

COOPERATION PROTOCOL BETWEEN THE HIGH SCHOOL OF THE JUDICIARY OF THE ITALIAN REPUBLIC AND THE JUSTICE ACADEMY OF KOSOVO

The Scuola Superiore della Magistratura della Repubblica Italiana and the Kosovo Justice Academy, hereinafter referred to as the 'Parties' and individually as the 'Party';

Considering the common values and similarities in the relevant functions of the judicial legislation in force for the two institutions, as well as the need to continue and consolidate bilateral cooperation in the field of legal training;

Given the positive experience of the cooperation built between our institutions in the preparation and training of newly appointed judges and prosecutors and in the improvement of the knowledge of serving judges and prosecutors;

Aware of the crucial role of training judges and prosecutors to improve the strengthening of the rule of law;

have reached the following understanding

Article 1 - Aim and Purpose

The purpose of this Protocol of Cooperation is to regulate cooperation between the Parties to facilitate the exchange of experience and knowledge of their respective judicial systems.

Article 2 - Object

The cooperation referred to in Article 1 will include in particular

- a) The exchange of information on the objectives, content and implementation of training programmes.
- b) The organisation and implementation of training courses that are part of the training programme or that have been assessed as necessary for both institutions for the benefit of serving and trainee judges and prosecutors.
- c) the joint development of annual cooperation programmes according to the needs of each country in terms of training and scientific exchange.

Article 3 - Monitoring Committee

1. Under this Co-operation Protocol, a joint monitoring committee will be established, composed of a representative of both judicial training institutions.

2. This Committee shall ensure the proper functioning of the planned activities, the evaluation of the results obtained at the end of each year of training and shall propose appropriate adjustments to the co-operation programmes and the modalities of their implementation, with a view to achieving the co-operation objectives set out in this Protocol.

The Committee will meet periodically and regularly in each of the two countries.

Article 4 - Organisation of seminars

The Parties will organise seminars and study days for judges and prosecutors on topics of common interest, alternating between the two countries.

Article 5 - Exchange of information

The Parties will exchange documents, scientific publications, training programmes and any other 'training tools'-that may contribute to the improvement of knowledge of their respective legal and judicial systems.

Article 6 - Mutual Availability of Resources

Each party, at the request of the other, will provide one or more trainers, for a short period of time, to meet specific needs for initial and continuing training, particularly in specific areas such as:

- a) European law;
- b) international legal cooperation in criminal and civil matters;
- c) the fight against cross-border crime;
- d) cybercrime;
- e) organised crime and corruption;
- f) protection against domestic violence and violence against women, as well as other training activities for judges and other beneficiaries under the law of both countries.

Article 7 - Mutual Participation in Training Activities

1. The Higher School of the Italian Magistracy and the Justice Academy may host, respectively, judges and prosecutors for the purpose of

- a) attend training sessions organised for newly appointed foreign judges or magistrates;;

- b) participate in the training of serving judges in a specialised field of common interest; ;
- c) participate in international conferences, seminars and workshops organised or co-organised by the other Party;
- d) exchange experience in the management and administration of their respective institutions.

2. In case of online training, the Italian Higher School of the Magistracy shall facilitate the participation of Kosovar magistrates in the basic or continuous training. The number of participants shall be defined from time to time by mutual agreement.

Article 8 - Processing of personal data

In the application of this Collaboration Protocol, no information concerning a natural person or allowing his or her identification shall be transmitted to a third party or processed in a manner incompatible with the agreed purposes without the prior written consent of the data controller who provided this information.

Article 9 -Working language

The working language will be English.

Article 9 - Enforcement

1. This Co-operation Protocol shall be implemented in accordance with the Italian and Kosovo legislation as well as applicable international law and, in respect of the Italian Party, the obligations arising from Italy's membership of the European Union.

2. This Protocol of Cooperation does not constitute an international agreement giving rise to obligations under international law. No provision of this Protocol of Cooperation

shall be construed and implemented as a legally binding obligation or commitment of the Parties.

Article 10 - Financial Resources

The activities envisaged in this Cooperation Protocol shall be implemented by the Parties within the limits of their respective financial resources, without any additional cost for the ordinary budgets of the Republic of Italy and the Republic of Kosovo.

Article 11 - Divergences

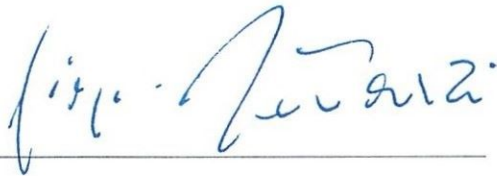
Any divergence in the interpretation and/or implementation of this Protocol of Cooperation shall be resolved amicably through direct consultations and negotiations between the Parties.

Article 12 - Effectiveness

1. This Protocol of Cooperation shall enter into force on the date of signature and shall remain in force until such time as one of the Parties notifies the other Party of its intention to terminate it with at least six (6) months notice.
2. The Parties may amend this Protocol of Cooperation in writing by mutual consent.
3. In the event of termination of this Protocol of Cooperation, ongoing activities planned in accordance with this Protocol of Cooperation may continue until their completion, unless otherwise agreed by the Parties.

Signed at in two originals, each in the Italian and Albanian languages, all texts being equally authentic.

FOR THE HIGH SCHOOL OF THE JUDICIARY OF
THE ITALIAN REPUBLIC



FOR THE KOSOVO JUSTICE ACADEMY

28/12/2023

