

# Rule of Law in View of EU Accession

Quarterly brief

July-September 2023



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This brief summarises the key developments in relation to rule of law in view of EU accession in North Macedonia for the period July – September 2023. It includes the monitoring of the fundamentals of EU accession, including key developments in the functioning of democratic institutions, public administration reform and chapter 23: judiciary and fundamental rights.

## Key developments

- » The Commission for Constitutional Affairs endorsed the proposal for constitutional amendments, paving the way for its continued examination. Subsequently, a plenary session was convened, during which both the government and the opposition maintained their original stances. However, the session was interrupted, and a continuation of this process is expected in the upcoming period;
- » Amid the extensive discussions surrounding constitutional amendments, covert election strategy talks have been unfolding;
- » A cancer medication misuse scandal has ignited public outrage in North Macedonia, with calls for ministerial resignations;
- » The Council for Cooperation between the government and civil society persisted in its boycott and awaited a response from government representatives regarding meeting requests;
- » A partnership agreement 'Digital Europe (2021–2027)' program, was signed in Brussels between North Macedonia and the European Union;
- » In July, the Public Administration Reform Strategy 2023–2030 with an Action Plan was adopted;
- » Perceived inconsistencies in the selection of the members of the Judicial Council from among the judges and the recorded systemic weaknesses in the model for their selection culminated in a peer assessment mission for the work of the Judicial Council by the European Union;
- » To uphold the principles of legal certainty and transparency and to ensure the consistent application of legal provisions, thereby facilitating media operations, the Supreme Court established a principled stance on media accreditation and permissions for recording and photography;
- » Disagreements and the rejection of a request to reallocate funds from the Judicial Budget Council led to a general strike of judicial and public prosecution services. The strike is driven by demands for a 78% salary increase and the reinstatement of 35% salary supplements;
- » The Constitutional Court overturned the newly adopted Instruction on Civil Registers that added the column "nationality" to the certificates of the civil register of births, marriages, and deaths, contested by experts and some of the parties for intrusion into sensitive protected data;
- » In September, the proposed amendments to the Criminal Code, introducing lighter sentences for the crimes of abuse of official position and authority and criminal association, were adopted;
- » A new draft Amnesty Law, which is intended to release inmates convicted of less serious crimes, entered the parliamentary procedure;
- » The Rulebook supplementing the Rulebook on the Deployment, Classification, and Placement of Convicted Persons in Penitentiary Institutions was published, thus providing women serving prison sentences with the same rights and benefits as men;
- » Amendments to the Law on Audio and Audiovisual Media Services were adopted in July, but the revisions did not amend or erase the disputed Article 102 regarding the ban on government advertising in private media;
- » The Law on Value-Added Tax was amended in September, thus reducing the tax on menstrual hygiene materials from 18% to 5%, which would subsequently decrease their price.



## List of Abbreviations

AA	Alliance for Albanians
AAVMS	Agency for Audio and Audiovisual Media Services
ACCMIS	Automated court case management information system
AJM	Association of Journalists of Macedonia
AJPP	Academy for Judges and Public Prosecutors
BPP	Basic Public Prosecution
BPPO	Basic Public Prosecutor's Office
BPPOPOCC	Basic Public Prosecutor's Office for Prosecuting Organized Crime and Corruption
CPPD	Commission for Prevention and Protection against Discrimination
CSO	Civil Society Organisation
DUI	Democratic Union for Integration
EC	European Commission
ECHR	European Convention on Human Rights
ECtHR	European Court of Human Rights
EPI	European Policy Institute
ERA	Academy of European Law
EU	European Union
IRI	International Republican Institute
IRL	Investigative Reporting Lab
LAAVMS	Law on Audio and Audiovisual Media Services
LGBTI	Lesbian, gay, bisexual, trans and intersex communities
MFA	Ministry of Foreign Affairs
MIA	Media Information Agency
MoI	Ministry of Interior Affairs
MoJ	Ministry of Justice
MP	Member of Parliament
NATO	North Atlantic Treaty Organization
NGO	Non-governmental organisation
OMR	Office for Management of Registers of Births, Marriages and Deaths
OTA	Operational—Technical Agency
OSCE	Organization for Security and Co-operation in Europe
PAR	Public Administration Reform
PDPA	Personal Data Protection Agency
PPO	Public Prosecutor's Office
RM	Republic of Macedonia
RNM	Republic of North Macedonia
SCPC	State Commission for Prevention of Corruption
SDSM	Social Democratic Union of Macedonia
SEA	Secretariat for European Affairs
SIGMA	Support for Improvement in Governance and Management
TEU	Treaty on European Union
UPOZ	Trade Union of the Workers in Administration, Juridical Authorities and Citizens' Associations of Macedonia
USA	The United States of America
VMRO–DPMNE	Internal Macedonian Revolutionary Organization—Democratic Party for Macedonian National Unity
WeBER	Western Balkan Enablers for Reforming Public Administrations



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# Functioning of democratic institutions



# Elections

In early July, ministers from the Democratic Union for Integration (DUI) submitted conditional resignation letters. They stated that they would resign from their positions if the Internal Macedonian Revolutionary Organization–Democratic Party for Macedonian National Unity (VMRO–DPMNE) voted for the constitutional changes. This stance was reinforced by the President of the Assembly, who also rendered his resignation. However, VMRO–DPMNE refused to accept the resignation of the President and continued to push for early elections without supporting the constitutional changes.<sup>1</sup>

The President of the Alliance for Albanians (AA), also the current Mayor of Gostivar, held the view that early elections scheduled for November or December this year are not advisable. Simultaneously, he believes that they should not take place in July next year, during the regular term. His argument is based on the belief that regular presidential elections should ideally occur in March or April. Holding parliamentary elections in close succession would result in unnecessary financial burdens for the state.<sup>2</sup>

Amid the extensive discussions surrounding constitutional amendments, covert election strategy talks have been unfolding. One scenario involves potential post-election cooperation among current pro-European coalition members and a new civil party to offset possible vote losses. However, there is confidence within DUI that the ‘Fire Group’ faction’s actions will not significantly impact them. On another front, divisions have emerged within the Fire Group itself. The leader of the Albanian bloc, plans to establish a new movement in collaboration with opposition parties Besa and Alternativa. At the same time, other members prefer to address issues within their existing party. There are also speculations about new political entities emerging, notably involving the Mayor of the City of Skopje and the Mayor of Kumanovo Municipality. The composition of the ruling coalition post-election remains uncertain, and the stance of the AA sends mixed signals.<sup>3</sup>

In September, a division within the opposition party VMRO–DPMNE became apparent. The current president of the party engaged in a public dispute with the former party president and ex-prime minister. The former accused the latter of collaborating with the current government to weaken the party. This exchange of allegations led to discussions among their respective supporters and had an impact on the party’s popularity. Both sides, however, denied any claims of cooperation between the former party president and the current government.<sup>4</sup>

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1 ‘DUI’s Resignations—Tactic or Opportunity? (Оставките на ДУИ – тактика или прилика?!), *Vecer.Mk*, 31 July 2023, <https://bit.ly/4951fG5>.

2 ‘Taravari Is against Holding the Assembly ary Elections in the Regular Term—in July, next Year (Таравари е против одржување на парламентарните избори во редовниот термин – во јули, догодина), *360 Stepeni*, 7 August 2023, <https://360stepeni.mk/taravari-e-protiv-odrzhuvane-na-parlamentarnite-izbori-vo-redovniot-termin-vo-juli-dogodina/>.

3 ‘In the Morning for the Constitutional Amendments, in the Afternoon for the Elections (Претпладне за измените, попладне за изборите), *Deutsche Welle*, 17 July 2023, <https://www.dw.com/mk/pretpladne-za-izmenite-popladne-za-izborite/a-66251626>.

4 ‘Fugitive North Macedonia Ex-PM Accused of “Dirty Deal” with Govt’, *Balkan Insight- Balkan Investigative Reporting Network*, 20 September 2023, <https://balkaninsight.com/2023/09/20/fugitive-north-macedonia-ex-pm-accused-of-dirty-deal-with-govt/>.

## Assembly

In July, the conditional resignations of DUI ministers took centre stage. The government parties contended that all the opposition's conditions for voting on the constitutional changes had been met. In contrast, the opposition maintained that DUI's announcement was insincere, emphasising that the resignations should occur within the Assembly rather than through media statements.

The primary national focus remained on the constitutional amendments, with the first plenary session commencing on August 18th. Following the session, the President of the Assembly stated that it would resume at a later date when the requisite majority is present.<sup>5</sup>

A report published by the Institute for Democracy “Societas Civilis”—Skopje, showed that there is a relatively low level of quality regarding debating in the Assembly in this mandate and that there is room for significant improvement.<sup>6</sup> According to the report, MPs from the opposition were more active in discussions, participating in 76% of all discussions monitored, while MPs from the parliamentary majority participated in 24%. The share of women in the discussion is at a high of 43%. It remains at a relatively high level, and this is the highest participation of women in the discussion compared to previously observed mandates. What is problematic is that in 49% of all analysed discussions, the participants made no arguments. In comparison, 44% of the analysed discussions had poor arguments; that is, the speakers offered an explanation of their positions that is insufficient to be considered a complete argument.

The Spanish ambassador presented the program and priorities for the work of the Spanish Presidency with the Council of the European Union for the period July–December 2023 at a joint session of the National Council for European Integration and the Commission for European Affairs.<sup>7</sup>

## Governance

According to a poll published by the International Republican Institute (IRI),<sup>8</sup> only one per cent of citizens trust the judiciary and the public prosecutors. In contrast, only six per cent of citizens believe in equality before the laws in North Macedonia, and 38 per cent have complete mistrust. Poverty, low standards, and high prices are at the top of the list as the most important problems faced by citizens, and statistics show that almost 50 per cent of those surveyed are pessimistic and expect an even worse economic situation in the next two years. Regarding the European integration of North Macedonia, there is a growth in the support for EU membership compared to the last poll from October last year. 79 per cent of the citizens are for the country joining the union, with only 17 per cent against.

5 ‘Xhaferi Interrupted the Session to Change the Constitution, the Government Did Not Find 80 MPs (Џафери ја прекина седницата за промена на Уставот, власта не најде 80 пратеници)’, *A1 On*, 18 August 2023, <https://a1on.mk/macedonia/dzhaferi-ja-prekina-sednicata-za-promena-na-ustavot-vlasta-ne-najde-80-pratenici/>.

6 Vlora Rechica, Aleksandra Jovevska Gjorgjevikj, and Nikola Donev, ‘Monitoring Report No. 16/2023- Assembly Watch: Monitoring Report on the Debate Quality in the Assembly (January – June 2023)’ (Institute for Democracy “Societas Civilis” – Skopje (IDSCS), August 2023), <https://idscs.org.mk/en/2023/08/15/Assembly-watch-monitoring-report-on-the-debate-quality-in-the-Assembly-january-june-2023/>.

7 ‘Spain Continues Its Commitment to EU Enlargement (Шпанија продолжува со заложбите за проширување на ЕУ)’, *Official Website of the Assembly of the Republic of North Macedonia*, 11 July 2023, <https://www.sobranie.mk/ns-newsarticle-spanija-prodolzuva-so-zalozbite-za-prosiruvane-na-eu.nspk>.

8 Center for Insights in Survey Research, ‘National Survey of North Macedonia | April – May 2023’ (International Republican Institute-IRI, 10 July 2023), <https://www.iri.org/resources/national-survey-of-north-macedonia-april-may-2023/>.

The Government is preparing a new strategy for transparency with an action plan for 2023–2026.<sup>9</sup> The draft was made by the working group led by civil society organisations (CSOs) and was presented in September.<sup>10</sup>

The research on the index of active transparency of institutions, which is regularly carried out by the non-governmental association Center for Civil Communications, shows that in 2023 as well as in 2022, the government has 100 per cent, that is, it publishes all the foreseen information from active transparency.<sup>11</sup> One hundred per cent active transparency this year is also maintained by the Ministry of Defence. The overall active transparency of the government and ministries has improved by 86 per cent this year. At the same time, a high level of active transparency is registered with a large number of ministries, such as the Ministry of Finance, the Ministry of Labor and Social Policy, the Ministry of Agriculture, the Ministry of Agriculture, Forestry and Water Economy, the Ministry of Economy, and the Ministry of Transport and Communications.<sup>12</sup>

In late July, a vehicle linked to First Deputy Prime Minister was set on fire,<sup>13</sup> an act strongly condemned by the government.<sup>14</sup> The incident raised questions about the accuracy of Deputy's asset declaration, as he had listed his car as being a 'Citroen Xara' valued at 1,000 euros rather than the reported 'Audi'.<sup>15</sup> This event drew condemnation from various political figures, and the opposition called for a public prosecution investigation into potential asset concealment and illegal instalment of flashers, which can only be carried out by the Ministry of Interior Affairs (Moi). In response, the Public Prosecution Office in Skopje requested documentation regarding the vehicle's acquisition and ownership. The First Deputy Prime Minister later clarified that the car was not his and apologised to the owner and his neighbours.<sup>16</sup>

A cancer medication misuse scandal has ignited public outrage in North Macedonia, with calls for ministerial resignations.<sup>17</sup> The controversy emerged shortly before the Assembly of North Macedonia passed controversial amendments to the Criminal Code, criticised for potentially undermining anti-corruption efforts.<sup>18</sup> Representatives from non-governmental organisations (NGOs) have warned that these changes could lead to the expiration of many high-profile cases involving former political leaders and officials

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9 'Notice from the Meeting with Part of the Working Group for the Preparation of the New Transparency Strategy with an Action Plan (2023-2026) (Известување од состанокот со дел од работната група за изготвување на новата Стратегија за транспарентност со Акциски план (2023-2026))', *Official Facebook Page of Slavica Grkovska, Deputy Prime Minister in Charge of Good Governance Policies*, 6 July 2023, <https://bit.ly/3Mj03VQ>.

10 'Grkovska: The Data Belongs to the Citizens, the Office Bearers Should Ensure Full Transparency of the Institutions (Грковска: Податоците им припаѓаат на граѓаните, носителите на функции да обезбедат целосна транспарентност на институциите)', *Official Website of the Government of the Republic of North Macedonia*, 11 September 2023, <https://vlada.mk/node/34412>.

11 'Index of Active Transparency 2023', *Center for Civil Communications*, 10 July 2023, <https://bit.ly/3QgH9zM>.

12 'The Government with 100% Active Transparency in 2023 as Well (Владата со 100% активна транспарентност и во 2023 година)', *Kanal 5*, 10 July 2023, <https://kanal5.com.mk/vladata-so-100-aktivna-transparentnost-i-vo-2023-godina/a590498>.

13 'It Is Claimed That the Private Car of Artan Grubi, Which Is Registered under a Different Name, Was Set on Fire (Се тврди дека е опожарен приватниот автомобил на Артан Груби, кој пак се води на друго име)', *Meta.Mk*, 22 July 2023, <https://meta.mk/se-tvrdi-deka-e-opozharen-privatniot-avtomobil-na-vicepremierot-grubi-koj-pak-se-vodi-na-drugo-ime/>.

14 'Security Is the Top Priority, Act without Delay to Quickly and Completely Clear the Case of Violence in Which the Vehicle Used by the First Deputy Prime Minister Grubi Was Set on Fire (Безбедноста е врвен приоритет, постапување без одлагање за брзо и целосно расчистување на случајот на насилство во кое е запалено возилото кое го користел првиот вицепремиер Груби)', *Official Website of the Government of the Republic of North Macedonia*, 23 July 2023, <https://vlada.mk/node/33991>.

15 'Detailed Review—Artan Grubi (Детален преглед— Артан Груби)', *Official Website of the State Commission for Prevention of Corruption*, <https://bit.ly/3FA60K0>.

16 'The Burning "Audi" in the Hands of a Prosecutor: He Will Check If Grubi Is the Owner and When It Was Bought (Запаленото „ауди“ во рацете на обвинител: ќе проверува дали сопственик е Груби и кога е купено)', *Mkd.Mk*, 23 July 2023, <https://bit.ly/3FytyyT>.

17 'Cancer Treatment Misuse Allegations Rock North Macedonia', *Balkan Insight- Balkan Investigative Reporting Network*, 4 September 2023, <https://balkaninsight.com/2023/09/04/cancer-treatment-misuse-allegations-rock-north-macedonia/>.

18 'Cancer Treatment Misuse Allegations Rock North Macedonia'.

facing charges of “misuse of office” and “criminal enterprise.”<sup>19</sup> Opposition parties suspect a deal with the former prime minister to secure support for a constitutional change, potentially impacting his legal situation, is in the offing. The leader of VMRO-DPMNE also criticised the swift legislative changes, suggesting they protect outgoing government officials from potential prosecution.<sup>20</sup> In addition, reactions of the EU delegation in the country and the European Commission (EC) were prompted by these amendments due to their rapid adoption and because of the misuse of the European flag.<sup>21</sup>

At the beginning of July, the bilateral screening for Chapter 27—Environment and Climate Change was carried out in Brussels, one of the two longest screenings. At the screening before the EC, through 75 presentations, the situation in the areas of horizontal legislation, waste management, water quality, nature, chemicals, industrial pollution, and climate change was presented.<sup>22</sup> In mid-July, the explanatory screening for Cluster 5—“Resources, Agriculture and Cohesion” was also conducted,<sup>23</sup> and in September, the screening meetings for Chapter 15—Energy, Chapter 21—Trans-European Networks, and Cluster 6, Chapter 30—External Relations were also held in Brussels.<sup>24</sup>

During August 2023, notable developments included the release by the EC of the screening report for Cluster 1<sup>25</sup> and the presentation of the report by “The Group of Twelve”, a panel convened by the French and German governments, titled “Sailing on High Seas: Reforming and Enlarging the EU for the 21st Century”.<sup>26</sup> Regarding the former, it was indicated that the legal framework is largely established, but the implementation needs strengthening. Particular improvement is needed in the area of hate speech, corruption and confiscation of criminal assets, more active and up-to-date implementation of the strategy to fight against corruption, and greater political will regarding the public administration reform. Direct messages are also given to the councils for judges and public prosecutors to respect the principle of judicial independence, promote transparency, and prevent and sanction forms of internal and external interference in the justice system. On the other hand, the Franco-German expert proposal places paramount importance on upholding the rule of law as an inviolable constitutional principle essential to the effective functioning of the European Union (EU) and as a prerequisite for accession. The report contains several recommendations to enhance the EU’s capacity to safeguard and reinforce the rule of law. These recommendations encompass bolstering budgetary conditionality measures and refining Article 7 of the Treaty on European Union (TEU) through a treaty revision process. The proposed shift towards enabling qualified majority voting for decision-making across a wide array of policy domains within the EU is of equal significance.

19 ‘The Government Has Proposed Amendments to the Criminal Code That Reduce Prison Sentences for Officials (Владата предложи измени на Кривичниот законик со кој се намалуваат затворските казни за функционерите)’, *Voice of America*, 6 September 2023, <https://mk.voanews.com/a/vladata-predlozhi-izmeni-na-krivichniot-zakonik-so-ko%D1%98-se-namaluvaaat-zatvorskite-kazni-za-funkcionerite/7256668.html>.

20 ‘North Macedonia’s President Urged to Block Sudden Criminal Law Changes’, *Balkan Insight- Balkan Investigative Reporting Network*, 7 September 2023, <https://balkaninsight.com/2023/09/07/north-macedonias-president-urged-to-block-sudden-criminal-law-changes/>.

21 ‘The European Commission Is Concerned about the Amendments of the Criminal Code (Европската комисија е загрижена поради измените на Кривичниот законик)’, *Slobodnaevropa.Mk*, 12 September 2023, <https://www.slobodnaevropa.mk/a/32589801.html>.

22 ‘Shukova from Brussels: We Are Ready to Take Our Share of Responsibility (Шукова од Брисел: Подготвени сме да го преземеме нашиот дел од одговорноста)’, *Official Website of the Government of the Republic of North Macedonia*, 3 July 2023, <https://vlada.mk/node/33792/>.

23 ‘Explanatory Screening for Cluster 5, “Resources, Agriculture and Cohesion” Started in Brussels (Во Брисел започна објаснувачкиот скрининг за Кластер 5, „Ресурси, земјоделство и кохезија“), *Official Website of the Secretariat for European Affairs*, 17 July 2023, <https://www.sep.gov.mk/post/?id=13480>.

24 ‘The Screening Meeting for Chapter 15- Energy and Chapter 21- Trans-European Networks Has Started in Brussels (Во Брисел започна скрининг состанокот за Поглавје 15 – Енергетика и Поглавје 21 – Трансевропски мрежи)’, *Official Website of the Secretariat for European Affairs*, 14 September 2023, 15, <https://www.sep.gov.mk/post/?id=13525>.

25 ‘Screening Report North Macedonia Cluster 1 – Fundamentals’ (European Commission, 20 July 2023), [https://neighbourhood-enlargement.ec.europa.eu/system/files/2023-07/MK%20Cluster\\_1%20Draft%20screening%20report\\_external%20version.pdf](https://neighbourhood-enlargement.ec.europa.eu/system/files/2023-07/MK%20Cluster_1%20Draft%20screening%20report_external%20version.pdf).

26 ‘Screening Report North Macedonia Cluster 1 – Fundamentals’.

The government continued its diplomatic efforts to promote constitutional amendments throughout the reporting period. Government representatives engaged in a persuasive campaign through visits and media appearances, seeking to convince citizens that the amendments are not detrimental and should not impede the country's EU integration path.<sup>27,28</sup> The Prime Minister presented the proposal for constitutional amendments during a session of the Commission for Constitutional Affairs in the Macedonian Assembly. The government reviewed and approved the proposal on July 18th, 2023, and it entered the parliamentary procedure on July 25th, 2023.<sup>29</sup> The Assembly of North Macedonia initiated a ten-day debate on the government's proposal to amend the constitution, requiring the support of two-thirds of all 120 legislators for the bill to pass.<sup>30</sup> Additionally, the Prime Minister addressed the plenary session in the Assembly, attended by 73 supportive MPs, emphasising the country's European future.<sup>31</sup>

During an interview with the Media Information Agency (MIA), the Prime Minister affirmed the stability of the government coalition, even in light of recent developments within DUI and the emergence of the Democratic Movement. He expressed confidence in the coalition's stability and anticipated that pro-European parties would remain committed to the constitutional amendments. He emphasised that all parliamentary parties and MPs recognised the significance of this historical moment and the need to make the right decision to shape the country's European path.<sup>32</sup>

Throughout the reporting period, North Macedonia witnessed numerous visits from high-level officials representing EU Member States and the USA, affirming their strong support for commencing accession negotiations. The importance of successfully implementing the constitutional amendments was a recurring theme during these visits. The Prime Minister and Foreign Affairs Minister engaged in multiple meetings with leaders and counterparts from EU member states at various forums, including the Bled Strategic Forum, the Tirana Connectivity Forum, and the Berlin Process.

In regional cooperation, the Macedonian Prime Minister met with the Albanian Prime Minister to discuss the Berlin Process, EU integration, and strengthening bilateral ties as North Atlantic Treaty Organization (NATO) members. They emphasised the need for unwavering commitment to achieve EU membership by 2030.<sup>33</sup>

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27 'Petrovska: Constitutional Amendments Do Not Cause Harm, Precious Time Must Not Be Lost in the Process of Accession to the EU (Петровска: Уставните измени не нанесуваат штета, не смее да се губи драгоцено време во процесот на пристапување кон ЕУ)', *Official Website of the Government of the Republic of North Macedonia*, 17 July 2023, <https://vlada.mk/node/33921>.

28 'Kovacevski for MIA: There Will Be No New Conditions, It Is Time for Statesmanship Decisions (Ковачевски за МИА: Нови условувања нема да има, време е за државнички одлуки)', *Official Website of the Government of the Republic of North Macedonia*, 6 August 2023, <https://vlada.mk/node/34087>.

29 'Kovachevski of the Commission for Constitutional Affairs: We Have a Unique Chance to Continue the European Path, the Macedonian Language and Identity Are Protected, before the Deputies Is a Statesman's Decision (Ковачевски на Комисијата за уставни прашања: Имаме неповторлива шанса за продолжување на европскиот пат, македонскиот јазик и идентитет се заштитени, пред пратениците е државничка одлука)', *Official Website of the Government of the Republic of North Macedonia*, 25 July 2023, <https://vlada.mk/node/34001>.

30 'North Macedonia Assembly Starts Session on Constitutional Change', *Balkan Insight- Balkan Investigative Reporting Network*, 18 August 2023, <https://balkaninsight.com/2023/08/18/north-macedonia-assembly-starts-session-on-constitutional-change/>.

31 'Topic of the Day with the Prime Minister and President of SDSM, Dimitar Kovachevski (Тема на денот со премиерот и претседател на СДСМ, Димитар Ковачевски)', *Sitel TV*, 3 October 2023, <https://sitel.com.mk/tema-na-denot-so-premierot-i-pretседatел-na-sdsm-dimitar-kovachevski-0>.

32 'Kovacevski for MIA: The Coalition Is Stable, I Expect a Fruitful Assembly ary Debate on a Non-Partisan, State-Level Decision (Ковачевски за МИА: Коалицијата е стабилна, очекувам плодна парламентарна дебата за натпартиска, државничка одлука)', *Maktel.Mk*, 7 August 2023, <https://bit.ly/498APmH>.

33 'Kovacevski-Rama: The Berlin Process and Other Regional Initiatives Ensure Faster European Integration of the Countries of the Region (Ковачевски - Рама: Берлинскиот процес и останатите регионални иницијативи обезбедуваат побрза евроинтеграција на земјите од регионот)', *Official Website of the Government of the Republic of North Macedonia*, 6 July 2023, <https://vlada.mk/node/33818>.

Furthermore, on July 16th, 2023, the Prime Minister and the Serbian Prime Minister introduced an integrated electronic toll collection system, enabling cross-border toll payments with a single TAG device between North Macedonia and Serbia.<sup>34</sup>

On the twenty-second anniversary of the Ohrid Peace Agreement, First Deputy Prime Minister reflected on its significance, highlighting how it marked a new era for North Macedonia. The agreement set the groundwork for peace, unity, equality, and consensus-based democracy. Despite initial doubts and challenges, the commitment to overcoming prejudice and discrimination in favour of a shared future based on mutual identity values prevailed.<sup>35</sup>

## Civil Society

The Council for Cooperation between the government and civil society persisted in its boycott and awaited a response from government representatives regarding meeting requests.

In August, the Secretariat for European Affairs (SEA) initiated consultations with CSOs,<sup>36</sup> emphasising the need for transparency and inclusivity. SEA committed to ongoing discussions with CSOs to develop roadmaps that encompass contributions from all societal stakeholders towards policy and institutional reforms, with the aim of preparing North Macedonia for full EU membership by 2030. CSOs welcomed the launch of roadmap consultations. They expressed their readiness to actively engage in constructive discussions, providing written input that will significantly shape the content of these documents.<sup>37</sup>

## Civilian oversight of the security/intelligence sector

The Operational-Technical Agency Skopje (OTA) is currently without a director, as the former director concluded his five-year term in September and is not eligible for re-election. The former director initially scheduled a press conference for September 7th, the day his term ended, but it was later cancelled without an explanation. The appointment of the new director requires a two-thirds majority vote in Assembly, and while 21 individuals have applied for the position, a decision has not yet been reached.

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34 'Kovacevski–Brnabić: Open Balkans Gives Results, with a Common Tag for Tolls, the Travel for the Citizens of North Macedonia and Serbia Is Facilitated (Ковачевски-Брнабиќ: Отворен Балкан дава резултати, со заеднички таг за патарини, олеснето патувањето за граѓаните на Северна Македонија и Србија)', *Official Website of the Government of the Republic of North Macedonia*, 16 July 2023, <https://vlada.mk/node/33912>.

35 'The Message of the First Vice-President of the Government, Artan Grubi on the Occasion of the 22nd Anniversary of the Ohrid Framework Agreement (Пораката на првиот потпретседател на Владата, Артан Груби по повод на 22 годишнината на Охридскиот рамковен договор)', *Official Website of the Government of the Republic of North Macedonia*, 13 August 2023, <https://vlada.mk/node/34122>.

36 'Maricic: The Contribution of the Civil Sector Is Key to Successful Progress in the European Integration Process (Маричиќ: Придонесот на граѓанскиот сектор е клучен за успешен напредок во евроинтегративниот процес)', *Official Website of the Secretariat for European Affairs*, 24 August 2023, <https://www.sep.gov.mk/post/?id=13493>.

37 'Maricic: The Contribution of the Civil Sector Is Key to Successful Progress in the European Integration Process (Маричиќ: Придонесот на граѓанскиот сектор е клучен за успешен напредок во евроинтегративниот процес)', *Official Website of the Government of the Republic of North Macedonia*, 24 August 2023, <https://vlada.mk/node/34219>.

MP from the VMRO-DPMNE party, raised concerns that the agencies have not provided sufficient evidence to confirm whether citizens are being monitored using so-called malicious software. Additionally, there are uncertainties regarding the production of software within North Macedonia that could potentially be misused for illegal communication monitoring.<sup>38</sup>

## Public Administration Reform

At the beginning of the month, the Partnership Agreement between North Macedonia and the EU in the “Digital Europe (2021–2027)” program was signed in Brussels. The agreement was signed by the Minister of the Ministry of Information Society and Administration and representatives from the European Commission.<sup>39</sup>

On July 11th, the Strategy for PAR 2023–2030 with an Action Plan was adopted, and it was presented in September by the Ministry of Information Society and Administration in cooperation with Support for Improvement in Governance and Management (SIGMA) within the event “Modern, efficient and digitised public administration: Vision 2030—delivery of higher quality public services for citizens and the private sector”.<sup>40</sup> The strategy envisages the involvement of representatives from the civil sector in the Public Administration Reform (PAR) Secretariat and, if necessary, in the PAR Council. The formation of the new composition of the Secretariat is underway, which is actually a recommendation from the EPI’s PAR Monitor within the Western Balkan Enablers for Reforming Public Administrations (WeBER) Project.<sup>41</sup> The strategy also cites findings from the EPI’s PAR Monitor, which, in fact, represents action on another recommendation from the monitor that the findings of the CSOs be properly referenced in government documents.<sup>42</sup>

In July, a public hearing was held on the draft Law on Senior Management Service.<sup>43</sup> The system of senior management service should ensure the achievement of two key goals:

1. Professional senior managers, selected through an open and meritocratic procedure (based on their professional competencies);
2. Establishing relationships of trust and responsibility between politically elected and appointed persons and senior managers.

38 ‘Nikoloski: We Have Not Received a Credible Denial That Citizens Are Not Being Monitored with Malicious Software in the Country (Николоски: Не добивме кредибилен демант дека во земјава не се следат граѓани со малициозен софтвер)’, *Official Website of the Government of the Republic of North Macedonia*, 18 September 2023, <https://360stepeni.mk/nikoloski-ne-dobivme-kredibilen-demant-deka-vo-zemjava-ne-se-sledat-gragani-so-malitsiozen-softver/>.

39 ‘Minister Azir Aliu in Brussels Signed the Partnership Agreement in the Program “Digital Europe (2021–2027)” with the EU (Министерот Азир Алиу во Брисел го потпиша Договорот за партнерство во програмата „Дигитална Европа (2021–2027)” со ЕУ“ со ЕУ)’, *Official Website of the Government of the Republic of North Macedonia*, 2 July 2023, <https://vlada.mk/node/33790>.

40 ‘The New Strategy for Public Administration Reform Was Presented (Презентирана новата Стратегија за реформа на јавната администрација)’, *Meta.Mk*, 20 September 2023, <https://meta.mk/prezentirana-novata-strategija-za-reforma-na-javnata-administracija/>.

41 Julijana Karai and Angel Mojsovski, ‘National PAR Monitor 2021/2022 – North Macedonia’ (European Policy Institute- Skopje, 10 July 2023), <https://www.par-monitor.org/north-macedonia-par-monitor-2021-2022/>.

42 ‘Public Administration Reform Strategy 2023–2030 with Action Plan 2023–2026 (Стратегија за реформа на јавната администрација 2023 – 2030 со Акциски план 2023 – 2026)’ (Ministry of Information Society and Administration, July 2023), 22, <https://www.mioa.gov.mk/mk-MK/news/strategija-za-reforma-na-javnata-administracija-2023-2030-so-akciski-plan.nspх>.

43 ‘Criticism of the Law on Senior Management Service, Political Influence Can Hardly Be Avoided (Критики за Законот за висока раководна служба, тешко може да се избегне политичко влијание)’, *Meta.Mk*, 21 September 2023, <https://meta.mk/kritiki-za-zakonot-za-visoka-rakovodna-sluzhba-teshko-mozhe-da-se-izbegne-politichko-vlijanie/>.

At the same time, the work continues on the new laws for public sector employees and administrative officers with the support of SIGMA, which is planned to be adopted in a package with the Law.<sup>44</sup>

In September, the sixth session of the Council for Coordination and Monitoring of the Open Government Partnership 2021–2023 process was held. The session reviewed and discussed the ideas and challenges received from the working groups for creating a proposal of commitments for the new action plan for the Partnership for Open Government 2024–2026.<sup>45</sup>

In September, a public discussion was held on the draft Transparency Strategy of the Government of the Republic of North Macedonia (2023–2026). The strategy aims to connect and harmonise already adopted policies that, in a direct or indirect way, aim to improve the transparency of institutions and give new directions for improving the transparency of institutions.<sup>46</sup>

By the end of the reporting period, the Minister of Information Society and Administration held a working meeting with the Deputy Prime Minister responsible for policies for good governance and the President of the National Council for Digital Transformation of Society and the representatives of the National Council, where they discussed digitalisation and the Law on Cyber Security and Digital Transformation and creation of the Digital Agency.<sup>47</sup>

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44 'The Laws for Employees in the Public Sector and for Administrative Officers in Government Procedure Will Be Carried with a European Flag (Законите за вработени во јавниот сектор и за административни службеници во владина процедура, ќе се носат со европско знаменце)', *24 Info*, 4 October 2023, <https://bit.ly/3FGDgzb>.

45 'The sixth session of the Council for coordination and monitoring of the process of the Open Government Partnership 2021-2023 was held (Одржана шестата седница на Советот за координација и следење на процесот на Партнерството за отворена власт 2021-2023 година)', *Official Website of The Ministry of Information Society and Administration*, 28 September 2023, <https://www.mioa.gov.mk/mk-MK/news/odrzana-sestata-sednica-na-sovetot-za-koordinacija-i-sledene-na-procesot-na-partnerstvoto-za-otvorena-vlast-2021-2023-godina.nspх>.

46 'The Government's Transparency Strategy—a Vision for a State with a Culture of Transparency and Good Governance for Increased Citizens' Trust (Стратегија за транспарентност на Владата – визија за држава со култура на транспарентност и добро владеење за зголемена доверба на граѓаните)', *Civil Media*, 11 September 2023, <https://civilmedia.mk/strategija-za-transparentnost-na-vlada-vizija-za-drzhava-so-kultura-na-transparentnost-i-dobro-vladeene-za-zgolemena-doverba-na-graganite/>.

47 'Aliu: With the Creation of the Digital Agency, We Define the Vision of Becoming an EU Member State (Алиу: Со создавањето на дигиталната агенција, ја определуваме визијата да станеме земја членка на ЕУ)', *MIA - Media Information Agency*, 19 September 2023, <https://shorturl.at/dfmZ9>.

# Chapter 23



# Functioning of the judiciary

## Strategic documents

The Strategy for the Development of the Judicial Sector 2023–2027 still needs to be adopted. Its examination and review by the relevant state institutions is currently in progress.

## Management bodies

During the quarterly reporting period, efforts were made to fill vacant positions within the Judicial Council, with two members to be selected from the judiciary (one from the Supreme Court and one from the Skopje Appellate District, including administrative courts). However, this process faced inconsistencies and public scrutiny, undermining the institution's credibility. Notably, a candidate selection process was initiated after a judge and the president of the Basic Court of Kavadarci raised objections and received majority approval.<sup>48</sup> The final candidate lists included two nominees from the Skopje Appellate Court and administrative courts electoral area and one nominee from the Supreme Court electoral area.<sup>49</sup> Before finalising the lists, the Judicial Council suspended the procedure, citing concerns over a candidate's professional competence and performance in the Supreme Court electoral area.<sup>50</sup> This suspension occurred one day before the candidate list's determination, raising questions about the Judicial Council's prior inaction with this case.<sup>51</sup> Furthermore, the decision to halt the procedure was not publicly disclosed, leaving the reasons behind the suspension undisclosed to the public.<sup>52</sup>

48 The candidacy of judge Lazar Nanev was initially not accepted by the Commission for the preparation of candidate lists following the announcement for the election of Council members, due to improperly submitted documents, the rules of which are stated in the call itself, in accordance with the Law on the Judicial Council. Namely, the candidate Lazar Nanev did not submit original documents for the seniority, as well as a certificate of completed hours of training at the Academy for Judges and Public Prosecutors, but copies. Along with the objection he submitted, he also submitted original evidence, with an explanation and e-mail communication about the reasons for submitting copies when submitting the documents. At the session held on this issue, inconsistent behaviour of the members of the Judicial Council was noted, when it comes to their "formalism" regarding the acceptance of the conditions for fulfilling the taxatively listed documents required for candidacy for a member of the Council, because a few months ago the Judicial Council accepted candidates who had not submitted original documents. Specifically, some of the members remained of the opinion that despite the fact that the law states which documents the candidate should submit, it was not necessary, because the Judicial Council had data on each judge in terms of seniority, which the commission is aware of and which are an integral part of the files of each judge, so they should not be requested to be submitted. On the other hand, other members believe that despite the fact that the Judicial Council is familiar with the data that is required to be submitted when applying for a specific advertisement, every candidate is still obliged to do so, because it is a legal obligation. 'The Judicial Council Accepted Nanev's Irregular Application, after Stopping the Procedure for the Dismissal of Georgiev Yesterday and without Any Problem Putting the Two Judges on the List for New Members (Судскиот совет му ја прифати неправилната апликација на Нанев, откако вчера ја запре постапката зза разрешување на Георгиев и без проблем ги стави двајцата судии на листа за нови членови)', *Sakam Da Kazam*, 5 July 2023, <https://sdk.mk/index.php/makedonija/sudskiot-sovet-mu-ja-prifati-nepravilnata-aplikatsija-na-nanev-ot-kako-vchera-ja-zapre-postapkata-za-razreshuvane-na-georgiev-i-bez-problem-gi-stavi-dvajtsata-sudii-na-lista-za-novi-chlenovi/>; 'Report on Monitoring the Work of the Judicial Council: January-July 2023' (Извештај од следење на работата на Судскиот совет: јануари-јули 2023)' (Institute for Human Rights- Skopje, August 2023), <https://bit.ly/3ZuDLpr>.

49 After the acceptance of the objection by judge Lazar Nanev, the candidate lists were determined by a majority of votes. Thus, for the Skopje Appellate District and administrative courts, the candidates for Council members were Antoineta Dimovska and Lazar Nanev, and for the Supreme Court electoral district, the candidate for Council member was judge Naqe Georgiev 'Announcement from the 448th Session of the Judicial Council of the Republic of North Macedonia (Соопштение од 448-та седница на Судскиот совет на Република Северна Македонија)', *Official Website of the Judicial Council of the Republic of North Macedonia*, 5 July 2023, <https://bit.ly/469MnUI>.

50 For the candidate- judge Naqe Georgiev, information was published in the media that referred to the procedure initiated by the Council for his unprofessional and negligent work, as well as the procedure before the prosecutor's office for corrupt actions during the performance of the position of judge in the basic court of Strumica, as well as in Court of Appeal Shtip. 'Announcement from the 447th Session of the Judicial Council of the RNM - 07/04/2023 (Соопштение од 447-та седница на Судскиот совет на РСМ - 04.07.2023 година)', *Official Website of the Judicial Council of the Republic of North Macedonia*, <https://bit.ly/3ETs6qq>.

51 'Reaction on the Occasion of the Election of Two Members of the Judicial Council of the RNM from among Judges and the Election of Public Prosecutors from the Council of Public Prosecutors of the RNM (Реакција по повод избори на два члена на Судскиот совет на РСМ од редот на судиите и изборот на јавни обвинители од Советот на јавни обвинители на РСМ)' (Blueprint Group for Judicial Reform, <https://bit.ly/3Zzv7G4>), 14.07.2023.

52 Ibid.

The elections took place on July 13th, 2023, based on the determined candidate lists.<sup>53</sup> However, the results of the elections for the Supreme Court electoral area revealed a systemic weakness in the Judicial Council member selection model. Specifically, only six out of sixteen registered judges in the Judicial Electoral Directory for this court participated in the elections.<sup>54</sup> Among the thirteen judges who voted, seven cast invalid ballots, raising valid concerns regarding the legitimacy of the elected member.<sup>55</sup> The judges' abstention can be seen as a form of election boycott. This systemic issue is rooted in the Law on the Judicial Council, which lacks provisions for mandatory participation criteria and specific candidate election thresholds.<sup>56</sup>

A week following his election, the newly appointed member resigned from the Judicial Council due to concerns raised by colleagues.<sup>57</sup> According to the Law on Courts, a close relative of a Judicial Council member cannot serve as a judge, and his son was among the twenty-five recently elected judges in various state basic courts.<sup>58</sup> Subsequently, a second call to fill the vacancy in the Judicial Council was issued,<sup>59</sup> but no Supreme Court judge applied.<sup>60</sup> A third call was published on September 13th, 2023.<sup>61</sup> In response to these developments, the EU conducted a peer assessment mission in July 2023, with a focus on the Judicial Council's functioning.<sup>62</sup> During their visit, the mission engaged in discussions with key stakeholders,<sup>63</sup> including the European Policy Institute (EPI)—Skopje, both

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53 'Naqe Georgiev and Antoineta Dimovska Elected from among the Judges as New Members of the Judicial Council (Наќе Георгиев и Антоанета Димовска избрани од редот на судиите за нови членови на Судскиот совет)', *Official Website of the Judicial Council of the Republic of North Macedonia*, 17 July 2023, <https://bit.ly/45cjt0h>.

54 'The Supreme Judges Crossed out the Ballots and Boycotted Naqe Georgiev, but with Only 6 Votes, together with the One He Gave to Himself, He Was Elected as a New Member of the Judicial Council. Antoineta Dimovska Was Also Elected (Врховните судии ги испочкртаа гласачките ливчиња и го бојкотираа Наќе Георгиев, но тој со само 6 гласа сосе неговиот е избран за нов член на Судскиот совет. Избрана е и Антоанета Димовска)', *Sakam Da Kazam*, 13 July 2023, <https://sdk.mk/index.php/makedonija/vrhovnite-sudii-gi-ispochkrtaa-glasachkite-livchina-i-go-bojkotiraa-naqe-georgiev-no-toj-so-samo-6-glasa-sose-negoviot-e-izbran-zanov-chlen-na-sudskiot-sovet-izbrana-e-i-antoaneta-dimovska/>.

55 Ibid.

56 'Reaction on the Occasion of the Election of Two Members of the Judicial Council of the RNM from among Judges and the Election of Public Prosecutors from the Council of Public Prosecutors of the RNM (Реакција по повод избори на два члена на Судскиот совет на РСМ од редот на судиите и изборот на јавни обвинители од Советот на јавни обвинители на РСМ)', *Official Website of the Judicial Council of the Republic of North Macedonia*, 17 July 2023, <https://bit.ly/45cjt0h>.

57 'Announcement from the 450th Session of the Judicial Council of the RNM - 25.07.2023 (Соопштение од 450-та седница на Судскиот совет на РСМ - 25.07.2023 година)', *Official Website of the Judicial Council of the Republic of North Macedonia*, <https://bit.ly/3Rz2H-dp>.

58 'The Newly Elected Member of the Judicial Council, Naqe Georgiev, Resigned before Taking the Oath in the Assembly, Opening the Way for His Son to Be Elected as a Judge (Новоизбраниот член на Судски совет, Наќе Георгиев, поднесе оставка пред да даде заклетва во Собрание, му отвори пат на син му да биде избран за судија)', *Sakam Da Kazam*, 25 July 2023, <https://sdk.mk/index.php/makedonija/novoizbraniot-chlen-na-sudskiot-sovet-naqe-georgiev-podnese-ostavka-pred-da-dade-zakletva-vo-sobranie-mu-otvori-pat-na-sin-mu-da-bide-izbran-za-sudija/>.

59 'Call for the Election of 1 (One) Member from among the Judges of the Supreme Court of the Republic of North Macedonia (Оглас за избор на 1 (еден) член од редот на судиите од Врховниот суд на Република Северна Македонија)', *Official Gazette of the Republic of North Macedonia* No. 252/2023.

60 'The Supreme Judges Who Crossed out the Ballot Papers with the Name of Their Colleague Naqe Georgiev, Also Boycotted the Repeated Call for a Member of This Judicial Council (Врховните судии кои ги испочкртаа гласачките ливчиња со името на колегатата Наќе Георгиев, го бојкотираа и повторениот оглас за член на овој Судски совет)', *Sakam Da Kazam*, 13 September 2023.

61 'Announcement from the 454th Session of the Judicial Council of the RNM - 13.09.2023 and 14.09.2023 (Соопштение од 454-та седница на Судскиот совет на РСМ - 13.09.2023 и 14.09.2023 година)', *Official Website of the Judicial Council of the Republic of North Macedonia*, <https://bit.ly/3RDjwUt>.

62 'Judiciary Council from Tomorrow "under Scrutiny" of the EU—the Assessment Mission Begins (Судски совет од утре „под лупа“ на ЕУ - почнува оценската мисија)', *Kanal 5*, 26 July 2023, <https://kanal5.com.mk/sudski-sovet-od-utre-pod-lupa-na-eu-pochnuva-ocenskata-misija/a592935>.

63 'Meeting with the Expert Team of the European Union for the Implementation of the Peer Assessment Mission of the Judicial Council (Состанок со експертскиот тим на Европската унија за спроведување оценска мисија на Судскиот совет)', *Official Website of the State Commission for Prevention of Corruption*, 28 July 2023, <https://bit.ly/3ZANLgP>.

individually and as part of the Blueprint Group for Judicial Reform. The assessment mission concluded its work by the end of September 2023,<sup>64</sup> with the forthcoming report set to feature proposed measures and recommendations.<sup>65</sup>

Additionally, on September 27th, 2023, the Council of Public Prosecutors confirmed the end of the current president's mandate, and a new president was elected unanimously.<sup>66</sup> Furthermore, on September 25th, 2023, the Judicial Council and the Council of Public Prosecutors signed a memorandum of cooperation.<sup>67</sup> This memorandum aims to outline future candidate ratios for judges and public prosecutors during the enrollment of new trainees at the Academy of Judges and Public Prosecutors. It also encompasses joint advocacy before state institutions to improve material and financial working conditions, enhance budgetary independence, advance the status of the expert service, and address other matters of mutual interest to both councils.<sup>68</sup>

## Independence and impartiality

On July 27th, 2023, a national television journalist's coverage of the Judicial Council session, attended by members of the EU peer assessment mission, was impeded by members of the Mol security at the session venue.<sup>69</sup> The journalist's live reporting occurred outside the session's premises following prior registration and identification.<sup>70</sup> Journalistic organisations and media professionals have consistently highlighted this issue in their interactions with the relevant ministry, despite a previously signed memorandum of cooperation aimed at preventing Mol officials from obstructing their work.<sup>71</sup>

To uphold the principles of legal certainty and transparency and to ensure the consistent application of legal provisions, thereby facilitating media operations, the Supreme Court established a principled stance on media accreditation and permissions for recording and photography on July 14th, 2023.<sup>72</sup> This principled position was developed through collaboration and communication between the Supreme Court and the Judicial-Media Council, addressing varying judicial practices that hinder media work and aligning with the commitments of the Open Judiciary Council.<sup>73</sup>

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64 'The Peer Assessment Mission of the EU for the Judicial Council Has Ended, Measures Are Expected (Оценската мисија на ЕУ за Судскиот совет заврши, се очекуваат мерки', *360 Stepeni*, 23 September 2023, <https://360stepeni.mk/otsenskata-misija-na-eu-za-sudskiot-sovet-zavrshi-se-ochekuvaat-merki/>.

65 'The Report of the EU Peer Assessment Mission Will Be Reviewed Transparently in Front the Media, Announced the President of the Judicial Council (Извештајот на оценската мисија на ЕУ ќе биде разгледуван транспарентно пред медиумите, најави претседателот на Судскиот совет)', *360 Stepeni*, 25 September 2023, <https://360stepeni.mk/izveshtajot-na-otsenskata-misija-na-eu-ke-bide-razgleduvan-transparentno-pred-mediumite-najavi-pretседателot-na-sudskiot-sovet/>.

66 'Announcement (Соопштение)', *Official Website of the Council of Public Prosecutors of the Republic of North Macedonia*, 27 September 2023, <https://bit.ly/3t2Q3Jh>.

67 'Memorandum—a New Beginning of Cooperation between the Judicial Council and the Council of Public Prosecutors (Меморандум—нов почеток на соработка на Судски совет и Совет на јавни обвинители)', *Official Website of the Judicial Council of the Republic of North Macedonia*, 27 September 2023, <https://bit.ly/3PysYWB>.

68 Ibid.

69 'The Telma TV Team Was Prevented from Performing Its Work When Reporting from the Judicial Council (Екипата на ТВ Телма попречена во извршување на својата работа при известување од Судски совет)', *Telma TV*, 27 July 2023, <https://telma.com.mk/2023/07/27/ekipata-na-tv-telma-poprechena-vo-izvrshuvanje-na-svojata-rabota-pri-izvestuvanje-od-sudski-sovet/>.

70 Ibid.

71 'Signed Memorandum of Cooperation with the Association of Journalists of Macedonia (Потпишан меморандум за соработка со Здружението на новинари на Македонија)', *Official Website of the Ministry of the Interior*, 29 December 2017, <https://mvr.gov.mk/vest/5640>.

72 'The Supreme Court Established a Principled Position on Media Accreditation (Врховниот суд утврди Начелен став за акредитациите на медиумите)', *Official Website of the Supreme Court of the Republic of North Macedonia*, 14 July 2023, <https://bit.ly/3rY1C4n>.

73 Ibid.

## Accountability

Employees of the Administrative Court in Skopje have lodged a criminal complaint against the court's president. They suspect cases of manual case allocation through the automated court case management information system (ACCMIS), deliberate neglect of over 190 primarily financial cases from 2021 to 2023 involving the Customs Administration and the Public Revenue Administration, as well as the employment of close relatives.<sup>74</sup> The criminal report has been forwarded to the Prime Minister, the Deputy Prime Minister in charge of Good Governance Policies, the Financial Police, and the State Commission for the Prevention of Corruption (SCPC).<sup>75</sup> The accused court president has denied the allegations, deeming them biased.<sup>76</sup> To date, only the Financial Police has initiated a case to investigate the allegations, with no specified deadline for further actions.<sup>77</sup>

Additionally, accusations and the shifting of responsibility for the delayed response to identified ACCMIS abuses occurred between the Minister of Justice and the Judicial Council regarding the deputy president of the Basic Court of Kumanovo. The Minister of Justice pointed out that five months have passed since the Council visited the court, and an urgent request was submitted to the Judicial Council, yet no measures have been taken.<sup>78</sup> In response, the Judicial Council clarified that ACCMIS falls under the ministry's jurisdiction, which conducts routine and special audits of the courts. If deviations or irregularities are found, the ministry can prepare reports to initiate the appropriate procedures.<sup>79</sup>

Furthermore, the Basic Court of Kumanovo was the subject of discussion between these institutions due to the candidacy of a judge for the court's presidency. The judge was granted the opportunity to retake the psychological personality and integrity tests, contrary to the law. The Minister of Justice urged the Judicial Council to act in accordance with the legal competencies as per the Institute for Sociological and Political-Legal Research's opinion.<sup>80</sup> However, the Judicial Council distanced itself from responsibility, asserting that it is solely entitled to be notified of the procedure's outcome.<sup>81</sup>

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74 'Criminal Complaint against the Head of the Administrative Court, Burim Sejдини (Кривична пријава против шефот на Управниот суд, Бурим Сејдини)', *Alsats M*, 9 July 2023, <https://alsat.mk/mk/krivichna-prijava-protiv-shefot-na-upravniot-sud-burim-sejdini/>.

75 Ibid.

76 'The President of the Administrative Court Denies That He Has Statute-Barred Cases (Претседателот на Управниот суд негира дека застарувал предмети)', *Alsats M*, 10 July 2023, <https://fokus.mk/pretsedatelot-na-upravniot-sud-negira-deka-zastaruval-predmeti/>.

77 'The Financial Police Is Also Checking the Head of the Administrative Court, Burim Seydini (И Финансиската полиција го проверува шефот на Управниот суд, Бурим Сејдини)', *Alsats M*, 11 July 2023, <https://alsat.mk/mk/i-finansiskata-politsija-go-proveruva-shefot-na-upravniot-sud-burim-sejdini/>.

78 'The Judicial Council Has Been Procrastinating for 5 Months and Is Not Taking Measures to Establish Responsibility and Sanction for the Acting President of the Kumanovo Basic Court for the Established Misuses of the ACCMIS System', *Official Website of the Ministry of Justice*, 11 July 2023, <https://www.pravda.gov.mk/vest/6569>.

79 'ANNOUNCEMENT (СООПШТЕНИЕ)', *Official Website of the Judicial Council of the Republic of North Macedonia*, 12 July 2023, <https://bit.ly/3Q1cvKy>.

80 'An Illegal Practice Must Not Be Created, that a Judge Who Has Not Passed a Psychological, Personality and an Integrity Test, Can Take It Again', *Official Website of the Ministry of Justice*, 30 August 2023, <https://www.pravda.gov.mk/vest/6584>.

81 The Council informed the public that on July 13, 2023, it received a letter from the Institute for Sociological and Political-Legal Research, which informed them that on July 4, 2023, the mentioned candidate was not able to complete the psychological psychological personality test and an integrity test independently. For those reasons, experts from the Institute recommended that the candidate complete the test again completely independently for a duration of two hours on July 14, 2023. The Judicial Council, deliberating on this letter at a session, assessed that it is necessary for the Institute to submit a report on the outcome of the overall procedure after the conducted psychological personality test and integrity test to the Council for which it was notified by letter on July 13, 2023. 'Reaction of the Judicial Council to Minister Lloga's Statement about Judge Manev (Реакција на Судскиот совет на изјавата на Министерот Лога за судијата Манев)', *Official Website of the Judicial Council of the Republic of North Macedonia*, 30 August 2023, <https://bit.ly/3SOF1xi>.

## Professionalism and competence

During this quarter, all thirty candidates from the seventh generation of the Academy for Judges and Public Prosecutors (AJPP) were successfully elected as judges.<sup>82</sup> On July 25th, 2023, twenty-four judges were elected in several courts, including the Bitola Basic Court, the Sveti Nikole Basic Court, the Strumica Basic Court, the Tetovo Basic Court, the Skopje Basic Civil Court, the Skopje Basic Criminal Court, and the Strumica Basic Court. The selection process<sup>83</sup> was based on calls published on April 6th, 2023,<sup>84</sup> and May 30th, 2023.<sup>85</sup> The remaining six judges were elected on September 26th, 2023,<sup>86</sup> following the call published on August 8th, 2023.<sup>87</sup> In the near future, four candidates for public prosecutors from the same generation of AJPP trainees are expected to be elected, with two in the Basic Public Prosecutor's Office Gostivar and one each in the Basic Public Prosecutor's Office Skopje and Struga.<sup>88</sup>

On July 12th, 2023, two public prosecutors in the Public Prosecutor's Office of the Republic of North Macedonia, two in the Higher Public Prosecutor's Office Skopje, three in the Basic Public Prosecutor's Office for Prosecuting Organised Crime and Corruption (BPPPOCC), one in each of the Basic Public Prosecutor's Offices in Gostivar and Kavadarci, and five public prosecutors in the Basic Public Prosecutor's Office Skopje were elected.<sup>89</sup> However, it is worth noting that members of the Council for Public Prosecutors did not provide individual explanations for their votes, particularly when multiple candidates were under consideration. Moreover, several council members abstained from voting for certain proposed candidates without offering explanations. This lack of clarity leaves room for arbitrary interpretations of their actions, especially considering that the voting method is not regulated in the Council of Public Prosecutors' Rules of Procedure.<sup>90</sup> The rationale for voting decisions is essential, especially when unelected candidates lack the right to object, as stipulated in the procedure for electing Council of Public Prosecutors and BPPPOCC

82 'Publication of the Ranking List with the Final Results of Taking the Final Exam at the Academy for Judges and Public Prosecutors for the Seventh Generation of Initial Training Students and the Final Ranking List of Candidates for Judges and Public Prosecutors (Објавување на ранг листата со конечни резултати од полагањето на завршниот испит во Академијата за судии и јавни обвинители за седмата генерација слушатели на почетна обука и Конечната ранг листа на кандидати за судии и јавни обвинители)', *Official Website of the Academy for Judges and Public Prosecutors "Pavel Shatev"*, 20 February 2023, <https://bit.ly/3KhfOul>.

83 'Announcement from the 450th Session of the Judicial Council of the RNM- 25.07.2023 (Соопштение од 450-та седница на Судскиот совет на РСМ - 25.07.2023 година)', *Official Website of the Judicial Council of the Republic of North Macedonia*, <https://bit.ly/3FgK-mKV>.

84 Official Gazette of the Republic of North Macedonia No. 73/2023.

85 Official Gazette of the Republic of North Macedonia No. 112/2023.

86 'Announcement from the 455th Session of the Judicial Council of the RNM- 26.09.2023 (Соопштение од 455-та седница на Судскиот совет на РСМ - 26.09.2023 година)', *Official Website of the Judicial Council of the Republic of North Macedonia*, <https://bit.ly/3PWN-Rfz>.

87 Official Gazette of the Republic of North Macedonia No. 168/2023.

88 Contributed to this quarterly report by Coalition "All for Fair Trials".

89 'Decision on the Election of Two Public Prosecutors in the Public Prosecutor's Office of the Republic of North Macedonia, Two Public Prosecutors in the Higher Public Prosecutor's Office Skopje, Three Public Prosecutors in the Basic Public Prosecutor's Office for Organized Crime and Corruption- Skopje, One Basic Public Prosecutor in the Basic Public Prosecutor's Office Gostivar, One Public Prosecutor in the Basic Public Prosecutor's Office Kavadarci, Five Public Prosecutors in the Basic Public Prosecutor's Office Skopje (Одлука за избор на два јавни обвинители во Јавното обвинителство на Република Северна Македонија, два јавни обвинители во Вишото јавно обвинителство Скопје, три јавни обвинители во Основното јавно обвинителство за гонење на организиран криминал и корупција - Скопје, основен Јавен обвинител на Основното јавно обвинителство Гостивар, еден јавен обвинител во Основното јавно обвинителство Кавадарци, пет јавни обвинители во Основното јавно обвинителство Скопје)' (Council of Public Prosecutors of the Republic of North Macedonia, 12 July 2023), <https://bit.ly/3t4t7cD>.

90 'Reaction on the Occasion of the Election of Two Members of the Judicial Council of the RNM from among Judges and the Election of Public Prosecutors from the Council of Public Prosecutors of the RNM (Реакција по повод избори на два члена на Судскиот совет на РСМ од редот на судиите и изборот на јавни обвинители од Советот на јавни обвинители на РСМ)'.

members.<sup>91</sup> Additionally, not all candidate lists were made available on the Council's website, which has implications for transparency. Nevertheless, it is worth highlighting that all council members voted in favour of all candidates, even if some candidates had already received the necessary votes needed to be elected.<sup>92</sup>

## Quality of justice

Following the enactment of the new Law on the Academy for Judges and Public Prosecutors,<sup>93</sup> the Academy introduced the new Statute in August 2023.<sup>94</sup> Subsequently, in September 2023, the new rulebook for the entrance exam was established, paving the way for the subsequent stages of the entrance exam for trainees of the ninth generation in initial training.<sup>95</sup>

However, due to delays in implementing the revised entrance exam procedures aligned with the new Law on the Academy for Judges and Public Prosecutors, the psychological test for the ninth-generation trainee candidates was rescheduled twice in September 2023.<sup>96</sup> Initially planned for September 5th and 6th, 2023,<sup>97</sup> the dates were shifted to September 23rd and 24th, 2023.<sup>98</sup> Following the second rescheduling, the psychological test is now anticipated to occur in October 2023.<sup>99</sup>

In September 2023, the director of the AJPP assumed a new role as a member of the Board of Trustees of the Academy of European Law (ERA). This institution plays a crucial role in advancing professional judicial training, particularly in the context of EU-related matters. Its future focus will centre on enhancing and promoting judicial education in Western Balkan countries.<sup>100</sup>

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91 Ibid.

92 Ibid.

93 'Law on the Academy for Judges and Public Prosecutors (Закон за Академија за судии и јавни обвинители)', Official Gazette of the Republic of North Macedonia No. 129/2023.

94 'Statute of the Academy for Judges and Public Prosecutors (Статут на Академијата за судии и јавни Обвинители)', Official Gazette of the Republic of North Macedonia No. 172/2023.

95 'Notification on the Adoption of New Rulebook for Taking the Entrance Exam at the Academy for Judges and Public Prosecutors (Известување за усвојување на нов Правилник за полагање на приемен испит во Академијата за судии и јавни обвинители)', *Official Website of the Academy for Judges and Public Prosecutors "Pavel Shatev"*, 19 September 2023, <https://bit.ly/45suJKQ>.

96 'Notification of Postponement of Taking the Psychological Test (Известување за одложување на полагањето на психолошкиот тест)', *Official Website of the Academy for Judges and Public Prosecutors "Pavel Shatev"*, 22 September 2023, <https://bit.ly/46OW-HSb>.

97 'Time Dynamics for Conducting the Entrance Exam for the Admission of 130 Trainees in Initial Training for the IX Generation of Trainees in Initial Training (Временска динамика за спроведување на приемниот испит за прием на 130 слушатели во почетна обука за IX генерација слушатели на почетна обука)' (Academy for judges and public prosecutors 'Pavel Shatev', July 2023), <https://bit.ly/3Q0SC6q>.

98 'Notification of Postponement of Taking the Psychological Test (Известување за одложување на полагањето на психолошкиот тест)'.

99 Ibid.

100 'The Director of the Academy Is a New Member of the Board of Trustees of the Academy of European Law (ERA) (Директорката на Академијата е нов член на Консултативното тело (Board of Trustees) на Академијата за европско право (ЕРА))', *Official Website of the Academy for Judges and Public Prosecutors "Pavel Shatev"*, 19 September 2023, <https://bit.ly/48Y0Bd6>.

## Efficiency

On July 6th, 2022, the first-instance verdict in the “Softveri” case was publicly announced, resulting in guilty verdicts for the defendants, with prison sentences ranging from three years to eight years. One defendant was acquitted of one of the charges.<sup>101</sup>

Subsequently, on July 19th, 2023, the Council of Public Prosecutors decided to reorganise the number of public prosecutors in twelve public prosecutor’s offices,<sup>102</sup> increasing the number of staff in some basic public prosecutor’s offices.<sup>103</sup>

Disagreements and the rejection of a request to reallocate funds from the Judicial Budget Council<sup>104</sup> led to a general strike of judicial<sup>105</sup> and public prosecution<sup>106</sup> services on September 28th, 2023. The strike, led mainly by the Trade Union of the Workers in Administration, Juridical Authorities and Citizens’ Associations of Macedonia (UPOZ), is driven by demands for a 78% salary increase and the reinstatement of 35% salary supplements.<sup>107</sup>

Following a Judicial Council report indicating that the dismissal of public prosecutors contributes to prolonged court proceedings,<sup>108</sup> the Public Prosecutor of the Republic of North Macedonia requested a detailed report on hearing postponements and justifications for prosecutor absences.<sup>109</sup> The Public Prosecutor also warned of potential disciplinary proceedings against prosecutors with repeated unjustified absences.<sup>110</sup>

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101 ‘Verdict for “Softveri”’: Eight Years in Prison for Rashkovski (Пресуда за „Софтвери“: Осум години затвор за Рашковски), *360 Stepeni*, 6 July 2022, <https://360stepeni.mk/presuda-za-softveri-osum-godini-zatvor-za-rashkovski/>.

102 ‘Announcement for the 83rd Session of the Council of Public Prosecutors on July 19, 2023 (Соопштение за 83 седница на Советот на јавни обвинители на 19 јули 2023)’, *Official Website of the Council of Public Prosecutors of the Republic of North Macedonia*, <https://bit.ly/3M3BPhY>.

103 For 2 in the basic public prosecutor’s offices in Shtip, Bitola, Gostivar, Tetovo, and Kichevo and for 1 in the basic public prosecutor’s offices in Strumica, Gevgelija, Prilep, Ohrid, Struga, Kavadarci, and Radovish. Contributed to this quarterly report by Coalition “All for Fair Trials”.

104 At the session held on July 7, 2023, the Judicial Budget Council made a decision to provide funds for the payment of salary supplements for the month of June 2023 in the amount of 15% for court officials, employees of the Judicial Council and the Academy of Judges and Public Prosecutors. However, the Ministry of Finance reported that there is no fiscal space for the payment of salary supplements for the month of June, with the explanation that according to the regulations of the budget operations, no obligations should be undertaken above the limit of the funds approved by the budget. ‘Notice from the Ministry of Finance (Известување од Министерство за финансии)’, 11 July 2023, <https://bit.ly/48RsOCs>.

105 ‘The Court Service, Back on the Street (Судската служба, повторно на улица)’, *Official Website of the Trade Union of the Workers in Administration, Juridical Authorities and Citizens’ Associations of Macedonia (UPOZ)*, 29 September 2023, <https://www.upoz.org.mk/mk/novosti/368-sudskata-sluzba-povtorno-na-ulica>.

106 ‘A Strike Has Begun in the Public Prosecutor’s Offices (Започнат штрајк во Јавните обвинителства)’, *Official Website of the Trade Union of the Workers in Administration, Juridical Authorities and Citizens’ Associations of Macedonia (UPOZ)*, 29 September 2023, <https://www.upoz.org.mk/mk/novosti/367-zapocnat-strajk-vo-javnite-obvinitelstva>.

107 ‘Either Higher Salaries or a Strike—the Employees of the Prosecutor’s Office and the Courts with an Ultimatum (Или повисоки плати или штрајк – вработените во Обвинителствата и судовите со ултиматум)’, *Telma TV*, 19 September 2023, <https://telma.com.mk/2023/09/19/ili-povisoki-plati-ili-shtrajk-vrabotenite-vo-obvinitelstvata-i-sudovite-so-ultimatum/>.

108 At the request of the public prosecutor in September 2023, cases such as “Target-Tvrdina” and “Trezor” were postponed. Ivana Petkovska, ‘Monitoring Brief: Current High-Profile Court Proceedings (Мониторинг бриф: Актуелни високо-профилерани судски постапки)’ (Coalition ‘All for Fair Trials’, September 2023), [https://drive.google.com/file/d/1IHb3lgJOVkhWwRAhFvUr2n95CJ2d7Mpv/view?fbclid=IwAR31YcLwkZfIS9Ndm3HAjF\\_ekrSOMJKuokD24EAzm2BAb3a0NyZ11y1\\_v00](https://drive.google.com/file/d/1IHb3lgJOVkhWwRAhFvUr2n95CJ2d7Mpv/view?fbclid=IwAR31YcLwkZfIS9Ndm3HAjF_ekrSOMJKuokD24EAzm2BAb3a0NyZ11y1_v00).

109 ‘The Public Prosecutor of the RNM Sent a Written Request to the Judicial Council (Јавниот обвинител на РСМ испрати писмено барање до Судскиот совет)’, *Official Website of the Public Prosecutor’s Office of the Republic of North Macedonia*, 1 September 2023, <https://jorm.gov.mk/javniot-obvinitel-na-rsm-isprati-pismeno-barane-do-sudskiot-sovet/>.

110 Ibid.

On July 12th, 2023, the Minister of Justice submitted twenty initiatives to the Constitutional Court for assessing the constitutionality of regulations published without adhering to the seven-day constitutional deadline.<sup>111</sup> However, on September 27th, 2023, the Constitutional Court annulled an instruction<sup>112</sup> adopted by the Ministry due to non-compliance with the constitutional deadline for its publication.<sup>113</sup> The Minister of Justice is considering re-enacting the instruction despite the court's decision,<sup>114</sup> particularly concerning the "nationality" column on certificates, which has faced objections from experts<sup>115</sup> and some parties<sup>116</sup> for intruding into sensitive protected data.

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111 'Lloga Submitted Initiatives to the Constitutional Court for Regulations for Which the Constitutional Deadline for Publication in the Official Gazette Has Not Been Respected', *Official Website of the Ministry of Justice*, 12 July 2023, <https://www.pravda.gov.mk/vest/6572>.

112 'Instruction for Amending and Supplementing the Instructions for the Way of Keeping, Protecting and Keeping the Registry Books and Files, Issuing Extracts, Certificates, Transcripts and Copies Based on the Registry Books, Conducting Proceedings and Compiling a Record for a Found Child, Restoration of Destroyed, Damaged or Missing Registers, as Well as for Forms of Registers, Register of Registers, Extracts and Certificates Issued Based on Registers (Упатство за изменување и дополнување на упатството за начинот на водење, заштита и чување на матичните книги и списи, издавање на изводи, уверенија, преписи и копии врз основа на матичните книги, водење постапка и составување на записник за најдено дете, обновување на уништени, оштетени или исчезнати матични книги, како и за обрасците на матичните книги, регистарот на матичните книги, изводите и уверенијата што се издаваат врз основа на матичните книги)', *Official Gazette of the Republic of North Macedonia* No. 125/2023).

113 'Decision U. No. 89/2023 (Одлука У.бр.89/2023)', *Official Website of the Constitutional Court of the Republic of North Macedonia*, 27 September 2023, <https://ustavensud.mk/?p=24803>.

114 'Lloga Announced That He Will Re-Enact the Instruction for Keeping Civil Registers (Лога најави дека повторно ќе го донесе Упатството за водење на матични книги)', *MIA - Media Information Agency*, 28 September 2023, <https://bit.ly/3Qmvm4f>.

115 'GOOD NEWS FROM THE CONSTITUTIONAL COURT (ДОБРА ВЕСТ ОД УСТАВНИОТ СУД)', *Official Facebook Profile of Renata Deskovska*, 4 July 2023, <https://bit.ly/451r0sU>.

116 'Tomorrow, the Constitutional Court Will Discuss the Initiative of Levica on the Law on Civil Registry for Entering Nationality in the Civil Registers (Уставен суд утре ќе расправа по иницијативата на Левица за Законот за матична евиденција за внесување на националност во матичните книги)', *Fokus*, 18 July 2023, <https://fokus.mk/ustaven-sud-utre-ke-rasprava-za-initsijativata-na-levit-sa-za-zakonot-za-matichna-evidentsija-za-vnesuvane-na-natsionalnost-vo-matichnite-knigi/>.

# Fight Against Corruption

## State Commission for Prevention of Corruption

In early July, a prominent Austrian investment firm publicly announced the sale of 90% of its shares in “Soravia Invest” LLC and “Soravia Management” LLC to Albanian and Macedonian companies.<sup>117</sup> Concerns of potential influence peddling arose due to the Macedonian company’s owner being the nephew of the leader of the Democratic Union for Integration (DUI) political party.<sup>118</sup> While the State Commission for Prevention of Corruption (SCPC) stated its inability to investigate the ownership matter, allegations of influence peddling related to state fund transfers through the Fund for Innovation and Technological Development to the company’s account will be examined.<sup>119</sup>

In response, the Basic Public Prosecutor’s Office for Prosecuting Organized Crime and Corruption (BPPO-POCC) announced its intention to investigate the case in collaboration with institutions responsible for financial flow oversight.<sup>120</sup>

By late August, suspicions emerged regarding a public procurement process. The selected company for adapting a rented hall for an OSCE ministerial conference in December had close political ties to DUI, whose member held the position of foreign affairs minister.<sup>121</sup> The Ministry of Foreign Affairs (MFA) defended its choice, citing the company’s competitive pricing.<sup>122</sup> To address political influence concerns, the SCPC initiated an investigation,<sup>123</sup> and the MFA provided procurement documentation to the SCPC and BPPOPOCC.<sup>124</sup>

117 ‘The Austrian Owners of “Soravia” Announced That They Are Selling 90 Percent of the Shares of the Albanian “Pe-Vla-Ku” and the Domestic “Tor Industries”’. (Австриските сопственици на „Соравиа“ објавија дека продаваат 90 отсто од акциите на албанската „Певла-ку“ и домашната „Тор индустри“, *360 Stepeni*, 22 June 2023, <https://360stepeni.mk/avstriskite-sopstvenitsi-na-soravia-objavi-ja-deka-prodavaat-90-otsto-od-aktsiite-na-albanskata-pe-vla-ku-i-domashnata-tor-industris/>).

118 ‘A Nephew of Ali Ahmeti Is the Owner of One of the Companies That Buys the “Soravia” Business Center. (Внук на Али Ахмети е сопственик на една од компаниите која го купува Бизнис-центарот „Соравиа“), *360 Stepeni*, 22 June 2023, <https://360stepeni.mk/vnuk-na-ali-ahmeti-e-sopstvenik-na-edna-od-kompaniite-koja-go-kupuva-biznis-tsentarot-soravia/>.

119 ‘SCPC Will Put Ahmeti’s Nephews “on the Wallpaper”’. (Антикорупциска ќе ги стави „на тапет“ внучите на Ахмети), *360 Stepeni*, 3 July 2023, <https://360stepeni.mk/antikoruptionska-ke-gi-stavi-na-tapet-vnucite-na-ahmeti/>.

120 ‘The Prosecutor’s Office of Islam Abazi Will Investigate the Purchase and Sale of “Soravia” (Обвинителството на Ислам Абазии ќе ја истражува купопродажбата на „Соравиа“), *Netpress*, 5 July 2023, <https://netpress.com.mk/obvinitelstvoto-na-islam-abazi-e-a-is-trazhuva-kupoprodazhbata-na-soravi-a/>.

121 ‘A Company Close to DUI Won a Tender for the Adaptation of the “Boris Trajkovski” Hall, the MFA Says They Chose the Lowest Offer (Фирма блиска до ДУИ победи на тендер за адаптација на салата „Борис Трајковски“, од МНР велат ја избрале најевтината понуда), *360 Stepeni*, 27 August 2023, <https://360stepeni.mk/firma-bliska-do-dui-pobedi-na-tender-za-adaptatsija-na-salata-boris-trajkovski-od-mnr-velat-ja-izbrale-najevtinata-ponuda/>.

122 ‘MFA Rejects the Claims of Political Influence in the Selection of a Company for the Reconstruction of the Hall “Boris Trajkovski” as Tendentious and Speculative (МНР ги отфрла како тенденциозни и шпекулативни тврдењата за политичко влијание при изборот на фирма за реконструкција на СЦ „Борис Трајковски“), *360 Stepeni*, 28 August 2023, <https://360stepeni.mk/mnr-gi-otfrla-ka-ko-tendentsiozni-i-shpekulativni-tvrdenata-za-politichko-vlijanie-pri-izborot-na-firma-za-rekonstruksija-na-sts-boris-trajkovski/>.

123 ‘SCPC Will Open an Investigation for “Eurovia” — the Company That Won the Tender from the MFA for the Adaptation of the “Boris Trajkovski” Hall (ДКСК ќе отвори предмет за „Еуровиа“ — фирмата што го доби тендерот од МНР за адаптација на салата „Борис Трајковски“), *360 Stepeni*, 29 August 2023, <https://360stepeni.mk/dksk-ke-otvori-predmet-za-eurovia-firmata-shto-go-dobi-tender-od-mnr-za-adaptatsija-na-salata-boris-trajkovski/>.

124 ‘MFA Submitted the Complete Documentation for the Reconstruction of the “Boris Trajkovski” Hall to SCPC and BPPOPOCC (МНР ја достави целосната документација за реконструкцијата на салата „Борис Трајковски“ до ДКСК и ОЈО-ГОКК), *360 Stepeni*, 1 September 2023, <https://360stepeni.mk/mnr-ja-dostavi-tselosnata-dokumentatsija-za-rekonstruksijata-na-salata-boris-trajkovski-do-dk-sk-i-ojo-gokk/>.

The SCPC also found that DUI violated campaign financing laws by accepting excessive donations in 2022 and returning the surplus in July 2023, later than required. The results were sent to the Ministry of Justice and the State Audit Office for further action.<sup>125</sup>

Preparatory work for the contentious Corridor 8 and 10 projects with 'Bechtel and Enka' continued,<sup>126</sup> including an employment fair in mid-August and the commencement of construction in mid-September.<sup>127</sup>

In late September, the SCPC reported an ongoing investigation into the government's purchase of licenses from a company linked to the Prime Minister. This followed an anonymous report regarding an agreement between the General Secretariat of the Government and Microsoft for licenses and services worth approximately 26 million euros.<sup>128</sup>

The Mayor of Struga faced US sanctions for alleged major corruption,<sup>129</sup> prompting several SCPC corruption investigations.<sup>130</sup> One of these led to a criminal proceeding against the mayor, municipal employees, a surveying company, and experts concerning the sale of state property in Struga, raising suspicions of money laundering and bribery.<sup>131</sup>

In mid-July, the SCPC and the Public Prosecutor's Office met to enhance cooperation and combat corruption more effectively.<sup>132</sup> Subsequently, the SCPC investigated the "Trust" case, uncovering numerous irregularities and abuse within the legal system.<sup>133</sup> The SCPC submitted an initiative to the Public Prosecutor's Office to investigate intentional damage to creditors through falsification of documentation and other offences.<sup>134</sup>

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125 'SCPC: DUI Violated the Law — Received Higher Donations than Allowed, and Returned the Excess Outside the Legal Deadline (ДККК: ДУИ го прекршила законот — примила повисоки донации од дозволените, а вишокот го вратила надвор од законскиот рок)', *360 Stepeni*, 11 September 2023, <https://360stepeni.mk/dksk-dui-go-prekrshila-zakonot-primila-povisoki-donatsii-od-dozvolenite-a-vishokot-go-vratila-nadvor-od-zakonskiot-rok/>.

126 '(VIDEO) The Contract Signed with "Bechtel and Enka" for Corridors 8 and 10-d: For the Government, This Is a Historic Project ((ВИДЕО) Потпишан договорот со „Бехтел и Енка“ за коридорите 8 и 10-д: За Владата ова е историски проект)', *360 Stepeni*, 8 March 2023, <https://360stepeni.mk/video-potpishan-dogovorot-so-behtel-i-enka-za-koridorite-8-i-10-d-za-vladata-ova-e-istoriski-proekt/>.

127 "'Bechtel & Enka" Has Started Construction Work on Corridor 8 („Бехтел и Енка“ почна со градежните работи на Коридорот 8)', *360 Stepeni*, 12 September 2023, 8, <https://360stepeni.mk/behtel-i-enka-pochna-so-gradezhnite-raboti-na-koridorot-8/>.

128 'SCPC Opened a Case Regarding the Procurement of Licenses by the Government (Антикорупциска отвори предмет во врска со набавката на лиценци од страна на Владата)', *360 Stepeni*, 19 September 2023, <https://360stepeni.mk/antikoruptionska-otvori-predmet-vo-vrska-so-nabavkata-na-litsentsi-od-strana-na-vladata/>.

129 'Measure for Merco – Unwanted in the USA, First on the Extended "Blacklist" (Мерка за Мерко – непожелен во САД, прв на проширената „црна листа“)', *Slobodnaevropa.mk*, 21<sup>st</sup> June 2023, <https://bit.ly/3JlaXD7>.

130 Ibid.

131 'SCPC Initiates Criminal Proceedings against Merko, Who Certified a Forged Document for the Sale of State Land in Struga (ДККК иницира кривична постапка против Мерко, заверил фалсификуван документ за отуѓување државно земјиште во Струга)', *360 Stepeni*, 11 September 2023, <https://360stepeni.mk/dksk-initsira-krivichna-postapka-protiv-merko-zaveril-falsifikuvan-dokument-za-otuguvane-na-drzhavno-zemjishte-vo-struga/>.

132 'Intensification of Cooperation between the SCPC and the Public Prosecutor's Office (Интензивирање на соработката меѓу ДККК и Јавното обвинителство)', *Official Website of the State Commission for Prevention of Corruption*, 17 July 2023, <https://bit.ly/3Mqx7v9>.

133 'SCPC Has Unwrapped the Cover of Sead Kocan, Transmet and Pucko Petrol, the State Has Been Damaged for Millions, Involved Prosecutors, Judges, Notaries, Executors and Appraisers (Антикорупциска го одмота клопчето на Сеад Кочан, Трансмет и Пуцко Петрол, државата оштетена за милионски суми, вмешани обвинители, судии, нотари, извршители и проценители)', *Sloboden Pecat*, 19 July 2023, <https://www.slobodenpecat.mk/antikoruptionska-go-odmota-klopcheto-na-sead-kochan-transmet-i-pucko-petrol-drzhavata-oshtetena-za-milionski-sumi-vmeshani-obviniteli-sudii-notari-izvrshiteli-i-proceniteli/>.

134 'SCPC Has Unwrapped the Cover of Sead Kocan, Transmet and Pucko Petrol, the State Has Been Damaged for Millions, Involved Prosecutors, Judges, Notaries, Executors and Appraisers (Антикорупциска го одмота клопчето на Сеад Кочан, Трансмет и Пуцко Петрол, државата оштетена за милионски суми, вмешани обвинители, судии, нотари, извршители и проценители)', *Sloboden Pecat*, 19 July 2023, <https://www.slobodenpecat.mk/antikoruptionska-go-odmota-klopcheto-na-sead-kochan-transmet-i-pucko-petrol-drzhavata-oshtetena-za-milionski-sumi-vmeshani-obviniteli-sudii-notari-izvrshiteli-i-proceniteli/>.

Toward the end of July, the SCPC reached an agreement with the Central Securities Depository to exchange data electronically, improving efficiency in property status and interest monitoring.<sup>135</sup>

Additionally, the SCPC developed an e-learning system under a memorandum of cooperation with the Ministry of Information Society and Administration to educate and enhance the anti-corruption capacities of public servants and interested individuals.<sup>136</sup>

## The Public Prosecutor's Office

Amendments to the Criminal Code were put to the test in several prominent corruption cases. In the recent hearing of the “Titanik” case,<sup>137</sup> the public prosecutor chose not to invoke the statute of limitations for the criminal association charges against the defendants.<sup>138</sup> Instead, she indicated an intent to withdraw the accusation of this crime in her closing statement. At the same time, the trial would proceed due to additional accusations against the defendants that were not subject to a statute of limitations. Similarly, the trial of the “Traektorija” case followed a similar course, with the main hearing proceeding without reference to the Criminal Code amendments by either the public prosecutor or the defence.<sup>139</sup> In contrast, public prosecutors in the “Target-Tvrdina” case requested a trial postponement to analyse the impact of the amendments on the legal qualification of the crimes the defendants faced.<sup>140</sup>

Before the Criminal Code amendments, notable developments occurred in high-profile cases. In the “Titanik” case, the former Minister of Transport and Communications received a custodial prison sentence of three years and six months after being the only one to appeal and receive a prison sentence, while others received conditional sentences.<sup>141</sup> In the “Softveri” case, the former Secretary General of the Government was sentenced to eight years in prison.<sup>142</sup>

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135 ‘SCPC Will Electronically Receive Data from the Central Securities Depository (ДКСК електронски ќе добива податоци од Централниот депозитар за хартии од вредност)’, *Official Website of the State Commission for Prevention of Corruption*, 26 July 2023, <https://bit.ly/48OMIOF>.

136 ‘The State Commission for Prevention of Corruption Has Developed an E-Learning System Available to All Citizens and Public Servants (Државната комисија за спречување на корупцијата разви систем за е-учење достапен за сите граѓани и вработените во јавниот сектор)’, *Official Website of the State Commission for Prevention of Corruption*, 10 August 2023, <https://bit.ly/46ycJjs>.

137 ‘Amendments to the Criminal Code Will Be Tested Today at the Titanik Hearing (Измените на Кривичниот законик денеска на тест на рочиштето за „Титаник“), *Telma TV*, 18 September 2023, <https://telma.com.mk/2023/09/18/izmenite-na-krivichniot-zakonik-deneska-na-test-na-rochishteto-za-titanik/>.

138 ‘The Public Prosecutor in the Titanik Case Will Withdraw the Accusation of Criminal Association in the Closing Words, the Trial Continues Because the Defendants Are Also Accused of Other Crimes That Do Not Have a Statute of Limitations (Обвинителката во Титаник во завршен збор ќе го повлече обвинението за злосторничко здружување, судењето продолжува зашто обвинетите одговараат и за други кривични дела што не застаруваат)’, *Telma TV*, 18 September 2023, <https://telma.com.mk/2023/09/18/obvinitelkata-lile-stefanova-treba-da-konstatira-zastareno-delo-za-gruevski-i-bozhinovski-vo-titanik/>.

139 ‘While Waiting for the Public Prosecutor’s Office to Say What Will Happen after the Amendments to the Criminal Code, Court Processes Are Proceeding at a Different Pace (Додека се чека Обвинителството да каже што по измените на КЗ, судските процеси течат со различен ритам)’, *360 Stepeni*, 22 September 2023, <https://360stepeni.mk/dodeka-se-cheka-obvinitelstvoto-da-kaže-što-po-izmenite-na-kz-sudskite-protsesi-techat-so-razlichen-ritam/>.

140 ‘“Target-Tvrdina” Has Been Postponed While Prosecutors Analyze Which Crimes Become Statute-Barred and Which Remain („Тапрет-Тврдина“ се одложи додека обвинителите анализираат кои дела застаруваат, а кои остануваат)’, *Telma TV*, 19 September 2023, <https://telma.com.mk/2023/09/19/target-tvrdina-se-odlozhi-dodeka-obvinitelite-analiziraat-koi-dela-zastaruvaat-a-koi-ostanuvaat/>.

141 ‘Former Minister Janakieski Left for “Idrizovo” with Packed Bags on His Back and under Sedation (Поранешниот министер Јанакиески заминува во „Идризово“ со спакувани торби на грб и под седативи)’, *Mkd.Mk*, 6 July 2023, <https://mkd.mk/node/519894>.

142 ‘Rashkovski Was Sentenced to Eight Years in Prison (Рашковски осуден на осум години казна затвор)’, *Makfax*, 6 July 2023, <https://bit.ly/3FkYi6C>.

A short film titled “Murder in Tetovo,” created by the Investigative Reporting Lab (IRL) uncovered that the initial tender for selecting a contractor for modular hospitals during the COVID-19 pandemic was cancelled due to suspicions of procedural inconsistencies and favouritism. The government then entrusted the procurement to the Ministry of Health. Documents presented in the film suggest that both the Ministry of Health and the selected contractor were aware of the substandard facilities, which later burned down.<sup>143</sup> The Public Prosecutor’s Office (PPO) of North Macedonia cautioned against the spread of potentially false information regarding the hospital fire. It urged responsible journalism due to ongoing appeals and open cases that could be negatively impacted.<sup>144</sup> Meanwhile, the Platform for the Fight Against Corruption called for the resignation of the Public Prosecutor of North Macedonia, citing suspicions raised by the film that the PPO’s investigation may lack thoroughness and proper consideration of expert conclusions.<sup>145</sup>

In early September, the PPO signed a declaration to establish the regional component of GlobE—the Global Operational Network of Anti-Corruption Law Enforcement Authorities, including anti-corruption authorities from Albania, Bosnia and Herzegovina, Montenegro, North Macedonia, and Serbia. Participation in this network is significant for fostering experience exchange and international cooperation in prosecuting corruption cases.<sup>146</sup>

## Legal Framework

In early September, a parliamentary commission urgently convened to discuss proposed amendments to the Criminal Code, which sought to reduce sentences for abuse of official position and authority and criminal association.<sup>147</sup> The proposal raised concerns about the expedited legislative process and the use of the European flag without allowing comprehensive public discourse, expert debate, or an analysis of potential consequences.<sup>148</sup> Civil society organisations (CSOs) also warned that such legal changes could severely undermine the fight against organised crime and corruption, increasing the possibility of impunity for offenders.<sup>149</sup>

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143 ‘The IRL Documentary Reignited the Flame about the Tragedy in the Modular Hospital in Tetovo (Документарецот на ИРЛ повторно го распламте огнот за трагедијата во модуларната болница во Тетово)’, *360 Stepeni*, 14 August 2023, <https://360stepeni.mk/video-dokumentaretsot-na-irl-povtorno-go-rasplamte-ognot-za-tragedijata-vo-modularnata-bolnitsa-vo-tetovo/>.

144 ‘PPO on the IRL Audio Recording: The Abuse of This Process Must Be Stopped Urgently, It Is a Lie That the Expertise of the German Experts Was Covered up (ЈО за аудиоснимката од ИРЛ: Итно да престане злоупотребата на овој процес, лага е дека била прикриена експертизата од германските стручни лица)’, *360 Stepeni*, 18 August 2023, <https://360stepeni.mk/jo-za-audiosnimkata-od-irl-itno-da-prestane-zloupotrebata-na-ovoj-protsest-laga-e-deka-bila-prikriena-ekspertizata-od-germanskite-struchni-litsa/>.

145 ‘The Platform for the Fight Against Corruption Demands the Resignation of the Public Prosecutor Ljubomir Joveski (Платформата за борба против корупција бара оставка од јавниот обвинител Љубомир Јовески)’, *TV 21*, 17 August 2023, <https://mk.tv21.tv/platformata-za-borba-protiv-korupsija-bara-ostavka-od-javniot-obvinitel-lubomir-joveski/>.

146 ‘The Public Prosecutor’s Office – Signatory of the Declaration on the Establishment of a Regional Component of the GlobE-Network for the Western Balkans (Јавното обвинителство – потписник на Декларацијата за формирање на регионална компонента на GlobE-мрежата за Западен Балкан)’, *Official Website of the Public Prosecutor’s Office of the Republic of North Macedonia*, 5 September 2023, <https://jorm.gov.mk/javnoto-obvinitelstvo-potpisnik-na-deklaracijata-za-formirane-na-regionalna-komponenta-na-globe-mrezhata-za-zapaden-balkan/>.

147 ‘Urgently Convened Assembly ary Commission Session, Amendments to the Criminal Code with a “European Flag” Are Being Pushed through! (Итно свикана собраниска комисија, се туркаат измени на Кривичниот законик со „европско знаме“!)’, *Fokus*, 5 September 2023, <https://fokus.mk/itno-svikana-sobraniska-komisija-se-turkaat-izmeni-na-krivichniot-zakonik-so-evropsko-zname/>.

148 ‘Announcement (Соопштение)’, *Official Website of the State Commission for Prevention of Corruption*, 7 September 2023, <https://bit.ly/3Fc3LMQ>.

149 ‘The Blueprint Group Reacts against the Amendments to the Criminal Code Following a Shortened Procedure (Блупринт групата реагира против измените на Кривичниот законик по скратена постапка)’, *Official Website of the Helsinki Committee for Human Rights of the Republic of North Macedonia*, 6 September 2023, <https://mhc.org.mk/news/bluprint-grupata-reagira-protiv-izmenite-na-krivichniot-zakonik-po-skratena-postapka/>.

These amendments<sup>150</sup> raised serious concerns about their impact on ongoing high-profile corruption cases, including “TNT,” “Talir,” “Talir 2,” “Target-Tvrdina,” “Trezor,” “Toplik,” and “Titanik”. Some criminal prosecutions would be completely halted while proceedings for other charges would continue.<sup>151</sup> Even after the amendments were enacted,<sup>152</sup> concerns persisted. The European Commission expressed unease about the rapid adoption of the amendments and their use of the European flag.<sup>153</sup> The Supreme Court also issued a statement indicating that they had not received the final text of the amendments before their adoption,<sup>154</sup> which contradicted the commitment to transparent and reform-oriented legislation in line with European standards.<sup>155</sup> The Democratic Union political party submitted an initiative to the Constitutional Court, urging a review of the Criminal Code amendments and requesting a temporary measure to postpone their implementation until a final decision is reached.<sup>156</sup>

A legal gap was uncovered amid the adoption of new EU regulations on gifts, services, and goods accepted by commissioners. North Macedonia lacked mechanisms for the mandatory identification and control of gifts received by elected and appointed officials. The Deputy Prime Minister in charge of Good Governance Policies noted that, for the time being, no official had reported a gift exceeding twenty euros in value, as outlined in the Code of Ethics for Ministers. However, the Deputy Prime Minister in charge of Good Governance Policies emphasised that expensive gifts, services, and goods could foster corruption and collusion between companies and officials.<sup>157</sup>

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150 ‘Law Amending and Supplementing the Criminal Code (Закон за изменување и дополнување на Кривичниот законик)’, Official Gazette of the Republic of North Macedonia No. 188/2023.

151 ‘The Amendments of the CC Lead to the Obsolescence of Crimes in “Target-Tvrdina”, “Titanik”, TNT, “Talir”, “Traektorija”, “Tenderi”... (Измените во КЗ носат застарување на дела во „Таргет-Тврдина“, „Титаник“, ТНТ, „Талир“, „Траекторија“, „Тендери“...), 360 Stepeni, 7 September 2023, <https://360stepeni.mk/izmenite-vo-kz-nosat-zastaruvane-na-dela-vo-target-tvrdina-titanik-tnt-talir-traektorija-tenderi/>.

152 ‘The Amendments to the Criminal Code Enter into Force Today (Денеска на сила стапуваат измените на Кривичниот законик)’, *Kanal 5*, 14 September 2023, <https://kanal5.com.mk/deneska-na-sila-stapuvaat-izmenite-na-krivichniot-zakonok/a600436>.

153 ‘The European Commission Is Concerned about the Amendments of the Criminal Code (Европската комисија е загрижена поради измените на Кривичниот законик)’, *Slobodnaevropa.Mk*, 12 September 2023, <https://www.slobodnaevropa.mk/a/32589801.html>.

154 ‘The SCPC Is Not the Only One, the Supreme Court Also Did Not Receive a Final Version of the Amendments to the CC (ДКСК не е единствена, ниту Врховен суд не добил финална верзија на измените на КЗ)’, *Telma TV*, 13 September 2023, <https://telma.com.mk/2023/09/13/dskk-ne-e-edinstvena-nitu-vrhoven-sud-ne-dobil-finalna-verzija-na-izmenite-na-kz/>.

155 ‘The Supreme Court: Adopting Legal Amendments without a Transparent Process Is Contrary to European Standards (Врховниот суд: Донесувањето на законски измени без транспарентен процес е спротивно на европските стандарди)’, *Akademik.Mk*, 13 September 2023, <https://akademik.mk/vrhovniot-sud-donesuvaneto-na-zakonski-izmeni-bez-transparenten-protses-e-sprotivno-na-evrofskite-standardi/>.

156 ‘Trajanov Contested the Amendments to the CC before the Constitutional Court: This Is an Amnesty for Officials, and before the Constitution We Are All Equal (Трајанов ги оспори измените на КЗ пред Уставниот суд: Ова е амнестија на функционери, а пред Уставот сите сме еднакви)’, *Sloboden Pecat*, 19 September 2023, <https://www.slobodenpecat.mk/trajanov-gi-ospori-izmenite-na-kz-pred-ustavniot-sud-ova-e-amnestija-na-funkcioneri-a-pred-ustavot-site-sme-ednakvi/>.

157 ‘In Macedonia, There Is No Definition of What a Gift for an Official Means (Во Македонија нема дефиниција што значи подарок за службено лице)’, *Alsati M*, 13 September 2023, <https://alsat.mk/mk/vo-makedonija-nema-definitsija-shto-znachi-podarok-za-sluzhbeno-litse/>.

# Fundamental Rights

## Case Law of the European Court for Human Rights

In mid-July, the European Court of Human Rights (ECtHR) issued a verdict in the case of D.H. and others vs. North Macedonia. The applicants had individually sought a review of the lawfulness of their detention, claiming unjustified arrests, lack of information about their apprehension, absence of official records for seized items, denial of basic necessities like food, water, and restroom access, absence of medical care, and unauthorised blood sample collection. The ECtHR found violations of Article 3 of the ECtHR due to the absence of essential provisions for sustenance and hygiene and a violation of Article 8 of the ECtHR arising from the MoI's publication of the applicants' photographs. As a result, the state was ordered to compensate each applicant 3,300 euros for non-pecuniary damages.<sup>158</sup>

## The Ombudsperson

The Ombudsman's office has raised concerns regarding the requirement to update personal documents in accordance with the provisions of the Prespa Agreement. Specifically, all existing personal documents bearing the former country name "Republic of Macedonia" will become invalid after the February 12th, 2024 deadline. As a result, all citizens must acquire new personal documents displaying the name "Republic of North Macedonia" from the Ministry of Interior Affairs before the specified date. This process imposes a significant financial burden, estimated at approximately 180 euros for a family of four comprising two adults and two minors.<sup>159</sup> The Ombudsman's office has received numerous petitions from citizens who have encountered difficulties in securing new personal documents due to challenges in scheduling appointments and financial constraints. Consequently, the Ombudsman identifies a state oversight in the delayed issuance of personal documents featuring the new constitutional name. They have urged the government to explore the feasibility of covering the costs associated with issuing personal identity cards, considering the mandatory requirement for citizens to possess valid identification documents.<sup>160</sup>

## Prison and detention facilities

In mid-September, the Ministry of Justice (MoJ) introduced a new Amnesty Law draft aimed at granting early release to inmates convicted of less serious offences.<sup>161</sup> The draft law seeks to address the critical prison overcrowding issue in the country, a concern consistently highlighted in various international

158 ECtHR, 'Case of D.H. and Others v. North Macedonia (Случај Д.Х. и други против Северна Македонија (А-бр. 44033/17))', 18 July 2023, <https://bit.ly/3LBRUv2>.

159 'After February 12, All Personal Documents with the Name of Republic of Macedonia Will Not Be Valid (По 12-ти февруари, сите лични документи со Република Македонија, нема да важат)', *Slobodnaevropa.Mk*, 21 July 2023, <https://www.slobodnaevropa.mk/a/po-12-ti-fevruari-site-lichni-dokumenti-so-republika-makedonija-nema-da-vazhat-/32511795.html>.

160 'Ziberi: The Government Should Once Again Consider the Possibility of Covering the Costs of Issuing Personal Identity Cards (Зибери: Владата уште еднаш да ја разгледа можноста за покривање на трошоците за личните карти)', *360 Stepeni*, 24 August 2023, <https://360stepeni.mk/ziberi-vladata-ushte-ednash-da-ja-razgleda-mozhnosta-za-pokrivane-na-troshotsite-za-lichnite-karti/>.

161 'The Ministry of Justice Prepared the Amnesty Law: Perpetrators of Light Crimes Will Be Freed from Prison or Will Receive Lesser Sentences (Правда го подготви предлог-законот за амнестија: Сторителите на лесни кривични дела ќе се ослободат од затвор или ќе добијат помали казни)', *360 Stepeni*, 13 September 2023, <https://360stepeni.mk/pravda-go-podgotvi-predlog-zakonot-za-amnestija-storitelite-na-lesni-krivichni-dela-ke-se-oslobodat-od-zatvor-ili-ke-dobijat-pomali-kazni/>.

reports, including those from the Council of Europe. The proposed law suggests the complete release of inmates serving sentences of up to six months and, for those with sentences exceeding six months, a reduction of their sentences by 30 per cent.<sup>162</sup> The Ombudsman's office expressed support for this draft, emphasising its potential to alleviate the overcrowding in penitentiary institutions, notably at Idrizovo Prison, where approximately 250 inmates could be released, and 1,200 to 1,400 inmates may have their sentences shortened, ultimately leading to earlier releases.<sup>163</sup> On September 26th, the draft law received approval from the Government, advancing it to the parliamentary procedure.<sup>164</sup>

On June 12th, the Official Gazette of the Republic of North Macedonia published a supplement to the Rulebook governing the deployment, classification, and placement of convicted individuals in penitentiary institutions.<sup>165</sup> This supplement ensures that women serving prison sentences receive equal rights and benefits as men. Its immediate implementation led to five benefit requests from female convicts in the first two weeks following publication.<sup>166</sup>

In early September, the case of a convict escaping from Idrizovo Prison during a medical visit on January 12th, 2023,<sup>167</sup> concluded legally. The external security commander and three police officers found guilty of the unlawful release of a person deprived of liberty under Article 373 of the Criminal Code acknowledged their wrongdoing. Consequently, they received prison sentences of three years, one year and six months, and a conditional sentence, respectively.<sup>168</sup>

## Personal Data Protection

In response to concerns about the potential misuse of the personal data of Macedonian citizens, SCPC initiated proceedings against two former directors of the Office for Management of Registers of Births, Marriages and Deaths (OMR). These concerns revolve around the digitisation of extensive archives containing records of births, deaths, and marriages. During two tender procedures, it was observed that adequate protective measures were not sufficiently in place to safeguard the privacy of citizens'

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162 'Loga: The Situation in Prisons Is Alarming, I Ask All Political Parties to Support the Amnesty Law (Лoгa: Cocojбaтa вo зaтвopитe e aлaрмaнтнa, ги зaмoлyвaм cитe пoлитички пaртии дa гo пoддржaт пpeдлoг-зaкoнoт зa aмнecтиja)', *360 Stepeni*, 14 September 2023, <https://360stepeni.mk/loga-sostojbata-vo-zatvorite-e-alarmanтна-gi-zamoluvam-site-politichki-partii-da-go-poddrzhat-predlog-zakonot-za-amnestija/>.

163 'The Amnesty Is Not for Releasing Serious Criminals, but for Alleviating the Situation in Prisons, According to the Ombudsperson (Aмнecтиjaтa нe e зa oслобoдyвaнe тeшки кpиминaлци, тyкy зa yблaжyвaнe нa cocтoјбaтa вo зaтвopитe, cмeтa Нaрoднoт пpaвoбpaнитeл)', *360 Stepeni*, 14 September 2023, <https://360stepeni.mk/amnestijata-ne-e-za-osloboduvane-teshki-kriminalt-si-tuku-za-ublazhuvane-na-sostojbata-vo-zatvorite-smeta-narodniot-pravobranitel/>.

164 'The Amnesty Law Passed the Government Filter, Tomorrow It Enters the Assembly ary Procedure (Зaкoнoт зa aмнecтиja гo пoминa влaдинoт филтep, yтpe влeгyвa вo coбpaнискa пpoцeдyрa)', *Kanal 5*, 26 September 2023, <https://kanal5.com.mk/zakonot-za-amnestija-go-pomina-vladiniot-filter-utre-vleguva-vo-sobraniska-procedura/a602552>.

165 'Rulebook Supplementing the Rulebook on the Deployment, Classification and Placement of Convicted Persons in Penitentiary Institutions (Пpaвилник зa дoпoлнyвaнe нa пpaвилникoт зa paспoрeдyвaнe, клacификaциja и paзмecтyвaнe нa ocудeнитe лицa вo кaзнeнo-пoпpaвнитe ycтaнoви)', Official Gazette of the Republic of North Macedonia No. 120/2023.

166 'After Almost Three Years, Jankuloska on Weekend Leave for the First Time- Five Women Left "Idrizovo" with the Supplement of the Rulebook (Пo cкopo тpи гoдини, Jaнкyлocka зa пpвaт нa викeнд oтcyctвo – пeт жeни излeгoa oд „Идpизoвo“ co измeнaтa нa Пpaвилникoт)', *Makfax*, 1 July 2023, <https://bit.ly/3ZuELtq>.

167 'The Investigation into Memeti's Escape Is Still Ongoing, Tupanceski Said, and Expressed Confidence That It Will End with a Legal Epilogue (Иcтpaгaтa зa бeгcтвoтo нa Мeмeти сe yштe тpae, изjaви Тyпaнчeски и изpaзи yвepyвaнe дeкa кe зaврши co пpaвeн eпилoг)', 30 January 2023, <https://360stepeni.mk/istragata-za-begstvoto-na-memeti-se-ushte-trae-izjavi-tupancheski-i-izrazi-uveruvane-deka-ke-zavrshi-so-praven-epilog/>.

168 'The Commander and Three Police Officers Convicted for the Escape of Memeti from the Idrizovo Prison (Кoмaндиpoт и тpoјцa пoлицajци ocудeни зa бeгcтвoтo нa Мeмeти oд зaтвopoт Идpизoвo)', *Sloboden Pecat*, 1 September 2023, <https://www.sloboden-pecat.mk/komandirot-i-trojca-policaјci-osudeni-za-begstvoto-na-memeti-od-zatvorot-idrizovo/>.

data throughout the scanning, control, management, transmission, and processing carried out by the contracted economic operators engaged by the OMR.<sup>169</sup> A special enquiry conducted by the Personal Data Protection Agency (PDPA) further revealed that the OMR had not fully established the necessary processes and procedures to ensure compliance with regulations governing personal data protection, both in terms of managing the personal data protection system and securing the personal data involved in the digitisation process for registers maintained in paper or electronic format.<sup>170</sup>

Towards the end of July, the PDPA imposed five misdemeanour sanctions totalling 1,318,384 denars following several special enquiries of a financial company and a catering, tourism, and trade company. Notably, the financial company granted online loans to individuals who used telephone numbers that did not belong to them, all without verifying their identities when submitting credit applications. Meanwhile, the latter company unlawfully retained guests' identity cards and hindered the conduct of special enquiry actions.<sup>171</sup>

## Freedom of Expression

In early July, the Minister of Information Society and Administration confirmed that comments and suggestions regarding the proposed amendments to the Law on Audio and Audiovisual Media Services (LAAVMS) were under analysis. A draft version of the amendments was anticipated to be presented in mid-July.<sup>172</sup> Of particular concern, as highlighted by journalistic associations, was whether the amendments would affect Article 102 of the LAAVMS, potentially enabling the use of state funds for campaigns in private media outlets. In response, seven journalistic associations publicly declared their decision not to participate in the public discussions organised by the ministry regarding this Law. They expressed their opposition to the reintroduction of the practice of utilising public funds in private media, citing past experiences that had a detrimental impact on independent editorial policies, journalism, and media content pluralism.<sup>173</sup> Ultimately, the amendments to the LAAVMS were approved in the latter part of July, but Article 102, which had sparked the debate, remained unchanged.<sup>174</sup>

In mid-August, a distressing incident occurred when a media crew consisting of two journalists and a cameraman faced verbal and physical aggression from a shop owner in Skopje's Old Bazaar. The aggressor reportedly threatened the crew with a sharp object and physically assaulted the cameraman, causing

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169 'Doubts about Hacked Registers and Trade of Citizens' Personal Data (Сомнежи за пробиени матични книги и трговија со личните податоци на граѓаните)', *Meta.Mk*, 19 July 2023, <https://bit.ly/3tcmoxu>.

170 'Information on the Extraordinary Supervision in the Office for Management of Registers (Информација за вонредната супервизија во Управата за водење на матичните книги)', *Official Website of the Personal Data Protection Agency of the Republic of North Macedonia*, 21 July 2023, <https://bit.ly/3PyA567>.

171 'The Personal Data Protection Agency Imposed Five Misdemeanor Sanctions in the Total Amount of 1,318,384 Denars (Агенцијата за заштита на личните податоци изрече пет прекршочни санкции во вкупен износ од 1.318.384 денари)', *Official Website of the Personal Data Protection Agency of the Republic of North Macedonia*, 26 July 2023, <https://bit.ly/3RDPvUy>.

172 'Aliu: We Will Draft the Media Law Based on the Comments and What the Experts Say (Алиу: Законот за медиуми ќе го направиме врз основа на забелешките и на она што го велат експертите)', *Press24.Mk*, 3 July 2023, <https://press24.mk/aliu-zakonot-za-medi-umi-kje-go-napravime-vrz-osnova-na-zabeleshkite-i-na-ona-shto-go-velat>.

173 'Professional Journalism and Media Organizations Are against Government Campaigns in Media (Професионалните Новинарски и Медиумски Организации Се Против Владини Кампањи Во Медиумите)', *Official Website of the Association of Journalists of Macedonia*, 19 July 2023, <https://bit.ly/3EPpNVA>.

174 'Law Amending and Supplementing the Law on Audio and Audio Visual Media Services (Закон за изменување и дополнување на Законот за аудио и аудиовизуелни медиумски услуги)', *Official Gazette of the Republic of North Macedonia No. 154/2023*.

multiple injuries.<sup>175</sup> The media team promptly reported the incident to the Mol.<sup>176</sup> The Association of Journalists of Macedonia (AJM) urged the Mol to conduct a swift and effective investigation into the attack.<sup>177</sup> The Mol swiftly responded, identifying and apprehending the assailant.<sup>178</sup> Subsequently, the Basic Public Prosecutor's Office Skopje initiated proceedings against the attacker, charging him with the crime of violence under Article 386 of the Criminal Code.<sup>179</sup>

## Vulnerable Groups and the Principle of Non-Discrimination

The Commission for Prevention and Protection against Discrimination (CPPD) regularly hosts public discussions in municipalities nationwide. These gatherings serve the purpose of enhancing transparency, fostering discrimination awareness among citizens, and establishing ongoing communication and collaboration mechanisms with local institutions.<sup>180</sup> Through these discussions, several issues have come to light. One prominent concern is the lack of accessibility for people with disabilities, preventing them from fully exercising their civil rights due to inadequate infrastructure. Coordination between institutions is insufficient, necessitating additional training for interactions with individuals with disabilities and increased financial resources to combat ongoing discrimination.<sup>181</sup>

Another area where accessibility remains a challenge is higher education, as revealed in a recent analysis published in late July.<sup>182</sup> This study, conducted by the Association for Assistive Technology—Open the Windows, in cooperation with the Ombudsperson, identified several shortcomings. Notably, no faculty provides announcements and documents in accessible formats such as Braille, audio, or enlarged text. Physical access to lecture halls and libraries is limited in many cases, with 55 per cent of faculties lacking elevators. Moreover, only 10 per cent of faculties offer literature in accessible formats, and public transportation remains inaccessible for 40 per cent of students with disabilities.<sup>183</sup>

175 'Alsat TV Crew Attacked in the Skopje Old Bazaar, the Cameraman Suffered Several Injuries (Екипа на ТВ Алсат нападната во Скопската чаршија, снимателот се здобил со повеќе повреди)', *360 Stepeni*, 21 August 2023, <https://360stepeni.mk/ekipa-na-tv-alsat-napadnata-vo-skopskata-charshija-snimatelot-se-zdobil-so-poveke-povredi/>.

176 Ibid.

177 'AJM Demands Immediate Reaction from the Ministry of the Interior for the Attack on the Alsat TV Crew (ЗНМ бара итна реакција од МВР за нападот на екипата на ТВ Алсат)', *360 Stepeni*, 21 August 2023, <https://360stepeni.mk/znm-bara-itna-reaktsija-od-mvr-za-napadot-na-ekipata-na-tv-alsat/>.

178 'Ministry of Interior: Detained Skopje Man Who Attacked Alsat TV Cameraman Today (МВР: Приведен скопјанец кој денеска го нападнал снимателот на ТВ Алсат)', *360 Stepeni*, 21 August 2023, <https://360stepeni.mk/mvr-priveden-skopjanets-koj-deneska-go-napadnal-snimatelot-na-tv-alsat/>.

179 'Proceedings Have Been Initiated for Violence against a Journalist Crew (Поведена постапка за насилство кон новинарска екипа)', *Official Website of the Public Prosecutor's Office of the Republic of North Macedonia*, 22 August 2023, <https://jorm.gov.mk/povedena-postapka-za-nasilstvo-kon-novinarska-ekipa/>.

180 'With an Event in Kavadarci, the Open Discussions with the Citizens and the Commission for Prevention and Protection from Discrimination Continue (Со настан во Кавадарци, продолжуваат отворените средби со граѓаните на Комисијата за спречување и заштита од дискриминација)', *Official Website of the Commission for Prevention and Protection against Discrimination*, 19 September 2023, <https://bit.ly/3PSoQlw>.

181 'Courts, Municipalities, Ministries and Other Institutions Still Inaccessible to People with Disabilities (Судови, општини, министерства и други институции сè уште непристапни за лица со попреченост)', *Official Website of the Commission for Prevention and Protection against Discrimination*, 24 July 2023, <https://bit.ly/48zYMTQ>.

182 'Presentation of the Key Findings from the Analysis of Accessibility to Higher Education for Persons with Disabilities (Презентација на клучните наоди од анализата за пристапноста до високо образование за лицата со попреченост)', *Official Website of the Commission for Prevention and Protection against Discrimination*, 25 July 2023, <https://bit.ly/3PXwuvb>.

183 'Higher Education Is Inaccessible to Many People with Disabilities in the Country, They Do Not Enroll in College Because There Is No Adequate Access (Високото образование е недостапно за многу лица со попреченост во земјава, не се запишуваат на факултет бидејќи нема соодветен пристап)', *Sloboden Pecat*, 21 July 2023, [https://www.slobodenpecat.mk/visokoto-obrazovanie-e-nedostapno-za-mnogu-lica-so-poprechenost-vo-zemjava-ne-se-zapishuvaat-na-fakultet-bidejkji-nema-soodveten-pristap/?fbclid=PAaAZe-M7ODi5Dol-W2lTfiwRnvu7Ve07UqXWB1mla\\_quO\\_yH\\_by7utRczysxo](https://www.slobodenpecat.mk/visokoto-obrazovanie-e-nedostapno-za-mnogu-lica-so-poprechenost-vo-zemjava-ne-se-zapishuvaat-na-fakultet-bidejkji-nema-soodveten-pristap/?fbclid=PAaAZe-M7ODi5Dol-W2lTfiwRnvu7Ve07UqXWB1mla_quO_yH_by7utRczysxo).

Concerning textbooks for the new school year, the Minister of Education and Science announced the delivery of most textbooks to primary schools, but delays were expected for some grades.<sup>184</sup> The CPPD's monitoring of the situation found that 34% of required textbooks for nine-year-olds in primary education were missing at the beginning of the school year.<sup>185</sup> This situation amounts to a persistent violation of the right to equal access to quality education, and potential legal action may be initiated.<sup>186</sup>

In mid-August, the Union of Associations of Persons with Diabetes of Macedonia revealed a shortage of essential supplies, such as strips, needles, sensors, and blood sugar measurement devices, affecting over 130,000 diabetics in the country.<sup>187</sup> Later, the Union reported some improvements in the availability of anti-diabetic therapy and insulin needles,<sup>188</sup>. At the same time, the Minister of Health gave assurances that an adequate supply of blood sugar strips was en route.<sup>189</sup> However, following discussions with the Ministry of Health, the Union sent a petition to the Ombudsperson in mid-September regarding the ongoing scarcity of glucometers and blood sugar strips essential for diabetes management.<sup>190</sup> The CPPD also announced its investigation into potential discrimination against diabetic patients by the state.<sup>191</sup>

Towards the end of August, the CPPD and the Agency for Audio and Audiovisual Media Services (AAVMS) signed a Memorandum of Cooperation to enhance their collaboration, particularly in the realm of discrimination prevention. This partnership will address specific instances of discrimination, intolerance, or hatred within media programs. For greater efficiency, the AAVMS will respond to audio and audiovisual media service providers and video-sharing platforms. At the same time, the CPPD will address media personnel in cases of incitement or propagation of discrimination.<sup>192</sup>

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184 'Most of the Textbooks for the Third and Sixth Grades Will Be Received by the Pupils on September 1, Assures Shaqiri (Поголем дел од учебниците за трето и за шесто одделение учениците ќе ги добијат на 1 септември, уверува Шаќири)', *360 Stepeni*, 22 August 2023, <https://360stepeni.mk/pogolem-del-od-uchebnitsite-za-treto-i-za-shesto-oddelenie-uchenitsite-ke-gi-dobijat-na-1-septemvri-uveruva-shakiri/>.

185 "'The Situation with the Provision of Textbooks in Primary Education for the 2023/24 School Year" („Состојбата со обезбедување на учебници во основното образование за учебната 2023/24“)', *Official Website of the Commission for Prevention and Protection against Discrimination*, 4 September 2023, <https://kszd.mk/22133/>.

186 'MES Did Not Fulfill the Legal Obligation to Deliver the Textbooks, Court Proceedings Are Possible, Announced the Commission for Protection against Discrimination (МОН не ја исполни законската обврска за достава на учебниците, можна е судска постапка, најавија од Комисијата за заштита од дискриминација)', *360 Stepeni*, 4 September 2023, <https://360stepeni.mk/mon-ne-ja-ispolni-zakonskata-obvrska-za-dostava-na-uchebnitsite-mozhna-e-sudska-postapka-najavija-od-komisijata-za-zashtita-od-diskriminacija/>.

187 'Diabetics Will Sue the Ministry of Health Because They Have Been Left without Therapy, Needles and Devices for More than Half a Year (Лицата со дијабет ќе го тужат Министерството за здравство оти повеќе од половина година се оставени без терапија, игли и апарати)', *360 Stepeni*, 11 August 2023, <https://360stepeni.mk/litsata-so-dijabet-ke-go-tuzhat-ministerstvoto-za-zdravstvo-oti-pov-eke-od-polovina-godina-se-ostaveni-bez-terapija-igli-i-aparati/>.

188 'Diabetics Received Therapy, 700 Children Will No Longer Be Pricked, but Will Have Sensors (Дијабетичарите добија терапија, 700 деца веќе нема да се боцкаат, туку ќе бидат со сензори)', *360 Stepeni*, 18 August 2023, <https://360stepeni.mk/dijabeticharite-dobija-terapija-700-detsa-veke-nema-da-se-botskaat-tuku-ke-bidat-so-senzori/>.

189 'Medjiti: Blood Sugar Measuring Strips Will Be Available in Pharmacies Next Week (Меџити: Следната недела во аптеките ќе бидат достапни ленти за мерење на шеќер во крвта)', *360 Stepeni*, 20 August 2023, <https://360stepeni.mk/medhiti-slednata-nedela-vo-aptekite-ke-bidat-dostapni-lenti-za-merene-na-sheker-vo-krvta/>.

190 'Diabetics Asked the Ombudsperson to Save Them from the Damages Caused to Them by the Ministry of Health (Дијабетичарите го повикаа правобранителот да ги спасува од штетите што им ги предизвика Министерството за здравство)', *Sloboden Pecat*, 15 September 2023, <https://www.slobodenpecat.mk/dijabeticharite-go-povikaa-pravobranitelot-da-gi-spasuva-od-shtetite-shto-im-gi-predizvika-ministerstvoto-za-zdravstvo/>.

191 'The Commission for Protection against Discrimination Will Determine Whether Persons with Diabetes Have Been Discriminated against (Комисијата за заштита од дискриминација ќе утврдува дали лицата со дијабет биле дискриминирани)', *24 Vesti*, 28 September 2023, <https://24.mk/details/komisijata-za-zashtita-od-diskriminacija-kje-utvrduva-dali-licata-so-dijabet-bile-diskriminirani>.

192 'CPPD and the Agency for Audio and Audiovisual Media Services Signed a Memorandum of Cooperation (КСЗД и Агенцијата за аудио и аудиовизуелни медиумски услуги потпишаа меморандум за соработка)', *Official Website of the Commission for Prevention and Protection against Discrimination*, 24 August 2023, <https://bit.ly/3PTZlJQ>.

## Gender

In December 2022, the government initiated a reduction of value-added tax (VAT) on menstrual hygiene materials, resulting in legal amendments in mid-September.<sup>193</sup> These amendments, made to the Law on Value-Added Tax, reduced the tax rate on these products from 18% to 5%, subsequently lowering their prices.<sup>194</sup>

CPPD issued a statement regarding a case of intersectional discrimination based on sex, gender, and pregnancy. A joint-stock company was found to have engaged in discrimination against a pregnant worker by not renewing her employment contract due to her pregnancy. The company was advised to cease practices that result in unequal treatment and discrimination based on sex, gender, and pregnancy in regard to employment rights. It was further recommended to uphold and apply legally guaranteed protection against discrimination related to pregnancy, childbirth, and maternity.<sup>195</sup>

Towards the end of September, a new case of femicide occurred, precipitated by prior extortion attempts and threats of releasing compromising videos, which the perpetrator threatened to make public. The victim had reported these threats to the police and the Basic Public Prosecutor's Office (BPPPO) Kočani on multiple occasions. Yet, no measures were taken to prevent the attacker from approaching the victim.<sup>196</sup> The Platform for Gender Equality reacted to this incident, emphasising that the victim had not received sufficient protection and institutions had not exercised due diligence. The importance of classifying such crimes as gender-based violence-related murders was reiterated, and the need for institutions to proactively engage in preventing gender-based violence was emphasised to avert such tragic outcomes.<sup>197</sup>

## LGBTI+

Acting on the indictment by the BPPPO in Skopje, a hate crime case from a 2022 protest in Skopje was brought before the Basic Criminal Court in Skopje. The court found the defendant guilty of committing a hate crime involving severe violence driven by hatred based on the victim's sexual orientation. The court's rationale underscored the significance of the hate crime concept, resulting in a two-year prison sentence for the defendant. This verdict is expected to contribute to deterring such crimes in the future.<sup>198</sup>

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193 'The VAT on Menstrual Products Will Be Reduced - the Assembly Approved the Amendments to the Law on Value Added Tax (Ќе се намали ДДВ-то на менструалните производи – Собранието ги изгласа измените на Законот за данок на додадена вредност)', *Radio MOF*, 19 September 2023, <https://www.radiomof.mk/kje-se-namali-ddv-to-na-menstrualnite-proizvodi-sobranieto-gi-izglasa-izmenite-na-zakonot-za-danok-na-dodadena-vrednost/>.

194 'Law Amending and Supplementing the Law on Value Added Tax (Закон за изменување и дополнување на Законот за данок на додадена вредност)', *Official Gazette of the Republic of North Macedonia* No. 199/2023.

195 'Opinion No. 08-185/19 (Мислење бр. 08-185/19)' (Commission for Prevention and Protection against Discrimination, 21 July 2023), <https://bit.ly/3QdLAWF>.

196 'Murder in Kochani—a Man Stabbed a 46-Year-Old Woman 40 Times (Убиство во Кочани – маж 40 пати избодел 46-годишна жена)', *Telma TV*, 25 September 2023, <https://telma.com.mk/2023/09/25/ubistvo-vo-kochani-mazh-40-pati-izbodel-46-godishna-zhena/>.

197 'Another Femicide Due to the Inaction of the Institutions—Reaction of the Platform for Gender Equality (Уште еден фемицид поради непостапување на институциите – реакција на Платформа за родова еднаквост)', *Official Website of the Helsinki Committee for Human Rights of the Republic of North Macedonia*, 26 September 2023, <https://bit.ly/3FiZzL6>.

198 'Two Years in Prison for the Person Who Attacked the Activist Bekim Asani in Skenderbeg Square in Skopje (Две години затвор за лицето што го нападна активистот Беким Асани на плоштадот Скендербег во Скопје)', *LGBTI United*, 5 September 2023, <https://lgbtiunited.mk/2023/09/05/dve-godini-zatvor-za-liceto-shto-go-napadna-aktivistot-bekim-asani-na-ploshtadot-skenderbeg-vo-skopje/>.

According to the World Bank, policies geared toward enhancing the social inclusion of LGBTI individuals could foster fairer and more equitable societies while also benefiting North Macedonia's economy. Despite significant reforms in place to safeguard the rights of LGBTI individuals, essential reforms linked to the European Union accession process must be implemented. These reforms have the potential to boost the annual gross domestic product (GDP) by an average of 0.6 per cent by eliminating barriers to labour market entry for LGBTI individuals facing discrimination.<sup>199</sup>

## Roma

The NGO Romaversitas has launched a campaign addressing concerns about the misuse of enrollment quotas at public universities and the need for adjustments in the enrollment policy. This action was prompted by the rejection of five Roma students who sought admission to the Faculty of Medicine from both the state and private quotas. The existing enrollment policy, which allocates only ten per cent of slots for minority students, is perceived as deficient. In this context, out of 760 students, a maximum of 76 may be from minority groups, with Roma students constituting only 2.53 per cent of this quota. Additionally, there are concerns about potential abuses of these quotas, where individuals might falsely claim Roma heritage to gain admission.<sup>200</sup>

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199 'World Bank: Economic Inclusion of LGBTI People Would Increase N. Macedonia's GDP (Светска банка: Економското вклучување на ЛГБТИ луѓето би го зголемило БДП на С.Македонија)', *Lokalno.Mk*, 26 September 2023, <https://lokalno.mk/svetska-banka-ekonomskoto-vkluchuvanje-na-lgbti-lugjeto-bi-go-zgolemilo-bdp-na-s-makedonija/>.

200 "Romaversitas": Five Roma Students Who Applied to the Faculty of Medicine Were Rejected from the State and Private Quota („Ромаверзитас“: Пет ромски студенти кои аплицираа на Медицинскиот факултет се одбиени од државна и приватна квота), *Sloboden Pecat*, 11 September 2023, <https://www.slobodenpecat.mk/romaverzitas-pet-romski-studenti-koi-apliciraa-na-medicinskiot-fakultet-se-odbieni-od-drzhavna-i-privatna-kvota/>.



