

Aligning North Macedonia's AI Policy with the EU: Bridging the Regulatory Gap

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Skopje, September 2025

*This analysis aims to explore how the European Union AI Act will influence North Macedonia's legal and institutional readiness for EU integration, with a focus on the necessary structural, legal, and institutional reforms the country must undertake to harmonise laws with EU standards. Without this alignment, the country risks regulatory fragmentation, decreased trust in AI systems, and potential delays in the accession process. Failure to harmonise national legislation with the *acquis communautaire*—specifically the AI Act in this case—would signal insufficient compliance with EU digital and data protection standards, undermine the country's credibility as an EU candidate and weaken its still-developing data protection framework.*

Introduction

Artificial Intelligence (AI) technologies, including tools such as large language models, are becoming increasingly accessible and integrated into everyday life in North Macedonia. They are present not only in professional and industrial applications, but also in most of our smartphones and apps. This rapid adoption of AI tools, however, stands in contrast to the current legal landscape of North Macedonia, which currently lacks a specific regulatory framework to govern the development, deployment, or use of AI. This regulatory vacuum raises significant concerns, particularly in areas such as the protection of fundamental rights, data privacy, accountability, and transparency.

This analysis aims to explore how the European Union AI Act will influence North Macedonia's legal and institutional readiness for EU integration, with a focus on the necessary structural, legal, and institutional reforms the country must undertake to harmonise laws with EU standards. Without this alignment, the country risks regulatory fragmentation, decreased trust in AI systems, and potential delays in the accession process. Failure to harmonise national legislation with the *acquis communautaire*—specifically the AI Act in this case—would signal insufficient compliance with EU digital and data protection standards, undermine the country's credibility as an EU candidate and weaken its still-developing data protection framework.

Overview of the EU AI Act and Its Principles

Interest in and research on AI have grown exponentially over the past five years, with its applications permeating nearly every aspect of daily life, from marketing and social media to healthcare, education, and even government decision-making. While such integration offers benefits in terms of efficiency, innovation, and accessibility, it simultaneously raises concerns regarding privacy, accountability, and potential bias. Recognising the power and risks of AI, the EU acted early in establishing a regulatory foundation grounded in values such as trust, transparency, and fundamental rights. With the introduction of the Artificial Intelligence Act (AI Act), the EU became the first political entity to establish a comprehensive framework for regulating AI. This Act forms part of the expanding *acquis communautaire* that candidate countries are expected to adopt through the accession process.



This policy brief was prepared under the project Building bridges for a common future: Rule of law in view of EU accession, funded by the European Union. The contents of this Brief do not reflect the official opinions and positions of the European Union. Responsibility for the information and views expressed in this Brief lies entirely with the European Policy Institute (EPI) - Skopje.



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The EU AI Act outlines a risk-based regulatory approach, classifying AI systems by risk level and the potential risk of harm to safety and fundamental rights. This imposes obligations on developers and users of AI systems, who are required to implement risk management, ensure compliance, and maintain oversight structures. These structures are reinforced by institutional arrangements for monitoring and enforcement;¹ however, many of these arrangements, as evidenced by the State Audit Office, are currently lacking in North Macedonia, where over EUR 6 million have been spent on forty-eight AI projects since 2018 without a single functional public sector implementation.²

The EU AI Act reflects the EU's broader commitment to trustworthy, human-centric, and ethical development of technology, grounded in foundational values such as the rule of law and democracy.³ These principles are embedded in the Treaties and referenced in the Act's recitals, emphasising the importance of aligning AI development with the Union's Charter of Fundamental Rights.⁴

The AI Act introduces a risk-based regulatory model that classifies AI systems into four tiers: unacceptable risk, high risk, limited risk, and minimal risk. Systems deemed to pose an unacceptable risk are prohibited outright, including those that deploy subliminal techniques, exploit vulnerabilities of specific groups, or involve real-time remote biometric identification in publicly accessible spaces for law enforcement purposes, with narrowly defined exceptions.⁵

High-risk systems are permitted but are subject to strict requirements. These include AI systems designed for use in critical areas, such as education, employment, law enforcement, border control, and access to essential public services.⁶ The Act mandates that these systems undergo conformity assessments, meet specific standards of data quality, ensure human oversight, and include mechanisms for transparency and accountability.⁷ These obligations require, for example, that datasets used for the training and development of the systems be relevant, representative and free from errors and bias; that human oversight ensures developers are in full control and able to halt operations at any given moment; and that transparency measures include clear instructions to ensure accountability in deployment and usage.⁸

Limited-risk AI systems, such as chatbots or emotion recognition systems, for example, must comply with transparency obligations, including informing users that they are interacting with an AI system.⁹ On the other hand, minimal-risk AI systems, like AI-enabled spam filters or video game algorithms, remain largely unregulated but are equally encouraged to follow voluntary codes of conduct and adhere to ethical guidelines.¹⁰

The AI Act is extraterritorial in scope, which means it applies not only to providers and users within the EU, but also to those outside the EU whose AI systems affect people within the Union.¹¹ This has significant implications for third countries, including North Macedonia, which will need to begin aligning with the Act well before accession to avoid regulatory fragmentation and to facilitate access to the EU single market.

In essence, the AI Act regulates not only AI technologies but also provides a legal framework anchoring innovation in public trust, fundamental rights, and democratic oversight.¹² For candidate countries like North Macedonia, this Act is not just a future obligation under the *acquis*—it can be viewed as a guide for institutional modernisation and legal harmonisation. From the general application of the EU AI Act on 2 August 2026, with obligations for general-purpose AI models commencing on 2 August 2025 and full compliance required by 2 August 2027, candidate countries, such as North Macedonia, can use these milestones to guide the gradual alignment of their legal and institutional frameworks with EU standards.¹³

1 Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 on harmonised rules on artificial intelligence (Artificial Intelligence Act), Official Journal of the European Union L 2024/1689, Arts. 25, 29.

2 Visive.ai, "Millions Spent on AI in North Macedonia, No Functional Projects Yet," Visive.ai, accessed August 16, 2025, <https://www.visive.ai/news/millions-spent-on-ai-in-north-macedonia-no-functional-projects-yet/>.

3 European Commission, Proposal for a Regulation of the European Parliament and of the Council laying down harmonised rules on artificial intelligence (Artificial Intelligence Act) and amending certain Union legislative acts, COM(2021) 206 final, Recital 1.

4 Ibid., Recitals 1 and 5.

5 Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 laying down harmonised rules on artificial intelligence (Artificial Intelligence Act), OJ L, 2024/1689, Article 5(1); Recitals 23–27.

6 Ibid., Annex III; Articles 6–7.

7 Ibid., Articles 8–15.

8 Regulation (EU) 2024/1689, Artificial Intelligence Act, Articles 10–14.

9 Ibid., Article 52(1); Recital 70.

10 Ibid., Recital 71; Article 69.

11 Ibid., Article 2(1)(c); Recital 12.

12 Ibid., Recitals 1, 5, and 10.

13 European Parliament, The Timeline of Implementation of the AI Act, 2025, https://www.europarl.europa.eu/thinktank/en/document/EPRS_ATA%282025%29772906.

North Macedonia's Current Regulatory Landscape for AI

North Macedonia currently operates within a significant regulatory vacuum. Unlike many neighbouring countries, the country lacks specific legislation or even comprehensive, non-binding guidelines to govern the development, deployment, or overall use of AI technologies. While the Macedonian Fund for Innovation and Technology Development (FITD), in collaboration with the government, initiated efforts in 2021 to formulate a National Strategy for AI, tangible progress on a robust legislative framework has been conspicuously slow.¹⁴ However, the introduction of the National ICT Strategy aims to bridge the digital divide by improving broadband infrastructure in underserved rural areas.¹⁵ The strategy, in its fourth pillar, identifies AI as an emerging technology with transformative potential across sectors, emphasising the need to build institutional, legal, and technical capacity to support the future deployment of such technologies in line with EU standards.¹⁶ While general digital development is being addressed, the absence of a dedicated AI framework could actively prolong North Macedonia's path to EU membership by necessitating extensive legislative overhauls and compliance efforts after the fact, potentially hindering economic integration and trust in its digital sector. The EU expects its prospective members to adopt its legal standards, and an absent or misaligned AI strategy would clearly signal a gap in regulatory readiness.

Despite the momentary lack of AI-specific legislation, North Macedonia has created a foundational legal framework for data protection. The Law on Personal Data Protection (LPDP)¹⁷, which took effect in February 2020, demonstrates substantial harmonisation with the EU's General Data Protection Regulation (GDPR).¹⁸ This alignment provides a starting point, given that data quality and privacy are central tenets of the EU AI Act's requirements for high-risk AI systems. Nevertheless, the LPDP alone proves insufficient to comprehensively address the inherent complexities and novel challenges presented by AI, and it can only be applied by analogy in cases involving AI, rather than being directly applicable. This inadequacy is particularly in relation to critical issues such as algorithmic bias, accountability for automated decision-making processes, and the broad application of AI across diverse economic and social sectors. Furthermore, questions pertaining to intellectual property rights for AI-generated works largely remain unresolved under the current Macedonian legal paradigm.¹⁹

The LPDP provides a foundational framework for addressing AI-related concerns in North Macedonia, despite the country's lack of specific AI legislation. Its broad definition of "processing of personal data" in Article 4, paragraph (1), point 2, encompassing automated means, allows the Personal Data Protection Agency (the Agency) to oversee AI systems handling personal data. Similarly, Article 4, paragraph (1), point 4's definition of "profiling" directly applies to many AI applications, establishing a legal basis for regulating predictive AI.²⁰

Fundamental LPDP principles from Article 9, such as "lawfulness, fairness and transparency," and "accuracy," can be analogously applied to AI. This includes mitigating algorithmic bias under "accuracy" (Article 9, paragraph (1), point 4) and ensuring clear communication about AI decisions for "transparency" (Article 9, paragraph (1), point 1). Furthermore, data subjects' rights in Article 17, paragraph (2), point 6, and Article 18, paragraph (2), point 7, specifically address "automated decision-making process, including profiling," granting individuals the right to meaningful information about AI logic and consequences. This empowers them to understand and challenge algorithmic decisions. Finally, the Agency's broad powers under Article 66 to demand information and access personal data provide a crucial regulatory mechanism to investigate and enforce data protection compliance in AI-related cases. While not a substitute for dedicated AI legislation, the LPDP offers immediate legal avenues to address critical AI concerns within North Macedonia's current regulatory landscape.²¹ North Macedonia's current approach to AI policy development lacks a framework for stakeholder

14 Andrea Radonjanin, Andrea Lazarevska, and Filip Srbinoski, "Artificial Intelligence 2024 - Schoenherr," Schoenherr. https://www.schoenherr.eu/media/0s3n4xde/schoenherr_chambers_north_macedonia.pdf.

15 Government of the Republic of North Macedonia, Draft National ICT Strategy 2023-2030, Ministry of Information Society and Administration, accessed July 30, 2025, https://ener.gov.mk/PublicDocuments/Главн%20Национална%20ИКТ%20стратегија%202023-2030_Главн_id=71_version=1.pdf.

16 Ibid.

17 Law on Personal Data Protection, Official Gazette of the Republic of North Macedonia no. 42/20, with amendments no. 101/25.

18 DLA Piper, "Data protection laws in North Macedonia," DLA Piper Data Protection Laws of the World, last modified January 17, 2024, <https://www.dlapiperdataprotection.com/index.html?t=about&c=MK>.

19 Andrea Radonjanin, Andrea Lazarevska, and Filip Srbinoski, "Artificial Intelligence 2024 - Schoenherr," Schoenherr. https://www.schoenherr.eu/media/0s3n4xde/schoenherr_chambers_north_macedonia.pdf; Law on Personal Data Protection, Official Gazette of the Republic of North Macedonia no. 42/20, with amendments no. 101/25.

20 Ibid., Article 4.

21 Ibid., Articles 9, 17, 18, and 66.

consultation or multi-stakeholder dialogue. This absence limits the inclusion of diverse perspectives, which can result in policies that do not fully address the societal and technical challenges of AI. In the Netherlands, for example, multi-stakeholder consultations are conducted on AI guidelines and prohibited AI practices, involving government bodies, industry, and civil society to ensure broad input and participation.²² This demonstrates that stakeholder engagement is necessary to produce policies that reflect multiple perspectives, ensure compliance, and allow for oversight. Without it, AI governance risks gaps in accountability and responsiveness.

Necessary Legal, Institutional, and Technical Changes for Alignment

North Macedonia currently lacks a dedicated legal framework for artificial intelligence. While broader digital transformation efforts are underway—most notably through the National ICT Strategy—the country still does not regulate AI-specific risks, responsibilities, or oversight mechanisms. The absence of legally defined safeguards, institutional capacity, and technical infrastructure creates a gap between North Macedonia’s current position and the standards required by the EU AI Act.

Legal Changes

The absence of a dedicated national AI strategy means North Macedonia must start from scratch, requiring substantial political will, financial investment, and legal expertise to build a comprehensive regulatory framework. Securing adequate funding for these reforms will be a significant challenge, likely necessitating international support.

Given the complexity and breadth of the EU AI Act, North Macedonia should adopt a new, dedicated law on artificial intelligence rather than attempting to regulate AI solely through amendments to the existing Law on Personal Data Protection. While the LPDP addresses issues related to data governance and individual rights, it does not cover critical aspects such as risk classification, conformity assessments, or sector-specific obligations. A new legal instrument would provide clearer regulatory certainty and better alignment with EU requirements, while targeted amendments to existing sectoral laws would ensure full harmonisation.²³ This law should adopt a risk-based classification, mirroring the EU AI Act, and explicitly prohibit systems deemed to pose an unacceptable risk.²⁴ This legislation must also mandate fundamental rights impact assessments for high-risk AI systems before their deployment, providing a means to proactively address these harms and risks.²⁵ For systems classified as high-risk, North Macedonia will need to legislate requirements covering data governance (similar to those found in the LPDP), comprehensive technical documentation and record-keeping, and transparency and information provisions. This can include specifying requirements for post-market monitoring and reporting of serious incidents involving AI systems, ensuring ongoing compliance and accountability once systems become operational, that is, deployed and accessible to many users.²⁶ It must ensure meaningful human oversight, guarantee the technical robustness, accuracy, and cybersecurity of high-risk AI systems, and mandate the establishment of a robust risk management system. The new law must also establish transparency obligations for limited-risk AI systems, such as chatbots, and define a clear enforcement framework with designated national authorities and a system of penalties consistent with the EU Act, including provisions for redress mechanisms for affected individuals.²⁷ Beyond a general AI law, existing sector-specific legislation in areas such as healthcare, finance, employment, and education will need to be reviewed and amended to incorporate AI-specific provisions, ensuring consistency with the principles of the AI Act.

22 Rijksoverheid, “Reactie op Consultatie AI Systemen,” Rijksoverheid, December 11, 2024, <https://www.rijksoverheid.nl/documenten/rapporten/2024/12/11/reactie-consultatie-ai-systeem>.

23 Andrea Lazarevska, Andrea Radonjanin, and Filip Srbinoski, “The Absence of AI Regulation in North Macedonia,” Chambers Global Practice Guides: Artificial Intelligence 2024, Schoenherr, accessed August 10, 2025, https://www.schoenherr.eu/media/0s3n4xde/schoenherr_chambers_north_macedonia.pdf.

24 Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 laying down harmonised rules on artificial intelligence (Artificial Intelligence Act), OJ L, 2024/1689, Article 5(1).

25 Ibid, Article 29.

26 Ibid, Articles 10, 11, 13, 14, 15, 66.

27 Ibid., Articles 52, 60, 61, 62, and 71.

Institutional Changes

Implementing the AI Act requires strengthening and establishing new institutional capacities. North Macedonia will need to designate a competent national authority for AI oversight, potentially expanding its Personal Data Protection Agency (PDPA) or creating a dedicated AI body with multidisciplinary experts.²⁸ For high-risk AI systems or developers, independent third-party conformity assessment bodies must be accredited or established. However, the PDPA itself faces well-documented limitations. Its annual reports and the European Commission's most recent progress report identify persistent challenges such as limited staffing, insufficient funding, and a lack of technical infrastructure, which severely constrain its regulatory reach.²⁹ These shortcomings must be addressed as a matter of priority if the Agency is to assume the additional responsibilities outlined under the AI Act.

Extensive training is necessary for civil servants across all government sectors, including ministries, the judiciary, and procurement, to develop their understanding of both the legal requirements and technical implications of the AI Act.³⁰ Strong inter-agency coordination and public awareness initiatives are essential, including public-private partnerships, which can be incentivised in many ways, such as calls for outside investment in AI. In addition, the designated AI authority, whether new or existing, must be significantly equipped with human, financial, and technological resources to carry out its mission effectively.

Building institutional capacity will demand coordinated efforts to train public officials and establish competent authorities to oversee AI deployment and compliance. These challenges present an opportunity for North Macedonia to enhance governance, attract investment, and foster innovation within a regulated and rights-respecting environment aligned with EU standards.³¹

Technical Changes

North Macedonia must address significant technical challenges. Developing or adopting detailed technical standards for AI development and deployment, consistent with European norms (including both explainable AI and interoperability), is vital.³² Investment is needed to develop a national pool of AI experts, including ethics specialists, data scientists, and engineers, within both public and private sectors, as well as to bolster educational programs and AI research. A secure data infrastructure is of special importance for high-risk AI systems, potentially requiring investments in secure cloud computing and national data centres to mitigate cybersecurity risks.³³

North Macedonia has already suffered multiple ransomware and phishing attacks against public institutions, such as the Health Insurance Fund in 2023 and the Ministries of Agriculture and Education in 2022, demonstrating vulnerabilities in cybersecurity and highlighting the heightened risk of AI systems being manipulated.³⁴ As AI becomes more integrated into public services, the potential for exploitation grows sharply, underscoring the urgent need for robust security and resilience.

Establishing or supporting AI testing and validation facilities, especially for high-risk system testing, is essential for compliance.³⁵ In parallel, North Macedonia must develop policies aimed at retaining its existing pool of digital and AI professionals, who are often drawn abroad by better-funded opportunities. Preventing brain drain through incentives, career development programs, and research funding will be key to building sustainable domestic capacity for AI governance and innovation, as the EU has recommended through its Talent Booster Mechanism and partnerships under the Global Gateway frameworks.³⁶

28 Ibid., Articles 60 and 61.

29 Republic of North Macedonia, Annual Report of the Agency for Personal Data Protection for 2023 (Skopje: Agency for Personal Data Protection, 2024), <https://dzlp.mk/mk/izvestaji>; European Commission, North Macedonia 2024 Report, SWD(2024) 621 final, Brussels, 5 June 2024, https://neighbourhood-enlargement.ec.europa.eu/north-macedonia-report-2024_en.

30 Ibid., Recital 70.

31 European Commission, Supervising AI by Competent Authorities, accessed August 10, 2025, https://reform-support.ec.europa.eu/what-we-do/public-administration-and-governance/supervising-ai-competent-authorities_en.

32 Ibid., Article 41.

33 Ibid., Articles 10 and 15.

34 Balkan Investigative Reporting Network, "Cyber-enabled crime poses significant risks to South Eastern Europe: ransomware attacks hit North Macedonia's Health Insurance Fund and multiple ministries," Risk Bulletin, March 2024; and Telegraf.com, "Cyber-attacks on state institutions escalate, exposing citizens' data risks," Telegraf, April 2023.

35 Stein, Merlin, Milan Gandhi, Theresa Kriecherbauer, Amin Oueslati, and Robert Trager, "Public vs Private Bodies: Who Should Run Advanced AI Evaluations and Audits? A Three-Step Logic Based on Case Studies of High-Risk Industries," arXiv, July 30, 2024, <https://www.arxiv.org/abs/2407.20847v1>

36 European Parliament, Report on Harnessing Talent in Europe's Regions, A9-0325/2023, adopted 14 June 2023, especially Recitals R–P on talent retention strategies to counter brain drain; European Commission, Implementation of Global Gateway Agenda, Communication COM(2023)715, 10 October 2023, §3 on Talent Partnerships and cooperation with third-country (non-EU) partners to prevent brain drain and support skills development.

Conclusion

The EU AI Act, grounded in human-centric values and a risk-based approach, serves as a vital framework for North Macedonia's alignment with the Union's digital and democratic standards. The current regulatory vacuum urgently calls for comprehensive legal reforms that mirror the Act's structure—introducing a dedicated AI law, establishing a competent national supervisory authority, and building institutional capacity across public administration and infrastructure. This includes strategic investments in AI expertise, secure data systems, and testing facilities to ensure both technical excellence and accountability. While complex, this process offers North Macedonia a transformative opportunity: to modernise its digital governance, foster innovation, attract sustainable investment, and accelerate its path to EU accession.

Most importantly, adopting this framework anchors the country's digital future in the protection of fundamental rights—ensuring that AI serves people, safeguards their dignity, and reinforces public trust in the rule of law.

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