td>
<td>0</td>
<td>10</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mr. L Jimena Quesada (Spain)</td>
<td>Mr. D. Rousseau</td>
<td>Mr. L. Barbier</td>
<td>Mr. F. Cartagena</td>
<td>Mr. P. Boussarouque (France) Mr. A. Artemi Sanchez (Spain)</td>
<td>Mr. J. Jug</td>
<td>Mr. Sessa</td>
<td>Mr. Novosel</td>
<td>Mrs Sipek-Horvat</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>+ Publications</td>
<td></td>
<td>+ Experts mission report</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>+ Website consultation</td>
<td>+ Analysis of returned questionnaires</td>
<td>+ Experts mission reports</td>
<td>+ Presentation of the training manual on mutual</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mr J. Jug</td>
<td>Mr. Sessa</td>
<td>Mr. Novosel</td>
<td>Mrs Sipek-Horvat</td>
<td>Yes</td>
<td>Yes</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yes</td>
<td></td>
<td>Activity rescheduled at the request of the Judicial Academy</td>
<td>New Activity decided by S.C. (19.06.2006)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Activity</td>
<td>Description</td>
<td>Yes/No</td>
<td>Location</td>
<td>Name of team members</td>
<td>Additional assistance</td>
<td>Remarks</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>-------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>--------</td>
<td>----------</td>
<td>----------------------</td>
<td>-----------------------</td>
<td>------------------------------------------------------------------------</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.3. Development of courses and preparation of teaching material</td>
<td>+ Development of 8 teaching modules consisting of 24 legal subjects + Preparation of teaching kits + Mobilisation of existing resources in RTCs</td>
<td>80</td>
<td>Zagreb</td>
<td>Mr S. Rodin, Faculty of Law, Zagreb</td>
<td>+ 24 curricula on the selected legal subjects (listed below) + 24 teaching kits + Experts mission reports</td>
<td>(see under each activity)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Preparation of: + teaching modules (compilation of legal literature, jurisprudence) + teaching kits (power point presentations, documents, handouts) for trainers and participants + preparation of trainers</td>
<td>80</td>
<td>Osijek</td>
<td>Mr Juan Echeverria + Mr Luis Pereira</td>
<td>+ 24 curricula on the selected legal subjects (listed below) + 24 teaching kits</td>
<td>Presentation of the manuel on mutual assistance in EU on civil and commercial matters + recap on ToT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>03 to 07.07.2006</td>
<td>Zagreb</td>
<td>Yes</td>
<td>Ms N. Fricero</td>
<td>Ms Biserka</td>
<td>Activity rescheduled with 2.2.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>+ 3 curricula on E.U. Law + 3 teaching kits</td>
<td>Zagreb</td>
<td>Yes</td>
<td>Ms I. Pingel (France)</td>
<td>Mr S. Rodin, Faculty of Law, Zagreb</td>
<td>Ms Biserka</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Event Date</td>
<td>Place</td>
<td>Participants</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>---------------</td>
<td>-------</td>
<td>-------------------------------------------------------------------------------</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>30.06.2006</td>
<td></td>
<td>+ Normative bodies + Implementation into the Croatian legal system + impact on prosecutors’ daily work</td>
<td>(France) and Mr M. Terol (Spain)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>19 to 23.06.2006</td>
<td>Zagreb</td>
<td>Fight against organised crime + International norms and implementation + Cybercrime</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10 to 14.07.2006</td>
<td>Zagreb</td>
<td>Mutual assistance in E.U. on criminal matters</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>04 to 08.09.2006</td>
<td>Zagreb</td>
<td>Mutual assistance in E.U. on civil and commercial matters</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Yes</th>
</tr>
</thead>
</table>

- **Human Rights**
- **Cybercrime**
- **Fight against organised crime**
- **Mutual assistance in E.U. on criminal matters**
- **Mutual assistance in E.U. on civil and commercial matters**
<p>| Enforcement order for uncontested claims | 5 | 0 | 5 | + 3 curricula on ethics and deontology | + 3 teaching kits | 25 to 29.09.2006 | Zagreb | Ms Marie-Christine Tarrare (France) | Mrs Zlata Hrvoj-Šipek, GAO | Mr Milojo Vučković, GAO | Mr Ivan Galović, Zadar | Mr Puhovski Zagreb | Yes |
| Management issues | 5 | 0 | 5 | + 2 curricula on management issues | + 2 teaching kits | 09. to 13.10.2006 | Zagreb | Mr. Denis Vambremersch (France) | Mr Davor Petrović, Osijek | Mr Doris Hrast, Rijeka | | Yes |
| Property rights enforcement in E.U. | 5 | 0 | 5 | + 2 curricula on property rights enforcement in E.U. | + 2 teaching kits | 23 to 27.10.2006 | Zagreb | Mr Pierre Becque (France) | Mr Jozo Jurečević, GAO | Mrs Željka Šaškor, Zagreb | | Yes |
| Fight against terrorism | 10 | 0 | 10 | + 3 curricula on fight against terrorism | + 3 teaching kits | 20. to 25.11.2006 | Zagreb | Ms Virginie Brelurut (France) | Mr Josip Cuie, GAO | Mr Drago Marinčel, GAO | | Yes |</p>
<table>
<thead>
<tr>
<th>2.4. Delivery of courses</th>
<th>Results</th>
<th>Activities</th>
<th>Working days planned E.U. Experts</th>
<th>Working days consumed E.U. Experts</th>
<th>Rest</th>
<th>Performance indicators</th>
<th>Time frame / Deadline</th>
<th>Location</th>
<th>Name of E.U. Experts</th>
<th>Name of Croatian Experts</th>
<th>Completion</th>
<th>Explanation for deviation from work plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>2007.</td>
<td></td>
<td>Delivery of courses on human rights</td>
<td>16</td>
<td>0</td>
<td>16</td>
<td>idem</td>
<td>22-23/1/07 25-26/1/07 29-30/1/07 1-2/2/07</td>
<td>Zagreb Osijek Rijeka Split</td>
<td>Ms Lydia Görgen (Spanish Expert)</td>
<td>Mr J. Echeverria Ms F. Travailot</td>
<td>Yes</td>
<td>N/R</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Delivery of courses on mutual assistance in EU on criminal matters</td>
<td>12</td>
<td>0</td>
<td>12</td>
<td>idem</td>
<td>3-6/2/07 6-9/2/07 12-13/2/07 15-16/2/07</td>
<td>Zagreb Osijek Rijeka Split</td>
<td>Ms I. Pingel (France) Mr T. Pons (France)</td>
<td>Yes</td>
<td>N/R</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Delivery of courses on introduction to EU law</td>
<td>16</td>
<td>0</td>
<td>16</td>
<td>Idem</td>
<td>3-6/3/07 6-9/3/07 12-13/3/07 15-16/3/07</td>
<td>Zagreb Osijek Rijeka Split</td>
<td>Ms M.C. Tarrare (France) Ms M.C. Tarrare (France)</td>
<td>Yes</td>
<td>N/R</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Delivery of courses on ethics and deontology</td>
<td>16</td>
<td>0</td>
<td>16</td>
<td>idem</td>
<td>19-20/3/07 22-23/3/07 26-27/3/07 29-30/3/07</td>
<td>Zagreb Osijek Rijeka Split</td>
<td>Mr J. L. Gadaud (France) Ms N. Cochet (France)</td>
<td>Yes</td>
<td>N/R</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Delivery of courses on mutual assistance on civil and commercial matters</td>
<td>16</td>
<td>0</td>
<td>16</td>
<td>idem</td>
<td>16-17/4/07 19-20/4/07 23-24/4/07 26-27/4/07</td>
<td>Zagreb Osijek Rijeka Split</td>
<td>Ms P. Belin (France) Mr J. Tirado Estrada (Spain)</td>
<td>Yes</td>
<td>N/R</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Delivery of courses on property rights enforcement</td>
<td>12</td>
<td>0</td>
<td>12</td>
<td>Idem</td>
<td>3-4/5/07 7-8/5/07 10-11/5/07</td>
<td>Zagreb Osijek Rijeka</td>
<td>Mr Francisco Moreno (Spain) Mr D.</td>
<td>Yes</td>
<td>N/R</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Delivery of courses on management issues</td>
<td>12</td>
<td>0</td>
<td>12</td>
<td>Idem</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Date Range</td>
<td>Location</td>
<td>Delivery of courses on fight against terrorism</td>
<td>Delivery of courses on fight against organised crime</td>
<td>Total</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>-----------------------</td>
<td>----------</td>
<td>-----------------------------------------------</td>
<td>-----------------------------------------------------</td>
<td>-------</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14-15/5/07</td>
<td>Split</td>
<td>16</td>
<td>16 Idem</td>
<td>298 (100%)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>21-22/5/07 24-25/5/07</td>
<td>Zagreb</td>
<td>Osijek</td>
<td>Rijeka Split</td>
<td>54 (18%)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>28-29/5/07 31/5-1/6/07</td>
<td>Split</td>
<td></td>
<td></td>
<td>244</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11-12/6/07 14-15/6/07</td>
<td>Zagreb</td>
<td>Osijek</td>
<td>Rijeka Split</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18-19/6/07 20-21/6/07</td>
<td>Split</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td></td>
<td>298 (100%)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Yes N/R